



SAN FRANCISCO PLANNING DEPARTMENT

Executive Summary Conditional Use Authorization

HEARING DATE: DECEMBER 16, 2010

Date: December 9, 2010
Case No.: **2010.1018C**
Project Address: **1960-1998 Market Street**
Zoning: NCT-3 (Neighborhood Commercial, Moderate Scale, Transit) District
Market & Octavia Plan Area
85-X Height and Bulk Districts
Block/Lot: 0872/005, 006 & 007
Project Sponsor: 270 Valencia LLC
123 Knockash Hill
San Francisco, CA 94127
Staff Contact: Jonas P. Ionin – (415) 558-6309
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PROJECT DESCRIPTION

The Planning Commission granted Conditional Use Authorization for the proposed project on June 4, 2009. There is no change to the overall design. The Project Sponsor is requesting amendments to two conditions of approval that would allow the Project to satisfy the Affordable Housing requirement by providing its required below market rate units (BMR's) off-site rather than on-site (resulting in a net gain of six BMR units) and reduce the number of car-share spaces from six to two, where one is required.

The previously approved project is to demolish the single-story ConocoPhillips Union 76 Service Station and surface parking lot and development of a mixed-use building (115 residential units over ground-floor commercial and partially subterranean garage for 69 independently accessible off-street parking spaces: 58 residential; five commercial; and six car-share), within the Market & Octavia Plan Area, an NCT-3 (Neighborhood Commercial, Moderate Scale, Transit) District and an 85-X Height and Bulk District.

The amendments would authorize the project to modify two conditions of approval to the previous project as follows: to comply with Section 415 (formerly Section 315) of the Planning Code by providing affordable housing off-site rather than on-site and reduce the number of car-share spaces from six to two, where one is required. Section 415 requires that off-site affordable housing must be within a one-mile radius of the market rate housing site and requires a higher percentage of BMR units (20% versus 15%) relative to on-site affordable housing units, resulting in a net gain of six affordable units off-site and up to 17 market rate units on-site. The area devoted to parking is being reduced by eliminating the subterranean portions of the parking garage. As amended, the parking garage is proposed to accommodate 52 off-street parking spaces in stackers, two car-share spaces in tandem and two disabled

spaces that would be independently accessible. As a result, the ground floor commercial space would be reduced to approximately 7,300 square feet subdivided into smaller retail spaces.

SITE DESCRIPTION AND PRESENT USE

The irregularly-shaped subject property is located at the northeast corner of Market and Buchanan Streets, Block 0872, Lots 005, 006 and 007. The development lot has an approximately 220 foot frontage on Market Street and an approximately 135 foot frontage on Buchanan Street. The subject property slopes up from Market Street along Buchanan Street toward Hermann Street. The property is within the NCT-3 (Moderate-Scale Neighborhood Commercial Transit District) District and an 85-X Height and Bulk District. Currently, the approximately 21,200 square foot development lot consists of a single-story ConocoPhillips Union 76 Service Station, constructed in 1936, which employs two persons and pumps approximately 55,000 gallons of gasoline per month. The site also includes a surface parking lot for approximately 20 car-share spaces. Two general advertising signs also occupy the site.

SURROUNDING PROPERTIES AND NEIGHBORHOOD

The Market & Octavia Plan Area includes the general area within a short walking distance from Market Street between Van Ness Avenue and the Church Street Muni Station, and Octavia Boulevard.

Adjacent to the subject property are four to seven-story residential buildings to the north and a single-story commercial building to the east.

Surrounding the project site are: the new San Francisco Mint Building, built in 1937 on Hermann Street; the Safeway Grocery Store with other retail and surface parking on Market Street; the former S & C Ford site; the Duboce Avenue Bart Tunnel Entrance; the former UC Berkeley Extension Laguna Street Campus; and the LGBT Community Center at the corner of Market & Octavia. The Upper Market NCD; the Duboce Triangle; the Castro Street NCD; and Twin Peaks are located further west. Van Ness Avenue; the Civic Center and Downtown are further east. Hayes Valley and the Hayes-Gough NCD are north of the project site, while Dolores Park, the Valencia Street NCD and the Mission District are south, across Market Street.

The area provides convenience goods and services to local residents as well as comparison shopping goods and services to a larger market area. The area includes restaurants, drinking establishments and small entertainment venues. Numerous housing units on secondary streets establish the area's mixed residential-commercial character. Commercial buildings without housing are typically one- and two-stories while mixed use and/or wholly residential buildings are typically three- to four-stories or taller. The adjacent parcel to the north is developed with a four-story residential building, while the adjacent parcel to the east is developed with a single-story commercial building, which is occupied by the Mint Karaoke Lounge. The surrounding zoning is primarily NCT-3 and RTO.

ENVIRONMENTAL REVIEW

The Planning Department determined that the proposed project could not have a significant effect on the environment pursuant to the California Environmental Quality Act (CEQA), based upon the criteria of

the Guidelines of the State Secretary for Resources, Sections 15064 (Determining Significant Effect), 15065 (Mandatory Findings of Significance), 15070 (Decision to prepare a Negative Declaration). The Planning Commission will consider an appeal of the Mitigated Negative Declaration at a duly noticed public hearing on April 16, 2009, in compliance with CEQA, the State CEQA Guidelines, and Chapter 31 of the San Francisco Administrative Code.

HEARING NOTIFICATION

TYPE	REQUIRED PERIOD	REQUIRED NOTICE DATE	ACTUAL NOTICE DATE	ACTUAL PERIOD
Classified News Ad	20 days	November 27, 2010	November 24, 2010	23 days
Posted Notice	20 days	November 27, 2010	November 26, 2010	21 days
Mailed Notice	20 days	November 27, 2010	November 22, 2010	25 days

PUBLIC COMMENT

- The Department received a letter in opposition to the proposed amendments. The opponent expressed concerns regarding the modification to satisfy the affordable housing requirement off-site, citing the importance to maintaining affordability in the immediate neighborhood. .

ISSUES AND OTHER CONSIDERATIONS

- There is no change to the overall design of the previously approved project. The amendments requested would allow the Project Sponsor to satisfy the Affordable Housing requirement by providing BMR units off-site (resulting in a net gain of six BMR units and up to 17 market rate units), and reduce the number of car-share spaces from six to two, where one is required.

REQUIRED COMMISSION ACTION

In order for the Project to proceed with the proposed amendments to the conditions of the previously approved project, pursuant to Motion No. 17894, the Commission must approve conditional use authorization for a service station conversion, and lot size, pursuant to Sections 228, 303 and 731.11 of the Planning Code to allow the development of a new mixed-use building (up to 115 residential units over ground-floor commercial with 52 off-street parking spaces in stackers, two car-share spaces in tandem and two disabled spaces) to satisfy its affordable housing requirement by constructing its required number of BMR units off-site; on a development lot over 9,999 square feet; within the Market & Octavia Plan Area, an NCT-3 (Neighborhood Commercial, Moderate Scale, Transit) District and an 85-X Height and Bulk District.

BASIS FOR RECOMMENDATION

- The project will provide in-fill housing with ground floor commercial space consistent with the Market & Octavia Plan.
- The neighborhood is well served by transit.

- The project will provide up to 115 new residential units, with 46 suitable for family housing.
- The project will provide 23 affordable housing units off-site within a one-mile radius of the project.
- The project will provide a minimum of two car-share spaces.
- The Project Sponsor retains the original design that incorporated rear setbacks and lightwell at the request of the Commission at the original hearing on April 16, 2009.

RECOMMENDATION: Approval with Conditions
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Attachments:

Block Book Map
Sanborn Map
Aerial Photographs
Zoning Map
Draft Motion
CEQA Findings
Mitigation and Monitoring Reporting Program
Reduced Plans

Attachment Checklist

- | | |
|--|---|
| <input checked="" type="checkbox"/> Executive Summary | <input type="checkbox"/> Project sponsor submittal |
| <input checked="" type="checkbox"/> Draft Motion | Drawings: <u>Existing Conditions</u> |
| <input checked="" type="checkbox"/> CEQA Findings & MMRP | <input type="checkbox"/> Check for legibility |
| <input checked="" type="checkbox"/> Zoning District Map | Drawings: <u>Proposed Project</u> |
| <input type="checkbox"/> Height & Bulk Map | <input checked="" type="checkbox"/> Check for legibility |
| <input checked="" type="checkbox"/> Parcel Map | <input type="checkbox"/> Health Dept. review of RF levels |
| <input checked="" type="checkbox"/> Sanborn Map | <input type="checkbox"/> RF Report |
| <input checked="" type="checkbox"/> Aerial Photos | <input type="checkbox"/> Community Meeting Notice |
| <input type="checkbox"/> Context Photos | |
| <input type="checkbox"/> Site Photos | |

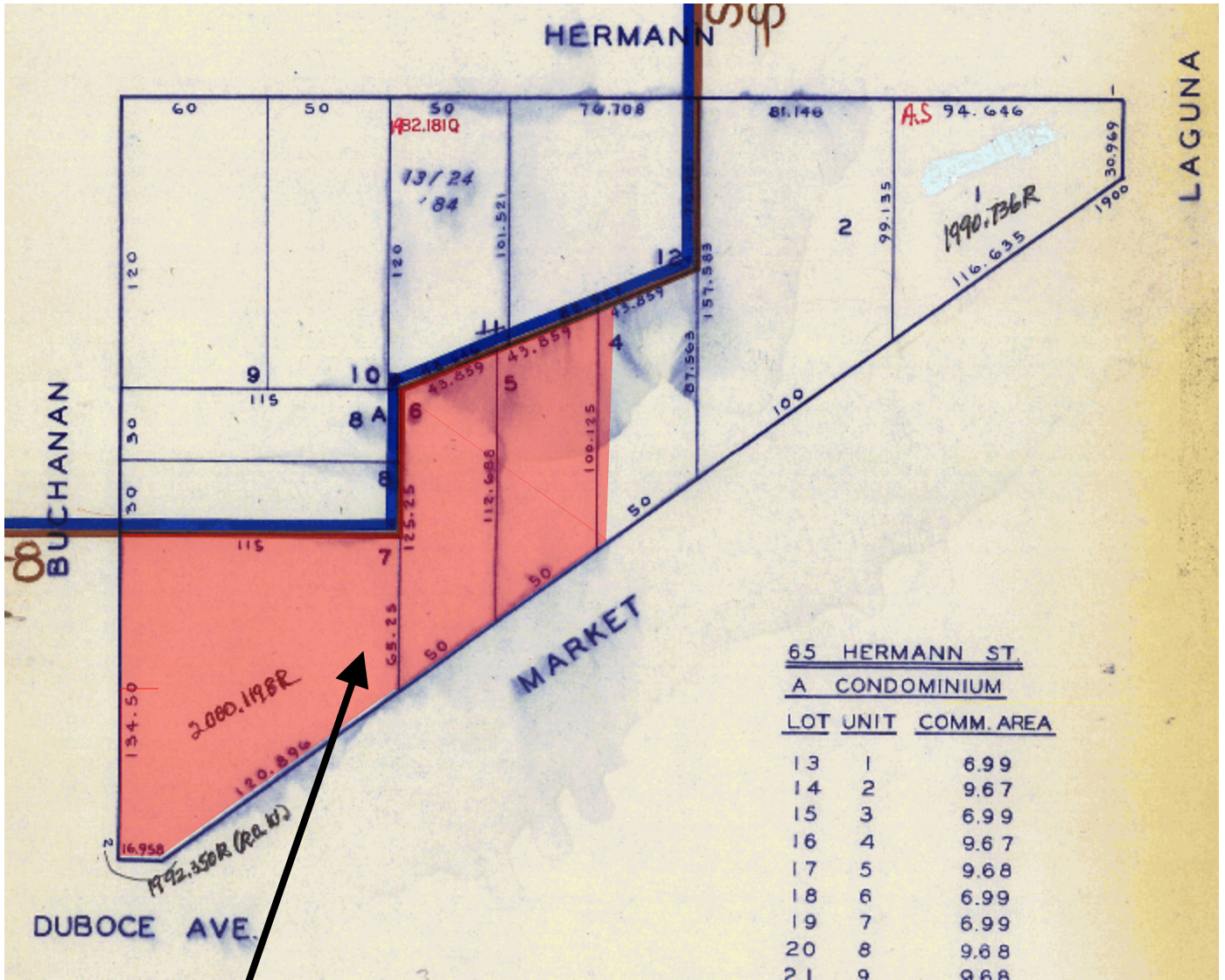
Exhibits above marked with an "X" are included in this packet

JPI

Planner's Initials

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Parcel Map

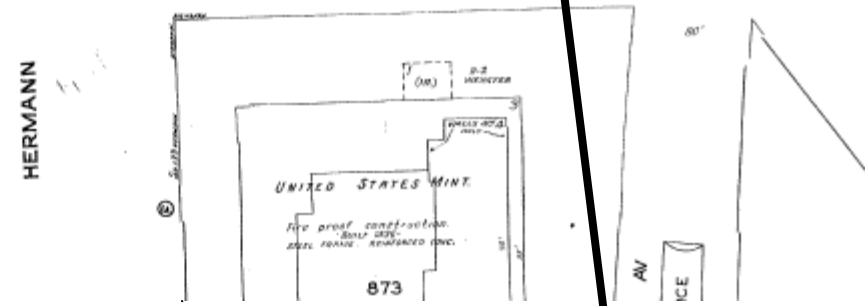
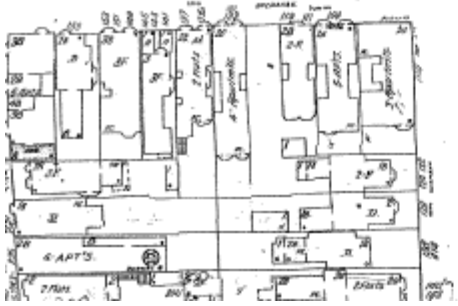
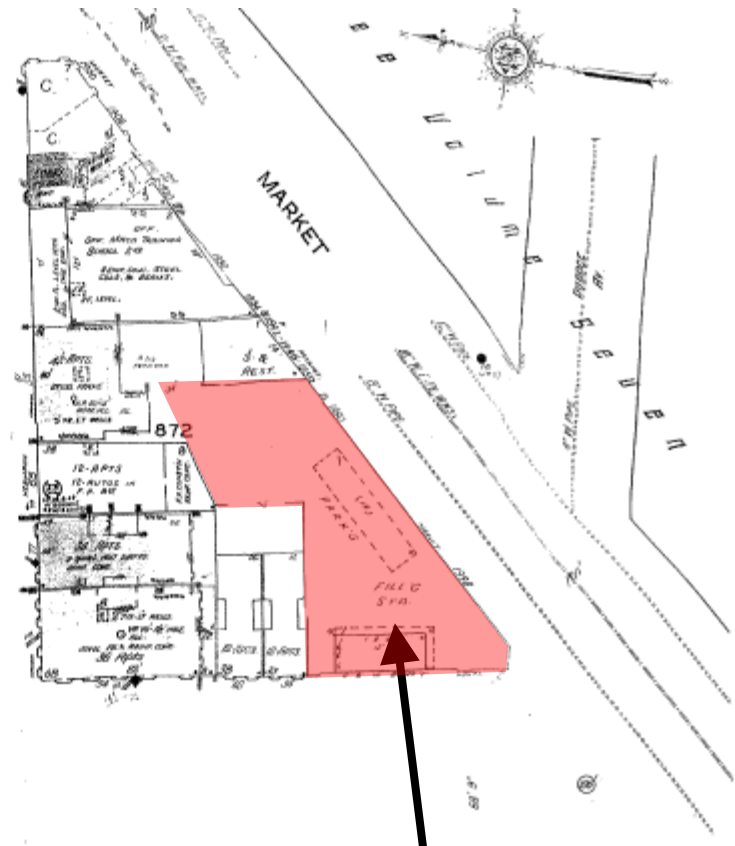
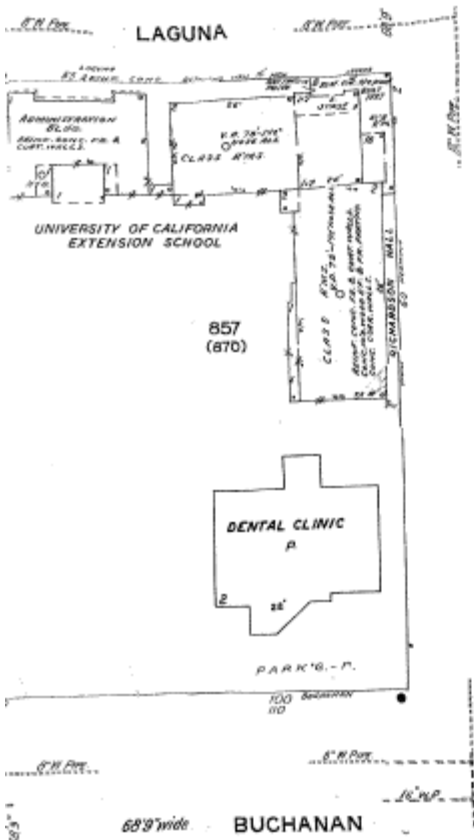


SUBJECT PROPERTY



Conditional Use Authorization
Case Number 2010.1018C
 Mixed-Use Development
 1960-1998 Market Street

Sanborn Map*



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

SUBJECT PROPERTY



Conditional Use Authorization
 Case Number 2010.1018C
 Mixed-Use Development
 1960-1998 Market Street

Aerial Photo



SUBJECT PROPERTY



Conditional Use Authorization
Case Number 2010.1018C
Mixed-Use Development
1960-1998 Market Street

Aerial Photo

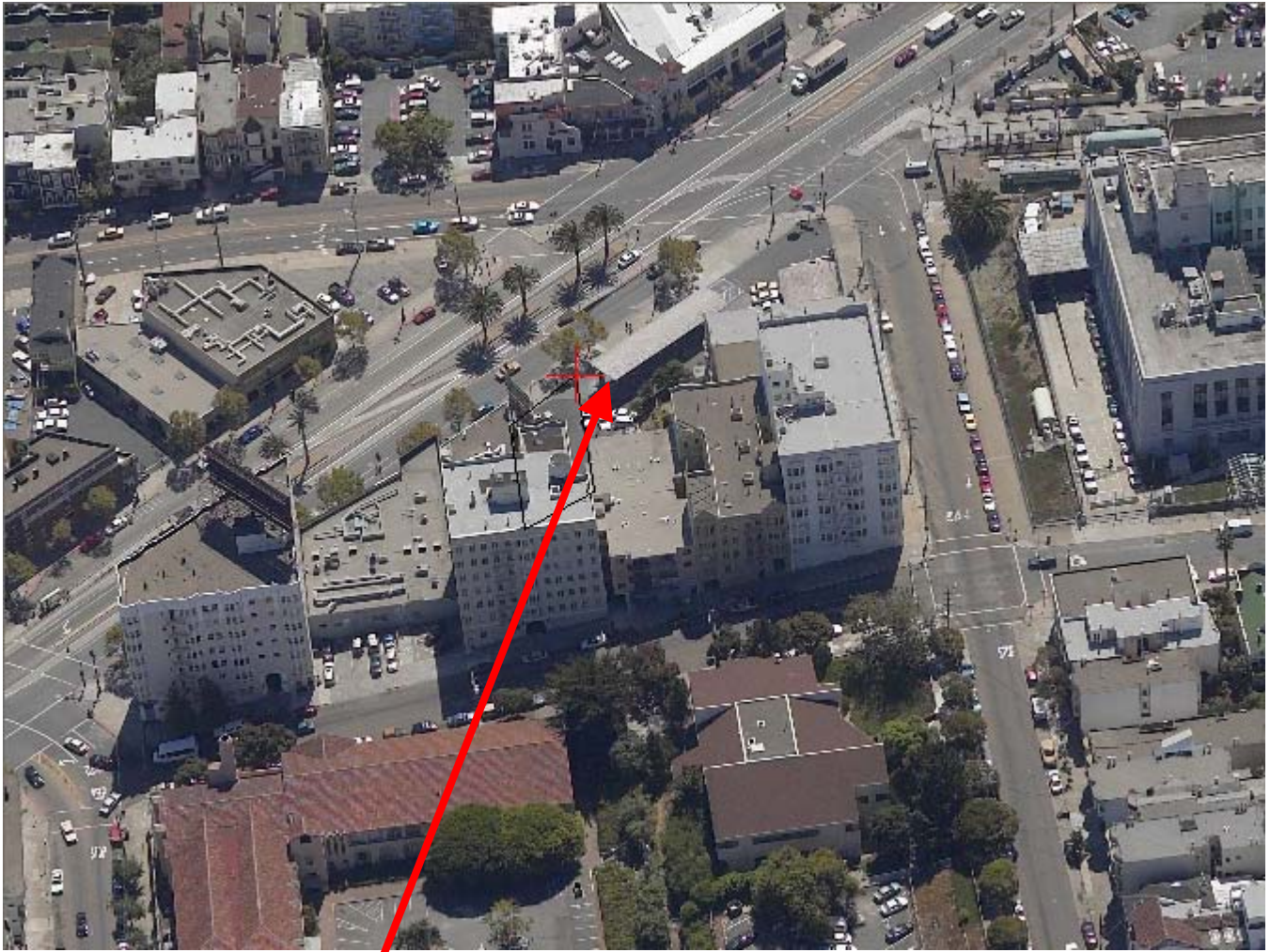


SUBJECT PROPERTY



Conditional Use Authorization
Case Number 2010.1018C
Mixed-Use Development
1960-1998 Market Street

