



SAN FRANCISCO PLANNING DEPARTMENT

Executive Summary Conditional Use/Planned Unit Development

HEARING DATE: JULY 14, 2011

Date: July 8, 2011
Case No.: **2011.0399C**
Project Address: **401 GROVE STREET**
Zoning: Hayes Gough Neighborhood Commercial Transit (NCT) District
40-X/50-X Height and Bulk District
Block/Lot: 0808/036
Project Sponsor: Ivy Grove Partners, LLC
615 Front Street
San Francisco, CA 94111
Staff Contact: Kevin Guy – (415) 558-6163
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Recommendation: **Approval with Conditions**

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PROJECT DESCRIPTION

The proposal is to demolish an existing surface parking lot and construct a new mixed-use Project containing approximately 63 dwelling units (including nine on-site inclusionary housing units), 5,000 square feet of ground floor commercial uses, 35 off-street residential parking spaces, and two car-share parking spaces. The mix of dwelling units includes one studio unit, 23 one-bedroom units, 34 two-bedroom units, and five three-bedroom townhome units. The Project is articulated as two distinct building forms. A five-story building is proposed along the northeast portion of the site, with ground-floor retail spaces located along the Gough Street frontage and ground-floor residential units with stoops located along the Grove Street frontage. At the southwestern portion of the site, five townhome units with separate ground-floor entries would be located along the Ivy Street frontage. The project sponsor is seeking approval of a Planned Unit Development, including a number of specific modifications from the requirements of the Planning Code, as discussed under "Issues and Other Considerations".

SITE DESCRIPTION AND PRESENT USE

The project site was formerly occupied by the elevated Central Freeway and is currently used as a surface parking lot. It measures approximately 22,825 square feet in area and is trapezoidal in shape, with approximately 155 feet of frontage on Grove Street to the north, approximately 120 feet of frontage on Gough Street to the east, and approximately 225 feet of frontage on Ivy Street to the south. The Project Site is within the Hayes-Gough NCT (Neighborhood Commercial Transit) Zoning District. The majority of the Project Site is located within the 50-X Height and Bulk District, however, the southwesterly portion of the site along the Ivy Street is located within the 40-X Height and Bulk District, beginning at a point located 70 feet to the west of the intersection with Gough Street and extending 60 feet into the interior of the lot.

SURROUNDING PROPERTIES AND NEIGHBORHOOD

Parcels formerly occupied by the Central Freeway are situated to the northeast and southwest of the project site, and are currently used as surface parking lots. The adjacent property to the west is developed with a four-story motel constructed in 1960. Gough Street to the east of the Project Site is a major arterial but also a vibrant commercial street with a high volume of pedestrian traffic.

Beyond the immediate vicinity, the area surrounding the project site primarily consists of residential buildings of two to five stories in height. Ground floor retail and restaurant uses are found along Hayes Street one block south of the project site, while other isolated commercial establishments are scattered throughout the neighborhood. The Civic Center district begins one block to the east of the Project Site, and includes various government buildings, museums, libraries, and performance spaces. Open spaces in the vicinity include Jefferson Square to the north, Hayes Valley Playground to the west, Patricia's Green and Koshland Park to the southwest, Buchanan Street Mall and Alamo Square to the west, and Civic Center Plaza to the east.

ENVIRONMENTAL REVIEW

The proposed development was analyzed at a project-specific level in Final Environmental Impact Report ("FEIR") for the Market and Octavia Area Plan (Case No. 2003.0347E), which was certified in 2007. Since the FEIR was finalized, there have been no substantial project changes and no substantial changes in project circumstances that would require major revisions to the FEIR due to the involvement of new significant environmental effects or an increase in the severity of previously identified significant impacts, and there is no new information of substantial importance that would change the conclusions set forth in the FEIR.

HEARING NOTIFICATION *

TYPE	REQUIRED PERIOD	REQUIRED NOTICE DATE	ACTUAL NOTICE DATE	ACTUAL PERIOD
Classified News Ad	20 days	June 27, 2011	June 3, 2011	41 days
Posted Notice	20 days	June 27, 2011	June 23, 2011	24 days
Mailed Notice	10 days	July 4, 2011	June 2, 2011	42 days

* Project was continued from the June 23, 2011 Planning Commission Hearing.

PUBLIC COMMENT

To date, staff has received three communications in support of the project, including endorsements from the Hayes Valley Neighborhood Association and the San Francisco Housing Action Coalition. These comments praise the density and transit-orientation of the project, the provision of on-site inclusionary housing, and the limited amount of parking proposed. Staff has also received two communications in opposition to the project from neighboring property owners. These comments express concerns over the scale of the project, loss of light and air to adjacent properties, and increased traffic congestion.

ISSUES AND OTHER CONSIDERATIONS

- **Previous Approval.** In 2008, a Conditional Use Authorization and Planned Unit Development were approved for the property for the construction of a project containing 61 dwelling units, 10,000 square feet of ground floor commercial uses, and 39 off-street parking spaces. The project to be considered at the July 14, 2011 hearing represents a revised design and a modified program, with an increase in dwelling units, a reduction of ground-floor retail uses, and reduction in off-street parking.
- **Planned Unit Development Modifications:** The project does not strictly conform to several aspects of the Planning Code. As part of the Planned Unit Development (PUD) process, the Commission may grant modifications from certain requirements of the Planning Code for projects that exhibit outstanding overall design and are complementary to the design and values of the surrounding area. The project requests modifications from regulations related to rear yard, dwelling unit exposure, bay window dimensions, and height measurement.
- **Rear Yard.** The Planning Code requires that the project provide a rear yard equal to 25 percent of the lot depth at every residential level. The project proposes two distinct building masses surrounding a central courtyard which does not strictly meet these requirements. However, the proposed configuration reinforces traditional urban development pattern with buildings located at or near front property lines, creating an urban streetscape framing an interior core of mid-block open space. By using a courtyard, the Project restores a traditional pattern of mid-block open space within the project site. In addition to the courtyard, the project provides substantial open space for residents in the form of individual private decks and common roof decks.
- **Dwelling Unit Exposure.** The Planning Code requires that dwelling units face onto a public street, a rear yard, or other open area that meets minimum dimensional requirements. The majority of the dwelling units have exposure onto Grove, Gough, or Ivy Streets. A number of units have exposure only on the interior courtyard, which does not strictly meet the minimum required dimensions at the third floors. However, the aggregate area of the courtyard is substantial and should provide adequate light and air for all adjacent dwelling units.
- **Bay Windows.** Section 136(c)(2) permits bay windows to project over the public right-of-way, provided that the bays meet specified limitations for dimensions and separation. Bay windows are proposed for the corners of the project at Grove and Gough Streets, as well as Gough and Ivy Streets which do not meet these requirements. The Planning Code requires that bays be separated from property lines, therefore the Planning Code does not permit corner bays by definition. The bay at the corner of Gough and Grove, situated at levels four and five, exceeds several other limitations of this Section as well. Both of these bays serve to articulate and vary the massing of the project, and provide enhanced scale and prominence to the corners. The degree of exceedance from the limitations of the Planning Code is relatively minor.
- **Height Measurement.** The Planning Code would require height measurement on the project site from two points due to the dimensions of the lot. The project height is instead measured from a single datum at the curb at the westernmost edge of the Grove Street frontage. This minor

deviation from the methodology for height measurement would not enable the construction of additional stories for the Project, or significant increments of additional height than would otherwise be permitted under the 40-50-X Height and Bulk Districts.

REQUIRED COMMISSION ACTION

In order for the project to proceed, the Commission must grant Conditional Use authorization to allow development on a lot greater than 10,000 square feet, and to approve a Planned Unit Development with the requested modifications from the requirements of the Planning Code.

BASIS FOR RECOMMENDATION

- The project would add 63 dwelling units to the City's housing stock, in a walkable and transit-rich area suited for dense, mixed-use development.
- Residents would be able to walk or utilize transit to commute and satisfy convenience needs without reliance on the private automobile.
- The project fulfills the intent of the Market and Octavia Area Plan to focus new housing in transit-served locations and to create active, vibrant streetscapes.
- The project includes a mix of studio, one-bedroom, two-bedroom, and three-bedroom units to serve a diversity of household sizes and people with varied housing needs.
- The proposed ground-floor commercial spaces will expand the spectrum of retail goods and services available in the area, and will activate the sidewalk along Gough Street.
- The project include substantial landscaping and other improvements within the public realm, including a curb extension that will create opportunities for additional seating and pedestrian amenities along the Ivy Street frontage.
- The project s necessary and desirable, is compatible with the surrounding neighborhood, and would not be detrimental to persons or adjacent properties in the vicinity.

RECOMMENDATION: Approval with Conditions
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Attachments:

- Draft Motion
- Mitigation, Monitoring and Reporting Program
- Block Book Map
- Sanborn Map
- Aerial Photograph
- Zoning Map
- Correspondence Regarding Project
- Affordable Housing Affidavit
- Project Sponsor Submittal and Project Plans

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

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

Planner's Initials

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SAN FRANCISCO PLANNING DEPARTMENT

Subject to: (Select only if applicable)

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

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Planning Commission Draft Motion

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ADOPTING FINDINGS RELATED TO THE APPROVAL OF A CONDITIONAL USE AUTHORIZATION FOR A PLANNED UNIT DEVELOPMENT AND TO ALLOW DEVELOPMENT OF A LOT EXCEEDING 10,000 SQUARE FEET, PURSUANT TO SECTIONS 121.1, 303, AND 304 OF THE PLANNING CODE, WITH SPECIFIC MODIFICATIONS TO PLANNING CODE REGULATIONS RELATED TO REAR YARD, DWELLING UNIT EXPOSURE, BAY WINDOW DIMENSIONS, AND HEIGHT MEASUREMENT, WITH RESPECT TO A PROPOSAL TO CONSTRUCT A NEW FIVE-STORY, MIXED-USE BUILDING CONTAINING APPROXIMATELY 63 DWELLING UNITS, 5,000 SQUARE FEET OF GROUND FLOOR COMMERCIAL USES, AND 37 OFF-STREET PARKING SPACES WITHIN AN UNDERGROUND GARAGE, LOCATED AT 401 GROVE STREET, LOT 036 IN ASSESSOR'S BLOCK 0808, WITHIN THE HAYES-GOUGH NEIGHBORHOOD COMMERCIAL TRANSIT DISTRICT, AND THE 40-50-X HEIGHT AND BULK DISTRICT, AND ADOPTING FINDINGS UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.

PREAMBLE

On April 25, 2011, Steven Vettel, acting on behalf of Ivy Grove Partners, LLC ("Project Sponsor") filed an application with the Planning Department ("Department") for Conditional Use Authorization to allow development on a lot exceeding 10,000 square feet, and to approve a Planned Unit Development under Planning Code Sections ("Sections") 303 and 304 to allow a project that would demolish an existing surface parking lot and construct a new five-story

mixed-use building containing approximately 63 dwelling units, 5,000 square feet of ground floor commercial uses, and 37 off-street parking spaces within an underground garage, located at 401 Grove Street, Lot 036 within Assessor's Block 0808 ("Project Site") within the Hayes-Gough Neighborhood Commercial Transit (NCT) District, and the 40-50-X Height and Bulk District. The project requests specific modifications of Planning Code regulations regarding rear yard, dwelling unit exposure, bay window dimensions, and height measurement through the Planned Unit Development process specified in Section 304 (collectively, "Project").

On November 13, 2008, the Planning Commission ("Commission) approved a Conditional Use Authorization to allow development on a lot exceeding 10,000 square feet, and to approve a Planned Unit Development under Planning Code Sections ("Sections") 303 and 304 to allow a project that would demolish an existing surface parking lot and construct a new five-story mixed-use building containing approximately 61 dwelling units, 10,000 square feet of ground floor commercial uses, and 39 off-street parking spaces within an underground garage. The project was also granted specific modification of Planning Code regulations regarding rear yard, usable open space, and measurement of height (Case No. 2007.0487CEK).

Department staff prepared two Notes to File (dated July 14, 2008 and October 15, 2008) that verified that the project proposed in Case No. 2007.0487CEK was analyzed at a project-specific level in Final Environmental Impact Report ("FEIR") for the Market and Octavia Area Plan (Case No. 2003.0347E).

On April 5, 2007, the Commission reviewed and considered the FEIR and found that the contents of said report and the procedures through which the FEIR was prepared, publicized, and reviewed complied with the California Environmental Quality Act (California Public Resources Code Sections 21000 et seq.) (CEQA), 14 California Code of Regulations Sections 15000 et seq. (the "CEQA Guidelines") and Chapter 31 of the San Francisco Administrative Code ("Chapter 31").

On June 19, 2007, the Board of Supervisors upheld the FEIR and approved the issuance of the FEIR as prepared by the Planning Department in compliance with CEQA, the State CEQA Guidelines and Chapter 31.

The Planning Department, Linda Avery, is the custodian of records, located in the File for Case No. 2003.0347E, at 1650 Mission Street, Fourth Floor, San Francisco, California.

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

In addition, Department staff prepared a Note to File, dated _____ verifying the Project proposed in Case No. 2011.0399C was analyzed at a project-specific level in the FEIR for the Market and Octavia Area Plan, as previously concluded in the Notes to File for the previous project proposed in Case No. 20070487CEK. Since the FEIR was finalized, there have been no substantial project changes and no substantial changes in project circumstances that would

require major revisions to the FEIR due to the involvement of new significant environmental effects or an increase in the severity of previously identified significant impacts, and there is no new information of substantial importance that would change the conclusions set forth in the FEIR.

On September 29, 2008, Department staff received a request for review of a development exceeding 40 feet in height proposed for Case No. 2007.0487K, pursuant to Section 295, analyzing the potential impacts of the development to properties under the jurisdiction of the Department of Recreation and Parks. Department staff prepared a shadow fan depicting the potential shadow cast by the development and concluded that the Project would have no impact to properties subject to Section 295. The Project proposed for Case No. 2011.0399C does not increase the height or building envelope beyond that analyzed for Case No. 2007.0487K, therefore, the Project would have no impact to properties subject to Section 295.

On July 14, 2011, the Commission conducted a duly noticed public hearing at a regularly scheduled meeting on Conditional Use Application No. 2011.0399 C.