Aerial Photo

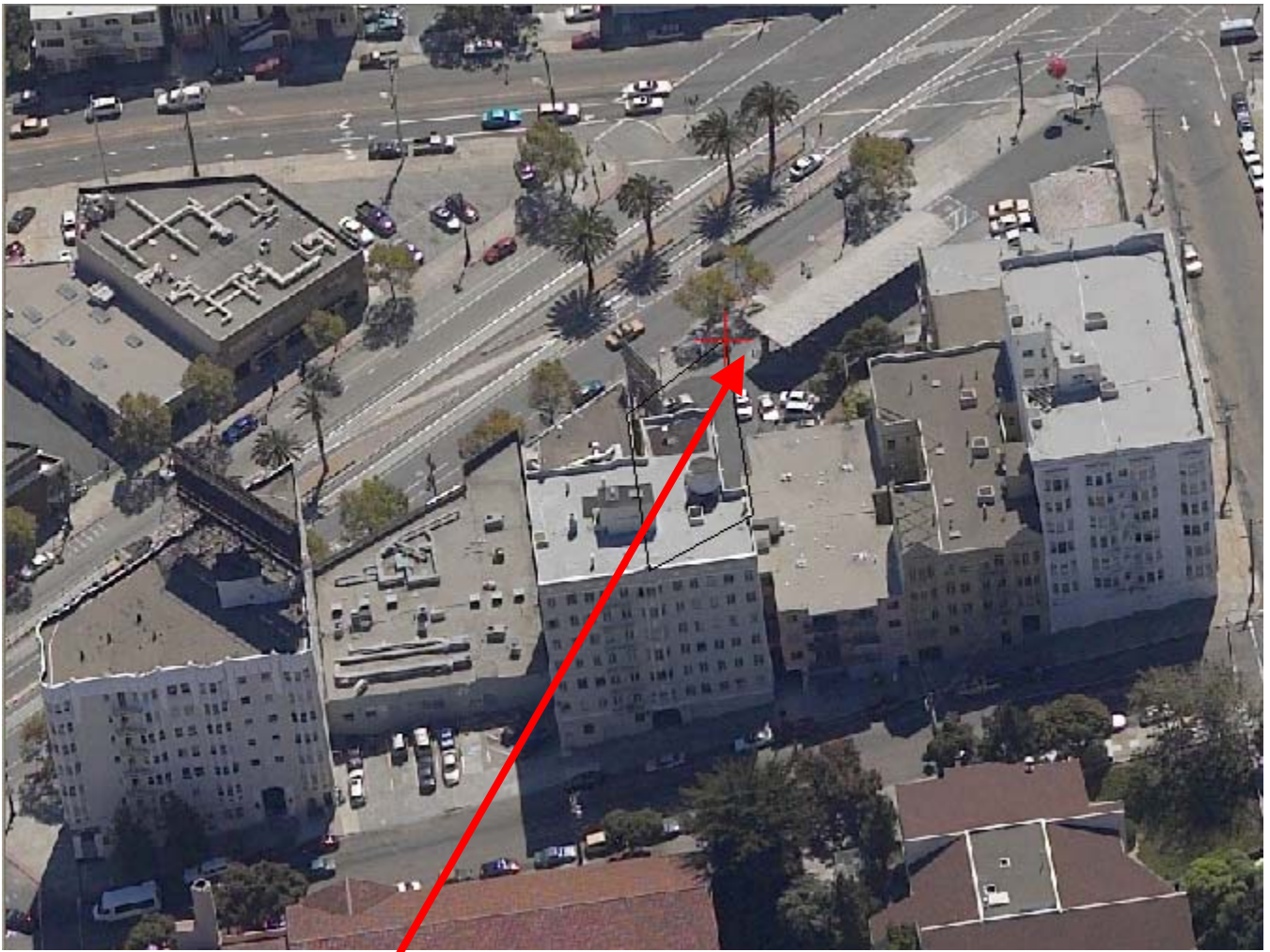


SUBJECT PROPERTY



Conditional Use Authorization
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Mixed-Use Development
1960-1998 Market Street

Aerial Photo



SUBJECT PROPERTY



Conditional Use Authorization
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Aerial Photo

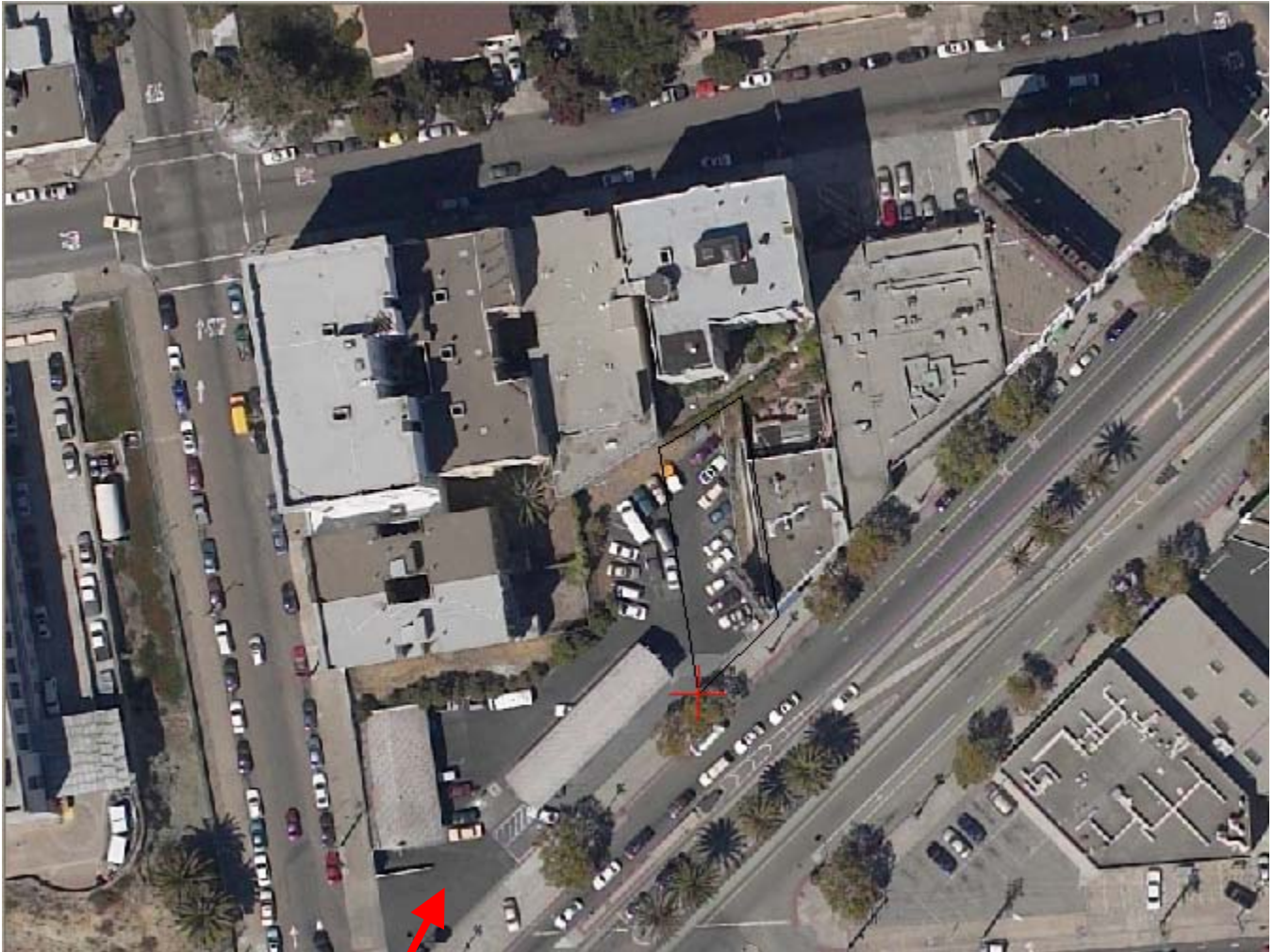


SUBJECT PROPERTY



Conditional Use Authorization
Case Number 2010.1018C
Mixed-Use Development
1960-1998 Market Street

Aerial Photo

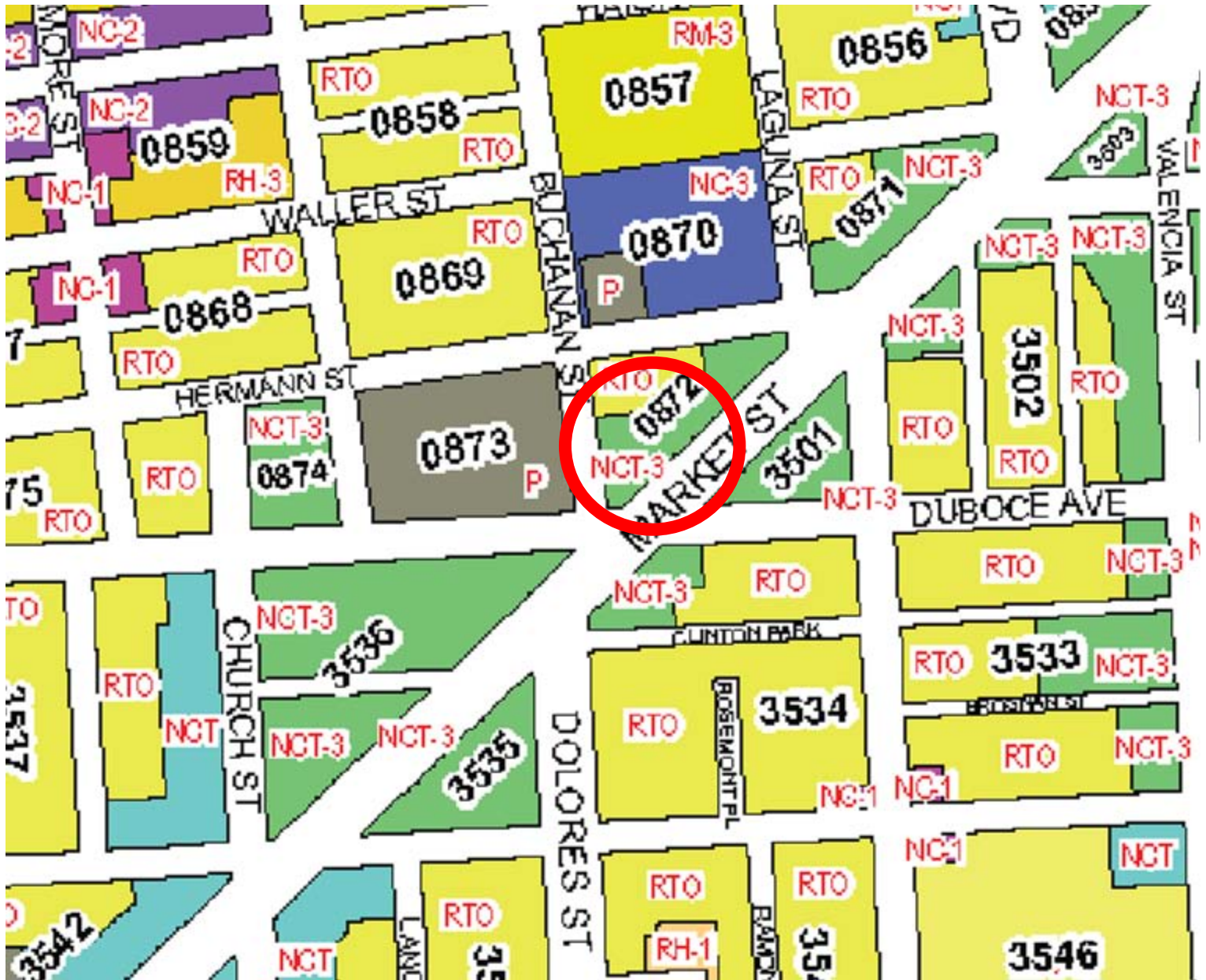


SUBJECT PROPERTY



Conditional Use Authorization
Case Number 2010.1018C
Mixed-Use Development
1960-1998 Market Street

Zoning Map



Conditional Use Authorization
Case Number 2010.1018C
Mixed-Use Development
1960-1998 Market Street



SAN FRANCISCO PLANNING DEPARTMENT

Subject to: (Select only if applicable)

- | | |
|--|---|
| <input checked="" type="checkbox"/> Affordable Housing (Sec. 415) | <input checked="" type="checkbox"/> First Source Hiring (Admin. Code) |
| <input type="checkbox"/> Jobs Housing Linkage Program (Sec. 413) | <input type="checkbox"/> Child Care Requirement (Sec. 414) |
| <input type="checkbox"/> Downtown Park Fee (Sec. 412) | <input type="checkbox"/> Other |
| <input checked="" type="checkbox"/> Market & Octavia Fund (Sec. 421) | |

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Planning Commission DRAFT Motion

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ADOPTING AMENDMENTS TO A CONDITIONAL USE AUTHORIZATION APPROVED BY THE PLANNING COMMISSION ON JUNE 4, 2009 PURSUANT TO SECTIONS 121.1, 228, 303 AND 731.11 OF THE PLANNING CODE TO ALLOW THE DEMOLITION OF A SERVICE STATION AND THE DEVELOPMENT OF A MIXED USE BUILDING (WITH UP TO 115 RESIDENTIAL UNITS OVER GROUND-FLOOR COMMERCIAL SPACE AND PARTIALLY SUBTERRANEAN GARAGE FOR 69 INDEPENDENTLY ACCESSIBLE OFF-STREET PARKING SPACES: 58 – RESIDENTIAL; 5 – COMMERCIAL; AND 6 – CAR-SHARE) ON A DEVELOPMENT LOT OVER 9,999 SQUARE FEET; AND ADOPTING FINDINGS UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, INCLUDING A MITIGATION MONITORING AND REPORTING PROGRAM. AMENDMENTS WOULD AUTHORIZE THE PROJECT TO COMPLY WITH SECTION 415 OF THE PLANNING CODE BY PROVIDING AFFORDABLE HOUSING OFF-SITE RATHER THAN ON-SITE AND REDUCE THE NUMBER OF CARSHARE SPACES FROM SIX TO TWO, WHERE ONE IS REQUIRED. THE SUBJECT PROPERTY IS WITHIN THE MARKET & OCTAVIA PLAN AREA, AN NCT-3 (NEIGHBORHOOD COMMERCIAL, MODERATE SCALE, TRANSIT) DISTRICT AND AN 85-X HEIGHT AND BULK DISTRICT.

PREAMBLE

On May 29, 2007, David P. Cincotta, on behalf of 270 Valencia Street LLC, filed an application for Conditional Use Authorization under Planning Code Sections 121.1, 151.1, 228, 303 and 731.11 to allow the demolition of a service station and the construction of a mixed-use development providing the maximum permissible amount of off-street parking on a development lot over 9,999 square feet in an NCT-3 (Neighborhood Commercial, Moderate Scale, Transit) District and an 85-X Height and Bulk District.

On November 19, 2008, the San Francisco Planning Department (hereinafter "Department") published a Preliminary Mitigated Negative Declaration (hereinafter "PMND") for the Project. An appeal of the PMND was filed on December 9, 2008 by the San Francisco Building and Construction Trades Council.

On April 16, 2009, the Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting on the appeal of Case No. 2006.1431E.

On April 16, 2009, the Commission upheld the PMND and approved the issuance of the Final Mitigated Negative Declaration (FMND) as prepared by the Planning Department in compliance with CEQA, the State CEQA Guidelines and Chapter 31.

On April 16, 2009, the Commission conducted a duly noticed public hearing at a regularly scheduled meeting on Conditional Use Application No. 2006.1431C. Following public testimony the Commission continued the Conditional Use Application to May 21, 2009 with direction to continue working on the design and to incorporate a lightwell and rear setbacks.

On April 16, 2009, the Zoning Administrator conducted a duly noticed public hearing at a regularly scheduled meeting on Variance Application No. 2006.1431V. Following public testimony the Zoning Administrator continued the Variance Application to May 21, 2009.

On May 21, 2009, the Commission continued the public hearing on Conditional Use Application No. 2006.1431C to June 4, 2009.

On June 4, 2009, the Commission conducted a duly noticed public hearing at a regularly scheduled meeting on Conditional Use Application No. 2006.1431C and approved the project with conditions.

On June 4, 2009, the Zoning Administrator conducted a duly noticed public hearing and granted the requested variances at a regularly scheduled meeting on Variance Application No. 2006.1431V.

On November 10, 2010, Brian Spiers on behalf of 270 Valencia Street LLC (Project Sponsor), filed an application for Conditional Use Authorization to amend conditions of approval of a previous project, authorized pursuant to Motion No. 17894. The amendments would authorize the Project to comply with Section 415 of the Planning Code by providing affordable housing off-site rather than on-site and reduce the number of car-share spaces from six to two, where one is required. The subject property is within the Market & Octavia Plan Area, an NCT-3 (Neighborhood Commercial, Moderate Scale, Transit) District and an 85-X Height and Bulk District.

On December 16, 2010, the Commission conducted a duly noticed public hearing at a regularly scheduled meeting on Conditional Use Application No. 2010.1018C.

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

MOVED, that the Commission hereby authorizes the Conditional Use requested in Application No. 2010.1018C, 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 irregularly-shaped subject property is located at the northeast corner of Market and Buchanan Streets, Block 0872, Lots 005, 006 and 007, including the air-rights over Lot 004. The development lot has an approximately 220 foot frontage on Market Street and an approximately 135 foot frontage on Buchanan Street. The subject property slopes up from Market Street along Buchanan Street toward Hermann Street. The property is within the NCT-3 (Moderate-Scale Neighborhood Commercial Transit District) District and an 85-X Height and Bulk District. Currently, the approximately 21,200 square foot development lot consists of a single-story ConocoPhillips Union 76 Service Station, constructed in 1936, which employs two persons and pumps approximately 55,000 gallons of gasoline per month. The site also includes a surface parking lot for approximately 20 car-share spaces. Two general advertising signs also occupy the site.

According to the Assessor's data, the development site is 21,212 square feet or approximately 568 square feet less than half an acre. Half an acre is the minimum area a development lot requires in order to be considered a Planned Unit Development (PUD).

3. **Surrounding Properties and Neighborhood.** The Market & Octavia Plan Area includes the general area within a short walking distance from Market Street between Van Ness Avenue and the Church Street Muni Station, and Octavia Boulevard.

Adjacent to the subject property are four to seven-story residential buildings to the north and a single-story commercial building to the east.

Surrounding the project site are: the new San Francisco Mint Building, built in 1937 on Hermann Street; the Safeway Grocery Store with other retail and surface parking on Market Street; the former S & C Ford site; the Duboce Avenue MUNI Tunnel Entrance; the former UC Berkeley

Extension Laguna Street Campus; and the LGBT Community Center at the corner of Market & Octavia. The Upper Market NCD; the Duboce Triangle; the Castro Street NCD; and Twin Peaks are located further west. Van Ness Avenue; the Civic Center and Downtown are further east. Hayes Valley and the Hayes-Gough NCD are north of the project site, while Dolores Park, the Valencia Street NCD and the Mission District are south, across Market Street.

The area provides convenience goods and services to local residents as well as comparison shopping goods and services to a larger market area. The area includes restaurants, drinking establishments and small entertainment venues. Numerous housing units on secondary streets establish the area's mixed residential-commercial character. Commercial buildings without housing are typically one- and two-stories while mixed use and/or wholly residential buildings are typically three- to four-stories or taller. The adjacent parcel to the north is developed with a four-story residential building, while the adjacent parcel to the east is developed with a single-story commercial building, which is occupied by the Mint Karaoke Lounge. The surrounding zoning is primarily NCT-3 and RTO.

4. **Project Description.** The proposal is to amend conditions of approval of a previous project, authorized pursuant to Motion No. 17894, for the demolition of the single-story ConocoPhillips Union 76 Service Station and surface parking lot and construction of a nine-story mixed-use development with up to 115 residential units (containing approximately 46 two-bedroom units; 62 one-bedroom units; and seven studio units) over approximately 8,200 square feet of ground floor commercial space with up to 69 independently accessible off-street parking spaces in a partially subterranean parking garage below (58 residential, five commercial, and six car-share), within the Market & Octavia Plan Area, an NCT-3 (Neighborhood Commercial, Moderate Scale, Transit) District and an 85-X Height and Bulk District.

The amendments would authorize the project to comply with Section 415 (formerly Section 315) of the Planning Code by providing affordable housing off-site rather than on-site and reduce the number of car-share spaces from six to two, where one is required. Section 415 requires that off-site affordable housing must be within a one-mile radius of the market rate housing site and requires a higher percentage of BMR units (20% versus 15%) relative to on-site affordable housing units, resulting in a net gain of six affordable units. The area devoted to parking is being reduced by eliminating the subterranean portions of the parking garage. As amended, the parking garage is proposed to accommodate 52 off-street parking spaces in stackers, two car-share spaces in tandem and two disabled spaces that would be independently accessible. As a result, the ground floor commercial space would be reduced to approximately 7,300 square feet subdivided into smaller retail spaces.

5. **Public Comment.** The Department received a letter in opposition to the proposed amendments. The opponent expressed concerns regarding the modification to satisfy the affordable housing requirement off-site, citing the importance to maintaining affordability in the immediate neighborhood.

6. **Market & Octavia Area Plan.** The Project is designed to comply with the Planning Code and Zoning Map provisions of the Market & Octavia Area Plan, Board of Supervisors Ordinance number 0246-07, Board file 071158, effective May 30, 2008.
7. **Planning Code Compliance.** The Commission finds that the Project is consistent with the relevant provisions of the Planning Code in the following manner:
 - A. **Service Station Conversion.** Planning Code Section 228 requires all conversions of service stations to meet certain criteria and receive Planning Commission authorization. The Planning Commission shall authorize the service station conversion if it determines from the facts presented that the reduction in availability of automotive goods and services resulting from the service station conversion would not be unduly detrimental to the public because either:
 - a. Comparable automotive goods and services are available at other reasonably accessible locations; or
 - b. The benefits to the public of the service station conversion would outweigh any reduction in automotive goods and services availability because the proposed new use is more necessary or desirable for the neighborhood or community than continued service station use.

In making determination under Subsection (b), the Planning Commission shall consider the following factors:

- (1) If the proposed use is a residential use, the total number of units to be provided and the number of those units that are affordable units;

The mixed-use development will provide up to 115 new residential units, of which, 20% (or 23 residences) will be dedicated to below market rate (BMR) units to be constructed off-site.

- (2) If the proposed new use is a commercial use, the types of goods and services to be offered and the availability of comparable products and services in the vicinity;

The mixed-use development will include approximately 7,300 square feet of new ground-floor retail space, subdivided into smaller spaces. The spaces will vary in size. The future tenants have not been secured; however, it is anticipated that they will be consistent with the existing character of the area and not over-saturate the neighborhood with comparable products and services that already exist in the immediate vicinity.

- (3) The relative environmental dangers posed by the current and proposed uses, including but not limited to the quality and character of waste generated, noxious or offensive emissions, fire and explosion hazards and noise, and whether the service station conversion would facilitate the cleanup of existing contamination at the property;

The operation of a service station inherently involves the risk of contamination to the underlying soils and aquifers. It creates excess traffic along Market Street from customer ingress and egress resulting in increased air pollution. The Project includes the removal of the Service Station and its underground tanks, as well as all required environmental remediation. The Project converts the service station use to residential and commercial, potentially reducing the existing traffic impacts. Finally, the Project is designed to control any noxious or offensive emission such as noise, glare, dust and odors that may be generated by demolition and construction activities.

- (4) The relative employment opportunities offered by the gasoline service station and the proposed new use;

The service station employed two (2) persons. The Project will offer greater employment opportunities, including opportunities for residents of the area, with new ground-floor retail.

- (5) The relative amount of taxes or other revenues to be received by the City or other governmental bodies from service station use and the proposed new use;

The property, retail and sales taxes generated by the mixed-use development proposal are anticipated to substantially exceed those generated by the service station. The service station generated diminutive sales and profitability. It included nominal retail and sales tax revenue from the volume of gasoline being sold (approximately 55,000 gallons per month). The Project will generate property taxes from up to 115 new residences including retail and sales taxes from the approximately 7,300 square feet of retail (subdivided into smaller spaces). The Project will also generate property transfer tax revenue.

- (6) Whether the service station use and the proposed use are permitted principal uses, conditional use or nonconforming use.

In NCT-3 Districts, a new service station would require conditional use authorization, while residential uses and ground-floor retail uses are principally permitted. The previously approved project proposed to demolish an existing service station; develop a lot greater than 9,999 square feet; and requested parking in excess of the 0.5 to 1 ratio developed by the Market & Octavia Plan. The Project Sponsor was granted conditional use authorization pursuant to Planning Code Sections 121.1, 228, and 731.11, however, the request for additional parking was not approved. The current proposal varies from the original conditions of approval only in the provision of off-site affordable housing rather than on-site (resulting in a net gain of six affordable units) and the reduction of six car-share spaces to two car-share spaces, where one is required.

Therefore, the benefits to the public of the service station demolition outweigh any reduction in automotive goods and services availability because the proposed new use is more necessary and desirable for the neighborhood and community than continued service station use.

- B. **Use.** Planning Code Section 731 identifies dwelling units as a principally permitted use on the second story and above in the NCT-3 Zoning District. Commercial uses are principally permitted on the ground story.

The Project includes residential units on the second story and above. Ground floor commercial tenants are not yet secured, but shall be subject to the use limitations of Section 731.

- C. **Height and Bulk.** In the 85-X Height and Bulk District, the Planning Code allows building heights up to 85-feet and does not restrict bulk.

The Project consists of a nine-story, 85-foot tall building with a ground floor commercial ceiling height of 15 feet.

- D. **Residential Density and Dwelling Unit Mix.** No residential density limit exists in the NCT-3 District. Density is restricted by physical envelope controls of height, bulk, setbacks, open space, exposure, and other applicable controls of the Planning Code, as well as by applicable design guidelines, applicable elements of the General Plan, and design review by the Planning Department. However, Section 207.6 requires that residential projects of five or more dwelling units in the NCT District to have at least 40 percent of the units contain two or more bedrooms.

The Project proposes up to 115 residential dwellings, of which 46 are two-bedroom dwelling units, representing 40 percent of all units proposed.

- E. **Rear Yard.** Section 134 establishes minimum required rear yards in all zoning districts. The rear yard is generally a function of lot depth, with the exception of corner lots. Planning Code Section 134(e)(2) permits corner lots in NC districts to provide an open area equal to 25 percent of the lot area and with a minimum dimension of 15 feet in an appropriate interior area of the lot.

The Project provides an open area in the interior of the lot that meets the dimensional requirements of Section 134; however, it does not provide the required square footage. The rear yard has dimensions no less than 15 feet in every horizontal direction and an area of approximately 4,075 square feet (19 percent of the total lot area), where 5,300 square feet (25 percent of the total lot area) is required. On June 4, 2009, the Zoning Administrator conducted a duly noticed public hearing and granted a rear yard variance for this aspect of the development proposal.

- F. **Usable Open Space.** Usable open space is required for dwelling units in all zoning districts. Under Section 135(d), the minimum amount of usable open space for dwelling units in the NCT-3 District is as follows: 80 square feet per unit if private and 106.4 square feet per unit if common. In order for inner courts to be counted toward common usable open space the space must not be less than 20 feet in every horizontal dimension and 400 square feet in area and such that the court provide a one to one ratio of depth to building height.

The proposal includes private and common usable open space that exceeds the minimum square footage required. However, the rear yard common usable open space proposed does not provide the one-to-one ratio of depth to building height. On June 4, 2009, the Zoning Administrator conducted a duly noticed public hearing and granted a usable open space variance for this aspect of the development proposal.

- G. Dwelling Unit Exposure.** Section 140 requires that every dwelling unit in every use district face either a public street, a public alley at least 25 feet in width, a rear yard meeting the requirements of the Planning Code, an outer court with a width greater than 25 feet, or an open area at least 25 feet in every horizontal dimension for the floor at which the dwelling unit in question is located and the floor immediately above it, with an increase in five feet in every horizontal dimension at each subsequent floor.

Seventy of the proposed dwelling units front either Buchanan or Market Streets. Twenty-nine of the units face an inner court that does not comply with the five-foot setback at the fourth residential level and above and eight units face an adjacent lot (the air-rights over the Mint Karaoke Lounge have been purchased by the developer mitigating the potential for these units' exposure to Market Street from being eliminated). On June 4, 2009, the Zoning Administrator conducted a duly noticed public hearing and granted a dwelling unit exposure variance for this aspect of the development proposal.

- H. Affordable Housing Program.** Planning Code Section 415 (formerly Code Section 315) sets forth the requirements and procedures for the Affordable Housing Program. On February 2, 2010, the Board of Supervisors adopted Interim Controls contained in Board of Supervisors' Resolution No. 36-10 (BOS File No. 100047) entitled "Planning Code – Interim Controls Related to Affordable Housing Requirements" (the "Affordable Housing Ordinance"), the requirements of the Interim Controls apply to this Project. Under Planning Code Section 415.3 (formerly Code Section 315.3), these requirements would apply to projects that consist of five or more units, where the first application (EE or BPA) was applied for on or after July 18, 2006. Pursuant to Planning Code Section 415.6 (formerly Code Section 315.5), the Project is required to provide 20% of the proposed dwelling units as affordable if the project is eligible for an selects the off-site alternative. Off-site units must be located within a one (1) mile radius of the principle project.

The Project Sponsor had originally elected to satisfy the Affordable Housing requirement by providing on-site affordable units. The on-site BMR (Below Market Rate) requirement is 15% of the total unit count. The Project would have provided 17 BMR units on-site. The Project Sponsor has since elected to satisfy the Affordable Housing requirement by providing off-site affordable units. The off-site BMR (Below Market Rate) requirement is 20% of the total unit count. The Project will provide 23 BMR units off-site within a one-mile radius of the market rate housing development site. The BMR unit mix shall share the same ratio as the total unit mix for the building and comply with the Procedures Manual administered by the Mayor's Office of Housing.

The Project Sponsor has demonstrated that it is eligible for the off-site alternative under Planning Code Section 415.6 (formerly Code Section 315), and has submitted a Declaration of Intent to satisfy the requirements of the Affordable Housing Ordinance by providing the affordable housing off-site

instead of payment of the Affordable Housing Fee. In order for the project sponsor to be eligible for the off-site option under the Interim Controls, the project sponsor must submit an 'Affidavit to Establish Eligibility for Alternative to Affordable Housing Fee' to the Planning Department stating that any affordable units designated as off-site units shall be sold as ownership units and will remain as ownership units for the life of the project. The Project Sponsor submitted such Affidavit on December 8, 2010. The EE application was submitted on November 29, 2006. If the Project becomes ineligible to meet its Affordable Housing Program obligation off-site, it must pay the Affordable Housing Fee with interest, if applicable.

- I. **Street Frontage in Neighborhood Commercial Transit Districts.** Planning Code Section 145.1 requires that NC Districts containing specific uses have at least ½ the total width of the new or altered structure at the commercial street frontage devoted to entrances to commercially used space, windows or display space at the pedestrian eye-level. Such windows shall use clear, un-tinted glass, except for decorative or architectural accent. Any decorative railings or decorated grille work, other than wire mesh, which is placed in front or behind such windows, shall be at least 75 percent open to perpendicular view and no more than six feet in height above grade.

The Project's commercial spaces devote more than 50 percent of their frontages along Market and Buchanan Streets to entrances and windows. The windows are clear and unobstructed.

Section 145.1 also requires that no more than 1/3 of the width of the structure be devoted to access to parking, with a maximum width of 20 feet per street frontage in NCT districts.

The Project provides a single vehicular access point to the garage on Buchanan Street that will measure no more than 20 feet in width.

- J. **Street Trees.** Section 143 requires a minimum of one street tree for each 20 feet of frontage along a street or alley.

The Project provides the required number of street trees and includes a landscaped front setback at the corner of Market and Buchanan Streets.

- K. **Shadow.** Section 295 prohibits any structure that exceeds 40 feet in height from casting any shade or shadow upon any property under the jurisdiction of, or designated for acquisition by, the Recreation and Parks Commission, with certain exceptions identified in the Sunlight Ordinance.

A shadow fan was developed based on the drawings submitted with the application to determine the shadow impact of the project on properties protected by the Sunlight Ordinance. The fan indicates that there is no shadow impact from the subject property on any property protected by the Ordinance.

- L. **Bicycle Parking.** Planning Code Section 155.5 requires bicycle parking for residential uses to provide 25 Class 1 spaces plus one Class 1 space for every 4 dwelling units over 50.

Pursuant to Planning Code Section 155.4, no bicycle parking is required for the commercial uses as the total commercial square footage does not exceed 10,000 square feet.

The Project includes 115 residential dwellings and approximately 7,300 square feet of ground-floor commercial. It will provide a minimum of 41 Class 1 bicycle parking spaces. Class 1 spaces are defined as a facility which protects the entire bicycle, its components and accessories against theft and against inclement weather, including wind-driven rain. Examples include: lockers; check-in facilities; monitored parking; restricted access parking; and personal storage.

8. **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 has executed a First Source Hiring Declaration of Compliance with Administrative Code Chapter 83.

9. **Planning Code Section 303** establishes criteria for the Planning Commission to consider when reviewing applications for Conditional Use approval. On balance, the project does comply with said criteria in that:
 - A. That the proposed use or feature, at the size and intensity contemplated and at the proposed location, will provide a development that is necessary or desirable for, and compatible with, the neighborhood or the community.

The Project as proposed, at the size and intensity contemplated and at the proposed location, will provide development that is necessary and desirable for, and compatible with, the neighborhood or the community because:

The Project will demolish an underutilized service station and clean the site. The Project will create up to 115 new dwelling units and approximately 7,300 square feet of commercial space with an infill development in an established urban area. The Project will provide its required affordable housing off-site, the new commercial spaces will provide services to the immediate neighborhood and will create a pedestrian-oriented streetscape along Market and Buchanan Streets.

The commercial uses have not yet been defined; however, the ground-floor will be subdivided into smaller spaces with varied floor areas. Therefore, given the individual areas of the commercial spaces and the number of new residential units, the Project would enhance existing neighborhood-serving uses in the area.

The design of the building is distinctive. While the building is relatively large, stepping the mass to follow the topography, the use of recesses, vertical panels and balconies give the building articulation and verticality disrupting the horizontal massing. Also, the rear elevation will be treated architecturally to lend attractiveness and distinction to the mid-block open area.

By limiting off-street parking access to Buchanan Street, the Project avoids curb cuts on Market Street and maintains an unbroken continuity of ground floor retail uses, a characteristic that is important to neighborhood commercial districts. By locating its off-street parking entrance to Buchanan Street, conflicts and interference with MUNI transit service are avoided.

Therefore, the proposed mixed-use project, its design, size and intensity of use contemplated provides a development that is necessary, desirable for and compatible with the neighborhood and the community.

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

The design and arrangement of the building will enhance the neighborhood. The amount of commercial space will be increased, further strengthening the Market Street corridor. The Project provides up to 115 new housing units and 56 off-street parking spaces on-site: 52 off-street parking spaces in stackers, two car-share spaces in tandem and two disabled spaces that would be independently accessible. Development of the site as a whole, including its design, size, configuration, and uses will complement the existing neighborhood and provide a significant amount of new housing at a density consistent with and appropriate for the neighborhood.

- ii. The accessibility and traffic patterns for persons and vehicles, the type and volume of such traffic, and the adequacy of proposed off-street parking and loading;

Locating the parking garage access on Buchanan Street optimizes accessibility for pedestrians along Market Street. The number of independently accessible off-street parking spaces is limited by the Market & Octavia Neighborhood Plan. A 0.5 to 1 ratio of parking spaces to dwellings is principally permitted, and a maximum of 0.75 to 1 ratio is permitted through conditional use authorization. No off-street loading space is required.

At the June 4, 2009 hearing, the Project proposed 83 independently accessible off-street parking spaces (72 residential, 5 commercial, and 6 car-share); however, the Department recommended that the Project limit its parking to 69 spaces (58 residential, 5 commercial, and 6 car-share). The Planning Commission adopted the Department's recommendation to limit the residential parking ratio to 0.5 to 1. It was stated at the hearing that this project may return to the Commission with a request to increase the parking ratio in the future.

At the December 16, 2010 hearing, the Project proposed 56 off-street parking spaces (52 off-street parking spaces in stackers, two car-share spaces in tandem and two disabled spaces that would be independently accessible).

The subject site is well served by public transit. The historic F line runs on Market Street; the Church Street MUNI Station is approximately three blocks west; the N Judah, J Church, 6, 7, 16, 22, 26, 37, and 71 are all within a five-block radius.

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

The environmental mitigation measures and condition of approval for dust control measures would avoid any significant dust impacts during project demolition and construction. The Project, after its completion as a residential/commercial mixed-use development, will not prove to be offensive regarding noise, dust, glare, and odors on a permanent basis.

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

New landscaping is included in the proposal along the street, in open areas and the roof-top open space. Parking areas are enclosed and below grade with access from Buchanan Street, thus maintaining maximum pedestrian safety, continuity and convenience along Market Street. Common and private open space area is provided in excess of Code requirements. Project lighting and signage will be in strict compliance with applicable codes.

- C. That the use as proposed will comply with the applicable provisions of the Planning Code and will not adversely affect the General Plan.

The Project complies with all relevant requirements and standards of the Planning Code and is consistent with objectives and policies of the General Plan as detailed below. The Project Sponsor was granted variances for rear yard, open space and dwelling unit exposure.

- D. That the use as proposed would provide development that is in conformity with the purpose of the applicable Neighborhood Commercial District.

The proposed project is consistent with the stated purpose of NCT-3 Districts in that the Project is a moderate-density mixed-use development with ground floor, neighborhood-serving commercial uses and residential units above.

- E. **Large Lot Development.** Sections 121.1 and 731.11 require new construction development lots greater than 10,000 square feet in the NCT-3 Zoning District to obtain conditional use authorization. The two following criteria are required to obtain such conditional use authorization:

- a. The mass and façade of the proposed structure are compatible with the existing scale of the district;

The existing scale of the district is mixed. Building heights in the immediate area range from one to seven stories. The subject block contains three existing seven-story buildings of medium density approximately 80 feet in height.

- b. The façade of the proposed structure is compatible with design features of adjacent facades that contribute to the positive visual quality of the district.

The Project facades are of a contemporary design and compatible with other positive design features in the area by making the corner and residential entrances more prominent, breaking up the longer façade along Market Street by introducing vertical elements, providing high ground floor commercial ceiling heights, and maximizing glazing on the ground floor.

- F. **Off-Street Parking.** Planning Section 151.1 of the Planning Code limits residential parking to a maximum of .5 parking spaces per dwelling unit in the NCT-3 District, or .75 spaces per dwelling unit with conditional use authorization. Additionally, a maximum of 1 space per 1,500 square feet of commercial space is permitted.

The Project is not required to provide any residential or commercial parking. The Project is allowed a maximum of 0.5 spaces per dwelling unit by right and a maximum of 0.75 spaces per dwelling unit through a conditional use authorization, pending the project's ability to meet the performance criteria outlined in section 151.1(f). The Project proposes 56 off-street parking spaces (52 spaces in stackers, two car-share spaces in tandem and two disabled spaces that would be independently accessible).

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

HOUSING ELEMENT

HOUSING SUPPLY

OBJECTIVE 1 – TO PROVIDE NEW HOUSING, ESPECIALLY PERMANENTLY AFFORDABLE HOUSING, IN APPROPRIATE LOCATIONS WHICH MEETS IDENTIFIED HOUSING NEEDS AND TAKES INTO ACCOUNT THE DEMAND FOR AFFORDABLE HOUSING CREATED BY EMPLOYMENT DEMAND

Policy 1.1 - Encourage higher residential density in areas adjacent to downtown, in underutilized commercial and industrial areas proposed for conversion to housing, and in neighborhood commercial districts where higher density will not have harmful effects, especially if the higher density provides a significant number of units that are affordable to lower income households.

Policy 1.4 - Locate in-fill housing on appropriate sites in established residential neighborhoods.

The project site is a significant in-fill opportunity site. The demolition of the service station and surface parking lot would allow the construction of up to 115 new residential units (with up to 23 off-site BMR units) and approximately 7,300 square feet of ground floor commercial in an established residential neighborhood.

HOUSING AFFORDABILITY

OBJECTIVE 4:

SUPPORT AFFORDABLE HOUSING PRODUCTION BY INCREASING SITE AVAILABILITY AND CAPACITY.

Policy 4.2:

Include affordable units in larger housing projects.

The Project maximizes density, which increases the total number of Below Market Rate units required. It creates up to 115 units of new housing on an underutilized infill site in an established urban area that is well-served by transit, pedestrian, and bicycle facilities, and 23 Below Market Rate units off-site. Although the BMR units will be located off-site, they will be within a one mile radius of the market rate site, pursuant to Planning Code Section 415, thereby retaining affordability in the immediate neighborhood.

RECREATION AND OPEN SPACE

Objectives and Policies

OBJECTIVE 4:

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

Policy 4.5:

Require private usable outdoor open space in new residential development.

The Project will not cast shadows over any open spaces under the jurisdiction of The Recreation and Park Department. The Project also includes a combination of private and common outdoor open spaces provided through private decks, a terrace deck area at the first residential level, and common rooftop terrace.

TRANSPORTATION

Objectives and Policies

OBJECTIVE 24:

IMPROVE THE AMBIENCE OF THE PEDESTRIAN ENVIRONMENT.

Policy 24.2:

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

Policy 24.4:

Preserve pedestrian-oriented building frontages.

The Project will provide the required number of street trees on Buchanan Street and Market Street. While there are no existing pedestrian-oriented building frontages to preserve, the Project will replace a service station with a surface parking lot with new pedestrian-oriented building frontages on each street.

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 34.3:

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 34.4:

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.

The site is well served by transit. The historic F line runs on Market Street; the Church Street MUNI Station is approximately three blocks west; the N Judah, J Church, 6, 7, 16, 22, 26, 37, and 71 are all within a five block radius. The resulting Planning Code amendments of the Market & Octavia Plan reduced the maximum permitted residential parking to 0.5 space per dwelling unit. The Project does not exceed this maximum.

URBAN DESIGN

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:

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

Policy 3:

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

Policy 6:

Relate the bulk of buildings to the prevailing scale of development to avoid an overwhelming or dominating appearance in new construction.

OBJECTIVE 3:

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

Policy 5:

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

Policy 6:

Relate the bulk of buildings to the prevailing scale of development to avoid an overwhelming or dominating appearance in new construction.

The surrounding neighborhood is a mixed urban area. Major streets, such as Market, are predominantly lined with commercial, mixed use, and office developments. Smaller surrounding streets are lined with a residential uses of mixed densities and building heights. Building heights in the immediate area range from one to seven stories, and exterior materials consist mostly of stucco and wood. The Project site lies at a prominent intersection and its height and scale will provide an appropriate anchor to the corner that is currently missing.

COMMERCE AND INDUSTRY

Objectives and Policies

OBJECTIVE 1:

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

Policy 1.2:

Assure that all commercial and industrial uses meet minimum, reasonable performance standards.

OBJECTIVE 2:

MAINTAIN AND ENHANCE A SOUND AND DIVERSE ECONOMIC BASE AND FISCAL STRUCTURE FOR THE CITY.

Policy 2.1:

Seek to retain existing commercial and industrial activity and to attract new such activity to the City.

The Project site is currently underutilized and provides little benefit to the surrounding neighborhood. The Project is a mixed-use development that includes four ground floor commercial spaces that are suitable

for neighborhood serving uses. Additionally, the dwelling units will house new residents to patronize existing commercial establishments in the area.

MARKET & OCTAVIA AREA PLAN

Objectives and Policies

OBJECTIVE 2.2:

ENCOURAGE CONSTRUCTION OF RESIDENTIAL INFILL THROUGHOUT THE PLAN AREA.

Policy 2.2.3:

Eliminate residential parking requirements and introduce a maximum parking cap.

Policy 2.2.4:

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

The Project is a mixed-use development including four ground floor commercial spaces and up to 115 dwelling units above. The off-street residential parking is less than the maximum permitted.

OBJECTIVE 3.1:

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

Policy 3.1.1:

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

The Project adheres to the urban design guidelines of the Market & Octavia Area Plan in the areas of Building Massing and Articulation, and to guidelines concerning Ground Floor Treatment along Neighborhood Commercial Streets. This includes more prominent corner and residential entry treatments, increased ground floor commercial ceiling heights, and a high level of ground floor glazing.

OBJECTIVE 5.3:

ELIMINATE OR REDUCE THE NEGATIVE IMPACT OF PARKING ON THE PHYSICAL CHARACTER AND QUALITY OF THE NEIGHBORHOOD.

Policy 5.3.1:

Encourage the fronts of buildings to be lined with active uses and, where parking is provided, require that it be set back and screened from the street.

The Project proposes active uses along all street frontages. The parking entrance is only visible from Buchanan Street.

11. **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.

No retail uses exist on the property with exception to the nominal conveniences offered by the service station. The Project provides three commercial spaces that will enhance opportunities for resident employment.

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

The Project does not remove any existing housing. The Project's uses, size, scale, and design are consistent with the surrounding neighborhood.

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

No housing will be removed for this Project. The Project will create 23 off-site affordable dwelling units.

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

The site is well served by transit. The historic F line runs on Market Street; the Church Street MUNI Station is approximately three blocks west; the N Judah, J Church, 6, 7, 16, 22, 26, 37, and 71 are all within a five block radius.

- 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 will displace an existing service station establishment. However, the viability of the service station is nominal given the current demand. The replacement project will provide residential over ground floor retail uses. No office development is proposed.

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

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

- G. That landmarks and historic buildings be preserved.

No landmark or historic buildings occupy the Project site.

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

There are no parks or public open spaces in the immediate area of the Project. The Project has no negative impact on existing parks and public open spaces.

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. Findings under the California Environmental Quality Act (CEQA).
- a. On December 9, 2008, the Preliminary Mitigated Negative Declaration (PMND) was appealed to the Planning Commission (Commission).
 - b. The FMND contains revisions since publication of the PMND. The changes do not substantially revise the negative declaration and therefore no recirculation is required under State CEQA Guidelines Section 15073.5.
 - c. On April 16, 2009, following a duly noticed public hearing the Commission approved by Motion No. 17865 the issuance of the Final Mitigated Negative Declaration (FMND) as prepared by the Planning Department (Department) in compliance with CEQA, the State CEQA Guidelines and Chapter 31.
 - d. The Planning Commission hereby adopts the FMND and adopts and incorporates by reference the CEQA findings for the proposed Project as set forth in Planning Commission Motion No. 17865 (motion upholding the issuance of the FMND), a copy of which is on file with the Commission Secretary.
 - e. In accordance with the provisions of CEQA, the State CEQA Guidelines and Chapter 31, the Department and the Planning Commission have reviewed and considered the information contained in the FMND and all information pertaining to the project in the Department's case file.
 - f. Any and all documents referenced in this Motion are either attached to this Motion or may be found in the files of the San Francisco Planning Department, as the custodian of records, at 1650 Mission Street in San Francisco.
 - g. The proposed Project as reflected in Application No. 2010.1018C is consistent with the project as described in the FMND and would not result in any significant impacts not identified in the FMND nor cause significant effects identified in the FMND to be substantially more severe.