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. 2011.0399C, 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 Project Site was formerly occupied by the elevated Central Freeway and is currently used as a surface parking lot. It measures approximately 22,825 square feet in area and is trapezoidal in shape, with approximately 155 feet of frontage on Grove Street to the north, approximately 120 feet of frontage on Gough Street to the east, and approximately 225 feet of frontage on Ivy Street to the south. The Project Site is within the Hayes-Gough NCT (Neighborhood Commercial Transit) Zoning District. The majority of the Project Site is located within the 50-X Height and Bulk District, however, the southwesterly portion of the site along the Ivy Street is located within the 40-X Height and Bulk District, beginning at a point located 70 feet to the west of the intersection with Gough Street and extending 60 feet into the interior of the lot.

3. **Surrounding Properties and Neighborhood.** Parcels formerly occupied by the Central Freeway are situated to the northeast and southwest of the Project Site, and are currently used as surface parking lots. The adjacent property to the west is developed with a four-story motel constructed in 1960. Gough Street to the east of the Project Site is a major arterial but also a vibrant commercial street with a high volume of pedestrian traffic.

Beyond the immediate vicinity, the area surrounding the project site primarily consists of residential buildings of two to five stories in height. Ground floor retail and restaurant uses are found along Hayes Street one block south of the project site, while other isolated commercial establishments are scattered throughout the neighborhood. The Civic Center district begins one block to the east of the Project Site, and includes various government buildings, museums, libraries, and performance spaces. Open spaces in the vicinity include Jefferson Square to the north, Hayes Valley Playground to the west, Patricia's Green and Koshland Park to the southwest, Buchanan Street Mall and Alamo Square to the west, and Civic Center Plaza to the east.

4. **Project Description.** The proposal is to demolish an existing surface parking lot and construct a new mixed-use Project containing approximately 63 dwelling units (including nine on-site inclusionary housing units), 5,000 square feet of ground floor commercial uses, and 35 off-street residential parking spaces, and two car-share parking spaces. The mix of dwelling units includes one studio unit, 23 one-bedroom units, 34 two-bedroom units, and five three-bedroom townhome units. The Project is articulated as two distinct building forms. A five-story building is proposed along the northeast portion of the site, with ground-floor retail spaces located along the Gough Street frontage and ground-floor residential units with stoops located along the Grove Street frontage. At the southwestern portion of the site, five townhome units with separate ground-floor entries would be located along the Ivy Street frontage. The project sponsor is seeking approval of a Planned Unit Development, including a number of specific modifications from the requirements of the Planning Code, as discussed herein.
5. **Public Comment.** To date, staff has received three communications in support of the project, including endorsements from the Hayes Valley Neighborhood Association and the San Francisco Housing Action Coalition. These comments praise the density and transit-orientation of the project, the provision of on-site inclusionary housing, and the limited amount of parking proposed. Staff has also received two communications in opposition to the project from neighboring property owners. These comments express concerns over the scale of the project, loss of light and air to adjacent properties, and increased traffic congestion.
6. **Planning Code Compliance:** The Commission finds that the Project is consistent with the relevant provisions of the Planning Code in the following manner:
 - A. **Use and Density.** Per Planning Code Section 720.91, dwelling units are principally permitted without specific density limitations, allowing physical controls such as

height, bulk, and setbacks to define an allowable building envelope. Per Planning Code Section 720.40, retail uses are principally permitted at the ground floor.

The Project proposes 63 dwelling units for the subject property, as well as 5,000 square feet of retail uses. The Project therefore complies with the use controls of the Hayes-Gough NCT. Specific commercial uses within the proposed retail spaces could require Conditional Use authorization, and may seek such authorization in the future as specific tenants are proposed.

- B. **Height and Bulk.** The subject property is located within a 40-50-X Height and Bulk District. Pursuant to Section 270, projects within "-X" Bulk Districts are not subject to specific bulk controls. Pursuant to Section 263.20, projects within NCT Districts and within 40-X or 50-X Height and Bulk Districts are allowed an additional five feet of height if the project includes active ground floor commercial uses with elevated ceilings taller than 10 feet, and/or walk-up residential units that are elevated from the sidewalk. Pursuant to Section 261.1, upper portions of buildings that abut the northerly side of narrow streets, must be set back 10 feet from the property line above a height equivalent to 1.25 times the width of the abutting narrow street. This additional height restriction applies to the portion of the narrow street frontage that is located 60 feet away from an intersection with a street wider than 40 feet.

The majority of the Project Site is within a 50-X Height and Bulk District. In this portion of the lot, the Project proposes ground floor commercial spaces fronting along Gough Street, with clear ceiling heights of approximately 14.5 feet from sidewalk grade. The Project also includes elevated ground-floor residential units stoops along the Grove Street frontage. Therefore, per Planning Code Section 263.20, the maximum allowable building height in this portion of the lot is 54.5 feet. The building proposed in this portion of the Project Site has a maximum height of 54.5 feet as measured from a single datum on the westernmost portion of the Grove Street frontage. Minor deviations from the provisions for measurement of height may be requested through the Planned Unit Development process, per Section 304(b)(6).

The portion of the Project Site which is within a 40-X Height and Bulk District extends back 60 feet from a portion of the Ivy Street frontage. The Project includes townhome units that reach a maximum roof height of 30 feet. The townhome units include rooftop stair penthouses that reach a height of approximately 42 feet. Section 260(b) permits the top 10 feet of such structures to be exempt from the applicable height limitation. The townhome units along Ivy Street are also subject to the additional height restrictions for buildings along narrow streets, pursuant to Section 261.1. These additional height limitations begin at a height of approximately 44 feet. Because all portions of the townhome units are less than 44 feet in height, the townhome units comply with all applicable height limitations.

- C. **Floor Area Ratio.** In the Hayes-Gough NCT District, Section 124 allows a Floor Area Ratio (FAR) of up to 3.0. The project site has an area of 22,825 square feet, therefore

the allowable FAR would permit a building of up to 68,475 square feet of Gross Floor Area as defined in Section 102.9.

The Project would measure approximately 97,289 square feet. Pursuant to Section 124(b), within NC Districts, the cited Floor Area Ratio limits do not apply to residential uses. Subtracting the area of the residential uses, approximately 24,392 square feet of Gross Floor Area within the Project would be subject to the allowable FAR. The Project therefore complies with the maximum allowable FAR.

- D. **Rear Yard.** Section 134(a)(1) of the Planning Code requires a rear yard equal to 25 percent of the lot depth to be provided at every residential level.

The Project is divided into two distinct masses. The larger, five-story building fronts along the Grove and Gough Street frontages. The smaller, three-story building comprised of townhomes fronts along the Ivy Street frontage. These masses are separated by a central "T"-shaped courtyard. The configuration of this courtyard does not meet the requirements for a rear yard, and thus the Project requires a modification of the rear yard requirement through the PUD process. Compliance with the PUD criteria is discussed under Item #9 .

Section 134(e)(1) identifies a process whereby the Zoning Administrator may reduce the rear yard requirements for a project within NC Districts. Because the Project is seeking a rear yard modification through the PUD, the process described by Section 134(e)(1) does not apply. It should be noted, however, that the project complies with the specified criteria of Section 134(e)(1), as follows:

- i. Residential uses are included in the new or expanding development and a comparable amount of usable open space is provided elsewhere on the lot or within the development where it is more accessible to the residents of the development.*
- ii. The proposed new or expanding structure will not significantly impede the access of light and air to and views from adjacent properties.*

A rear yard measuring 25 percent of the area of the lot would provide an open area of approximately 5,706 square feet. Two common rooftop decks measure a total of 3,168 square feet. In addition, a flat, common open space area of approximately 675 feet is situated at the ground-floor. Fifteen of the units have access to private decks with a total area of approximately 2,545 square feet. In total, the Project provides a combination of private and common open spaces for the use of residents that measure approximately 6,388 square feet, exceeding the amount of open area that would be provided by a Code-complying rear yard.

The Project occupies a substantial portion of the block bounded by Grove, Gough, and Ivy Streets. Therefore, providing a Code-complying rear yard for the Project would result in a configuration that does not reflect the traditional San Francisco development pattern, with buildings located at or near front property lines, creating an urban streetscape framing an interior core of mid-block open space. By using a courtyard, the Project restores a traditional pattern of mid-block open space within the project site.

- E. **Usable Open Space.** Section 135 requires that a minimum of 60 square feet of private usable open space, or 79.8 square feet of common usable open space be provided for dwelling units within the Hayes-Gough NCT District. This Section specifies that the area counting as usable open space must meet minimum requirements for area, horizontal dimensions, and exposure.

The Project proposes private decks for fifteen of the units. Two of the decks at the fifth floor meet the minimum dimension requirements for decks, but do not meet the minimum required area of 60 square feet. Therefore, the Project would need to provide a total of 3,840 square feet of common open space to serve 48 dwelling units, as well as the balance of the open space required for the two private decks at the fifth floor. The Project proposes 3,843 square feet of common open space at the ground level and on two roof decks that meets the Planning Code requirements for dimensions, area, exposure, and usability. The project complies with the usable open space requirements of the Planning Code.

- F. **Bay Window Dimensions.** Section 136(c)(2) permits bay windows to project over the public right-of-way, provided that the bays meet specified limitations for dimensions and separation.

The Project includes numerous bay windows at various levels that comply with the limitations of Section 136(c)(2). However, bay windows are proposed for the corners of the project at Grove and Gough Streets, as well as Gough and Ivy Streets which do not meet these requirements. Section 136(c)(2) requires that bays be separated from property lines. By definition, this Section does not permit bays at corners. The bay at the corner of Gough and Grove, situated at levels four and five, exceeds several other limitations of this Section as well. The face of this bay measures approximately 17 feet, exceeding the maximum bay length permitted by Section 136(c)(2). In addition, this slanted bay projects a maximum of 4 feet - 3 inches over the public right-of-way, exceeding the maximum projection permitted by Section 136(c)(2). Both of these bays serve to articulate and vary the massing of the project, and provide enhanced scale and prominence to the corners. The degree of exceedance from the limitations of Section 136(c)(2) is relatively minor. The Project requires a modification of the requirements of this Section through the PUD process. Compliance with the PUD criteria is discussed under Item #9 .

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

The conceptual plans for the Project show street trees and landscaping within the public right-of-way along the entire frontage of the Project Site. In addition, the Project includes a curb extension along Ivy Street at the intersection with Gough Street that can accommodate seating, planters, and other functional and aesthetic amenities to enhance the public realm. Finally, the Project includes a raised cross-walk across Ivy Street at the intersection of Gough Street that will calm traffic and enhance pedestrian comfort and safety. The conditions of approval require the future submittal of a streetscape plan. Staff from the

Planning Department and other appropriate agencies will coordinate with the Project Sponsor to refine the details of streetscape improvements during the building permit review to ensure compliance with Section 138.1.

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

The majority of the dwelling units have exposure onto Grove, Gough, or Ivy Streets, and therefore comply with the requirements of Section 140. A number of units have exposure only on the interior courtyard. Section 140 specifies that an open area (such as the courtyard) must have minimum horizontal dimensions of 25 feet at the lowest floor containing a dwelling unit and floor immediately above, with an increase of five feet in horizontal dimensions for each subsequent floor above. According to this methodology, the open area above the courtyard would need to measure at least 30 feet in horizontal dimensions at the 3rd floor, 35 feet at the 4th floor, and 40 feet at the 5th floor of the Project.

The central, east-west portion of the "T-shaped" courtyard measures approximately 25 feet in width and 185 feet in length, excluding a narrower portion at the westerly end of the Project. At the fourth floor, the courtyard is open on the southerly end due to the limited height of the townhomes along Ivy Street. Therefore, portions of the building at the 3rd floor intrude into the volume of open area required by Section 140(a)(2). While the project does not strictly meet the requirements for dwelling unit exposure, the aggregate area of the courtyard is substantial and should provide adequate light and air for all adjacent dwelling units. The Project requires a modification of the exposure requirements through the PUD process. Compliance with the PUD criteria is discussed under Item #9.

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

Nearly the entire Gough Street frontage is occupied by ground-floor retail spaces with clear glazing, which will activate and enliven the streetscape. These retail uses wrap around the corner at the intersections with Grove and Ivy Streets. The remainder of the Grove Street frontage is primarily comprised of four walk-up residential units with stoops. The remainder of the Ivy Street frontage is comprised of five walk-up townhome units, as well as views into the interior courtyard which will serve as the primary residential access for residents. The project complies with Section 145.1.

- J. **Off-Street Parking and Car Sharing.** Section 151.1 establishes the maximum amount of off-street parking that is permitted as accessory for uses within NCT Districts. Pursuant to these regulations, the Project would be principally permitted 3 off-street parking spaces to serve the commercial use, and 32 parking spaces to

serve the residential use. In addition, Section 166 requires that the Project provide one car-share parking space.

The Project proposes three off-street parking spaces to serve the commercial uses, and 32 spaces to serve the residential uses. In addition, the Project includes two off-street parking spaces dedicated to car-share vehicles. The project therefore complies with the parking limitations of Section 151.1, as well as the car-share requirements of Section 166.

- K. **Off-Street Loading.** Section 152 provides a schedule of required off-street freight loading spaces for all uses in districts other than C-3 or South of Market. Pursuant to this Section, residential uses measuring between 100,001 to 200,000 square feet require one off-street loading space. In addition, retail uses measuring between 10,001 to 60,000 square feet require one off-street loading space.

The Project proposes less than 100,000 square feet of residential uses, and less than 10,000 square feet of commercial uses. Therefore, no off-street loading spaces are required or are provided in the Project.

- L. **Dwelling Unit Mix.** Section 207.6 requires that, for projects creating five or more dwelling units within the Hayes-Gough NCT, a minimum of 40 percent of the dwelling units contain at least two bedrooms.

The Project proposes a total of 63 dwelling units. 34 of these units are two-bedroom units, and 5 of these units are three-bedroom units. These units constitute 62 percent of the overall dwelling units. The Project complies with the dwelling unit mix requirements.

- M. **Residential Affordable Housing Program.** Planning Code Section 415 sets forth the requirements and procedures for the Inclusionary Affordable Housing Program. Under Planning Code Section 415.3, 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 415.5 and 415.6, the Project is meeting the Inclusionary Affordable Housing Program requirement through the On-site Affordable Housing Alternative by providing 15% of the proposed dwelling units as affordable.