14. Mitigation. Pursuant to CEQA, the Commission has considered the mitigation measures as described in the FMND and will include these measures and the mitigation monitoring program as conditions of Project approval (see Exhibit 1 of Exhibit C).
15. Potential Environmental Impacts Mitigated To Less Than Significant. With the implementation of the mitigation measures required in Exhibit 1 of Exhibit C, environmental impacts to archeological resources, construction air quality, contaminated soil and hazards (PCB and mercury) resulting from the Project would be reduced to a less than significant level as described in the FMND.
16. The Commission finds that granting authorization for the Subject Project would promote the public welfare, convenience, and necessity for the reasons set forth above.

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 **ADOPTS and INCORPORATES by reference as fully set forth herein the Findings under CEQA attached hereto as Exhibit C and the MMRP attached hereto as Exhibit 1 to Exhibit C, APPROVES Conditional Use Application No. 2010.1018C** subject to the following conditions attached hereto as "EXHIBIT A" which is incorporated herein by reference as though fully set forth.

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

I hereby certify that the Planning Commission ADOPTED the foregoing Motion on December 16, 2010.

Linda Avery
Commission Secretary

AYES: Commissioners

NAYS: Commissioners

ABSENT: Commissioners

ADOPTED: December 16, 2010

Exhibit A

Conditions of Approval

General Conditions

1. This authorization is for a Conditional Use Authorization under Planning Code Sections 121.1, 228, 303 and 731.11 to allow a service station conversion and development of mixed-use building (115 residential units over ground-floor commercial and parking garage for 56 parking spaces: 52 stackers; two car-share in tandem; and two disabled spaces) on a development lot over 9,999 square feet within the Market & Octavia Plan Area, an NCT-3 (Neighborhood Commercial, Moderate Scale, Transit) District and an 85-X Height and Bulk District; and adopting findings under the California Environmental Quality Act, including a mitigation monitoring and reporting program, in general conformance with plans filed with the Application as received on November 29, 2010, and stamped "EXHIBIT B" included in the docket for **Case No. 2010.1018C**, reviewed and approved by the Commission on December 16, 2010.
2. Ground level storefronts in general conformity with Exhibit B shall be maintained in an attractive manner, providing transparency into the tenant spaces behind. Visibility of the commercial interiors and activity through all storefront windows shall be maintained in order to ensure that the ground level of the building remains visually active, provides visual interest to pedestrians, and enhances sidewalk security. Commercial interior layouts should be designed with these requirements in mind. Generally, storefront windows should not be visually obscured with the following: blinds, shades or curtains; shelving; equipment; darkly tinted, translucent or opaque film; painted, stenciled or adhesive signage applied to individual window surfaces that has an overall transparency of less than 50%, or any signage that covers more than 1/3 of the area of any individual window; full or partial height interior partition walls placed directly against or within 10 feet from the window glazing; or any other items that significantly block the vision of pedestrians through the storefront windows into the occupiable commercial space. Solid roll-down security gates shall not be installed in storefront openings. The property owner shall ensure that this condition of approval is incorporated into all commercial leases.
3. The Project Sponsor shall continue to work on developing a Planning Code-complying landscape plan subject to Planning Department review and approval. The Planning Department must deem the landscape plan Code-complying and acceptable prior to the approval of the architectural addendum.
4. In fulfillment of the requirements of Code Section 143, one street tree shall be provided for each 20 feet of street frontage along public or private streets bounding the Project except where proposed driveways or other street obstructions do not permit.
5. The Project Sponsor shall locate all utility transformer vaults underground.
6. Signs and exterior lighting for the business shall be reviewed and approved by the Planning Department before they are installed.

7. There shall be no general advertising signs on the property. The two existing general advertising signs on the site shall be removed, one may be relocated.
8. The Project Sponsor shall work with the San Francisco Municipal Transportation Agency ("SFMTA") to implement a sidewalk widening plan (attached as Exhibit D) to be executed during the period of construction and completed prior to issuance of the Certificate of Final Completion for the development by the Department of Building Inspection ("DBI").
9. Covenants, conditions and restrictions approved by the Planning Department shall be imposed upon the project units to restrict use to occupancy for permanent residents and to preclude time-share ownership or occupancy. No residential units shall be used as hotel units, as defined in Section 203.8 of the San Francisco Housing Code.
10. The Project Sponsor shall ensure that initial sales of more than two dwelling units to any one entity if not for owner occupancy, will be for residential rental purposes for rental periods of not less than one month.

Affordable Housing

11. Below Market Rate Units (BMR Units).
 1. **Number of Required Units.** Pursuant to Planning Code Section 415.6 (formerly Code Section 315.5), the Project is required to provide 20% of the proposed dwelling units as affordable to qualifying households ("BMR Units"). The Project contains 115 units; therefore, 23 BMR units are required. The Project sponsor will fulfill this requirement by providing 23 BMR units off-site. If the number of market-rate units changes, the number of BMR units required shall be modified accordingly with written approval from Planning Department staff in consultation with the Mayor's Office of Housing.
 2. **Unit Mix.** The Project contains 7 studios, 62 one-bedroom, and 46 two-bedroom; therefore, the required BMR unit mix is 1 studio, 13 one-bedroom, and 9 two-bedroom. If the market-rate unit mix changes, the BMR unit mix will be modified accordingly with written approval from Planning Department staff in consultation with the Mayor's Office of Housing.
 3. **Phasing.** If any building permit is issued for partial phasing of the Project, the Project Sponsor shall have designated not less than twenty percent (20%) of each phase's total number of dwelling units as off-site BMR units.
 4. **Duration.** Under Planning Code Section 415.8 (formerly Code Section 315.7), all units constructed pursuant to Sections 415.6 (formerly Code Section 315.5) must remain affordable to qualifying households for the life of the project.
 5. **Other Conditions.** The Project is subject to the requirements of the Affordable Housing Program under Section 415 et seq. of the Planning Code (formerly Code Section 315) including the Interim Controls contained in Board of Supervisors' Resolution No. 36-10 (BOS File No. 100047) entitled "Planning Code – Interim Controls Related to Affordable Housing Requirements" adopted on February 2, 2010 and the terms of the Residential Affordable Housing Monitoring and

Procedures Manual (hereinafter "Procedures Manual"). The Procedures Manual, as amended from time to time, is incorporated herein by reference, as published and adopted by the Planning Commission, and as required by Planning Code Section 415 (formerly Code Section 315) (collectively the "Affordable Housing Ordinance"). Terms used in these Conditions of Approval and not otherwise defined shall have the meanings set forth in the Procedures Manual. A copy of the Procedures Manual can be obtained at the Mayor's Office of Housing 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 Affordable Housing Ordinance, the applicable Procedures Manual is the manual in effect at the time the subject units are made available for sale.

- a. The BMR unit(s) shall be designated on the building plans prior to the issuance of the first site or building permit by the Department of Building Inspection (DBI). The BMR unit(s) shall (1) reflect the unit size mix in number of bedrooms of the market rate units, (2) shall be constructed, completed, ready for occupancy and marketed no later than the market rate units, and (3) shall be of comparable overall quality, construction and exterior appearance as the market rate units in the principal project. Other specific standards for off-site units are outlined in the Procedures Manual.
- b. If the off-site units are offered for sale, the BMR 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 eighty (80) percent of the median income for the City and County of San Francisco as defined in the Housing Ordinance, Section 401 (formerly Code Section 315.1), an amount that translates to seventy (70) 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) marketing; (ii) renting; (iii) recouping capital improvements and (iv) procedures for inheritance apply and are set forth in the Affordable Housing Ordinance and the Procedures Manual.
- c. If the Project Sponsor has entered into an agreement with the City permitting the off-site units to be rental units, the BMR unit(s) shall be rented to a household of low income, as defined in the Affordable Housing Ordinance and as further defined in the Procedures Manual, whose gross annual income, adjusted for household size, does not exceed sixty (60) percent of the median income for the City and County of San Francisco as defined in the Affordable Housing Ordinance, Section 401 (formerly Code Section 315.1), an amount that translates to 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 qualifying household income limits and maximum monthly rent for BMR units shall be calculated by Mayor's Office of Housing.

- d. The Applicant is responsible for following the marketing, reporting, and monitoring requirements and procedures as set forth in the Procedures Manual. The Mayor's Office of Housing shall be responsible for overseeing and monitoring the marketing of affordable units.
- e. Required parking spaces shall be made available to initial buyers or renters of BMR units according to the Procedures Manual.
- f. Prior to the issuance of the first site or building 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. The Project Sponsor shall promptly provide a copy of the recorded Notice of Special Restriction to the Department and to the Mayor's Office of Housing or its successor.
- g. The Project Sponsor has demonstrated that it is eligible for the off-site alternative under Planning Code Section 415.6 (formerly Code Section 315.5) instead of payment of the Affordable Housing Fee, and has submitted an *Affidavit to Establish Eligibility for Alternative to Affordable Housing Fee* to the Planning Department stating that any affordable units designated as off-site units shall be sold as ownership units and will remain as ownership units for the life of the Project.
- h. If project applicant fails to comply with the Affordable Housing requirement, the Director of Building Inspection 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 applicant's failure to comply with the requirements of Planning Code Sections 415 et seq. (formerly Code Section 315) shall constitute cause for the City to record a lien against the development project.
- i. If the Project becomes ineligible at any time for the off-site alternative, the Project Sponsor or its successor shall pay the Affordable Housing Fee prior to issuance of the first site or building 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 site or building permit, the Project Sponsor shall 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 (as amended by Ordinance No. 0107-10.)
- j. **Future Applicable Controls:** If the Interim Controls contained in Board of Supervisors Resolution No. 36-10 (BOS File No. 100047) entitled "Planning Code – Interim Controls Related to Affordable Housing Requirements" or permanent controls in substantially similar form to those contained in BOS File No. 100046 entitled "Planning Code – Amending Inclusionary Housing Ordinance" proposing amendments to Planning Code Section 415 et seq. (formerly Code Section 315) (collectively "applicable future controls") are approved by the Board of Supervisors prior to issuance of the first certificate of occupancy for the Project, the Project shall be subject to the applicable future controls and not the current provisions of Planning Code Section 415 et seq. (formerly Code Section 315).

Parking

12. A maximum of 58 off-street residential and 5 off-street commercial parking spaces may be provided. A minimum of 2 car-share spaces shall be provided in a manner consistent with Section 166 of the Planning Code.
13. All residential 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. All affordable dwelling units 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 residential spaces are no longer available.
14. The Project shall provide a minimum of 41 Class 1 bicycle parking spaces. Class 1 spaces are defined as a facility which protects the entire bicycle, its components and accessories against theft and against inclement weather, including wind-driven rain. Examples include: lockers; check-in facilities; monitored parking; restricted access parking; and personal storage.

Performance

15. Prior to the issuance of any building permit for the construction of 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, which notice shall state that construction of the Project has been authorized by and is subject to the conditions of this Motion. From time to time after the recordation of such notice, at the request of the Project Sponsor, the Zoning Administrator shall affirm in writing the extent to which the conditions of this Motion have been satisfied, and record said writing if requested.
16. Prior to the issuance of any building permit for the construction of the Project, the Project will meet the requirements of Planning Code Section 421. The Project Sponsor is required to participate for the proposed 115 residential units (containing approximately 46 two-bedroom units; 62 one-bedroom units; and 7 studio units) and approximately 7,300 square feet of ground floor commercial space. Compliance with Section 421 shall be based on the final residential and commercial square footage of the project.
17. The property owner shall maintain the entrances to the building and all sidewalks abutting the subject property in a clean condition. Such maintenance shall include, at a minimum, daily litter pickup and disposal, and washing or steam cleaning of the entrances and abutting sidewalks at least once each month.
18. The Project shall appoint a Community Liaison Officer to address issues of concern to neighbors related to the operation of this Project. The Project Sponsor shall report the name and telephone number of this Officer to the Zoning Administrator and the neighborhood for reference. The Project Sponsor shall keep the above parties apprised should a different staff liaison be designated.
19. An enclosed garbage area shall be provided within the establishment. All garbage containers shall be kept within the building until pick-up by the disposal company.

Monitoring and Violation

20. Violation of the conditions contained in this Motion or of any other provisions of the Planning Code may be subject to abatement procedures and fines up to \$500 a day in accordance with Planning Code Section 176.
21. Should monitoring of the Conditions of Approval contained in Exhibit A of this Motion be required, the Project Sponsor or successors shall pay fees as established in Planning Code Section 351(e)(1).
22. The authorization and right vested by virtue of this action shall be deemed void and canceled if, within 3 years of the date of this Motion, a site permit or building permit for the Project has not been secured by Project Sponsor. This authorization may be extended at the discretion of the Zoning Administrator only if the failure to issue a permit by the Department of Building Inspection is delayed by a city, state, or federal agency or by appeal of the issuance of such permit.

First Source Hiring

23. The Project shall adhere to the requirements of the First Source Hiring Construction and Employment Program approved by the First Source Hiring Administrator as they apply to permits for residential development (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.

EXHIBIT C

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) FINDINGS OF THE SAN FRANCISCO PLANNING COMMISSION FOR THE 1960-1998 MARKET STREET PROJECT

PREAMBLE

A Preliminary Mitigated Negative Declaration ("PMND") for the 1960-1998 Market Street Project ("Project") was prepared and published for public review on November 19, 2008. The PMND was available for public review until December 9, 2008.

An appeal of the PMND was filed on December 9, 2008 by the San Francisco Building and Construction Trades Council.

On April 16, 2009, the Planning Commission conducted a duly noticed public hearing at a regularly scheduled meeting on the appeal of Case No. 2006.1431E.

On April 16, 2009, the Planning Commission reviewed and considered the PMND and found that its contents, and the procedures through which it was prepared, publicized, and reviewed complied with the California Environmental Quality Act (California Public Resources Code Section 21000 et seq.) ("CEQA"), 14 California Code of Regulations Section 15000 et seq. ("the CEQA Guidelines") and Chapter 31 of the San Francisco Administrative Code.

On April 16, 2009, the Planning Commission found that the PMND was adequate, accurate and objective, reflected independent analysis and judgment of the Department of City Planning and the Commission, and that the summary of comments and responses contained no significant responses to the PMND. Therefore, the Planning Commission upheld the PMND and approved the issuance of the Final Mitigated Negative Declaration (FMND), as prepared by the Planning Department in compliance with CEQA, the State CEQA Guidelines and Chapter 31.

The Planning Department is the custodian of records of all the documents pertaining to the FMND on the Project, located in Case No. 2006.1431E, at 1650 Mission Street, Fourth Floor, San Francisco, California.

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

FINDINGS

The Planning Commission has reviewed and considered the PMND and the record as a whole, finds that the PMND is adequate for its use as the decision-making body for the Project, that there is no substantial evidence that the Project will have a significant effect on the environment with the adoption of the mitigation measures contained in the MMRP to avoid potentially significant environmental effects associated with the Project, and hereby adopts the FMND.

Motion No.
Hearing Date: December 16, 2010

CASE NO 2010.1018C
1960-1998 Market Street

The Planning Commission hereby adopts the MMRP attached hereto as Exhibit 1 and incorporated herein as part of this Resolution by this reference thereto, and commits to all required mitigation measures identified in the FMND and contained in the MMRP.

Motion No.
Hearing Date: December 16, 2010

CASE NO 2010.1018C
1960-1998 Market Street

EXHIBIT 1

MITIGATION AND MONITORING REPORTING PROGRAM FOR THE 1960-1998 MARKET STREET PROJECT

SEE ATTACHED

**EXHIBIT 1: MITIGATION MONITORING AND REPORTING
(Includes Text for Adopted Mitigation and Improvement Measures)**

MONITORING AND REPORTING PROGRAM

Adopted Mitigation Measures	Responsibility for Implementation	Mitigation Schedule	Mitigation Action	Monitoring/Reporting Responsibility	Monitoring Schedule
A-1 MITIGATION MEASURES AGREED TO BY PROJECT SPONSOR					
CULTURAL AND PALEONTOLOGICAL RESOURCES					
<i>Mitigation Measure 1: Archaeological Resources (Accidental Discovery)</i>					
<p>The following mitigation measure is required to avoid any potential adverse effect from the proposed project on accidentally discovered buried or submerged historical resources as defined in <i>CEQA Guidelines</i> Section 15064.5(a)(c). The project sponsor shall distribute the Planning Department archeological resource “ALERT” sheet to the project prime contractor; to any project subcontractor (including demolition, excavation, grading, foundation, pile driving, etc. firms); or utilities firm involved in soils disturbing activities within the project site. Prior to any soils disturbing activities being undertaken each contractor is responsible for ensuring that the “ALERT” sheet is circulated to all field personnel including, machine operators, field crew, pile drivers, supervisory personnel, etc.</p>	Project sponsor	Prior to any soil disturbing activities	Distribute Planning Department Archeological Resource “ALERT” sheet to Prime Contractor, sub-contractors and utilities firms.	Project sponsor, archaeologist and Environmental Review Officer (ERO)	Prior to any soil disturbing activities.
<p>The project sponsor shall provide the Environmental Review Officer (ERO) with a signed affidavit from the responsible parties (prime contractor, subcontractor(s), and utilities firm) to the ERO confirming that all field personnel have received copies of the Alert Sheet.</p>	Project sponsor	Following distribution of “ALERT” sheet but prior to any soils disturbing activities.		Submit signed affidavit of distribution to ERO.	Following distribution of “ALERT” sheet but prior to any soils disturbing activities.
<p>Should any indication of an archeological resource be encountered during any soils disturbing activity of the project, the project Head Foreman and/or project sponsor shall immediately notify the ERO and shall immediately suspend any soils disturbing activities in the vicinity of the discovery until the ERO has determined what additional measures should be undertaken.</p>	Head Foreman and/or project sponsor	Accidental discovery	Suspend any soils disturbing activity.	Notify ERO of accidental discovery.	

MONITORING AND REPORTING PROGRAM					
Adopted Mitigation Measures	Responsibility for Implementation	Mitigation Schedule	Mitigation Action	Monitoring/Reporting Responsibility	Monitoring Schedule
CULTURAL AND PALEONTOLOGICAL RESOURCES <i>Continued</i>					
<i>Mitigation Measure 1: Archaeological Resources (Accidental Discovery) Continued</i>					
<p>If the ERO determines that an archeological resource may be present within the project site, the project sponsor shall retain the services of a qualified archeological consultant. The archeological consultant shall advise the ERO as to whether the discovery is an archeological resource, retains sufficient integrity, and is of potential scientific/historical/ cultural significance. If an archeological resource is present, the archeological consultant shall identify and evaluate the archeological resource. The archeological consultant shall make a recommendation as to what action, if any, is warranted. Based on this information, the ERO may require, if warranted, specific additional measures to be implemented by the project sponsor.</p>	<p>Project sponsor</p> <p>Archeological consultant</p>	<p>In case of accidental discovery</p>	<p>If ERO determines an archeological resource may be present, services of a qualified archeological consultant to be retained.</p> <p>Identify and evaluate archeological resources.</p>	<p>Make recommendation to the ERO</p>	
<p>Measures might include: preservation in situ of the archeological resource; an archaeological monitoring program; or an archeological testing program. If an archeological monitoring program or archeological testing program is required, it shall be consistent with the Major Environmental Analysis (MEA) division guidelines for such programs. The ERO may also require that the project sponsor immediately implement a site security program if the archeological resource is at risk from vandalism, looting, or other damaging actions.</p>	<p>Project sponsor</p>	<p>After determination by the ERO of appropriate action to be implemented following evaluation of accidental discovery.</p>	<p>Implementation of Archeological measure required by ERO.</p>		
<p>The project archeological consultant shall submit a 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 monitoring/data recovery program(s) undertaken. Information that may put at risk any archeological resource shall be provided in a separate removable insert within the final report.</p>	<p>Project sponsor</p>	<p>Following completion of any* archeological field program. (* required.)</p>	<p>Submittal of Draft/Final FARR to ERO.</p>		<p>Considered complete once ERO approves Final FARR.</p>

MONITORING AND REPORTING PROGRAM					
Adopted Mitigation Measures	Responsibility for Implementation	Mitigation Schedule	Mitigation Action	Monitoring/Reporting Responsibility	Monitoring Schedule
CULTURAL AND PALEONTOLOGICAL RESOURCES					
<i>Mitigation Measure 1: Archaeological Resources (Accidental Discovery)</i>					
<i>Continued</i>					
Copies of the Draft FARR shall be sent to the ERO for review and approval. 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 MEA division of the Planning Department shall receive three copies of the FARR along with copies of any formal site recordation forms (CA DPR 523 series) and/or documentation for nomination to the National Register of Historic Places/California Register of Historical Resources. In instances of high public interest or interpretive value, the ERO may require a different final report content, format, and distribution than that presented above.	Project sponsor		Distribution of Final FARR.		Considered complete once Final FARR has been distributed as required.
CULTURAL AND PALEONTOLOGICAL RESOURCES					
<i>Mitigation Measure 2: Paleontological Resources (Accidental Discovery)</i>					
The encounter of any feature of apparent potential to be a paleontological resource (fossilized invertebrate, vertebrate, plant, or micro-fossil) during soils disturbing activities associated with the project, requires the immediate cessation of any soils disturbing activity within 25 ft of the feature, notification of the ERO, and notification of a qualified paleontologist in accordance with the Society of Vertebrate Paleontology standards (SVP 1996).	Project sponsor	During soil disturbing activities and upon discovery of any feature with apparent potential to be a paleontological resource as described.	Notification of the ERO and engagement of a qualified paleontologist.	Project sponsor, paleontologist and Environmental Review Officer (ERO)	Considered complete upon notification following accidental discovery.