The Project Sponsor has demonstrated that it is eligible for the On-Site Affordable Housing Alternative under Planning Code Section 415.5 and 415.6, and has submitted a 'Affidavit of Compliance with the Inclusionary Affordable Housing Program: Planning Code Section 415,' to satisfy the requirements of the Inclusionary Affordable Housing Program by providing the affordable housing on-site instead of through payment of the Affordable Housing Fee. In order for the Project Sponsor to be eligible for the On-Site Affordable Housing Alternative, the Project Sponsor must submit an 'Affidavit of Compliance with the Inclusionary Affordable Housing Program: Planning Code Section 415,' to the Planning Department stating that any affordable units designated as on-site units shall be sold as ownership units and will remain as ownership units for the life of the project. The Project

Sponsor submitted such Affidavit on July 5, 2011. No EE application was required for the Project, however, the application for Conditional Use Authorization was submitted on April 25, 2011. Nine units (three one-bedroom, five two-bedroom, and one three-bedroom) of the 63 units provided will be affordable units. If the Project becomes ineligible to meet its Inclusionary Affordable Housing Program obligation through the On-site Affordable Housing Alternative, it must pay the Affordable Housing Fee with interest, if applicable.

7. **Planning Code Section 303** establishes criteria for the Planning Commission to consider when reviewing applications for Conditional Use authorization. Projects that proposed a Planned Unit Development through the Conditional Use authorization process must meet these criteria, in addition to the PUD criteria of Section 304, discussed under Item #9. On balance, the project complies with the criteria of Section 303, in that:

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

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

The existing development in the area surrounding the Project Site is varied in scale and intensity. The Project is taller than some buildings in the vicinity, and occupies a relatively large lot. However, the Project expresses an alternating rhythm of bays and voids that creates texture and further breaks down the massing of the building. Each elevation exhibits a procession of recesses that divide the larger building into smaller modules. The smaller townhome units on Ivy Street further reduce the scale of the overall development and enrich the visual texture of the Project.

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

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

The Project site is a regularly-shaped lot formerly occupied by the Central Freeway that is adequately sized to accommodate the development. In lieu of providing a Code-complying rear yard, the Project is arranged around a central courtyard that establishes a pattern of mid-block open space that is currently lacking on the subject block. Existing development in the vicinity varies in size and intensity, and the Project is generally compatible with the eclectic character of the area. The Project is designed with recesses, as well as varying heights and fenestration patterns to reduce the apparent scale of the Project. The shape and size of development on the subject property will not be detrimental to persons or adjacent properties in the vicinity.

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

The Project is not required to provide loading facilities and none would be provided, since the proposed commercial spaces would be relatively small and thus are anticipated to house businesses that would not require such facilities. The Project would provide off-street parking in an amount that is principally permitted within the Hayes-Gough NCT. In addition, the project will provide two car-share parking spaces, exceeding the one minimum space required by Section 166. Off-street parking would be accessed from Iov Street, therefore, the Project would not be detrimental to pedestrian and vehicular circulation, which mostly utilize Gough and Grove Streets.

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

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

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

The Project provides open space in the form of private decks, common rooftop decks, and common open space at the ground floor near the residential entry. Beyond the requirements for residential open space, the Project includes a curb extension along Iov Street that will create a node of activity for pedestrians and create a humane scale for the alley. The conceptual plans show substantial landscaping in the form of street trees and planters along each frontage. Parking is provided within the maximum amounts

permitted by the Planning Code, and the area is well-served by transit and a variety of retail options within walking distance. No off-street loading is required or proposed for the Project. Conditions of approval also require that, as the Project proceeds through the review of building permits, the Project Sponsor will continue to work the Department staff to refine details of project massing, lighting, signage, materials, street trees, and other aspects of the design.

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

The Project generally complies with the applicable sections of the Code, with certain exceptions. The residential and commercial uses contemplated for the Project, and the proposed density are permitted within the Hayes-Gough NCT District. The Project seeks a number of modifications to the requirements of the Planning Code through the PUD process. The purpose of the PUD process is to allow well-designed development on larger sites to request modifications from the strict requirements of the Planning Code, provided that the project generally meets the intent of these Planning Code requirements and will not adversely affect the General Plan. The requested modifications, and compliance with the PUD criteria are discussed under Items #9 and #10.

Considered as a whole, the Project would add housing and commercial goods and services to create an vibrant, active mixed-use node. The Project Site is well-served by transit and commercial services, allowing residents to commute, shop, and reach amenities by walking, transit, and bicycling. The Project includes a mix of unit types, including one studio unit, 23 one-bedroom units, 34 two-bedroom units, and five townhome units containing three-bedrooms. This mix of units will ensure that the Project will serve a diversity of household sizes and people with varied housing needs. The Project conforms with multiple goals and policies of the General Plan, as described in further detail in Item #11.

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

The Project is consistent with the stated purposes of the Hayes-Gough NCT in that it would provide ground floor commercial spaces suitable for neighborhood-serving retail, and would provide housing, a use that is strongly encouraged in the district.

- 8. **Planning Code Section 121.1** establishes criteria for the Planning Commission to consider when reviewing applications for projects within the Hayes-Gough NCT on lots that exceed 10,000 square feet, through the Conditional Use authorization process. On balance, the project complies with said criteria in that:

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

The existing development in the area surrounding the Project site is varied in scale and intensity. The Project is taller than some buildings in the vicinity, and occupies a relatively large lot. However, the Project uses offsetting planes, deep recesses, and changes in height and, fenestration patterns, and materiality to divide the elevations into discrete modules.

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

Existing buildings in the area exhibit an eclectic architectural character, with no prevailing style establishing a dominant visual pattern for the neighborhood. The scale of development also varies greatly in the vicinity. Existing development to the north and west of the Project Site was constructed in the mid- to late-20th century as part of the Western Addition Redevelopment area, and are comprised of large, linear multi-unit apartment buildings arranged in a "campus" across an entire block. Existing development to the south was primarily constructed in the late 19th and early 20th Century in a finer-grained pattern of individual buildings situated on narrow lots.

While no single architectural style or development pattern predominates, the Project reflects the disparate elements of this context while establishing its own contemporary language. Although the Project occupies a relatively large lot, the taller mixed-use building is articulated as a series of solids and voids to read as discrete elements. Within an overall architectural vocabulary, variations in fenestration patterns throughout this building reinforce this articulation. The smaller townhome units on Ioy Street introduce a distinctly different building typology to the site, reinforcing a fine-grained pattern of development along the alley. The building therefore relates to the larger scale and forms of the newer developments in the area, while also breaking down massing to acknowledge the narrower lot pattern of older development to the south.

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

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

See discussion under Item #11.

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

No off-street parking is required within the Hayes-Gough NCT. The project proposes 35 off-street parking spaces to serve the residential and commercial uses, which is considered adequate and is a principally permitted quantity of parking within the Hayes-Gough NCT.

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

Two common rooftop decks measure a total of 3,168 square feet. In addition, a flat, common open space area of approximately 675 feet is situated at the ground-floor. Fifteen of the units have access to private decks with a total area of approximately 2,545 square feet. In total, the Project provides a combination of private and common open spaces for the use of residents that measure approximately 6,388 square feet. Therefore, the Project includes a substantial amount of open space for residents that exceeds the area required by the Code. The Project also includes a curb extension along a portion of the Ivy Street frontage that will be accessible to the general public, creating opportunities for landscaping and seating areas that will enhance the pedestrian realm

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

The proposed density is permitted within the Hayes-Gough NCT.

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

Planning Code Section 102.12 would require height measurement from two points due to the dimensions of the Project Site. The Project proposes to measure the building height from a single datum at the curb at the westernmost edge of the Grove Street frontage. This minor deviation from the methodology for height measurement would not enable the construction of additional stories for the Project, or significant increments of additional height than would otherwise be permitted under the 40-50-X Height and Bulk Districts.

10. **Planned Unit Development Modifications.** The Project Sponsor requests a number of modifications from the requirements of the Planning Code. These modifications are listed below, along with a reference to the relevant discussion for each modification. Where indicated, certain requested PUD modifications are not granted by this approval, and conditions have been added such that the Project will comply with the applicable provisions of the Planning Code.

- i. Rear Yard Configuration: Item #6D*
- ii. Height Measurement: Item #6B, #9E*
- iii. Bay Windows: Item #6F*
- iv. Dwelling Unit Exposure: Item #6H*

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

COMMERCE AND INDUSTRY ELEMENT:

Objectives and Policies

OBJECTIVE 6

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

Policy 6.4:

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

Policy 6.10:

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

The Project would replace an existing surface parking lot with an intense, mixed-use development suited to an urban context. The Project includes 63 dwelling units. Residents of these units would shop for goods and services in the area, bolstering the viability of the existing businesses. In addition, the Project would provide 5,000 square feet of retail uses that will contribute to the economic vitality of the area, fulfill shopping needs for residents, and will activate the streetscape.

HOUSING ELEMENT:

Objectives and Policies

OBJECTIVE 1

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

Policy 1.1:

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

Policy 1.3

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

Policy 1.4:

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

The Project will add residential units to an area that is well-served by transit, services, and shopping opportunities. The site is suited for dense, mixed-use development, where residents can commute and satisfy convenience needs without frequent use of a private automobile. The Project Site is located within walking distance of the employment cluster of the Civic Center, and is in an area with abundant transit options routes that travel to the South of Market and Financial District areas. The Project includes a mix of studio, one-bedroom, two-bedroom, and three-bedroom units in a range of sizes, to provide housing opportunities for various household types and socioeconomic groups within the neighborhood.

**MARKET AND OCTAVIA PLAN:
Objectives and Policies**

OBJECTIVE 1.1

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

Policy 1.1.2:

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

Policy 1.1.3:

Encourage housing and retail infill to support the vitality of the Hayes-Gough, Upper Market, and Valencia Neighborhood Commercial Districts.

The Project Site is situated in an area that is well-served by transit, and has amenities and convenience goods and services within walking distance. The retail spaces will diversify the mix of retail offerings in the area, and will be consistent with the small-scale retail uses along Hayes and Gough Streets to the south.

OBJECTIVE 2.1:

REQUIRE DEVELOPMENT OF MIXED-USE RESIDENTIAL INFILL ON THE FORMER FREEWAY PARCELS.

Policy 2.1.1:

Develop the Central Freeway parcels with mixed-use, mixed- income (especially low income) housing.

The Project proposes a mixed-use development in a Central Freeway lot. Nine of the approximately proposed 63 dwelling units would be affordable housing units.

OBJECTIVE 2.2

ENCOURAGE CONSTRUCTION OF RESIDENTIAL INFILL THROUGHOUT THE PLAN AREA.

Policy 2.2.2:

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

Policy 2.2.4:

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

The Project is a mixed-use infill development that includes a variety of dwelling unit types. The residential uses are situated over retail spaces, providing convenient access to goods and services for residents of the proposed project and the surrounding neighborhood.

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 would adhere to the following Fundamental Design Principles of the Market and Octavia Area Plan:

- Most new buildings should be built to all property lines facing public rights-of-way.
- Building façades should include three-dimensional detailing; these may include bay windows, cornices, belt courses, window moldings, and reveals to create shadows and add interest.
- Building façades that face the public realm should be articulated with a strong rhythm of regular vertical elements.
- High-quality building materials should be used on all visible façades and should include stone, masonry, ceramic tile, wood (as opposed to composite, fiber-cement based synthetic wood materials), precast concrete, and high-grade traditional “hard coat” stucco (as opposed to “synthetic stucco” that uses foam).
- Ground floor retail use should be directly accessible from the street at the grade of the sidewalk onto which it fronts.
- Ground-floor retail spaces should have at a minimum a 12-foot, ideally 15 feet, clear ceiling height.
- Residential uses on the ground floor are encouraged on alleys.

- First-floor residential units are encouraged to be at least 3 feet above sidewalk level such that the windowsills of these units are above pedestrian eye level in order to maintain the units' privacy.
- Encourage rooftop gardens as a form of common open space.
- If provided, off-street parking should be accessed via side streets or alleys where that is possible.

The proposed Project would be built to the property lines along Ivy, Gough, and Grove Streets. The larger building, would have a well-defined commercial base with retail spaces directly accessible from Gough Street, as well as residential units with stoops along Grove Street. Floor-to-floor heights of these commercial spaces would be approximately 14.5 feet. This building would be articulated with a rhythm of vertical solids and voids, including prominent corner bays on the intersections. The building would be finished in a variety of materials, primarily troweled, hard-coat stucco and metal panels. The retail spaces along Gough Street utilize wood and glass storefronts framed by trellises to create a distinct and intimate pedestrian scale this is differentiated from the rest of the building. The smaller building along Ivy Street is comprised of townhome units finished in wood siding. This building creates a distinct visual character and massing suited to the scale of Ivy Street.

OBJECTIVE 5.2

DEVELOP AND IMPLEMENT PARKING POLICIES FOR AREAS WELL SERVED BY PUBLIC TRANSIT THAT ENCOURAGE TRAVEL BY PUBLIC TRANSIT AND ALTERNATIVE TRANSPORTATION MODES AND REDUCE TRAFFIC CONGESTION.

Policy 5.2.1:

Eliminate minimum off-street parking requirements and establish parking caps for residential and commercial parking.

Policy 5.2.3:

Minimize the negative impacts of parking on neighborhood quality.

The Project complies with the parking limitations of the Hayes-Gough NCT, and provides parking spaces for two car-share vehicles. These characteristics of the Project will contribute to a built environment that encourages a variety of transportation options and discourages private automobile use as a primary mode of travel in walkable and transit-rich neighborhoods such as the Market and Octavia Plan Area.

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

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

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

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

The project will not diminish existing housing stock, and will add dwelling units in a manner that enhances the vitality of the neighborhood.

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

No housing is removed for this Project. Nine affordable dwelling units will be provided on-site.

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

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

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

The Project will not displace any service or industry establishment, and does not propose any office development. The Project will include retail spaces that will provide employment opportunities for area residents.

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

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

- G. That landmarks and historic buildings be preserved.

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

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

The Project will not cast shadows or impede views for parks and open spaces in the area, nor have any negative impact on existing public parks and open spaces.

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

DECISION

That based upon the Record, the submissions by the Applicant, the staff of the Department and other interested parties, the oral testimony presented to this Commission at the public hearings, and all other written materials submitted by all parties, the Commission hereby **APPROVES Conditional Use Application No. 2011.0399C** subject to the following conditions attached hereto as "EXHIBIT A" in general conformance with plans on file, dated July 14, 2011, and stamped "EXHIBIT B", which is incorporated herein by reference as though fully set forth.

The Planning Commission further finds that since the FEIR for the Market and Octavia Area Plan was finalized, there have been no substantial changes in circumstances that would require major revisions to the FEIR due to the involvement of new significant environmental effects or an increase in the severity of previously identified significant impacts, and there is no new information of substantial importance that would change the conclusions set forth in the FEIR.

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. XXXXX. 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 July 14, 2011.

Linda D. Avery
Commission Secretary

AYES:

NAYS:

ABSENT:

ADOPTED: July 14, 2011

EXHIBIT A

AUTHORIZATION

This authorization is for a conditional use to allow development of a lot exceeding 10,000 square feet, and for a Planned Unit Development that would demolish an existing surface parking lot and construct a new five-story mixed-use building containing approximately 63 dwelling units, 5,000 square feet of ground floor commercial uses, and 37 off-street parking spaces located at 401 Grove Street, Block 0808, Lot 036, pursuant to Planning Code Sections 121.1, 303, and 304, within the Hayes-Gough Neighborhood Commercial Transit District and the 40-50-X Height and Bulk District; in general conformance with plans, dated July 14, 2011, and stamped "EXHIBIT B" included in the docket for Case No. 2011.0399C and subject to conditions of approval reviewed and approved by the Commission on July 14, 2011 under Motion No XXXXXX. This authorization and the conditions contained herein run with the property and not with a particular Project Sponsor, business, or operator.

RECORDATION OF CONDITIONS OF APPROVAL

Prior to the issuance of the building permit or commencement of use for the Project the Zoning Administrator shall approve and order the recordation of a Notice in the Official Records of the Recorder of the City and County of San Francisco for the subject property. This Notice shall state that the project is subject to the conditions of approval contained herein and reviewed and approved by the Planning Commission on July 14, 2011 under Motion No XXXXXX.

PRINTING OF CONDITIONS OF APPROVAL ON PLANS

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

SEVERABILITY

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

CHANGES AND MODIFICATIONS

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

Conditions of approval, Compliance, Monitoring, and Reporting

PERFORMANCE

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

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

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

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

3. **Mitigation Measures.** Mitigation measures described in the MMRP for the Market and Octavia Area Plan EIR (Case No. 2003.0347C) attached as Exhibit C are necessary to avoid potential significant effects of the proposed project and have been agreed to by the project sponsor. Their implementation is a condition of project approval.

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

DESIGN – COMPLIANCE AT PLAN STAGE

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

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

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

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

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

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

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

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

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

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

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

1. On-site, in a basement area accessed via a garage or other access point without use of separate doors on a ground floor façade facing a public right-of-way;
2. On-site, in a driveway, underground;
3. On-site, above ground, screened from view, other than a ground floor façade facing a public right-of-way;

4. Public right-of-way, underground, under sidewalks with a minimum width of 12 feet, avoiding effects on streetscape elements, such as street trees; and based on Better Streets Plan guidelines;
5. Public right-of-way, underground; and based on Better Streets Plan guidelines;
6. Public right-of-way, above ground, screened from view; and based on Better Streets Plan guidelines;
7. On-site, in a ground floor façade (the least desirable location).

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

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

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

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

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

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

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

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

13. **Street Trees.** Pursuant to Planning Code Section 138.1 (formerly 143), the Project Sponsor shall submit a site plan to the Planning Department prior to Planning approval of the building permit application indicating that street trees, at a ratio of one street tree of an approved species for every 20 feet of street frontage along public or private streets bounding the Project, with any remaining fraction of 10 feet or more of frontage requiring an extra tree, shall be provided. The street trees shall be evenly spaced along the street frontage except where proposed driveways or other street obstructions do not permit. The exact location, size and species of tree shall be as approved by the Department of Public Works (DPW). In any case in which DPW cannot grant approval for installation of a tree in the public right-of-way, on the basis of inadequate sidewalk width, interference with utilities or other reasons regarding the public welfare, and

where installation of such tree on the lot itself is also impractical, the requirements of this Section 428 may be modified or waived by the Zoning Administrator to the extent necessary.

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

PARKING AND TRAFFIC

14. **Parking for Affordable Units.** All off-street parking spaces shall be made available to Project residents only as a separate “add-on” option for purchase or rent and shall not be bundled with any Project dwelling unit for the life of the dwelling units. The required parking spaces may be made available to residents within a quarter mile of the project. All affordable dwelling units pursuant to Planning Code Section 415 shall have equal access to use of the parking as the market rate units, with parking spaces priced commensurate with the affordability of the dwelling unit. Each unit within the Project shall have the first right of refusal to rent or purchase a parking space until the number of residential parking spaces are no longer available. No conditions may be placed on the purchase or rental of dwelling units, nor may homeowner’s rules be established, which prevent or preclude the separation of parking spaces from dwelling units.

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

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

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

16. **Bicycle Parking.** Pursuant to Planning Code Sections 155.2 and 155.4, the Project shall provide no fewer than 34 bicycle parking spaces (6 Class 1 or 2 spaces for the parking garage portion of the Project and 28 Class 1 or 2 spaces for the residential portion of the Project).

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

17. **Parking Maximum.** Pursuant to Planning Code Section 151.1, the Project shall provide no more than 35 independently accessible off-street parking spaces, excluding car share spaces.

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

18. **Managing Traffic During Construction.** The Project Sponsor and construction contractor(s) shall coordinate with the Traffic Engineering and Transit Divisions of the San Francisco Municipal Transportation Agency (SFMTA), the Police Department, the

Fire Department, the Planning Department, and other construction contractor(s) for any concurrent nearby Projects to manage traffic congestion and pedestrian circulation effects during construction of the Project.

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

PROVISIONS

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

For information about compliance, contact the First Source Hiring Manager at 415-401-4960, www.onestopSF.org

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

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

21. **Affordable Units**

- a. **Number of Required Units.** Pursuant to Planning Code Section 415.6, the Project is required to provide 15% of the proposed dwelling units as affordable to qualifying households. The Project contains 63 units; therefore, 9 affordable units are required. The Project Sponsor will fulfill this requirement by providing the 9 affordable units on-site. If the number of market-rate units change, the number of required affordable units shall be modified accordingly with written approval from Planning Department staff in consultation with the Mayor's Office of Housing ("MOH").

For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org or the Mayor's Office of Housing at 415-701-5500, <http://sf-moh.org/index.aspx?page=321>

- b. **Unit Mix.** The Project contains 1 studio, 23 one-bedroom, 34 two-bedroom, and 5 three-bedroom units; therefore, the required affordable unit mix is 3 one-bedroom, 5 two-bedroom, and 1 three-bedroom units. If the market-rate unit mix changes, the affordable unit mix will be modified accordingly with written approval from Planning Department staff in consultation with MOH.

For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org or the Mayor's Office of Housing at 415-701-5500, <http://sf-moh.org/index.aspx?page=321>

- c. **Unit Location.** The affordable units shall be designated on a reduced set of plans recorded as a Notice of Special Restrictions on the property prior to the issuance of the first construction permit.

For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org or the Mayor's Office of Housing at 415-701-5500, <http://sf-moh.org/index.aspx?page=321>

- d. **Phasing.** If any building permit is issued for partial phasing of the Project, the Project Sponsor shall have designated not less than fifteen percent (15%) of the each phase's total number of dwelling units as on-site affordable units.

For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org or the Mayor's Office of Housing at 415-701-5500, <http://sf-moh.org/index.aspx?page=321>

- e. **Duration.** Under Planning Code Section 415.8, all units constructed pursuant to Section 415.6, must remain affordable to qualifying households for the life of the project.

For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org or the Mayor's Office of Housing at 415-701-5500, <http://sf-moh.org/index.aspx?page=321>

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

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

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

For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org or the Mayor's Office of Housing at 415-701-5500, <http://sf-moh.org/index.aspx?page=321>

- i. The affordable unit(s) shall be designated on the building plans prior to the issuance of the first construction permit by the Department of Building Inspection ("DBI"). The affordable unit(s) shall (1) reflect the unit size mix in number of bedrooms

of the market rate units, (2) be constructed, completed, ready for occupancy and marketed no later than the market rate units, and (3) be evenly distributed throughout the building; and (4) be of comparable overall quality, construction and exterior appearance as the market rate units in the principal project. The interior features in affordable units should be generally the same as those of the market units in the principal project, but need not be the same make, model or type of such item as long they are of good and new quality and are consistent with then-current standards for new housing. Other specific standards for on-site units are outlined in the Procedures Manual.

ii. If the units in the building are offered for sale, the affordable unit(s) shall be sold to first time home buyer households, as defined in the Procedures Manual, whose gross annual income, adjusted for household size, does not exceed an average of one hundred (100) percent of the median income for the City and County of San Francisco as defined in the Inclusionary Affordable Housing Program, an amount that translates to ninety (90) percent of Area Median Income under the income table called "Maximum Income by Household Size" derived from the Unadjusted Area Median Income for HUD Metro Fair Market Rent Area that contains San Francisco. The initial sales price of such units shall be calculated according to the Procedures Manual. Limitations on (i) reselling; (ii) renting; (iii) recouping capital improvements; (iv) refinancing; and (v) procedures for inheritance apply and are set forth in the Inclusionary Affordable Housing Program and the Procedures Manual.

iii. The Project Sponsor is responsible for following the marketing, reporting, and monitoring requirements and procedures as set forth in the Procedures Manual. MOH shall be responsible for overseeing and monitoring the marketing of affordable units. The Project Sponsor must contact MOH at least six months prior to the beginning of marketing for any unit in the building.

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

v. Prior to the issuance of the first construction permit by DBI for the Project, the Project Sponsor shall record a Notice of Special Restriction on the property that contains these conditions of approval and a reduced set of plans that identify the affordable units satisfying the requirements of this approval. The Project Sponsor shall promptly provide a copy of the recorded Notice of Special Restriction to the Department and to MOH or its successor.

vi. The Project Sponsor has demonstrated that it is eligible for the On-site Affordable Housing Alternative under Planning Code Section 415.6 instead of payment of the Affordable Housing Fee, and has submitted the *Affidavit of Compliance with the Inclusionary Affordable Housing Program: Planning Code Section 415* to the Planning Department stating that any affordable units designated as on-site units shall be sold as ownership units and will remain as ownership units for the life of the Project.

vii. If the Project Sponsor fails to comply with the Inclusionary Affordable Housing Program requirement, the Director of DBI shall deny any and all site or building permits or certificates of occupancy for the development project until the Planning Department notifies the Director of compliance. A Project Sponsor's failure to comply with the requirements of Planning Code Section 415 et seq. shall constitute cause for the City to record a lien against the development project and to pursue any and all available remedies at law.

viii. If the Project becomes ineligible at any time for the On-site Affordable Housing Alternative, the Project Sponsor or its successor shall pay the Affordable Housing Fee prior to issuance of the first construction permit or may seek a fee deferral as permitted under Ordinances 0107-10 and 0108-10. If the Project becomes ineligible after issuance of its first construction permit, the Project Sponsor shall notify the Department and MOH and pay interest on the Affordable Housing Fee at a rate equal to the Development Fee Deferral Surcharge Rate in Section 107A.13.3.2 of the San Francisco Building Code and penalties, if applicable.

21. **Market Octavia Affordable Housing Fee.** Pursuant to Planning Code Section 416 (formerly 315.4), the Project Sponsor shall comply with the Market Octavia Affordable Housing requirements through payment of the Market Octavia Affordable Housing Fee in full to the Treasurer, prior to the issuance by Department of Building Inspection of the first certificate of occupancy for the development project.

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

22. **Market Octavia Community Improvements Fund.** Pursuant to Planning Code Section 421 (formerly 326), the Project Sponsor shall comply with the Market Octavia Community Improvements Fund provisions through payment of an Impact Fee in full to the Treasurer, or the execution of a Waiver Agreement, or an In-Kind agreement approved as described per Planning Code Section 421 (formerly 326) prior to the issuance by Department of Building Inspection of the construction document for the development project.

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

MONITORING - AFTER ENTITLEMENT

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

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

24. **Revocation due to Violation of Conditions.** Should implementation of this Project result in complaints from interested property owners, residents, or commercial lessees which are not resolved by the Project Sponsor and found to be in violation of the Planning Code and/or the specific conditions of approval for the Project as set forth in Exhibit A of this Motion, the Zoning Administrator shall refer such complaints to the Commission, after which it may hold a public hearing on the matter to consider revocation of this authorization.

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

OPERATION

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

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

26. **Sidewalk Maintenance.** The Project Sponsor shall maintain the main entrance to the building and all sidewalks abutting the subject property in a clean and sanitary condition in compliance with the Department of Public Works Streets and Sidewalk Maintenance Standards.

For information about compliance, contact Bureau of Street Use and Mapping, Department of Public Works, 415-695-2017, <http://sfdpw.org>

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

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

28. **Lighting.** All Project lighting shall be directed onto the Project site and immediately surrounding sidewalk area only, and designed and managed so as not to be a nuisance to adjacent residents. Nighttime lighting shall be the minimum necessary to ensure safety, but shall in no case be directed so as to constitute a nuisance to any surrounding property.