MONITORING AND REPORTING PROGRAM					
Adopted Mitigation Measures	Responsibility for Implementation	Mitigation Schedule	Mitigation Action	Monitoring/Reporting Responsibility	Monitoring Schedule
CULTURAL AND PALEONTOLOGICAL RESOURCES					
<i>Mitigation Measure 2: Paleontological Resources (Accidental Discovery) continued</i>					
The paleontologist will identify and evaluate the significance of the potential resource, and document the findings in an advisory memorandum to the ERO.	Paleontologist	Following discovery of any feature with apparent potential to be a paleontological resource as described.	Identification and evaluation of the significance of the potential resource. Preparation of the findings in an advisory memorandum to the ERO	Paleontologist and ERO	Paleontologist submission of an advisory memorandum.
If it is determined that avoidance of effect to a significant paleontological resource is not feasible, the paleontologist shall prepare an excavation plan that may include curation of the paleontological resource in a permanent retrieval paleontological research collections facility such as the University of California (Berkeley) Museum of Paleontology or California Academy of Sciences. The Major Environmental Analysis division of the Planning Department shall receive two copies of a final paleontological excavation and recovery report.	Paleontologist	If it is determined that avoidance of effect to a significant paleontological resource is not feasible	Preparation of an excavation plan/recovery report.	Paleontologist/ ERO	Considered complete upon submission of two copies of an excavation plan and recovery report to MEA with copies to the Project Sponsor.
BIOLOGICAL RESOURCES					
<i>Mitigation Measure 3: Protection of Nesting Birds During Construction</i>					
The project sponsor shall implement the following protective measures to ensure implementation of the Migratory Bird Treaty Act and compliance with State regulations during construction. Pre-construction surveys for nesting birds shall be conducted by a qualified ornithologist or wildlife biologist to ensure that no nests would be disturbed during project implementation. A preconstruction survey shall be conducted no more than 14 days prior to the initiation of demolition/construction activities during the early part of the breeding season (January through April) and	Project sponsor and qualified ornithologist or wildlife biologist.	Prior to any on-site construction activities.	Pre-construction surveys for nesting birds to be conducted by a qualified ornithologist or wildlife biologist as required.	San Francisco Planning Department.	Considered complete upon ERO approval of report by ornithologist of nesting activity survey and actions taken to

MONITORING AND REPORTING PROGRAM					
Adopted Mitigation Measures	Responsibility for Implementation	Mitigation Schedule	Mitigation Action	Monitoring/Reporting Responsibility	Monitoring Schedule
BIOLOGICAL RESOURCES					
<i>Mitigation Measure 3: Protection of Nesting Birds During Construction Continued</i>					
no more than 30 days prior to the initiation of these activities during the late part of the breeding season (May through August). During this survey, the qualified person shall inspect all trees in and immediately adjacent to the impact areas for nests. If an active nest is found close enough to the construction area to be disturbed by these activities, the ornithologist, in consultation with CDFG, shall determine the extent of a construction-free buffer zone to be established around the nest.			If an active nest is found close to construction area, the ornithologist, in consultation with CDFG, shall determine construction-free buffer zone extent to be established around the nest.		protect nesting birds.
HAZARDS					
<i>Mitigation Measure 4 Hazards (Handling of Contaminated Soils)</i>					
A Soil Management Plan (SMP) has been developed to address the nickel and asbestos exposures to the construction workers, nearby residents, pedestrians and future users of the site. Dust control measures are to be implemented to reduce exposure during excavation, grading, loading and transporting of excavated materials. Soil/rock excavated and removed from the site will require appropriate disposal, additional sampling may be necessary. These measures are to include:					
<ul style="list-style-type: none"> • Site fencing; • Wetting exposed soil/rock - exposed soil/rock will be watered at least twice a day to prevent visible dust from migrating off-site; • Covering exposed soil/rock. In particular, stockpiles will be covered and trucks transporting contaminated soil/rock will be covered with a tarpaulin or other cover; 	Project sponsor/Contractor	During demolition, site grading and excavation, and site development.	Handing, hauling and disposal of contaminated soils (see mitigation measure).	The contractor shall take the mitigation actions specified in the SMP and shall submit weekly monitoring reports to DPH. Project sponsor to provide	Considered complete upon receipt by DPH of final monitoring plan at completion of construction.

MONITORING AND REPORTING PROGRAM					
Adopted Mitigation Measures	Responsibility for Implementation	Mitigation Schedule	Mitigation Action	Monitoring/Reporting Responsibility	Monitoring Schedule
<ul style="list-style-type: none"> Preventing distribution of dust and soil/rock off-site by decontamination and other measures to prevent soil/rock from being tracked off the site by vehicles or carried off-site on clothes. Measures to achieve this include: water being misted or sprayed during the loading of soil/rock onto trucks for off-haul; wheels being cleaned prior to entering public streets, public streets will be swept daily if soil/rock is visible and excavation and loading activities will be suspended if winds exceed 20 miles per hour. 				DPH with weekly reports during construction period.	
<ul style="list-style-type: none"> Instituting a site specific health and safety plan (HSP) developed by a certified industrial hygienist that represents the site contractors, which includes that air sampling and monitoring be conducted to evaluate the amount of airborne particles generated during excavation, grading, loading and transportation. 	Project Sponsor/ Contractor/ Certified industrial hygienist	Prior to commencement of construction activities and ongoing	Contractor to implement a site specific health and safety plan (HSP)	DPH and San Francisco Planning Department to review and approve the HSP.	Considered complete after construction activities have ended.
<ul style="list-style-type: none"> Contacting Bay Area Air Quality Management District (BAAQMD) and completion of an Asbestos Dust Mitigation Plan permit application with BAAQMD prior any excavation activities. 	Project Sponsor	Prior to commencement of excavation activities and during excavation.	Completion of an Asbestos Dust Mitigation Plan permit application with BAAQMD and implementation of requirements.	BAAQMD/DBI	Considered complete upon issuance of BAAQMD Permit and implementation of applicable BAAQMD requirements.
In order to control potential exposure during soil/rock disturbance, the soil/rock are to be moisture conditioned using dust suppressants, covering exposed soil/rock and stockpiles with weighed down plastic sheeting or capping the site with buildings asphalt or at least two feet of clean imported fill.	See above		regarding measures addressed in Soil Management Plan.		

MONITORING AND REPORTING PROGRAM					
Adopted Mitigation Measures	Responsibility for Implementation	Mitigation Schedule	Mitigation Action	Monitoring/Reporting Responsibility	Monitoring Schedule
Excavated soil is to be disposed off-site after proper profiling for disposal. Excavated soil/rock material will either be loaded directly into trucks and removed from the site or stockpiled onsite. If stockpiled, the soil/rock will be placed on visqueen, bermed and tarped at all times.	See above regarding measures addressed in Soil Management Plan				
Direct contact to the underlying soil/rock by future site users will be mitigated by encapsulation with the concrete foundation system and buildings.					
The Soil Management Plan recommends that if unanticipated hazardous materials are encountered, the work is to stop; the site superintendent and Treadwell & Rollo are to be notified to conduct an inspection.	Contractor's Site Superintendent/Project Sponsor	During construction and excavation activities	If unanticipated hazardous materials are encountered, the work is to stop; the site superintendent is to notify Treadwell & Rollo who shall conduct an inspection.	Project Sponsor/Treadwell & Rollo to report findings to DPH in a weekly monitoring report.	
If a UST is encountered, a licensed UST removal contractor is to be contacted for the proper removal and disposal of the UST. Proper permits and notifications are to be applied for prior to the UST removal from the San Francisco Fire Department, the San Francisco Department of Public Health and the Department of Public Works.	Project sponsor	Prior to, and during, earth-working and construction activities.	Project sponsor to obtain permits from HMUPA, SFFD for UST removal, transportation and disposal. If analytical results of sampled soil indicate low level contamination, HMUPA to issue Certificate of	DPH and San Francisco Planning Department to review Certificate of Completion.	Considered complete with submittal of Certificate of Completion to DPH and San Francisco Planning Department.

MONITORING AND REPORTING PROGRAM					
Adopted Mitigation Measures	Responsibility for Implementation	Mitigation Schedule	Mitigation Action	Monitoring/Reporting Responsibility	Monitoring Schedule
<p>After excavation and foundation construction activities are completed, the project sponsor shall prepare and submit a closure/certification report to EHS-HWU at DPH for review and approval. The closure/certification report shall include the mitigation measures in the SMP for handling and removing contaminated soils from the project site, whether the construction contractor modified any of these mitigation measures, and how and why the construction contractor modified those mitigation measures.</p>	<p>Project Sponsor</p>	<p>Following completion of excavation and foundation construction activities.</p>	<p>Completion. If elevated levels of contamination, case referred to Local Oversight Program (LOP) for further action. Preparation of a closure/certification report to EHS-HWU at DPH for review and approval</p>	<p>EHS-HWU at DPH</p>	<p>Considered complete upon submittal of a closure/certification report to EHS-HWU at DPH for review and approval and submittal of report to and San Francisco Planning Department.</p>

MONITORING AND REPORTING PROGRAM

Adopted Improvement Measures	Responsibility for Implementation	Schedule	Action	Monitoring/Reporting Responsibility	Monitoring Schedule
B-1 IMPROVEMENT MEASURES AGREED TO BY PROJECT SPONSOR					
TRANSPORTATION					
<i>Improvement Measure 1: Transit</i>					
To reduce “pole clutter”, the San Francisco Municipal Transit Agency (SFMTA) would like the option to install eyebolts in the buildings adjacent to its electric trolley coach lines to supports its overhead wire system. The F-Market streetcar runs along Market Street, and Muni (SFMTA) may request installation of eyebolts in the proposed new building.	SFMTA	During construction and ongoing as needed.	Project sponsor has agreed to permit SFMTA to install eyebolts in the building adjacent to its electric trolley coach lines to supports its overhead wire system. .	SFMTA	Prior to occupancy and ongoing as needed.
TRANSPORTATION					
<i>Improvement Measure 2: Parking</i>					
The Proposed Project would include a carsharing parking space, and the project sponsor would “unbundle” the sale of parking spaces from the sale of residential units to provide a financial incentive for car-free living. However, as an improvement measure to reduce the Proposed Project’s parking demand and parking shortfall and to encourage use of alternative modes, the project sponsor could provide a transportation insert for the move-in packet that would provide information on transit service (Muni and BART lines, schedules and fares), information on where Fast Passes can be purchased, and information on the 511 Regional Rideshare Program.	Project Sponsor	Prior to occupancy	Project sponsor to provide a transportation insert for the move-in packet for new residents and users of the project that would provide information on transit service and rideshare program.	SFMTA	Prior to occupancy and ongoing

Adopted Improvement Measures	Responsibility for Implementation	Schedule	Action	Monitoring/Reporting Responsibility	Monitoring Schedule
TRANSPORTATION					
<i>Improvement Measure 3: Loading</i>					
As an improvement measure to reduce the potential for double-parking of delivery vehicles on Market Street, two of the three new on-street parking spaces adjacent to the project site should be designated as short-term commercial vehicle loading/unloading spaces. The designation of the two new spaces as commercial vehicle loading/unloading spaces would need to be approved by the Board of Supervisors at a public hearing through the SFMTA.	Project Sponsor	Prior to occupancy	Project sponsor to apply to SFMTA for two short-term commercial vehicle loading/unloading spaces on Market Street adjacent to the project site.	SFMTA	Prior to occupancy

Motion No.
Hearing Date: December 16, 2010

CASE NO 2010.1018C
1998 Market Street

EXHIBIT D

SFMTA SIDEWALK WIDENING PLAN FOR THE 1960-1998 MARKET STREET PROJECT

SEE ATTACHED

MARKET STREET AT BUCHANAN STREET

PROPOSED PUBLIC REALM IMPROVEMENTS FOR PROJECT

- 1 EXTEND SIDEWALK/BULB-OUT
- 2 CUT BACK EXISTING SIDEWALK /BULB-OUT
- 3 NEW STREET TREE LOCATION

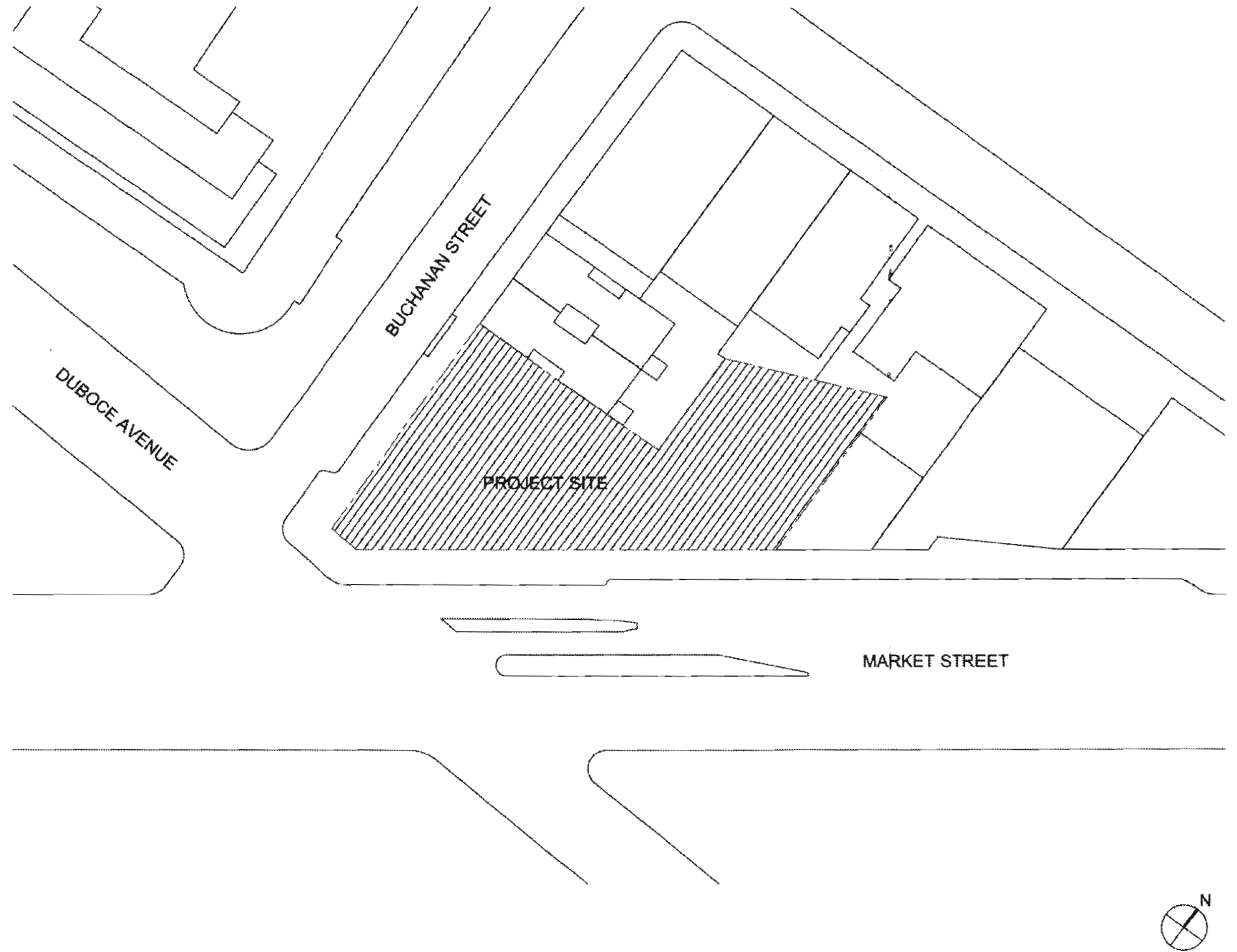


BRIAN SPIERS CONSTRUCTION, INC.



ARQUITECTONICA

818 WEST SEVENTH STREET, SUITE 800
LOS ANGELES, CA 90017
TEL: 213.895.7800 FAX: 213.895.7808



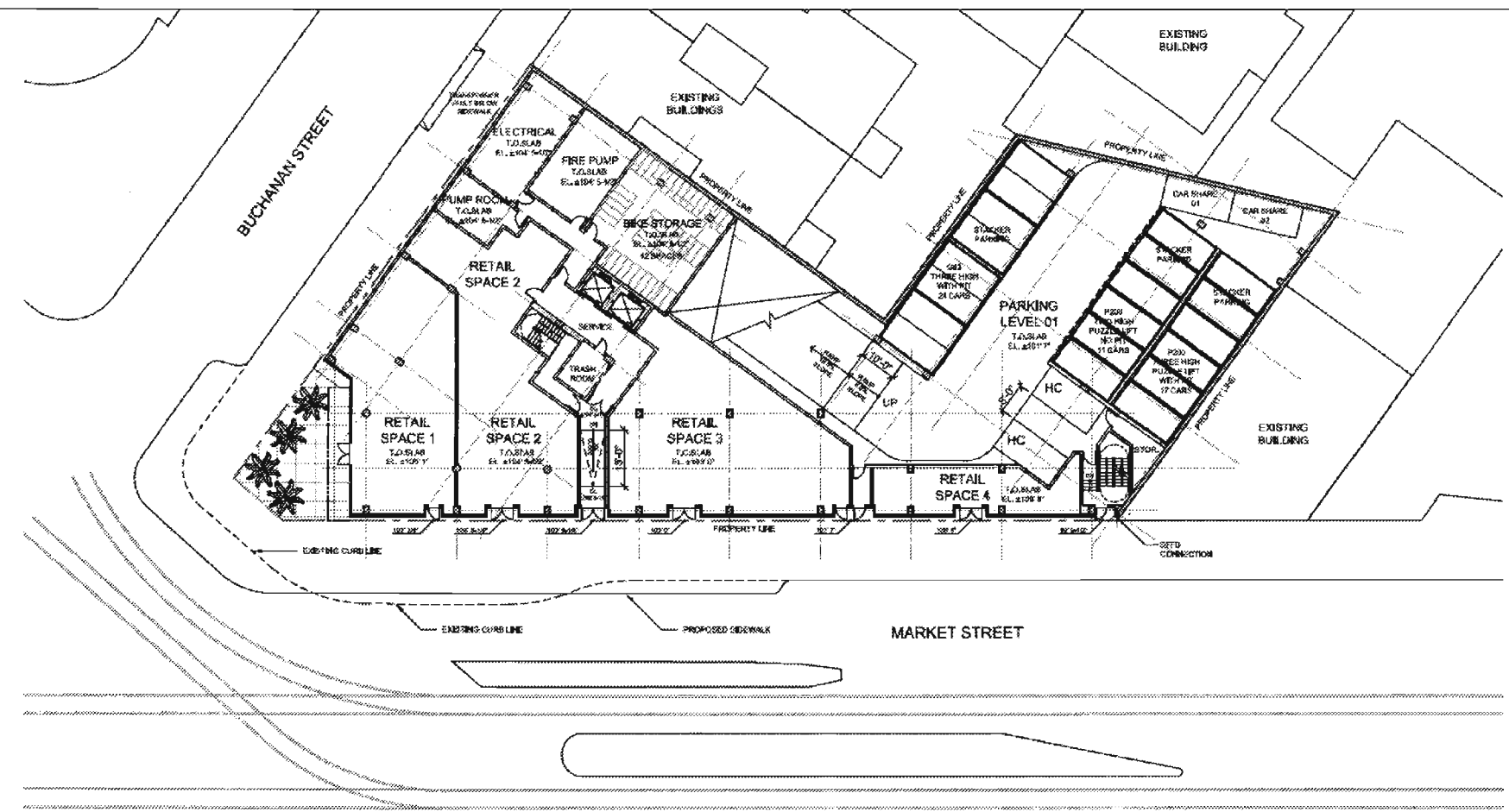
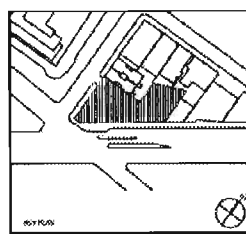
SITE PERMIT SUBMITTAL

MARKET AND BUCHANAN

SAN FRANCISCO, CA

NOVEMBER 23, 2010

OWNER	BRIAN SPIERS BRIAN SPIERS CONSTRUCTION INC. 10,852 790TH AVENUE SAN FRANCISCO, CA 94132
ARCHITECT	ARQUITECTONICA 400 WEST 7TH STREET, SUITE 800 LOS ANGELES, CA 90017 TEL: 213.488.7800 FAX: 213.488.7800
LANDSCAPE ARCHITECT	
GENERAL CONTRACTOR	
STRUCTURAL ENGINEER	
M.E.P. ENGINEERS	
CIVIL ENGINEER	
ACOUSTICS	
ELEVATORS	
CODE COMPLIANCE SAFETY	



Signature:	
Registration #	
City & Registration #	
Issue Date	Project No. 2450
Drawn by	Approved by
Date	Description
09/22/2016	SITE PERMIT - PROGRESS SET
10/03/2016	SITE PERMIT - PROGRESS SET
10/20/2016	SITE PERMIT - PROGRESS SET
10/20/2016	SITE PERMIT - FINAL REVIEW DRAFT
10/20/2016	SITE PERMIT - FINAL REVIEW DRAFT
11/16/2016	SITE PERMIT - FINAL REVIEW DRAFT
11/23/2016	SITE PERMIT SUBMITTAL
Sheet Title:	
FLOOR PLAN-LEVEL 01	
Scale:	1/16" = 1'-0"
Sheet No.:	PHASE ONE
A2.01	

FLOOR PLAN-LEVEL 01 1
 1/16" = 1'-0"

P:\316500 - MARKET & BUCHANAN - PHASE ONE - PERMIT - A2.01 - FLOOR PLAN - LEVEL 01.dwg (11/23/2016 10:15:00 AM)

OWNER: BRIAN SPIERS CONSTRUCTION, INC.
1501 FARMACIA, SUITE 200
SAN FRANCISCO, CA 94112

ARCHITECT: **ADULTECTORICA**
400 MARKET STREET, SUITE 800
SAN FRANCISCO, CA 94102
TEL: 415.398.7800 FAX: 415.398.7800
LANDSCAPE ARCHITECT: _____

GENERAL CONTRACTOR: _____

STRUCTURAL ENGINEER: _____

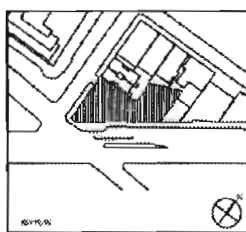
M/E/P ENGINEERS: _____

CEM. ENGINEER: _____

ACQUISITION: _____

ELEVATION: _____

CODE/REG. SAFETY: _____



SECTION

SECTION NAME

Signature: _____
Registration # _____

Client Registration # _____
Project No. 0450
Drawn by: _____
Approved by: _____

Date	Description
08/23/2010	SET PERMIT-PROGRESS SET
10/06/2010	SET PERMIT-PROGRESS SET
10/22/2010	SET PERMIT-PROGRESS SET
10/28/2010	SET PERMIT-FINAL REVIEW DRAFT
11/02/2010	SET PERMIT-FINAL REVIEW DRAFT
11/18/2010	SET PERMIT-FINAL REVIEW DRAFT
11/23/2010	SET PERMIT SUBMITTAL

Scale: 1/16" = 1'-0"