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

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CASE # 2003.0347E
MITIGATION MONITORING AND REPORTING PROGRAM

Mitigation Measure	Responsibility for Implementation	Mitigation Schedule	Monitoring Responsibility	Monitoring Actions/Schedule
A. Shadow				
<p>A1. Parks and Open Space not Subject to Section 295</p> <p>New buildings and additions to existing buildings in the Project Area where the building height exceeds 50 feet shall be shaped, consistent with the dictates of good design and without unduly restricting the development potential of the site in question, to reduce substantial shadow impacts on public plazas and other publicly accessible spaces other than those protected under Section 295 of the <i>Planning Code</i>.</p> <p>In determining the impact of shadows, the following factors shall be taken into account: the amount of area shaded, the duration of the shadow, and the importance of sunlight to the type of open space being shaded.</p> <p>Implementation of this mitigation measure would reduce but may not eliminate potentially significant shadow impacts. The potential for a significant and unavoidable impact would still exist.</p>	Project Sponsor or each subsequent development project	During project design & development phase	Planning Department & Recreation and Parks Department	Considered complete upon design review by Planning Department
B. Wind				
<p>B1. Buildings in Excess of 85 feet in Height</p> <p>To minimize adverse wind impacts related to new development, the following design guidelines shall be required as part of the proposed Plan for buildings in excess of 85 feet in height:</p> <ul style="list-style-type: none"> Where possible, align long axis or faces of the buildings along a west-east alignment to reduce exposure of the wide faces of the building to westerly winds. Utilize wind shelter 	Project Sponsor or each subsequent development project	During project design & development phase	Planning Department	Considered complete upon design review by Planning Department

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<p>offered by existing upwind structures as much as possible. Avoid continuous western building faces.</p> <ul style="list-style-type: none"> • Articulate and modulate southwest, west and northwest building faces through the use of architectural techniques such as surface articulation, variation of planes, wall surfaces and heights, as well as the placement of stepbacks and other features. Substantial setbacks in west-facing facades (at lower levels) are an effective means of reducing the amount of ground-level wind induced by a building. • Utilize properly located landscaping to mitigate winds in all pedestrian open spaces. Porous materials (vegetation, hedges, screens, latticework, perforated or expanded metal) offer superior wind shelter compared to a solid surface. • Avoid narrow gaps between buildings, which may accelerate westerly winds. • Avoid "breezeways" or notches at the upwind corners of the building, which may focus wind energy at pedestrian levels. <p>Implementation of these guidelines, together with current City and County of San Francisco requirements for wind tunnel testing of proposed building designs for wind impacts, would generally reduce Plan, project, and cumulative wind impacts to a less than significant level.</p>				
<p>B2. All New Construction</p> <p>The following standards for reduction of ground-level wind currents shall be applied to all new construction in the Project Area:</p> <ul style="list-style-type: none"> • New building and additions to existing buildings shall be shaped, or other wind baffling measures shall be adopted, so that the development will not cause year-round ground-level wind currents to exceed, more than 10 percent of the time 	<p>Project Sponsor or each subsequent development project</p>	<p>During project design & development phase</p>	<p>Planning Department</p>	<p>Considered complete upon design review by Planning Department</p>

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<p>between 7:00 AM and 6:00 PM, the comfort level of 11 mph equivalent wind speed in areas of pedestrian use and seven mph equivalent wind speed in public seating areas. When pre-existing ambient wind speeds exceed the comfort levels specified above, the building shall be designed to reduce the ambient wind speeds in efforts to meet the goals of this requirement.</p> <ul style="list-style-type: none"> • An exception to this requirement may be permitted, but only if and to the extent that the project sponsor demonstrates that the building or addition cannot be shaped or wind baffling measures cannot be adopted without unduly restricting the development potential of the building site in question. • The exception may permit the building or addition to increase the time that the comfort level is exceeded, but only to the extent necessary to avoid undue restriction of the development potential of the site. • Notwithstanding the above, no exception shall be allowed and no building or addition shall be permitted that causes equivalent wind speeds to reach or exceed the hazard level of 26 mph for a single hour of the year. • For the purpose of this Section, the term "equivalent wind speed" shall mean an hourly wind speed adjusted to incorporate the effects of gustiness or turbulence on pedestrians. <p>Implementation of these guidelines, together with current City and County of San Francisco requirements for wind tunnel testing of proposed building designs for wind impacts, would generally reduce Plan, project, and cumulative wind impacts to a less than significant level.</p>				
C. Archaeological				
C1. Soil Disturbing Activities in Archaeologically	Project Sponsor of each	Prior to project approval	Planning Department	Considered complete

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<p>Documented Properties</p> <p>This measure shall apply to those properties within the Project Area for which a final Archaeological Research Design/Treatment Plan (ARD/TP) is on file in the Northwest Information Center and the Planning Department. Properties subject to this Mitigation Measure include all lots within the following Assessor's Blocks: 817, 831, 832, 838, 839, 853, 855, 3502, 3503, 3507, 3513, and 3514, which also include the Central Freeway Parcels: A, C, H, K, L, M, N, O, P, Q, R, S, T, U, and V.</p> <p>Any soils-disturbing activities proposed within this area shall be required to submit an addendum to the respective ARD/TP prepared by a qualified archaeological consultant with expertise in California prehistoric and urban historical archaeology to the Environmental Review Officer (ERO) for review and approval. The addendum to the ARD/TP shall evaluate the potential effects of the project on legally-significant archaeological resources with respect to the site- and project-specific information absent in the ARD/TP. The addendum report to the ARD/TP shall have the following content:</p> <ol style="list-style-type: none"> 1. Summary: Description of subsurface effect of the proposed project and of previous soils-disturbing activities; 2. Historical Development: If demographic data for the project site is absent in the discussion in the ARD/TP, the addendum shall include new demographic data regarding former site occupants; 3. Identification of potential archaeological resources: Discussion of any identified potential prehistoric or historical archaeological resources; 4. Integrity and Significance: Eligibility of identified expected resources for listing to the California 	<p>subsequent development project and archaeological consultant</p>		<p>(ERO) shall determine further mitigation required, following completion of final addendum to ARD/TP.</p>	<p>upon Planning Department review of approval of addendum to ARD/TP or as appropriate approval of Final Archaeological Resources Report (FARR).</p>

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<p>Register of Historical Resources (CRHR); Identification of Applicable Research Themes/Questions (in the ARD/TP) that would be addressed by the expected archaeological resources that are identified;</p> <p>5. Impacts of Proposed Project;</p> <p>6. Potential Soils Hazards: Update discussion for proposed project;</p> <p>7. Archaeological Testing Plan (if archaeological testing is determined warranted): the Archaeological Testing Plan (ATP) shall include:</p> <p style="padding-left: 20px;">A. Proposed archaeological testing strategies and their justification</p> <p style="padding-left: 20px;">B. Expected archaeological resources</p> <p style="padding-left: 20px;">C. For historic archaeological resources</p> <p style="padding-left: 40px;">1. Historic address or other location identification</p> <p style="padding-left: 40px;">2. Archaeological property type</p> <p style="padding-left: 20px;">D. For all archaeological resources</p> <p style="padding-left: 40px;">1. Estimate depth below the surface</p> <p style="padding-left: 40px;">2. Expected integrity</p> <p style="padding-left: 40px;">3. Preliminary assessment of eligibility to the CRHR</p> <p style="padding-left: 20px;">E. ETP Map</p> <p style="padding-left: 40px;">1. Location of expected archaeological resources</p> <p style="padding-left: 40px;">2. Location of expected project sub-grade</p>				

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<p>impacts</p> <p>3. Areas of prior soils disturbance</p> <p>4. Archaeological testing locations by type of testing</p> <p>5. Base map: 1886/7 Sanborn Fire Insurance Company map</p> <p>Implementation of the mitigation measure would reduce impacts to a less than significant level</p>				
<p>C2. General Soil Disturbing Activities</p> <p>This measure shall apply to any project involving any soils-disturbing activities including excavation, installation of foundations or utilities or soils remediation beyond a depth of four feet and located within those properties within the Project Area for which no archaeological assessment report has been prepared, including by a qualified MEA staff. This mitigation measure shall also apply to projects within the Mission Dolores Archaeological District (MDAD) involving only minor soils disturbance (three feet or less below the existing surface).</p> <p>For projects to which this mitigation measure applies, a Preliminary Archaeological Sensitivity Study (PASS) shall be prepared by an archaeological consultant with expertise in California prehistoric and urban historical archaeology. The PASS shall contain the following:</p> <ol style="list-style-type: none"> 1. The historical uses of the project site based on any previous archaeological documentation and Sanborn maps; 2. Types of archaeological resources/properties that may have been located within the project site and whether the archaeological resources/property types would 	<p>Project Sponsor of each subsequent development project and archaeological consultant</p>	<p>Prior to project approval</p>	<p>Planning Department (ERO) shall determine what further resource is present or mitigation evaluation of potential archeological effects is required based on the Final PASS.</p>	<p>Considered complete upon Planning Department review of Preliminary Archaeological Sensitivity Study if no ARD/TP required. If an ARD/TP is required, considered complete upon submittal of Final Archaeological Resources Report (FARR).</p>

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<p>potentially be eligible for listing in the California Register of Historical Resources (CRHR);</p> <p>3. If 19th or 20th century soils-disturbing activities may adversely affect the identified potential archaeological resources;</p> <p>4. Assessment of potential project effects in relation to the depth of any identified potential archaeological resource;</p> <p>5. Assessment of whether any CRHR-eligible archaeological resources could be adversely affected by the proposed project and, as warranted, appropriate action.</p> <p>Based on the PASS, the Environmental Review Officer (ERO) shall determine if an Archaeological Research Design/Treatment Plan (ARD/TP) shall be required to more definitively identify the potential for CRHR-eligible archaeological resources and determine the appropriate action necessary to reduce the potential effect of the project on archaeological resources to a less than significant level. The scope of the ARD/TP shall be determined in consultation with the ERO and consistent with the standards for archaeological documentation established by the State Office of Historic Preservation for purposes of compliance with CEQA.</p> <p>Implementation of the mitigation measure would reduce impacts to a less than significant level</p>				
<p>C3. Soil Disturbing Activities in Public Street and Open Space Improvements</p> <p>This measure shall apply to the proposed public street and open space improvement projects proposed in the Plan involving soils disturbance in excess of four feet in depth.</p>	DPW	Prior to any soil disturbing activities	Project sponsor to submit all plans and reports shall be submitted to ERO	Considered complete upon review and approval of final archeological

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<p>The project sponsor shall retain the services of a qualified archaeological consultant having expertise in California prehistoric and urban historical archaeology. The archaeological consultant shall undertake an archaeological monitoring program. All plans and reports prepared by the consultant as specified herein shall be submitted first and directly to the Environmental Review Officer (ERO) for review and comment, and shall be considered draft reports subject to revision until final approval by the ERO. Archaeological monitoring and/or data recovery programs required by this measure could suspend construction of the project for up to a maximum of four weeks. At the direction of the ERO, the suspension of construction can be extended beyond four weeks only if such a suspension is the only feasible means to reduce to a less than significant level potential effects on a significant archaeological resource as defined in <i>CEQA Guidelines</i> §15064.5 (a)(c).</p> <p><u>Archaeological Monitoring Program (AMP)</u></p> <p>The archaeological monitoring program shall, at a minimum, include the following provisions:</p> <ol style="list-style-type: none"> 1. The archaeological consultant, project sponsor, and ERO shall meet and consult on the scope of the Archaeological Monitoring Program (AMP) reasonably prior to any project-related soils disturbing activities commencing. The ERO, in consultation with the project archaeologist, shall determine what project activities shall be archaeologically monitored. 2. The archaeological consultant shall advise all project contractors to be on the alert for evidence of the presence of the expected resource(s), of how to identify the evidence of the expected resource(s), and of the appropriate protocol in the event of apparent discovery of an archaeological resource; 	<p>Project sponsor and archeological consultant.</p>	<p>If Planning Department (ERO) determines monitoring program required.</p>	<p>Planning Department (ERO)</p>	<p>monitoring report.</p>

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<p>3. The archaeological monitor(s) shall be present on the project site according to a schedule agreed upon by the archaeological consultant and the ERO until the ERO has, in consultation with the archaeological consultant, determined that project construction activities could have no effects on significant archaeological deposits;</p> <p>4. The archaeological monitor shall record and be authorized to collect soil samples and artifactual/ecofactual material as warranted for analysis;</p> <p>5. If an intact archaeological deposit is encountered, all soils disturbing activities in the vicinity of the deposit shall cease. The archaeological monitor shall be empowered to temporarily redirect potentially damaging activity until the deposit is evaluated. The archaeological consultant shall immediately notify the ERO of the encountered archaeological deposit. The archaeological consultant shall, after making a reasonable effort to assess the identity, integrity, and significance of the encountered archaeological deposit, present the findings of this assessment to the ERO.</p> <p>If the ERO, in consultation with the archaeological consultant, determines that a significant archaeological resource is present and that the resource could be adversely affected by the proposed project, at the discretion of the project sponsor either:</p> <ul style="list-style-type: none"> • The proposed project shall be redesigned so as to avoid any adverse effect on the significant archaeological resource; or • An archaeological data recovery program shall be implemented, unless the ERO determines that the archaeological resource is of greater interpretive than research significance and that interpretive use of the resource is feasible. 				

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<p>If an archaeological data recovery program is required by the ERO, the archaeological data recovery program shall be conducted in accord with an Archaeological Data Recovery Plan (ADRP). The project archaeological consultant, project sponsor, and ERO shall meet and consult on the scope of the ADRP. The archaeological consultant shall prepare a draft ADRP that shall be submitted to the ERO for review and approval. The ADRP shall identify how the proposed data recovery program will preserve the significant information the archaeological resource is expected to contain. That is, the ADRP will identify what scientific/historical research questions are applicable to the expected resource, what data classes the resource is expected to possess, and how the expected data classes would address the applicable research questions. Data recovery, in general, shall be limited to the portions of the historical property that could be adversely affected by the proposed project. Destructive data recovery methods shall not be applied to portions of the archaeological resources if nondestructive methods are practical.</p> <p>The scope of the ADRP shall include the following elements:</p> <ul style="list-style-type: none"> • <i>Field Methods and Procedures.</i> Descriptions of proposed field strategies, procedures, and operations. • <i>Cataloguing and Laboratory Analysis.</i> Description of selected cataloguing system and artifact analysis procedures. • <i>Discard and Deaccession Policy.</i> Description of and rationale for field and post-field discard and deaccession policies. • <i>Interpretive Program.</i> Consideration of an on-site/off-site public interpretive program during the course of the archaeological data recovery program. • <i>Security Measures.</i> Recommended security measures to 	<p>Archeological consultant</p>	<p>If ERO requires archeological recovery program</p>	<p>Planning Department (ERO)</p>	

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<p>protect the archaeological resource from vandalism, looting, and non-intentionally damaging activities.</p> <ul style="list-style-type: none"> • <i>Final Report.</i> Description of proposed report format and distribution of results. • <i>Curation.</i> Description of the procedures and recommendations for the curation of any recovered data having potential research value, identification of appropriate curation facilities, and a summary of the accession policies of the curation facilities. <p><u>Human Remains, Associated or Unassociated Funerary Objects</u></p> <p>The treatment of human remains and of associated or unassociated funerary objects discovered during any soils disturbing activity shall comply with applicable State and Federal Laws, including immediate notification of the Coroner of the City and County of San Francisco and in the event of the Coroner's determination that the human remains are Native American remains, notification of the California State Native American Heritage Commission (NAHC) who shall appoint a Most Likely Descendant (MLD) (<i>Public Resources Code</i> §5097.98). The archaeological consultant, project sponsor, and MLD shall make all reasonable efforts to develop an agreement for the treatment of, with appropriate dignity, human remains and associated or unassociated funerary objects (<i>CEQA Guidelines</i> §15064.5(d)). The agreement shall take into consideration the appropriate excavation, removal, recordation, analysis, curation, possession, and final disposition of the human remains and associated or unassociated funerary objects.</p> <p><u>Final Archaeological Resources Report.</u></p> <p>The archaeological consultant shall submit a Draft Final Archaeological Resources Report (FARR) to the ERO that</p>	<p>Project sponsor and archeological consultant</p>	<p>Following archeological fieldwork and data analysis</p>		

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<p>evaluates the historical of any discovered archaeological resource and describes the archaeological and historical research methods employed in the archaeological testing/monitoring/data recovery program(s) undertaken. Information that may put at risk any archaeological resource shall be provided in a separate removable insert within the draft final report.</p> <p>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 copy and the ERO shall receive a copy of the transmittal of the FARR to the NWIC. The Major Environmental Analysis division of the Planning Department shall receive two 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.</p> <p>Implementation of the mitigation measure would reduce impacts to a less than significant level</p>				
<p>C4. Soil Disturbing Activities in the Mission Dolores Archaeological District</p> <p>This measure applies to any project within the Mission Dolores Archaeological District (MDAD) involving installation of foundations, construction of a subgrade or partial subgrade structure including garage, basement, etc, grading, soils remediation, installation of utilities, or any other activities resulting in substantial soils disturbance.</p> <p>The project sponsor shall retain the services of a qualified</p>	<p>Project Sponsor of each subsequent development project and archaeological consultant</p>	<p>Prior to project construction</p>	<p>Planning Department (ERO)</p>	<p>Considered complete upon submittal of Final Archaeological Resources Report (FARR).</p>

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<p>archaeological consultant having expertise in California prehistoric and urban historical archaeology. The archaeological consultant shall undertake an archaeological testing program as specified herein. In addition, the consultant shall be available to conduct an archaeological monitoring and/or data recovery program if required pursuant to this measure. The archaeological consultant's work shall be conducted in accordance with this measure at the direction of the Environmental Review Officer (ERO). All plans and reports prepared by the consultant as specified herein shall be submitted first and directly to the ERO for review and comment, and shall be considered draft reports subject to revision until final approval by the ERO. Archaeological monitoring and/or data recovery programs required by this measure could suspend construction of the project for up to a maximum of four weeks. At the direction of the ERO, the suspension of construction can be extended beyond four weeks only if such a suspension is the only feasible means to reduce to a less-than-significant level potential effects on a significant archaeological resource as defined in <i>CEQA Guidelines</i> §15064.5 (a)(c).</p> <p><u>Archaeological Testing Program</u></p> <p>The archaeological consultant shall prepare and submit, as determined by the ERO, either an Archaeological Research Design/Testing Plan (ARD/TP) or an Archaeological Testing Plan (ATP) to the ERO for review and approval. The archaeological testing program shall be conducted in accordance with the approved ARD/TP or ATP. The ARD/TP or ATP shall identify the property types of the expected archaeological resource(s) that potentially could be adversely affected by the proposed project, the testing method to be used, and the locations recommended for testing. The purpose of the archaeological testing program will be to determine to the extent possible the presence or absence of archaeological resources and to identify and to evaluate whether any</p>	<p style="text-align: center;">Archeological consultant</p>	<p style="text-align: center;">Prior to project construction</p>	<p style="text-align: center;">Planning Department (ERO)</p>	

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<p>archaeological resource encountered on the site constitutes an historical resource under CEQA.</p> <p>At the completion of the archaeological testing program, the archaeological consultant shall submit a written report of the findings to the ERO. If based on the archaeological testing program the archaeological consultant finds that significant archaeological resources may be present, the ERO in consultation with the archaeological consultant shall determine if additional measures are warranted. Additional measures that may be undertaken include additional archaeological testing, archaeological monitoring, and/or an archaeological data recovery program. If the ERO determines that a significant archaeological resource is present and that the resource could be adversely affected by the proposed project, at the discretion of the project sponsor either:</p> <ol style="list-style-type: none"> 1. The proposed project shall be re-designed so as to avoid any adverse effect on the significant archaeological resource; or 2. A data recovery program shall be implemented, unless the ERO determines that the archaeological resource is of greater interpretive than research significance and that interpretive use of the resource is feasible. <p><u>Archaeological Monitoring Program</u></p> <p>If the ERO, in consultation with the archaeological consultant, determines that an archaeological monitoring program shall be implemented, the archaeological monitoring program shall minimally include the following provisions:</p> <ol style="list-style-type: none"> 1. The archaeological consultant, project sponsor, and ERO shall meet and consult on the scope of the AMP reasonably prior to any project-related soils disturbing activities commencing. The ERO in consultation with the archaeological consultant shall determine what project activities shall be archaeologically monitored. 	<p>Project sponsor and archeological consultant</p>	<p>If Planning Department (ERO) determines monitoring program required</p>	<p>Planning Department (ERO)</p>	

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<p>In most cases, any soils- disturbing activities, such as demolition, foundation removal, excavation, grading, utilities installation, foundation work, driving of piles (foundation, shoring, etc.), site remediation, etc., shall require archaeological monitoring because of the risk these activities pose to potential archaeological resources and to their depositional context;</p> <p>2. The archaeological consultant shall advise all project contractors to be on the alert for evidence of the presence of the expected resource(s), of how to identify the evidence of the expected resource(s), and of the appropriate protocol in the event of apparent discovery of an archaeological resource;</p> <p>3. The archaeological monitor(s) shall be present on the project site according to a schedule agreed upon by the archaeological consultant and the ERO until the ERO has, in consultation with project archaeological consultant, determined that project construction activities could have no effects on significant archaeological deposits;</p> <p>4. The archaeological monitor shall record and be authorized to collect soil samples and artifactual/ecofactual material as warranted for analysis;</p> <p>5. If an intact archaeological deposit is encountered, all soils-disturbing activities in the vicinity of the deposit shall cease. The archaeological monitor shall be empowered to temporarily redirect demolition/excavation/pile driving/construction activities and equipment until the deposit is evaluated. If in the case of pile driving activity (foundation, shoring, etc.), the archaeological monitor has cause to believe that the pile driving activity may affect an archaeological resource, the pile driving activity shall be terminated until an appropriate evaluation of the resource has been made in</p>				

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<p>consultation with the ERO. The archaeological consultant shall immediately notify the ERO of the encountered archaeological deposit. The archaeological consultant shall make a reasonable effort to assess the identity, integrity, and significance of the encountered archaeological deposit, and present the findings of this assessment to the ERO.</p> <p>Whether or not significant archaeological resources are encountered, the archaeological consultant shall submit a written report of the findings of the monitoring program to the ERO.</p> <p><u>Archaeological Data Recovery Program</u></p> <p>The archaeological data recovery program shall be conducted in accord with an archaeological data recovery plan (ADRP). The archaeological consultant, project sponsor, and ERO shall meet and consult on the scope of the ADRP prior to preparation of a draft ADRP. The archaeological consultant shall submit a draft ADRP to the ERO. The ADRP shall identify how the proposed data recovery program will preserve the significant information the archaeological resource is expected to contain. That is, the ADRP will identify what scientific/historical research questions are applicable to the expected resource, what data classes the resource is expected to possess, and how the expected data classes would address the applicable research questions. Data recovery, in general, should be limited to the portions of the historical property that could be adversely affected by the proposed project. Destructive data recovery methods shall not be applied to portions of the archaeological resources if nondestructive methods are practical.</p> <p>The scope of the ADRP shall include the following elements:</p> <ul style="list-style-type: none"> • <i>Field Methods and Procedures.</i> Descriptions of 	<p align="center">Archeological consultant</p>	<p align="center">If ERO requires archeological data recovery program</p>	<p align="center">Planning Department (ERO)</p>	

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<p>proposed field strategies, procedures, and operations.</p> <ul style="list-style-type: none"> • <i>Cataloguing and Laboratory Analysis.</i> Description of selected cataloguing system and artifact analysis procedures. • <i>Discard and Deaccession Policy.</i> Description of and rationale for field and post-field discard and deaccession policies. • <i>Interpretive Program.</i> Consideration of an on-site/off-site public interpretive program during the course of the archaeological data recovery program. • <i>Security Measures.</i> Recommended security measures to protect the archaeological resource from vandalism, looting, and non-intentionally damaging activities. • <i>Final Report.</i> Description of proposed report format and distribution of results. • <i>Curation.</i> Description of the procedures and recommendations for the curation of any recovered data having potential research value, identification of appropriate curation facilities, and a summary of the accession policies of the curation facilities. <p><u>Human Remains and Associated or Unassociated Funerary Objects</u></p> <p>The treatment of human remains and of associated or unassociated funerary objects discovered during any soils disturbing activity shall comply with applicable State and Federal laws. This shall include immediate notification of the Coroner of the City and County of San Francisco and in the event of the Coroner's determination that the human remains are Native American remains, notification of the California State Native American Heritage Commission (NAHC) who shall appoint a Most Likely Descendant (MLD) (<i>Public</i></p>				

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<p><i>Resources Code §5097.98</i>). The archaeological consultant, project sponsor, and MLD shall make all reasonable efforts to develop an agreement for the treatment of, with appropriate dignity, human remains and associated or unassociated funerary objects (<i>CEQA Guidelines §15064.5(d)</i>). The agreement should take into consideration the appropriate excavation, removal, recordation, analysis, custodianship, curation, and final disposition of the human remains and associated or unassociated funerary objects. If non-Native American human remains are encountered, the archaeological consultant, the ERO, and the Office of the Coroner shall consult on the development of a plan for appropriate analysis and recordation of the remains and associated burial items since human remains, both Native American and non-Native American, associated with the Mission Dolores complex (1776-1850s) are of significant archaeological research value and would be eligible to the CRHR.</p> <p><u>Final Archaeological Resources Report</u></p> <p>The archaeological consultant shall submit a Draft Final Archaeological Resources Report (FARR) to the ERO that evaluates the historical significance of any discovered archaeological resource and describes the archaeological and historical research methods employed in the archaeological testing/monitoring/data recovery program(s) undertaken. Information that may put at risk any archaeological resource shall be provided in a separate removable insert within the final report.</p> <p>Once approved by the ERO, copies of the FARR shall be distributed as follows: California Archaeological Site Survey Northwest Information Center (NWIC) shall receive one (1) copy and the ERO shall receive a copy of the transmittal of the FARR to the NWIC. The Major Environmental Analysis division of the Planning Department shall receive three copies of the FARR along with copies of any formal site recordation</p>	<p>Project sponsor and archeological consultant</p>	<p>Following archeological date fieldwork and data analysis</p>		

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<p>forms (CA DPR 523 series) and/or documentation for nomination to the National Register of Historic Places/California Register of Historical Resources. In instances of high public interest in or the high interpretive value of the resource, the ERO may require a different final report content, format, and distribution than that presented above.</p> <p>Implementation of these mitigation measures would reduce the archaeological impacts to a less than significant level at a program level and at a project level for soils disturbing activities in archaeological documented properties or for public street and open space improvements. Further evaluation of archaeological resources may be required for soils disturbing activities in areas where no archaeological assessment report has been prepared or in the Mission Dolores Archaeological District.</p> <p>Implementation of the mitigation measure would reduce impacts to a less than significant level</p>				
<p>D. Transportation</p>				
<p>D1. Traffic Mitigation Measure for Hayes and Gough Streets Intersection (LOS C to LOS F PM peak hour)</p> <p>To mitigate the 2025 with Plan and 2025 with Central Freeway Parcel/Near-Term Transportation Improvements intersection operating conditions at the intersections of Hayes and Gough Streets, an additional westbound travel lane would be required. With the reestablished westbound travel lane (and no eastbound lanes), 2025 with Plan conditions at this intersection would improve to LOS C.</p> <p>This mitigation measure would effectively eliminate the Plan's proposed changes along Hayes Street (which would provide an eastbound lane on Hayes Street between Gough Street and Van</p>	<p>Project Sponsor.</p>	<p>Incorporated as part of Project Approvals.</p>	<p>Not applicable.</p>	<p>Considered complete upon Project Approval.</p>

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<p>Ness Avenue by eliminating a westbound lane). As such, in order to maintain acceptable intersection level of service operations, the Plan could not be implemented on Hayes Street.</p> <p>Implementation of this mitigation measure would reduce Plan, project and cumulative impacts to a less than significant level.</p>				
<p>D2. Traffic Mitigation Measure for Hayes and Franklin Streets Intersection (LOS D to LOS F PM peak hour)</p> <p>To mitigate the 2025 with Plan and 2025 with Central Freeway Parcel/Near-Term Transportation Improvements intersection operating conditions at the intersections of Hayes and Franklin Streets, an additional westbound travel lane would be required. With the reestablished westbound travel lane (and no eastbound lanes), 2025 with Plan conditions at this intersection would improve to LOS D.</p> <p>This mitigation measure would effectively eliminate the Plan's proposed changes along Hayes Street (which would provide an eastbound lane on Hayes Street between Gough Street and Van Ness Avenue by eliminating a westbound lane). As such, in order to maintain acceptable intersection levels of service operations, the Plan could not be implemented on Hayes Street.</p> <p>Implementation of this mitigation measure would reduce Plan, project and cumulative impacts to a less than significant level</p>	Project Sponsor.	Incorporated as part of Project Approvals.	Not applicable.	Considered complete upon Project Approval.
<p>D3. Traffic Mitigation Measure for Laguna/Market/Hermann/Guerrero Streets Intersection (LOS D to LOS E PM peak hour) ¹</p>	MTA and Public Works	Feasibility to be determined.	MTA	To be determined by MTA.

¹ Because feasibility is uncertain, there may be significant adverse impact.

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<p>To improve operating conditions to acceptable levels and mitigate impacts, new protected left-turns could be provided for northbound Guerrero Street and southwest-bound Market Street. At both locations, the left-turn movements already have pockets; as such, new signals would be required to provide the protected left-turn phases. Implementation of signal timing changes would be dependent upon an assessment of transit and traffic coordination along Market Street to ensure that the changes would not substantially affect Muni bus operations, signal progressions, pedestrian minimum green time requirements, and programming limitations of signals.</p> <p>As the feasibility of the signal timing changes has not been fully assessed, the potential for a significant and unavoidable impact would still exist.</p>				
<p>D4. Traffic Mitigation Measure for Market/Sanchez/Fifteenth Streets Intersection (LOS E to LOS E with increased delay PM peak hour)²</p> <p>Minor changes to the signal timing at the intersection of Market/Sanchez/Fifteenth Streets to allow more time for impacted movements may improve intersection conditions. Implementation of signal timing changes would be dependent upon an assessment of transit and traffic coordination along Market Street to ensure that the changes would not substantially affect Muni bus operations, signal progressions, pedestrian minimum green time requirements, and programming limitations of signals.</p> <p>The addition of a right-turn pocket on the westbound approach on Fifteenth Street, in conjunction with the signal retiming, would improve intersection operations to LOS D.</p> <p>Impacts could be mitigated to a less than significant level if</p>	<p>MTA and Public Works</p>	<p>Feasibility to be determined.</p>	<p>MTA</p>	<p>Feasibility to be determined by MTA.</p>

² Because feasibility is uncertain, there may be significant adverse impact.