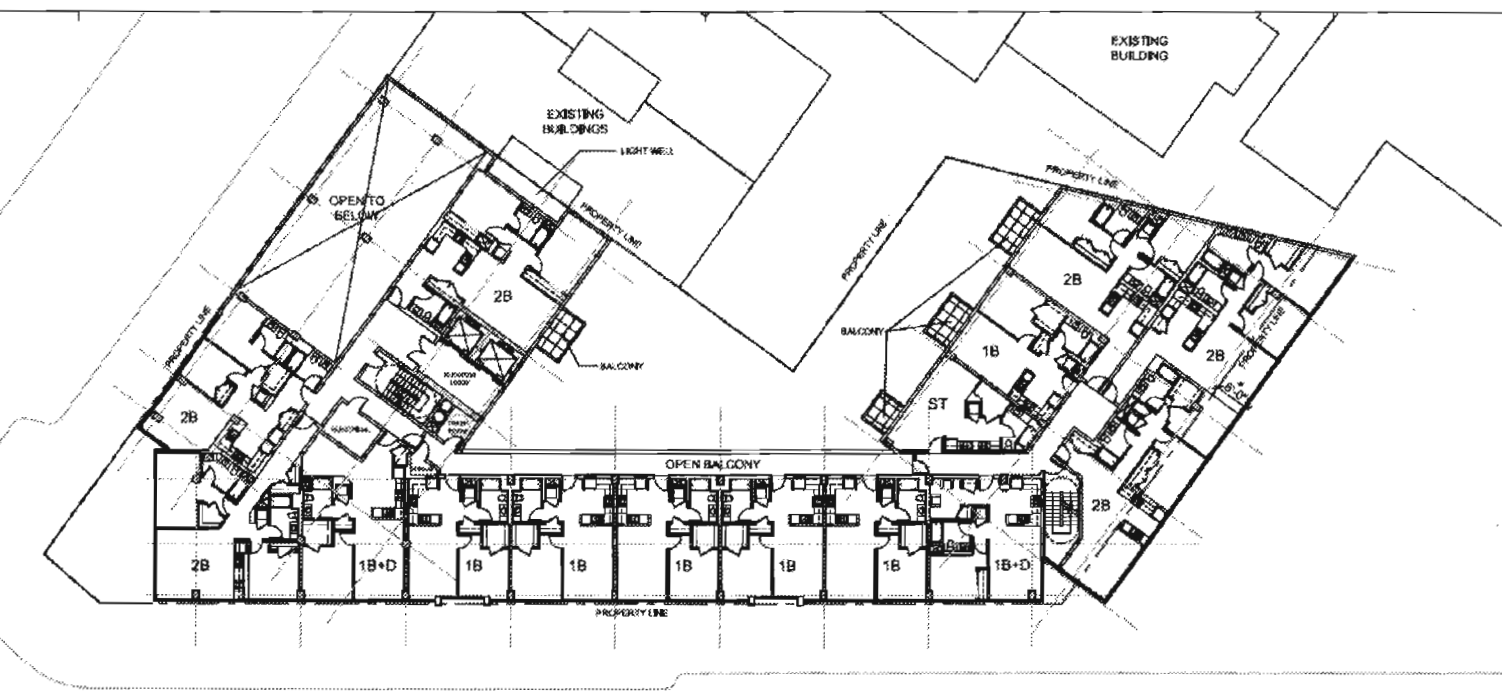
Sheet Title:

FLOOR PLANS-LEVELS 02 AND 03

Scale: 1/16" = 1'-0"

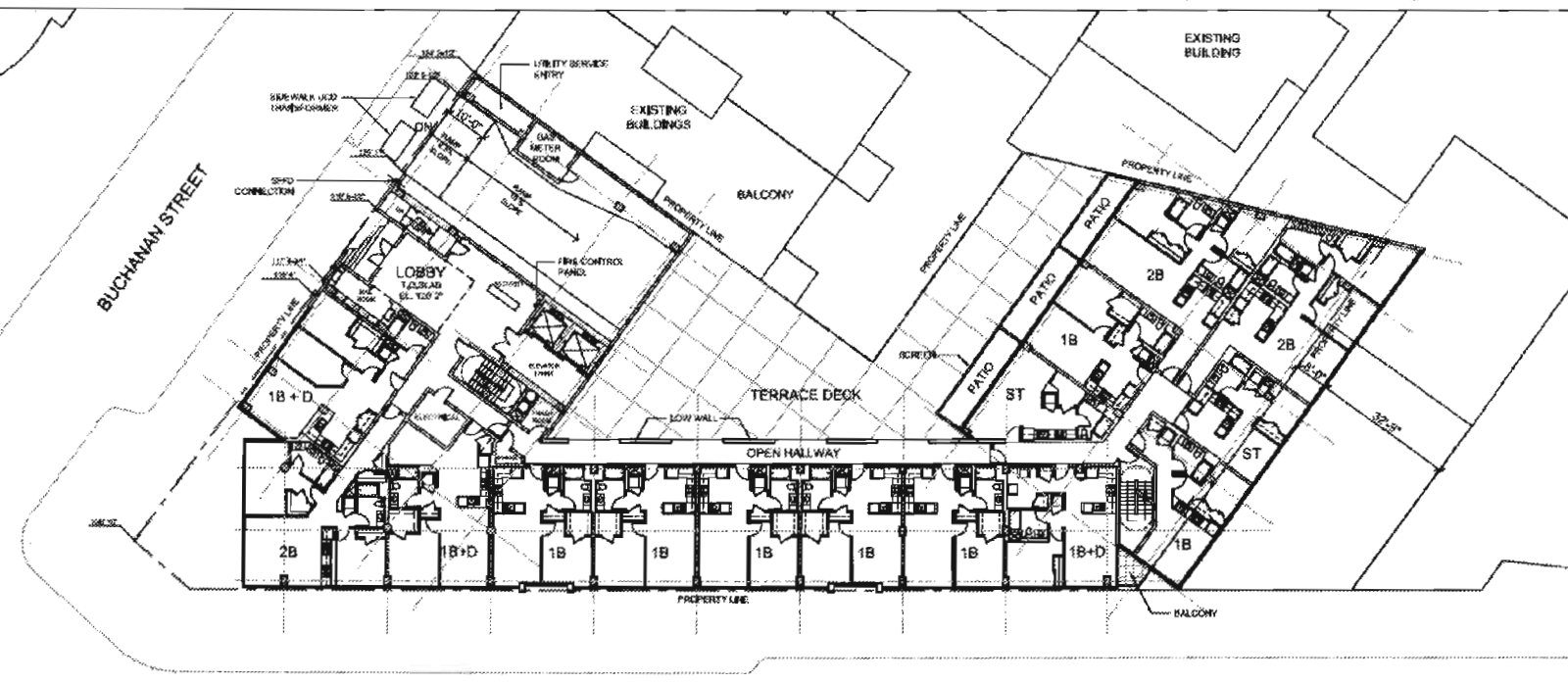
Sheet No: PHASE ONE

A2.02



NOTE:
SEE SHEET A2.01 FOR SEEING MINUTES REGARDING
FARMMENT OVER ADJACENT PROPERTY.

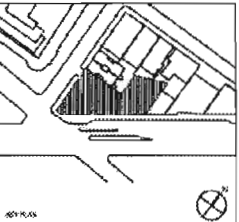
FLOOR PLAN- LEVEL 03
1/16" = 1'-0" **2**



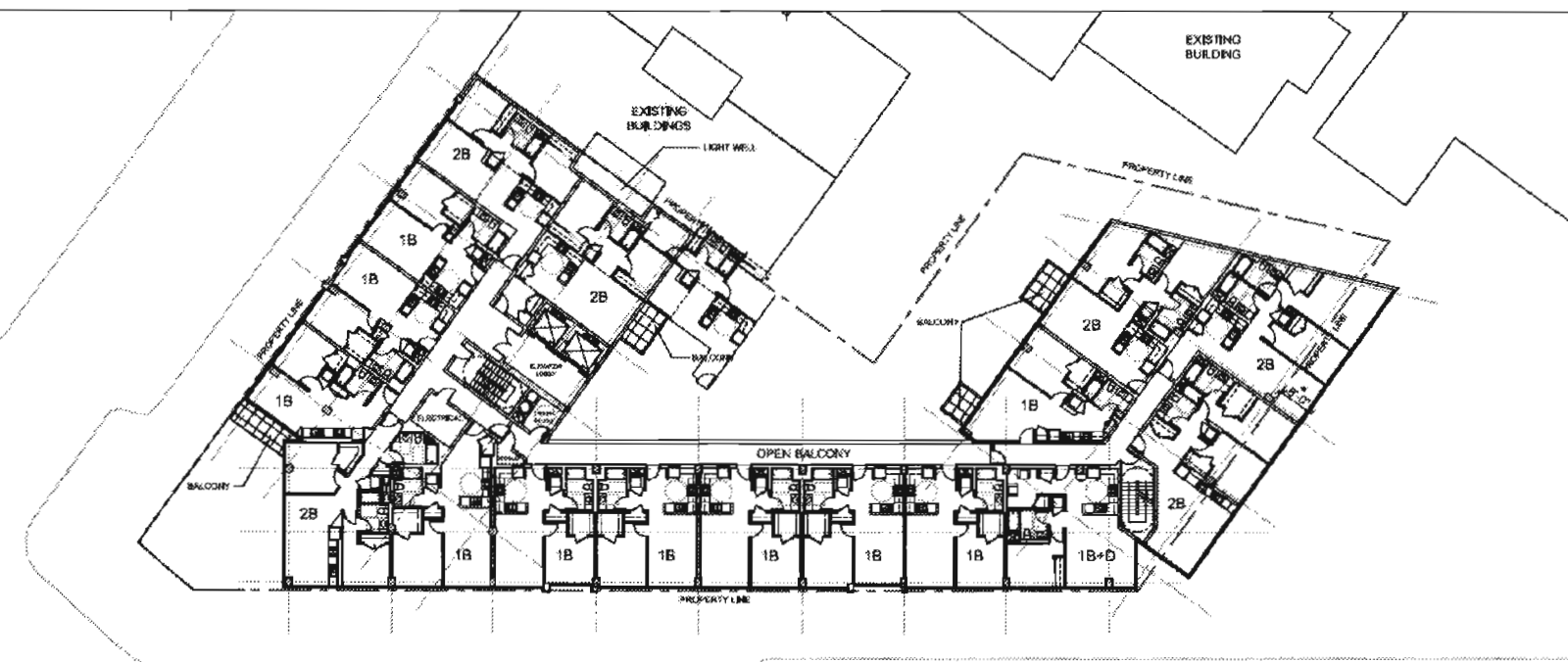
NOTE:
SEE SHEET A2.01 FOR SEEING MINUTES REGARDING
FARMMENT OVER ADJACENT PROPERTY.

FLOOR PLAN- LEVEL 02
1/16" = 1'-0" **1**

P:\Projects\Market & Buchanan\A2.02\A2.02.dwg (11-23-10 10:51 AM) Printed by: Admin

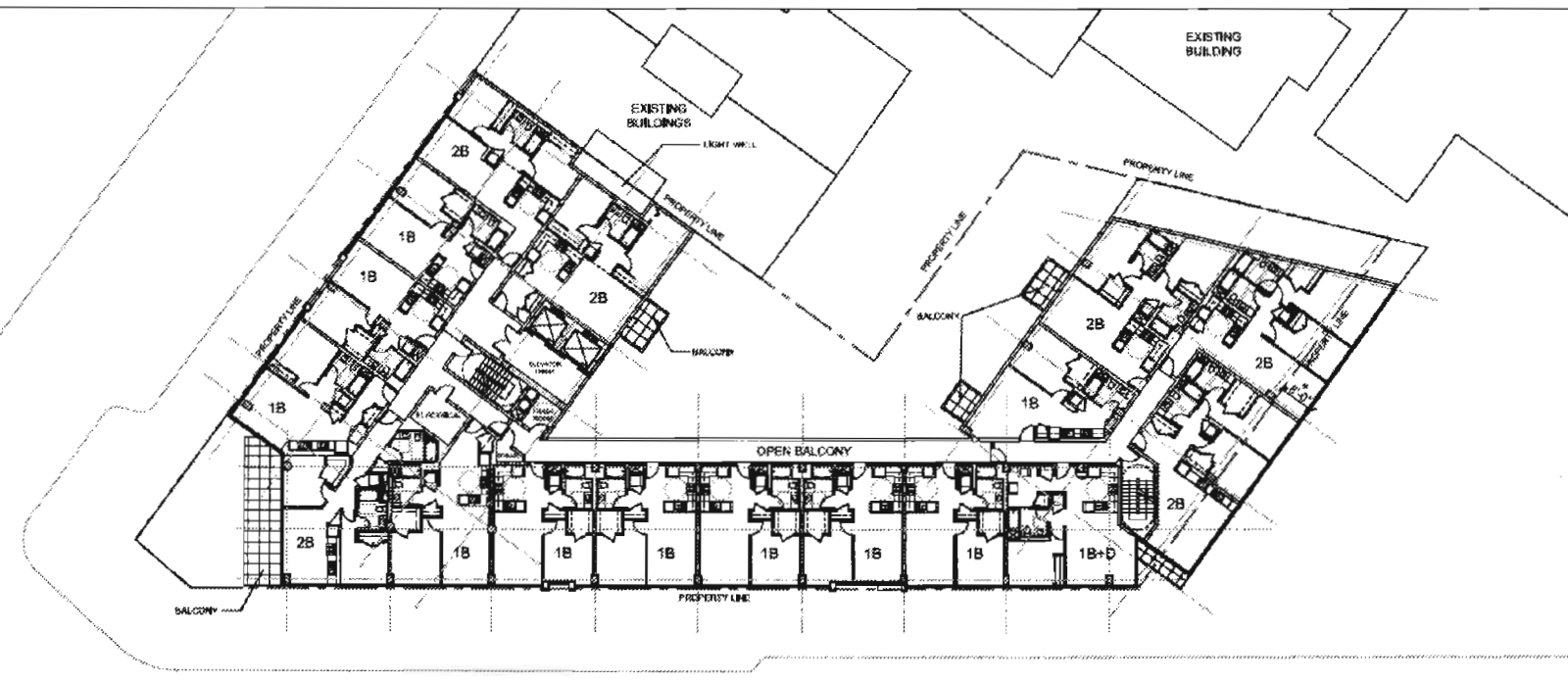


Date	Description
09/22/2010	SEE PERMIT - PROGRESS SET
10/29/2010	SEE PERMIT - PROGRESS SET
10/29/2010	SEE PERMIT - PROGRESS SET
10/29/2010	SEE PERMIT - FINAL REVIEW DRAFT
11/23/2010	SEE PERMIT - FINAL REVIEW DRAFT
11/23/2010	SEE PERMIT - FINAL REVIEW DRAFT
11/23/2010	SEE PERMIT SUBMITTAL



NOTE:
SEE SHEET A2.11 FOR MEETING MINUTES REGARDING EASEMENT OVER ADJACENT PROPERTY.

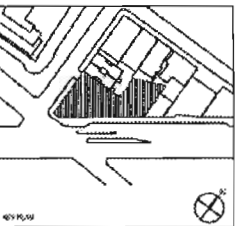
FLOOR PLAN-LEVEL 05 **2**
1/16" = 1'-0"



NOTE:
SEE SHEET A2.11 FOR MEETING MINUTES REGARDING EASEMENT OVER ADJACENT PROPERTY.

FLOOR PLAN-LEVEL 04 **1**
1/16" = 1'-0"

P:\10463_04\PROJECTS\10463_04\MARKET_BUCHANAN\A2.04\A2.04.dwg (11/23/10 10:58:40) Plotted by: hmsm

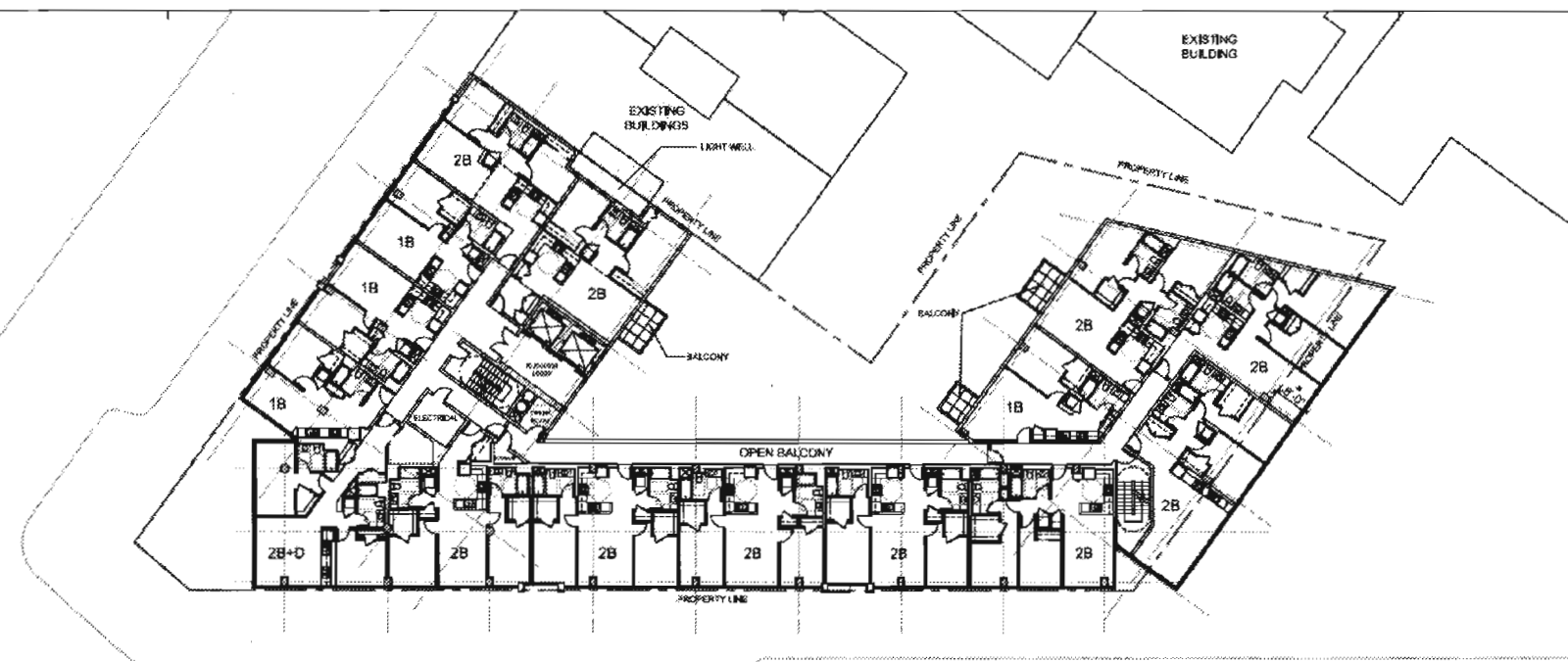


Signature: _____
Registration #: _____

Office: San Francisco

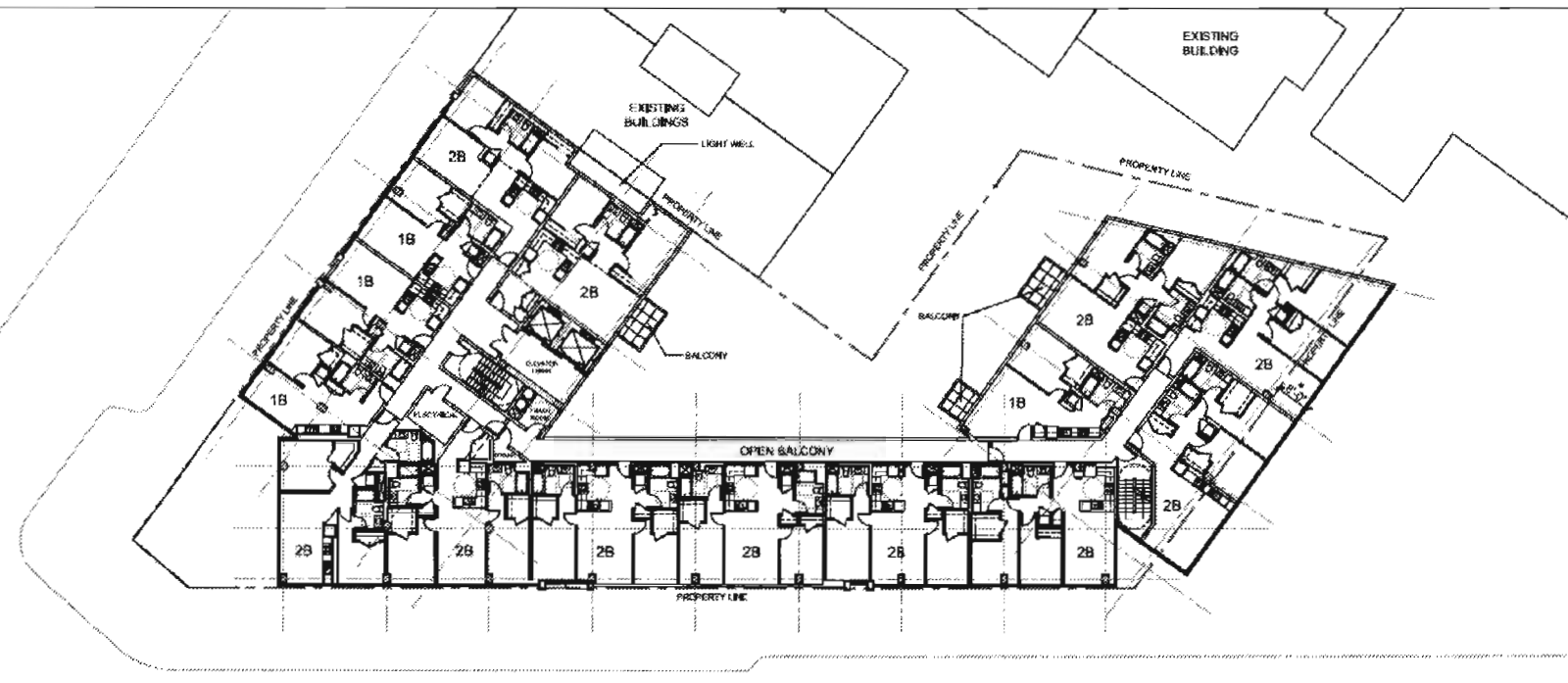
Issue Date: _____ Project No.: 2458
Drawn by: _____ Approved by: _____

Date	Description
08/20/10	02B PERMIT-PROGRESS SET
08/20/10	02B PERMIT-PROGRESS SET
10/20/10	02B PERMIT-PROGRESS SET
10/20/10	02B PERMIT-FINAL REVIEW DRAFT
10/20/10	02B PERMIT-FINAL REVIEW DRAFT
11/18/10	02B PERMIT-FINAL REVIEW DRAFT
11/23/10	02B PERMIT-BUILDING



NOTE:
SEE SHEET A2.11 FOR NOTES REGARDING
EASEMENT OVER ADJACENT PROPERTY.

FLOOR PLAN-LEVEL 07
1/16" = 1'-0" **2**



NOTE:
SEE SHEET A2.11 FOR NOTES REGARDING
EASEMENT OVER ADJACENT PROPERTY.