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<p>the right-turn pocket was implemented in conjunction with the signal retiming.</p> <p>As the feasibility of the signal timing changes has not been fully assessed, the potential for a significant and unavoidable impact would still exist.</p>				
<p>D5. Traffic Mitigation Measure for Market/Church/Fourteenth Streets Intersection (LOS E to LOS E with increased delay PM peak hour)²</p> <p>Minor changes to the signal timing at the intersection of Market/Church/Fourteenth Streets to allow more time for impacted movements may improve intersection conditions. Implementation of signal timing changes would be dependent upon an assessment of transit and traffic coordination along Market Street to ensure that the changes would not substantially affect Muni bus operations, signal progressions, pedestrian minimum green time requirements, and programming limitations of signals.</p> <p>As the feasibility of the signal timing changes has not been fully assessed, the potential for a significant and unavoidable impact would still exist.</p>	MTA and Public Works	Feasibility to be determined.	MTA	Feasibility to be determined by MTA.
<p>D6. Traffic Mitigation Measure for Mission Street/Otis Street/South Van Ness Avenue Intersection (LOS F to LOS F with increased delay PM peak hour)³</p> <p>Minor changes to the signal timing at the intersection of Mission Street/Otis Street/South Van Ness Avenue to allow more time for impacted movements may improve intersection conditions. Implementation of signal timing changes would be dependent upon an assessment of transit and traffic</p>	MTA and Public Works	Feasibility to be determined.	MTA	Feasibility to be determined by MTA.

³ Because feasibility is uncertain, there may be significant adverse impact.

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<p>coordination along South Van Ness Avenue and Mission Street to ensure that the changes would not substantially affect Muni bus operations, signal progressions, pedestrian minimum green time requirements, and programming limitations of signals.</p> <p>It may be possible to add right-turn pockets to the southbound approach on Mission Street and the northbound approach on South Van Ness Avenue in conjunction with the signal timing changes. Under 2025 with Plan conditions, with this change, the level of service would be LOS F with less delay than under 2025 without Plan conditions.</p> <p>As the feasibility of the signal timing changes has not been fully assessed, the potential for a significant and unavoidable impact would still exist.</p>				
<p>D7. Traffic Mitigation Measure for Hayes Street/Van Ness Avenue Intersection (LOS F to LOS F with increased delay PM peak hour)</p> <p>At the intersection of Hayes Street and Van Ness Avenue, under 2025 without Plan conditions the intersection would operate at LOS F. Under 2025 with Plan conditions, delay would increase due to configurations changes and as the Plan would add vehicles to impacted movements (northbound and southbound through on Van Ness Avenue).</p> <p>To partially mitigate these impacts, the westbound travel lane could be reestablished, which would eliminate the Plan's proposed changes to Hayes Street(which would provide an eastbound lane on Hayes Street between Gough Street and Van Ness Avenue by eliminating a westbound lane). With the reestablished westbound travel lane (and no eastbound lanes), 2025 with Plan conditions would improve the level of service at the intersections of Hayes Street with Van Ness Avenue, Franklin Street, and Gough Street to 2025 without Plan conditions.</p>	Project Sponsor	Incorporated as part of Project Approvals.	Not applicable.	Considered complete upon Project Approval.

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<p>The mitigation measure would improve the level of service at the intersections of Hayes Street with Van Ness Avenue, Franklin Street, and Gough Street to 2025 without Plan conditions.</p> <p>This mitigation measure would substantially reduce, but would not eliminate the significant and unavoidable impact.</p>				
<p>D8. Transit Mitigation Measure for degradation to transit service as a result of increase in delays at Hayes Street intersections at Van Ness Avenue (LOS F to LOS F with increased delays); Franklin Street (LOS D to LOS F); and Gough Street (LOS C to LOS F) PM peak hour</p> <p>Changes could be made to the street configuration and traffic patterns, as presented above in the traffic mitigation measures 5.7.A., 5.7.B., and 5.7.G.</p> <p>Instead of rerouting vehicles from westbound Hayes Street to southbound Van Ness Avenue and westbound Fell Street, similar measures could be taken to reroute the Hayes-21 bus along the same path. With this plan, the 21-Hayes would continue westbound on Fell Street to Laguna Street, where it would turn northbound and return to Hayes Street westbound. By avoiding the intersections of Hayes/Franklin Streets and Hayes/Gough Streets, the 21-Hayes would not be impacted by the Plan. To implement this measure, an assessment of transit coordination would need to be conducted by Muni to ensure that these changes would not substantially affect Muni vehicles operations. The 21-Hayes vehicles are trolley coaches and in order to re-route this service it would be necessary to add overhead wires to the new route. There would be other issues with this mitigation, including possible operating delays and costs, and confusion for transit riders expecting the 21-Hayes to remain on Hayes Street.</p> <p>As the feasibility of the signal timing changes and</p>	<p>Project Sponsor.</p>	<p>Incorporated as part of Project Approvals.</p>	<p>Not applicable.</p>	<p>Considered complete upon Project Approval.</p>

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rerouting of the transit line have not been fully assessed, the potential for a significant and unavoidable impact would still exist.				
E. Air Quality				
<p>E1. Construction Mitigation Measure for Particulate Emissions</p> <p>Program or project level construction activities in the Project Area shall be required to implement particulate emission mitigations recommended by the BAAQMD. These measures include:</p> <p>Water all active construction areas at least twice daily. To meet the City's Ordinance 175-91 requirements for the use of non-potable water for dust control, established May 6, 1991, contractors shall be required to obtain reclaimed water from the Clean Water Program for this purpose.</p> <p>Cover all trucks hauling soil, sand, and other loose materials or require all trucks to maintain at least two feet of freeboard.</p> <p>Pave, apply water three times daily, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas and staging areas at construction sites.</p> <p>Sweep daily (with water sweepers) all paved access roads, parking areas and staging areas at construction sites.</p> <p>Sweep streets daily (with water sweepers) if visible soil material is carried onto adjacent public streets.</p> <p>Hydroseed or apply (non-toxic) soil stabilizers to inactive construction areas (previously graded areas inactive for ten days or more).</p> <p>Enclose, cover, water twice daily, or apply (non-toxic) soil binders to exposed stockpiles (dirt, sand, etc.).</p>	Project Sponsor	During demolition, excavation, and construction	Construction Contractor and Department of Building Inspection (DBI)	Maintain on-site observations as warranted; review daily field reports and inspect construction; prepare daily field and monthly compliance reports and submit to the DBI. Compliance through site permit process. DBI to monitor during construction.

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MITIGATION MONITORING AND REPORTING PROGRAM

Mitigation Measure	Responsibility for Implementation	Mitigation Schedule	Monitoring Responsibility	Monitoring Actions/Schedule
<p>Limit traffic speeds on unpaved roads to 15 mph.</p> <p>Install sandbags or other erosion control measures to prevent silt runoff to public roadways.</p> <p>Replant vegetation in disturbed areas as quickly as possible.</p> <p>Install wheel washers for all exiting trucks, or wash off the tires or tracks of all trucks and equipment leaving the site.</p> <p>Install windbreaks, or plant trees/vegetative windbreaks at windward side(s) of construction areas.</p> <p>Suspend excavation and grading activity when winds (instantaneous gusts) exceed 25 mph.</p> <p>Implementation of these mitigation measures would reduce impacts to a less than significant level.</p>				
<p>E2. Construction Mitigation Measure for Short-Term Exhaust Emissions</p> <p>To reduce program or project level short-term exhaust emissions from construction equipment, the following mitigation measures shall be implemented for construction activities in the Project Area:</p> <ul style="list-style-type: none"> • Confine idle time of combustion engine construction equipment at construction sites to five minutes. • Maintain and properly tune construction equipment in accordance to manufacturer's specifications. • Use alternative fueled or electrical construction equipment at the project site when feasible. • Use the minimum practical engine size for construction equipment. • Equip gasoline-powered construction equipment with catalytic converters when feasible. 	Project Sponsor	During demolition, excavation, and construction	Department of Building Inspection (DBI)	Maintain on-site observations as warranted; review daily field reports and inspect construction; prepare daily field and monthly compliance reports and submit to the DBI. Compliance through site permit process. DBI to monitor during construction.

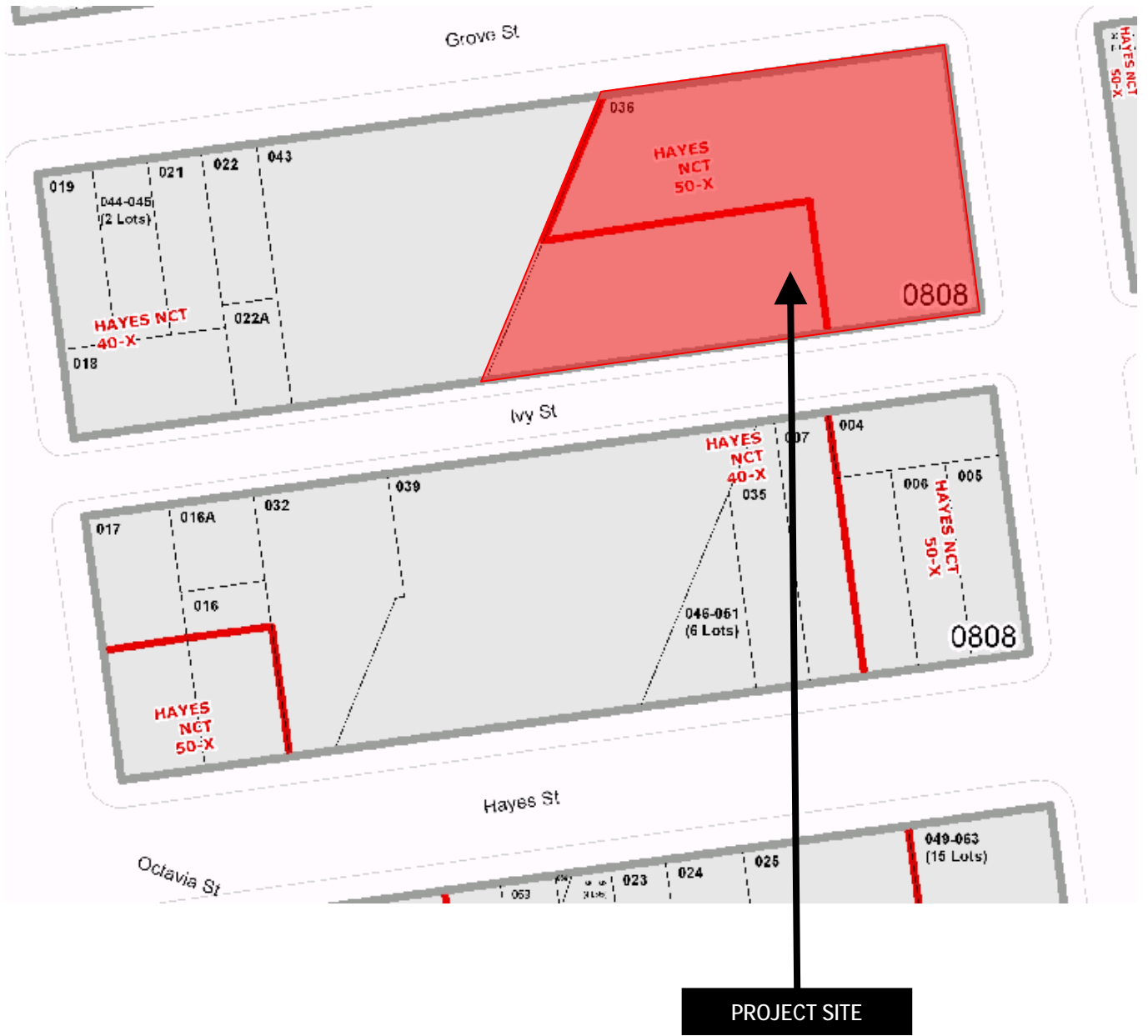
EXHIBIT 1
MARKET & OCTAVIA NEIGHBORHOOD PLAN
CASE # 2003.0347E
MITIGATION MONITORING AND REPORTING PROGRAM

Mitigation Measure	Responsibility for Implementation	Mitigation Schedule	Monitoring Responsibility	Monitoring Actions/Schedule
Implementation of the mitigation measure would reduce impacts to a less than significant level.				
F. Hazardous Materials				
<p>F1. Program or Project Level Mitigation Measures</p> <p>Program or project level mitigation measures would vary depending upon the type and extent of contamination associated with each individual project. Mitigation measures to protect the community generally shall include:</p> <ul style="list-style-type: none"> • Airborne particulates shall be minimized by wetting exposed soils, as appropriate, containing runoff, and tarping over-night and weekends. • Storage stockpiles shall be minimized, where practical, and properly labeled and secured. • Vehicle speeds across unpaved areas shall not exceed 15 mph to reduce dust emissions. • Activities shall be conducted so as not to track contaminants beyond the regulated area. • Misting, fogging, or periodic dampening shall be utilized to minimize fugitive dust, as appropriate. • Containments and regulated areas shall be properly maintained. <p>Implementation of the mitigation measure would reduce impacts to a less than significant level.</p>	Project Sponsor	During construction	Project sponsor/DBI	On-site monitoring by project sponsor & DBI
G. Geology, Soils, and Seismicity				
<p>G1. Construction Related Soils Mitigation Measure</p> <p>Program or project level temporary construction related</p>	Project Sponsor	During construction	Project sponsor/DBI	On-site monitoring by project sponsor