FLOOR PLAN-LEVEL 06
1/16" = 1'-0" **1**

P:\Projects\Market & Buchanan\A2.06\A2.06.dwg (11/23/10) (Landscape) - Brian Spiers
 P:\Projects\Market & Buchanan\A2.06\A2.06.dwg (11/23/10) (Landscape) - Brian Spiers



SUBMITTALS

Signature: _____
Registration # _____

Issue Date: _____ Project No.: 2459
Drawn by: _____ Approved by: _____

Date	Description
08/27/2010	ISSUE PERMIT-PROGRESS SET
10/02/2010	ISSUE PERMIT-PROGRESS SET
10/22/2010	ISSUE PERMIT-PROGRESS SET
10/28/2010	ISSUE PERMIT-FINAL REVIEW DRAWING
10/28/2010	ISSUE PERMIT-FINAL REVIEW DRAWING
11/18/2010	ISSUE PERMIT-FINAL REVIEW DRAWING
11/23/2010	ISSUE PERMIT SUBMITTALS

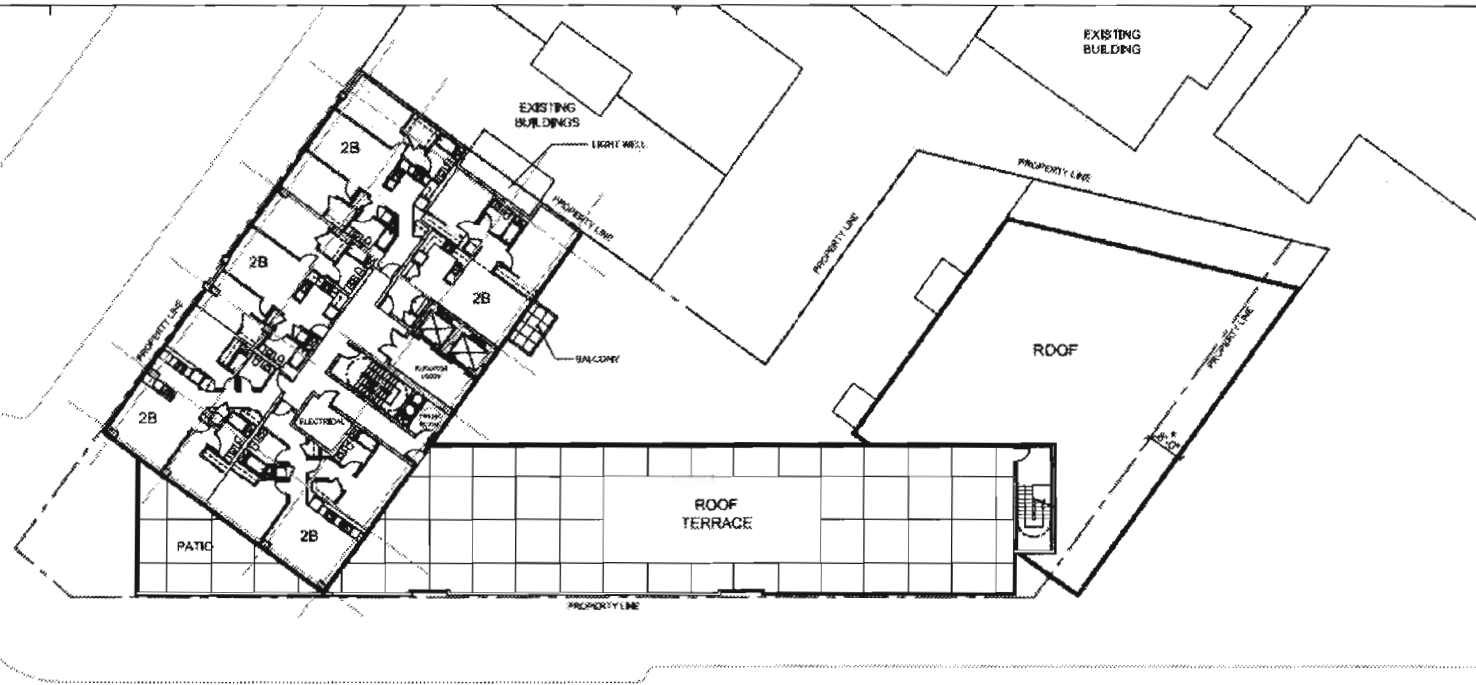
Sheet Title: _____

FLOOR PLANS-LEVELS 08 AND 09

Scale: 1/16" = 1'-0"

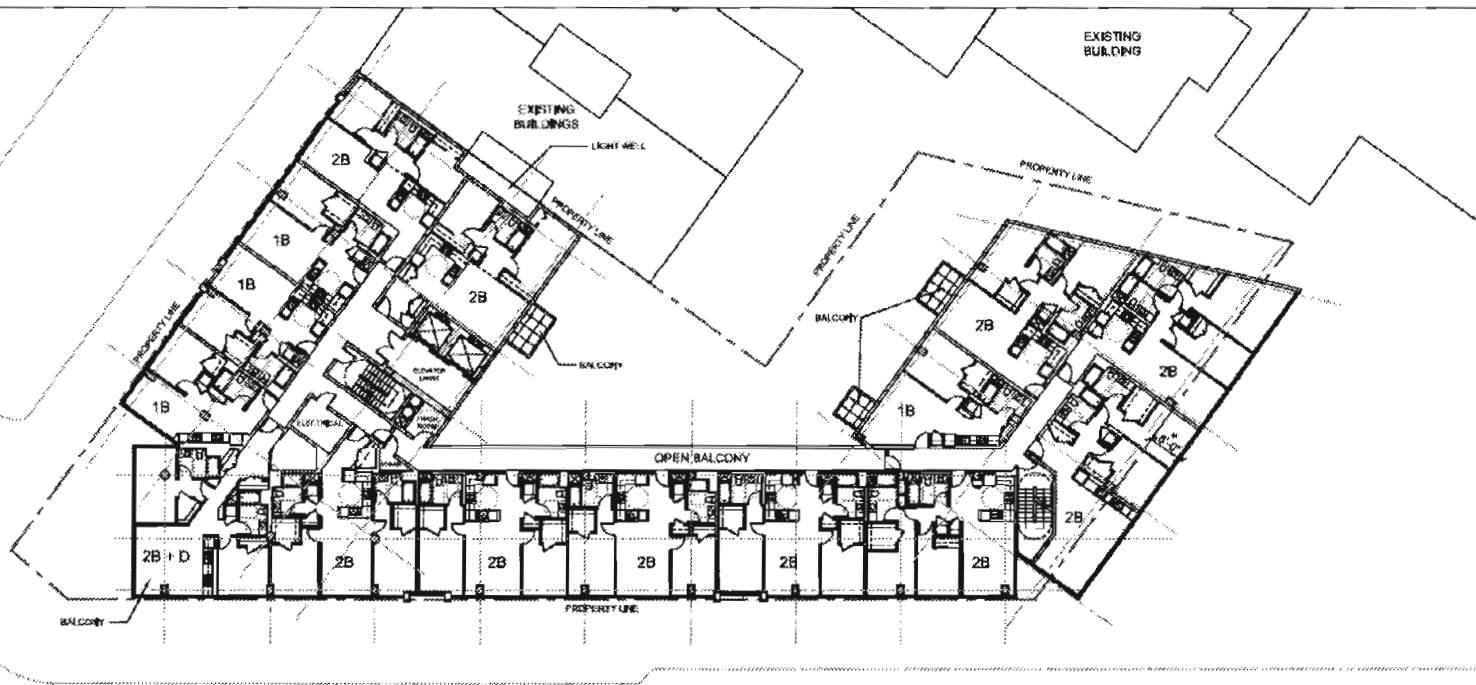
Sheet No: PHASE ONE

A2.08



NOTE:
SEE SHEET A2.11 FOR MISSING LIMITS REGARDING
CASEMENT OVER ADJACENT PROPERTY.

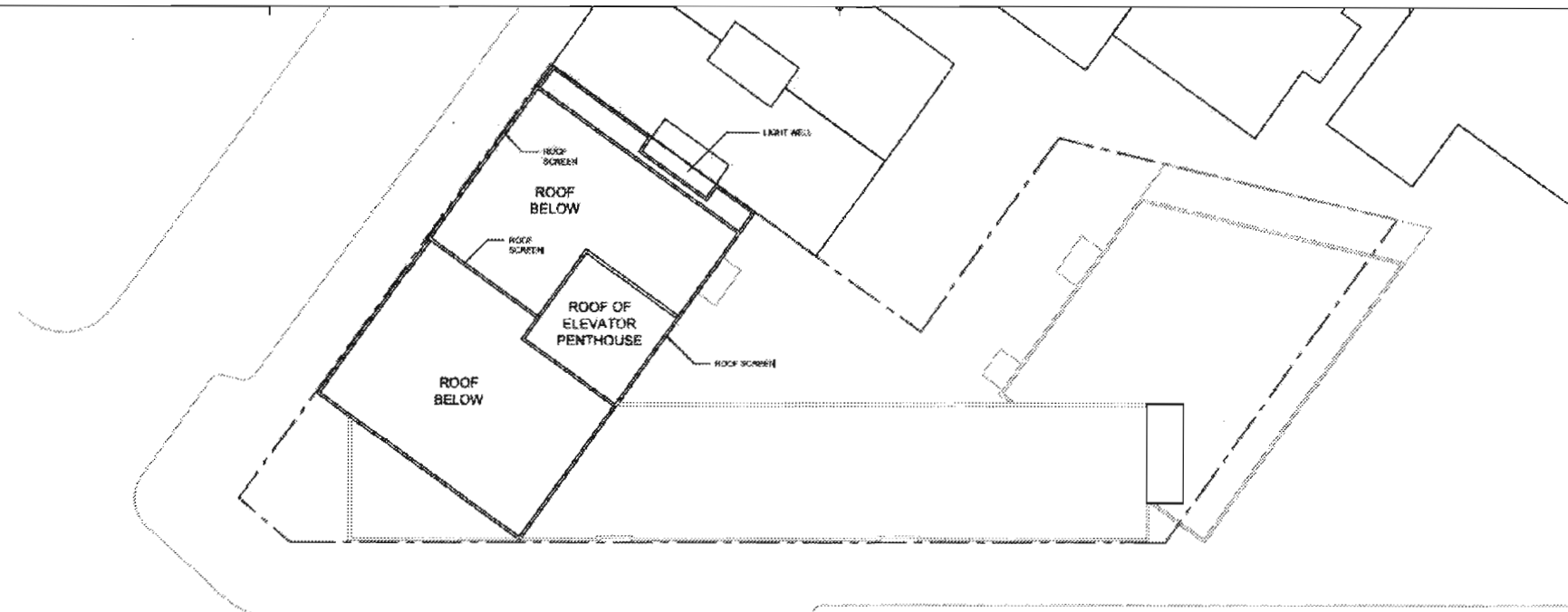
FLOOR PLAN-LEVEL 09
1/16" = 1'-0" 2



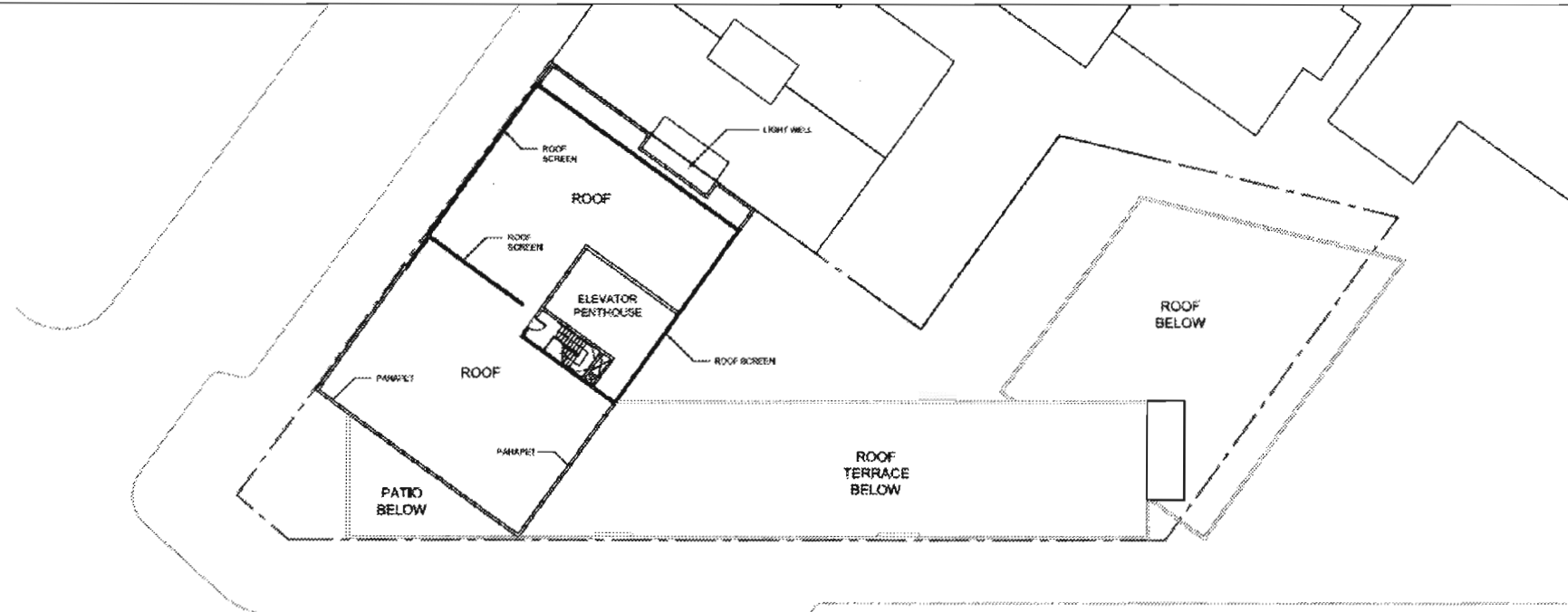
NOTE:
SEE SHEET A2.11 FOR MISSING LIMITS REGARDING
CASEMENT OVER ADJACENT PROPERTY.

FLOOR PLAN-LEVEL 08
1/16" = 1'-0" 1

PLANS BY: ARCHITECTONICA, ARCHITECTS, 114 WEST 28th STREET, SUITE 800, SAN FRANCISCO, CA 94111 (415) 775-8900



OVERALL ROOF PLAN ②
1/16" = 1'-0"

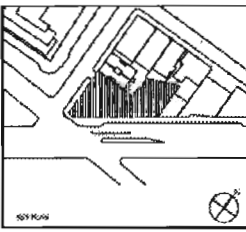


ELEVATOR MACHINE ROOM LEVEL ①
1/16" = 1'-0"

MARKET & BUCHANAN
SAN FRANCISCO, CA
BRIAN SPIERS CONSTRUCTION, INC.

OWNER: BRIAN SPIERS
BRIAN SPIERS CONSTRUCTION, INC.
7 CLAY STREET, SUITE 200
SAN FRANCISCO, CA 94102
ARCHITECT: **ARQUITECTONICA**
844 WEST 25th STREET, SUITE 200
LOS ANGELES, CA 90015
TEL: 213.691.2000 FAX: 213.691.2004
LANDSCAPE ARCHITECT:

GENERAL CONTRACTOR:
STRUCTURAL ENGINEER:
MECHANICAL ENGINEER:
ELECTRICAL ENGINEER:
PLUMBING ENGINEER:
CONCRETE CONTRACTOR:
ELEVATOR:
CODE REVIEW BY SAFETY:



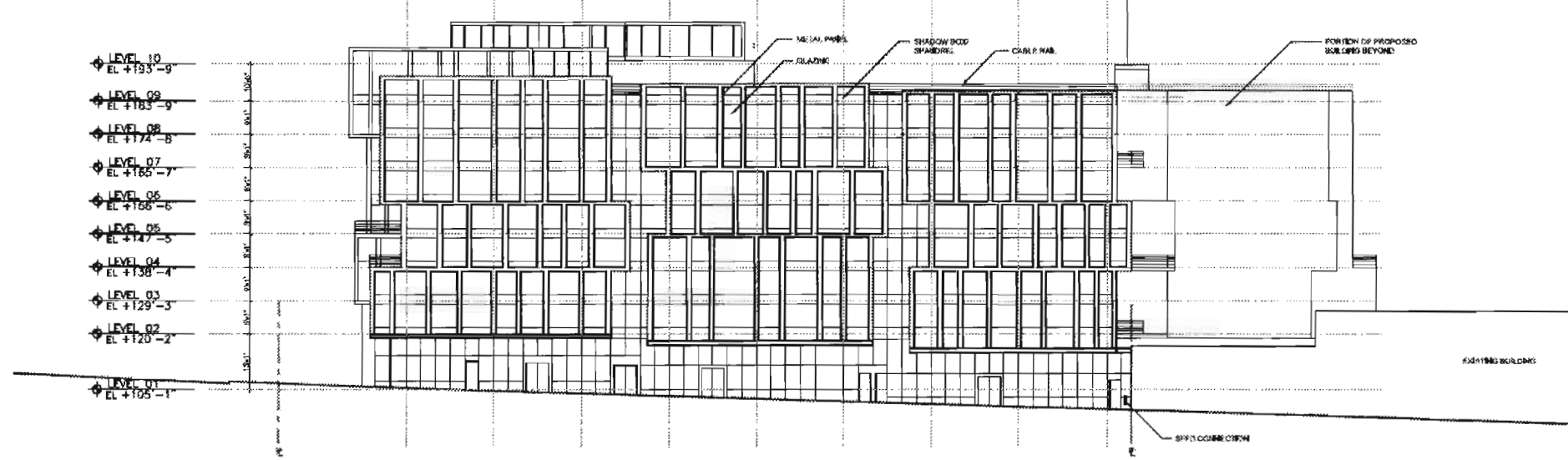
Signature:
Registration #:
Office Registration #:
Issue Date: Project No.: 245B
Drawn by: Approved by:

Date	Description
08/22/2010	SEE PERMIT-PROGRESS SET
10/08/2010	SEE PERMIT-PROGRESS SET
10/22/2010	SEE PERMIT-PROGRESS SET
10/29/2010	SEE PERMIT-FINAL REVIEW DRAFT
11/02/2010	SEE PERMIT-FINAL REVIEW DRAFT
11/18/2010	SEE PERMIT-FINAL REVIEW DRAFT
11/23/2010	SEE PERMIT SUBMITTAL

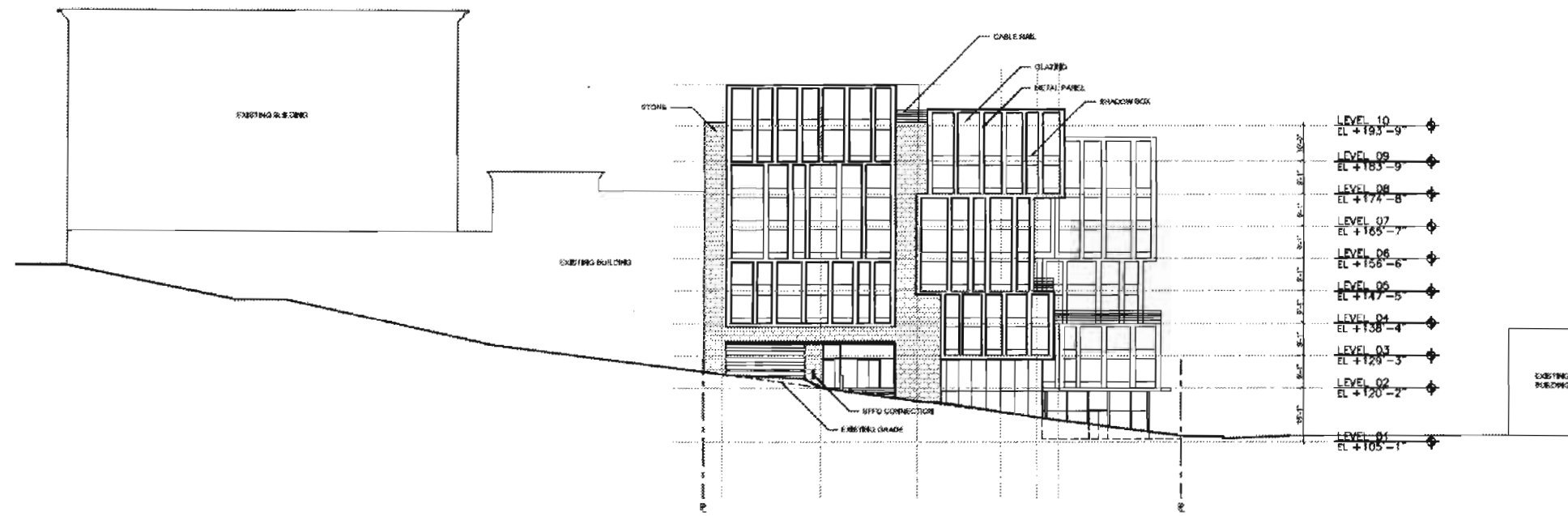
Sheet Title:
**FLOOR PLAN-
ROOF LEVEL**
Scale: 1/16" = 1'-0"

Sheet No: PHASE ONE
A2.10

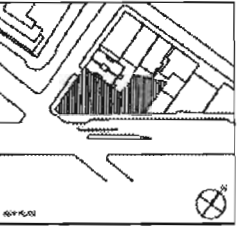
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SOUTH ELEVATION ②
1/16" = 1'-0"



WEST ELEVATION ①
1/16" = 1'-0"



REV: N/A

Signature: _____
Registration # _____

Client Registration # _____
Issue Date: _____ Project No.: 245B
Drawn by: _____ Approved by: _____

Date	Description
08/22/2019	SET PERMIT-PROGRESS SET
08/22/2019	SET PERMIT-PROGRESS SET
10/22/2019	SET PERMIT-PROGRESS SET
10/22/2019	SET PERMIT-FINAL REVIEW DRAFT
10/22/2019	SET PERMIT-FINAL REVIEW DRAFT
11/16/2019	SET PERMIT-FINAL REVIEW DRAFT
11/22/2019	SET PERMIT SUBMITTAL

FILE REV HISTORY >>>

Sheet Title:

BUILDING ELEVATIONS

Scale: 1/16" = 1'-0"

Sheet No: PHASE ONE

A3.00

DATE PLOTTED: 8/22/2019 10:00 AM

OWNER: BRIAN SPIERS
BRIAN SPIERS CONSTRUCTION, INC.
403 BAY STREET, SUITE 300
SAN FRANCISCO, CA 94133

ARCHITECT: **ARQUITECTONICA**
1000 MARKET STREET, SUITE 200
SAN FRANCISCO, CA 94102
TEL: 415.774.1100 FAX: 415.774.1101
LANGGANE ARCHITECTS

GENERAL CONTRACTOR:

STRUCTURAL ENGINEER:

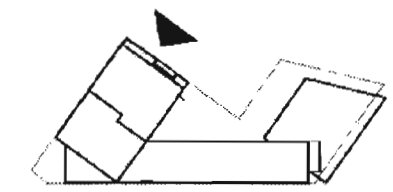
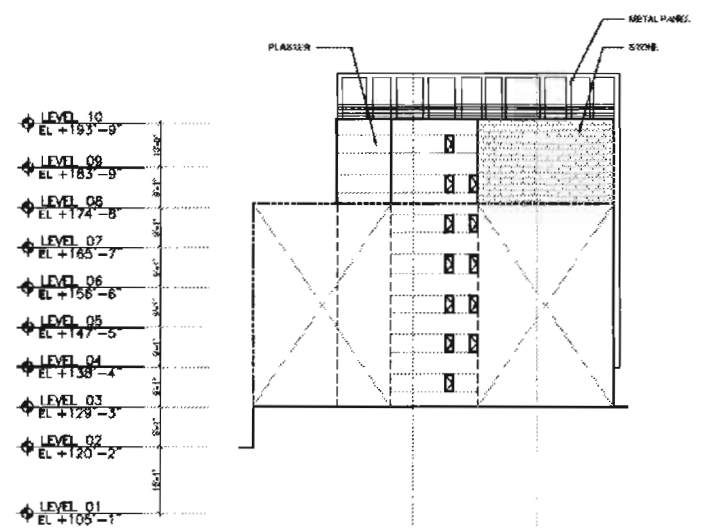
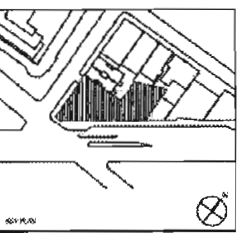
MECHANICAL/ELECTRICAL:

CIVIL ENGINEER:

ACQUISITION:

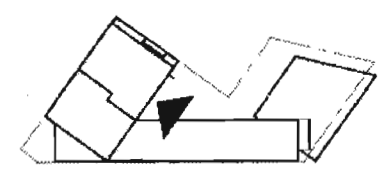
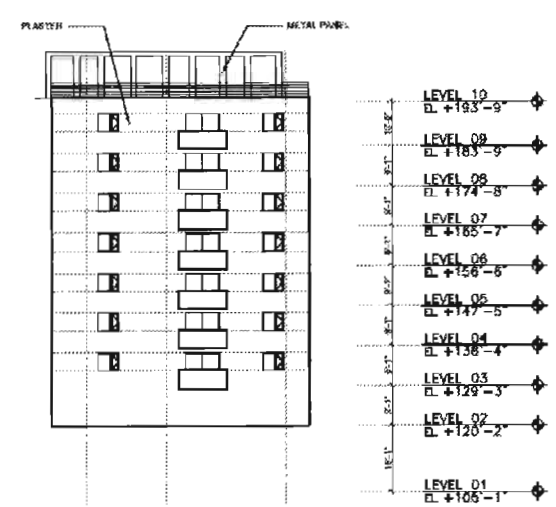
ELEVATORS:

CODE/REG. LIFE SAFETY:

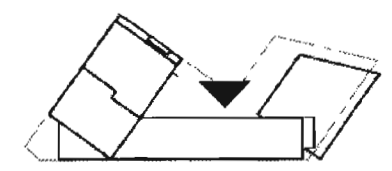
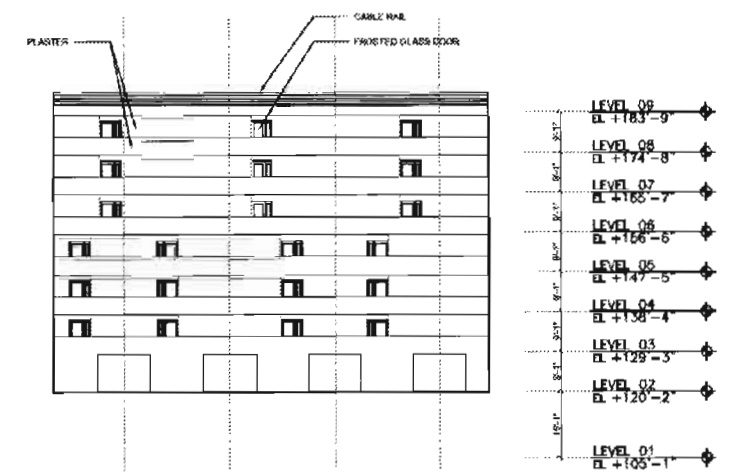


NOTE:
PER TABLE 704.9 MAXIMUM AREA OF EXTERIOR WALL OPENINGS IS EQUAL TO 10% FOR UNPROTECTED

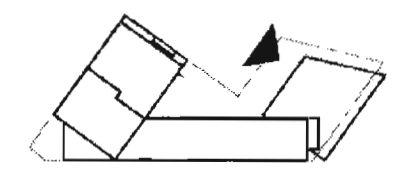
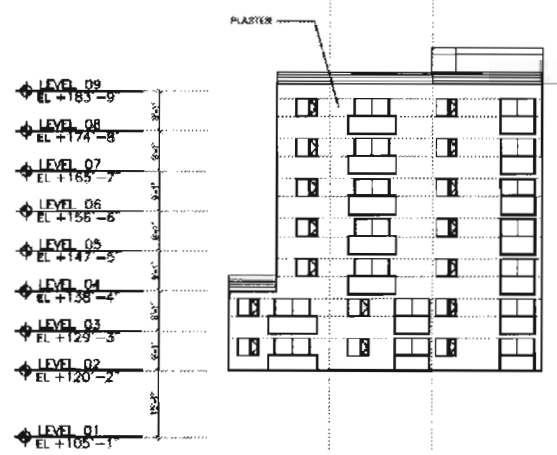
ELEVATION F
1/16" = 1'-0" ③



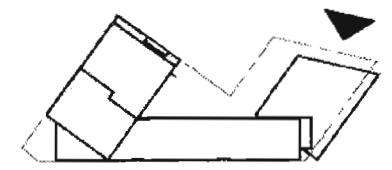
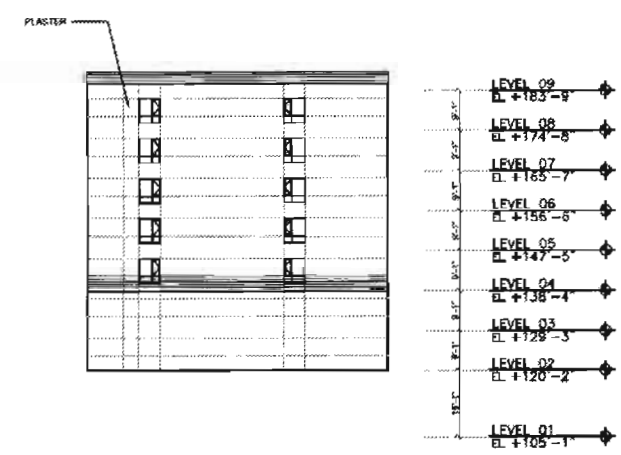
ELEVATION E
1/16" = 1'-0" ⑤



ELEVATION D
1/16" = 1'-0" ④

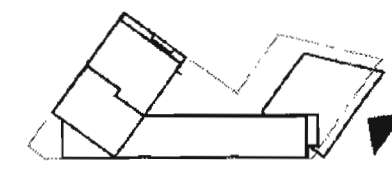
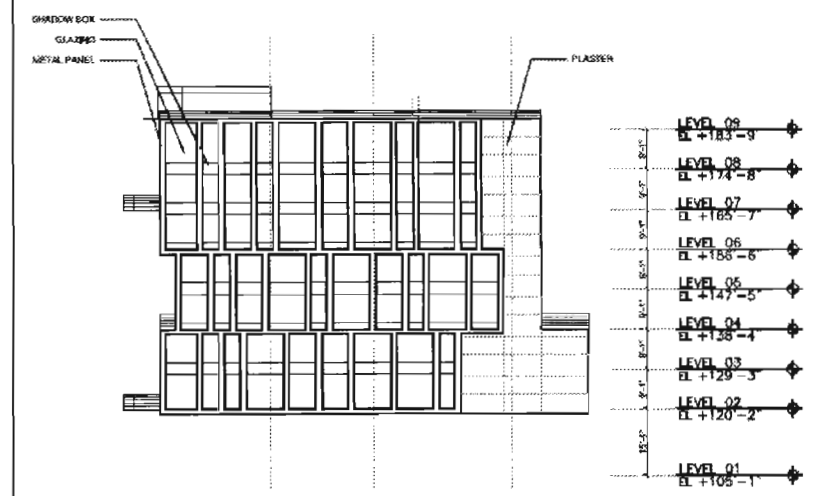


ELEVATION C
1/16" = 1'-0" ③



NOTE:
PER TABLE 704.9 MAXIMUM AREA OF EXTERIOR WALL OPENINGS IS EQUAL TO 10% FOR UNPROTECTED

ELEVATION B
1/16" = 1'-0" ②



ELEVATION A
1/16" = 1'-0" ①

SEC. REVISIONS

Signature:
Registration #

Issue Date: _____ Project No.: 2458
Drawn by: _____ Approved by: _____

Date	Description
08/22/2010	SITE PERMIT-PROGRESS SET
10/09/2010	SITE PERMIT-PROGRESS SET
10/22/2010	SITE PERMIT-PROGRESS SET
10/29/2010	SITE PERMIT-FINAL REVIEW DRAFT
10/29/2010	SITE PERMIT-FINAL REVIEW DRAFT
11/16/2010	SITE PERMIT-FINAL REVIEW DRAFT
11/29/2010	SITE PERMIT SUBMITTAL

FULL SIZE PRINTING 42"

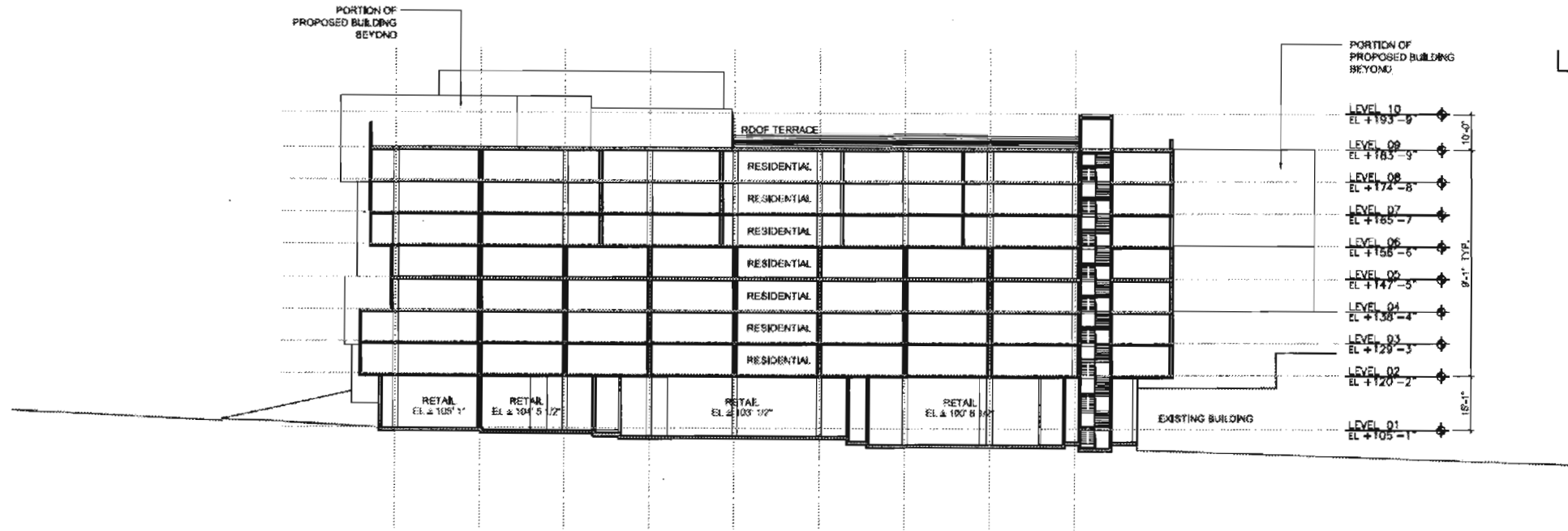
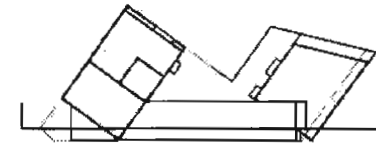
Sheet Title:

BUILDING ELEVATIONS

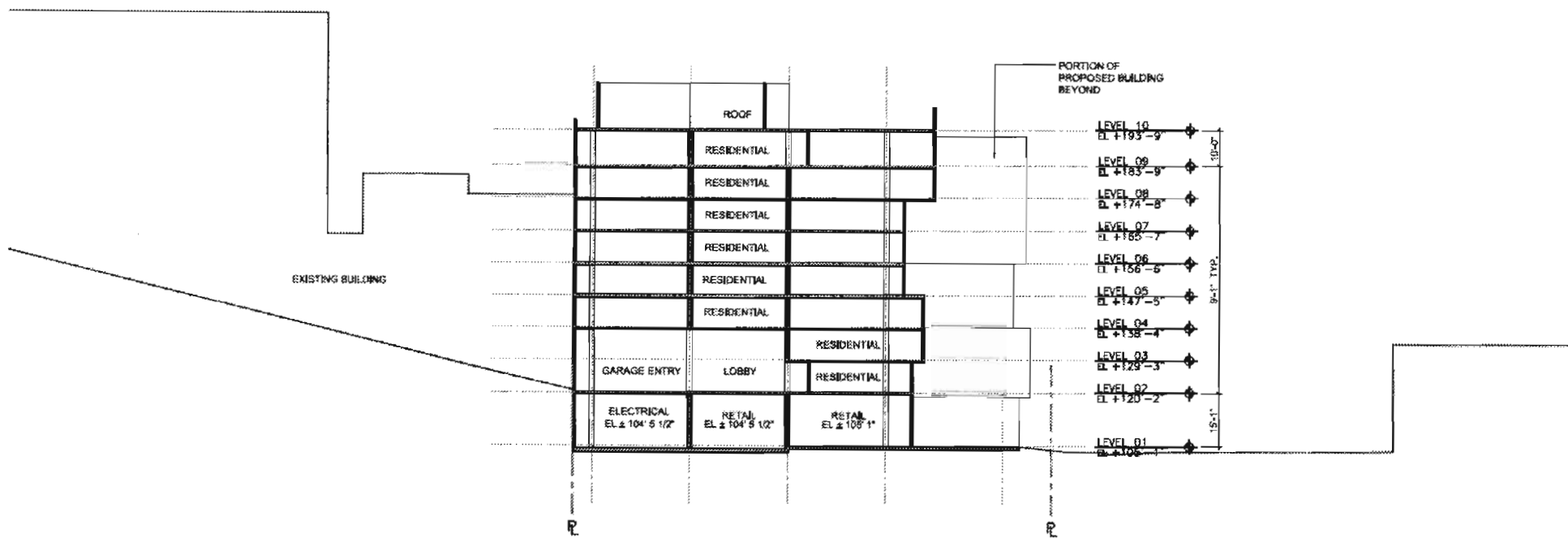
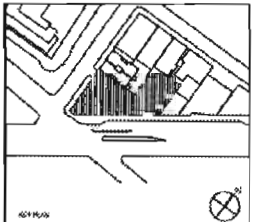
Scale: 1/16" = 1'-0"

Sheet No: PHASE ONE

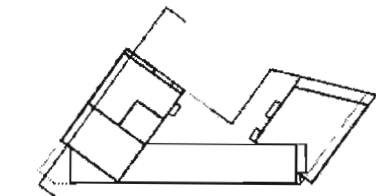
A3.01



BUILDING SECTION 2
1/16" = 1'-0"



BUILDING SECTION 1
1/16" = 1'-0"



REV. DESCRIPTION

Signature: _____
Registration # _____

Issue Date: _____ Project No.: 2450
Drawn by: _____ Approver: BJC

Date	Description
09/27/2010	SET PERMIT-PROGRESS SET
10/01/2010	SET PERMIT-PROGRESS SET
10/20/2010	SET PERMIT-PROGRESS SET
10/26/2010	SET PERMIT-FINAL REVIEW DRAFT
11/18/2010	SET PERMIT-FINAL REVIEW DRAFT
11/22/2010	SET PERMIT SUBMITTAL

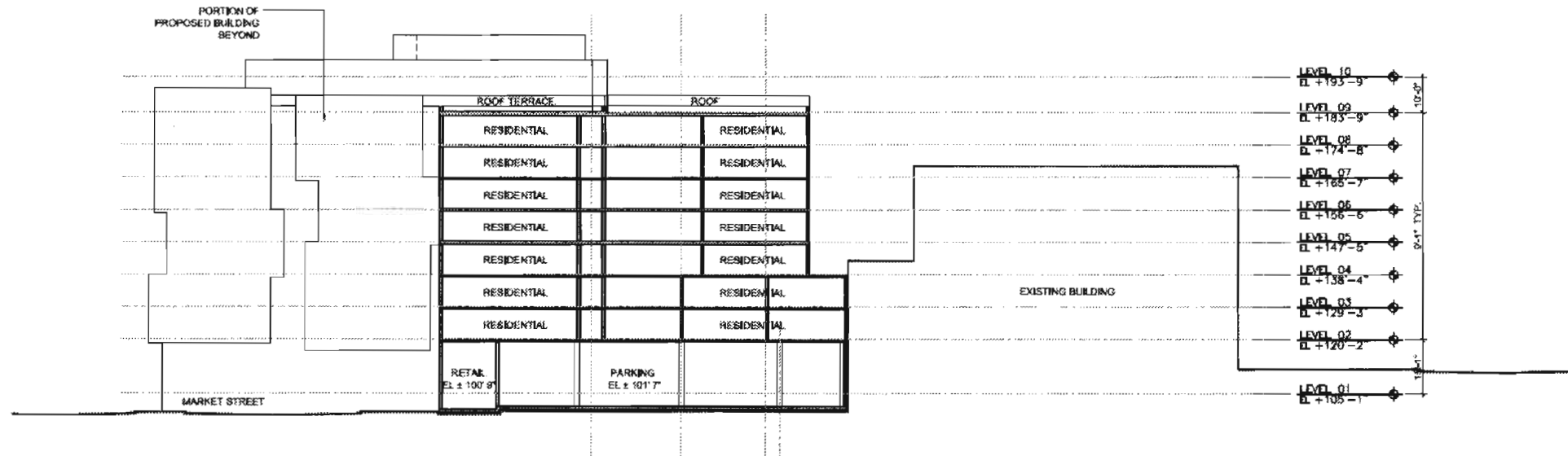
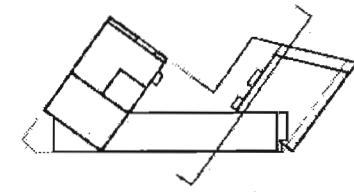
Sheet Title:
BUILDING SECTIONS

Scale: 1/16" = 1'-0"

Sheet No: PHASE ONE
A4.00

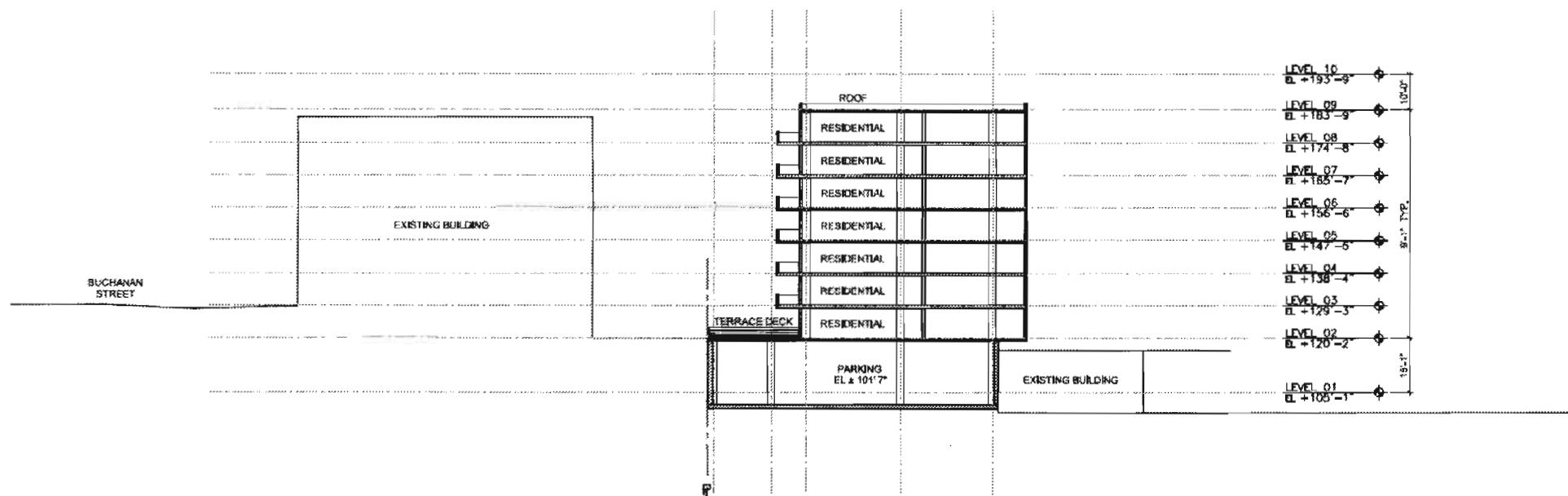
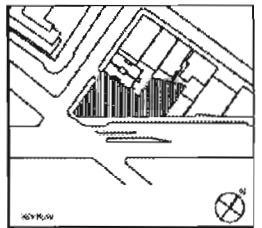
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 11/22/10 10:00 AM
 Brian Spers





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

OWNER	BRIAN SPIERS BRIAN SPIERS CONSTRUCTION, INC. 400 CALIFORNIA STREET SAN FRANCISCO, CA 94102
ARCHITECT	ARCHITECTURICA 404 WEST 10TH STREET, SUITE 400 LOS ANGELES, CA 90017 TEL: 213.691.7800 FAX: 213.691.7801
LANDSCAPE ARCHITECT	
GENERAL CONTRACTOR	
STRUCTURAL ENGINEER	
M/E/P ENGINEERS	
CIVIL ENGINEERS	
ACQUISITION	
ELEVATION	
CODE FIRE/LIFE SAFETY	



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

Signature:	
Registration #:	
Office Registration #:	
Issue Date:	Project No. 2458
Drawn by:	Approved by:
Date:	Description:
06/12/2010	SESS PERMIT-PROGRESS SET
08/09/2010	SESS PERMIT-PROGRESS SET
10/20/2010	SESS PERMIT-PROGRESS SET
10/06/2010	SESS PERMIT-FINAL REVIEW DRAFT
10/20/2010	SESS PERMIT-FINAL REVIEW DRAFT
11/18/2010	SESS PERMIT-FINAL REVIEW DRAFT
11/23/2010	SESS PERMIT SUBMITTAL
FULL SHEET PREPARED BY:	
Sheet Title:	
BUILDING SECTIONS	
Scale:	1/8" = 1'-0"

Sheet No.:	PHASE ONE
A4.01	

P:\Projects\Market & Buchanan\Drawings\A4.01 Building Sections.dwg (11/23/10 10:40:00 AM)