EXHIBIT 1
MARKET & OCTAVIA NEIGHBORHOOD PLAN
CASE # 2003.0347E
MITIGATION MONITORING AND REPORTING PROGRAM

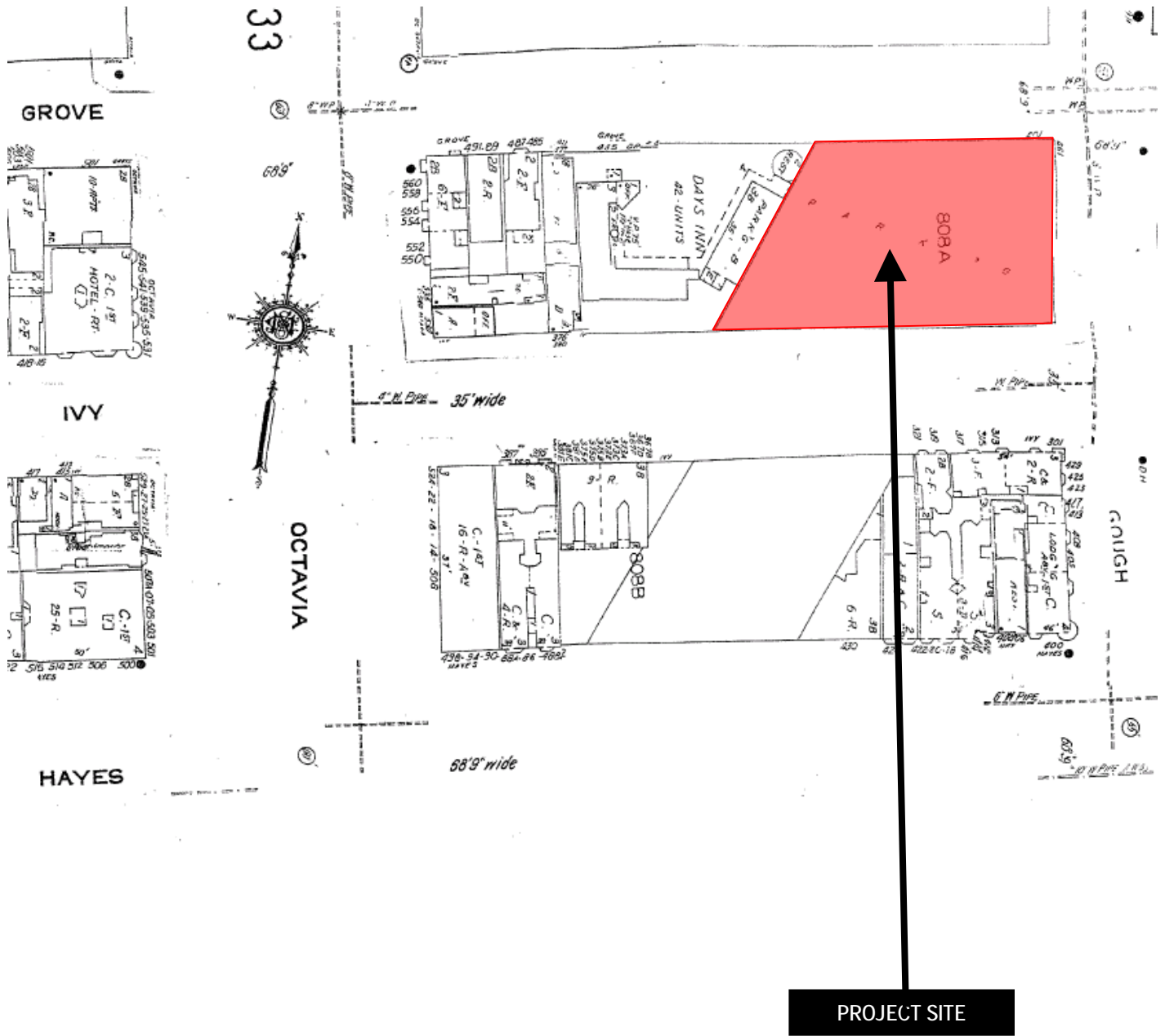
Mitigation Measure	Responsibility for Implementation	Mitigation Schedule	Monitoring Responsibility	Monitoring Actions/Schedule
<p>impacts would be mitigated through the implementation of the following measures:</p> <p>Best Management Practices (BMP) erosion control features shall be developed with the following objectives and basic strategy:</p> <ul style="list-style-type: none"> Protect disturbed areas through minimization and duration of exposure. Control surface runoff and maintain low runoff velocities. Trap sediment on-site. Minimize length and steepness of slopes. <p>Implementation of the mitigation measure would reduce impacts to a less than significant level.</p>				<p>& DBI</p>

Parcel Map



Conditional Use Authorization
Case Number 2011.0399C
401 Grove Street

Sanborn Map*

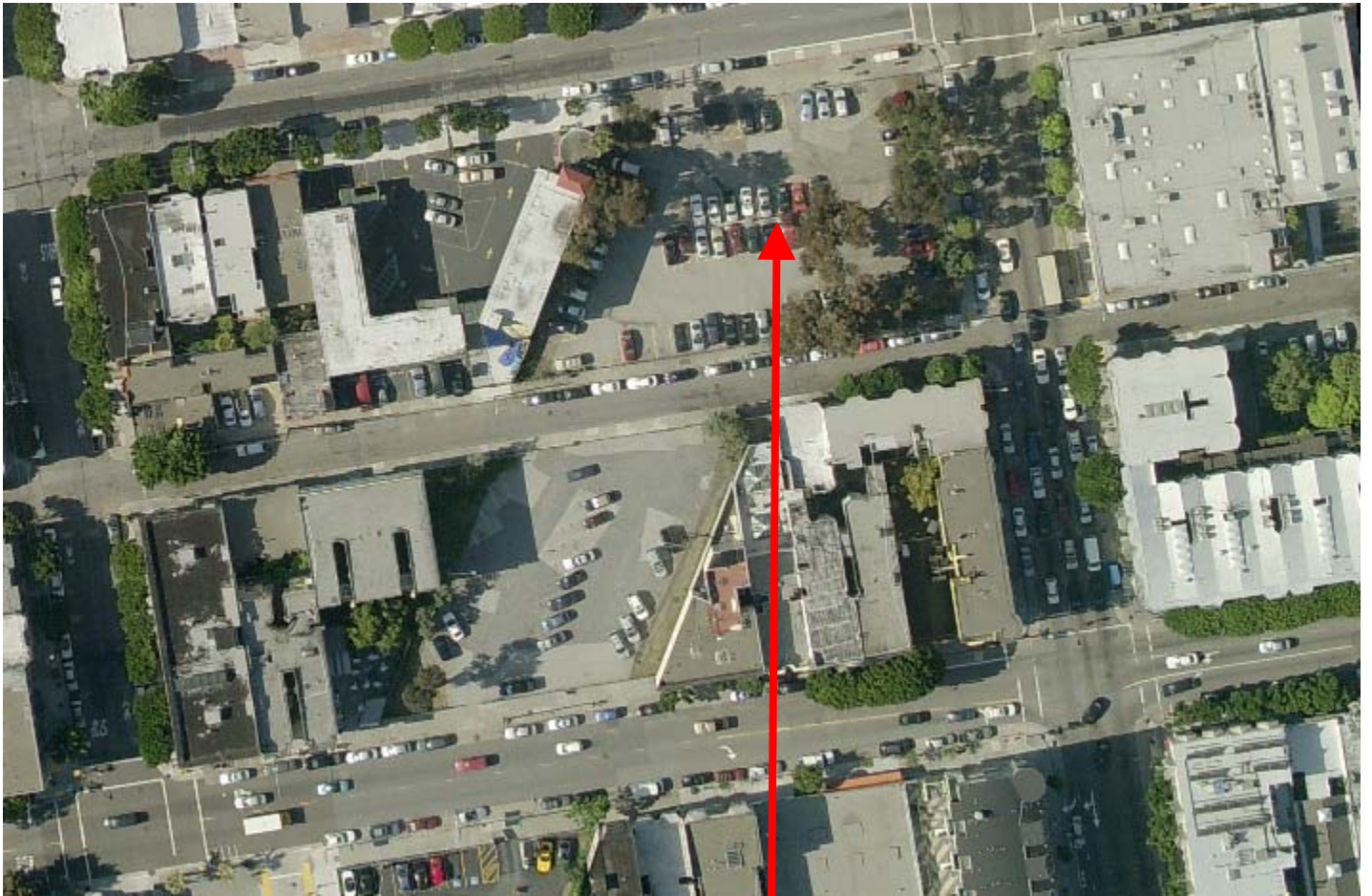


*The Sanborn Maps in San Francisco have not been updated since 1998, and this map may not accurately reflect existing conditions.



Conditional Use Authorization
Case Number 2011.0399C
401 Grove Street

Aerial Photo

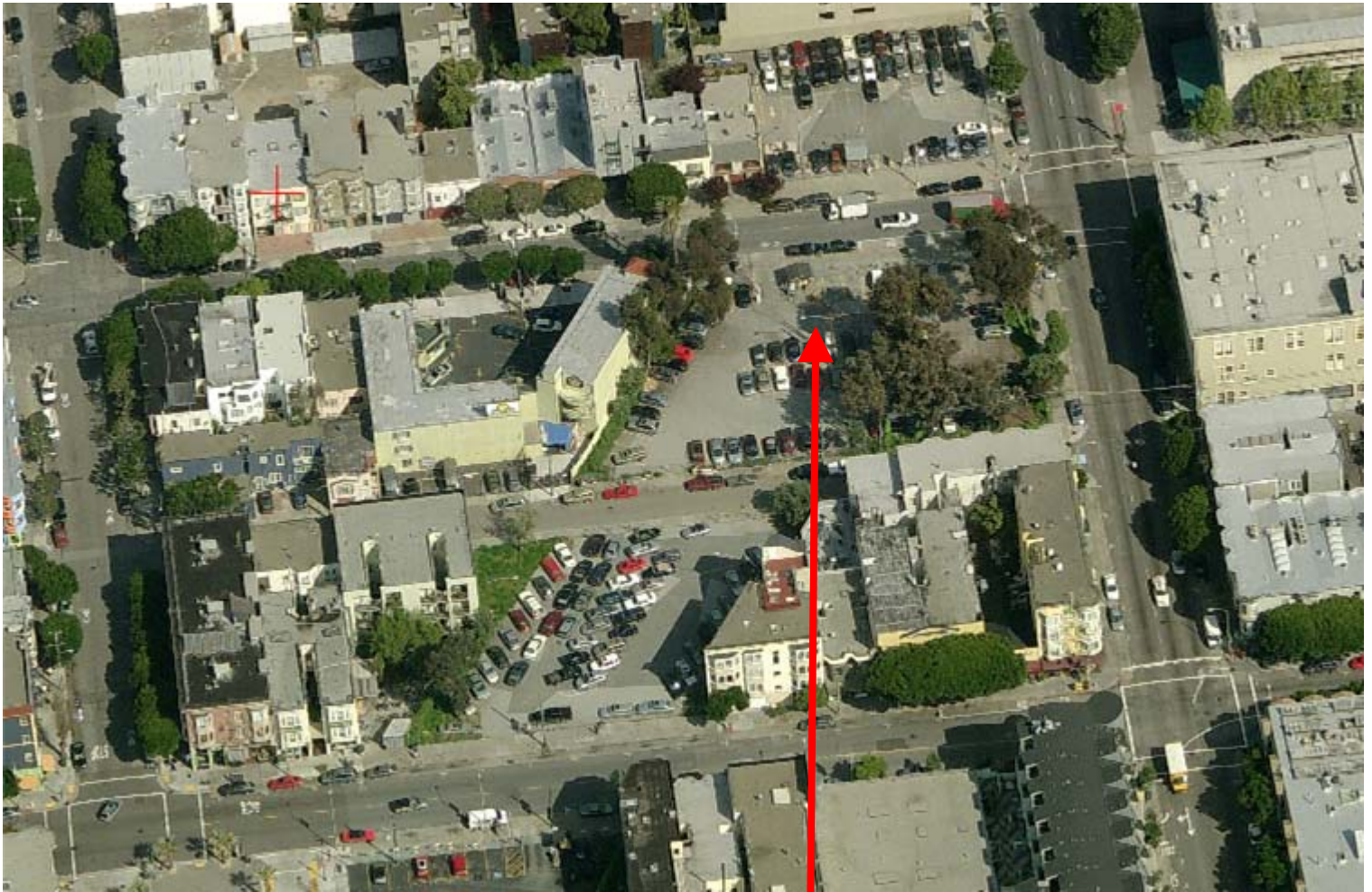


PROJECT SITE



Conditional Use Authorization
Case Number 2011.0399C
401 Grove Street

Aerial Photo



PROJECT SITE



Conditional Use Authorization
Case Number 2011.0399C
401 Grove Street

Zoning Map



Conditional Use Authorization
Case Number 2011.0399C
401 Grove Street

July 5, 2011

Hon. Christina Olague, President
San Francisco Planning Commission
1650 Mission Street, 4th Floor
San Francisco, CA 94103

Re: **401 Grove Street (Case No. 2011.0399C)**
Hearing: July 14, 2011

Dear President Olague and Commissioners:

Pocket Development, LLC is a partner in Ivy Grove Partners, LLC and is the Sponsor of the 401 Grove mixed-use project which is to be presented before the Commission on July 14, 2011. Pocket Development, LLC was formed in 2000 in San Francisco and focuses on new construction of moderate density for-sale housing on infill sites in urban neighborhoods with great access to jobs, services, restaurants, entertainment and public transportation. Excellent design and livability are the primary goals of the organization, once the right site has been selected. The firm has worked closely with the well-respected San Francisco architecture firm of David Baker + Partners to realize these goals.

Donald Klingbeil, one of Pocket Development's partners, was one of the early pioneers who contributed to the renaissance of the Hayes Valley neighborhood nearly twenty years ago. Fulton Grove Townhouses is located on a through-lot between Fulton and Grove Streets just west of Gough Street (across Grove Street from this site) and holds a reputation as a quiet refuge in a now-bustling neighborhood. We ask that you support us in our endeavor to improve another prime site in this exciting neighborhood. We acquired the 401 Grove site in 2010 out of foreclosure with existing entitlements obtained by the previous developer. The original November 2008 approval was for a similar project containing 61 residential units and 10,000 sf of commercial space. We have modified the design somewhat and are now seeking a new conditional use authorization for a site over 10,000 square feet in the Hayes-Gough NCT district and for a PUD to authorize some minor Code modifications.

Project Description:

The 401 Grove project is situated in the heart of Hayes Valley on a former Central Freeway parcel known as Parcel I. With frontage on Grove, Gough and Ivy Streets, the .5 acre parcel will be built out with over 5,000 sf of neighborhood-serving ground floor commercial facing Gough and 63 residential units ranging from studios to 3-bedroom townhouses, including walk-up units on both Grove and Ivy Streets. The project will contain nine on-site below-market rate for-sale units (15%), 0.5:1 parking, greater than 1:1 bicycle parking, a 2-carshare pod and perimeter landscaping improvements which will greatly enhance the desirability of this block. The design by David Baker + Partners will enliven the site with a significant architectural statement at the

President Christina Olague
July 5, 2011

prime Grove/Gough corner, while respecting the lower scale of Ivy Street. Following two decades of inactivity at this and the adjacent freeway parcels, development of this important site will have a dramatic impact on its surroundings and provide much-needed housing.

Design Proposal for Ivy Master Plan:

As part of the planning process, we have started to conceptualize a design for the improvement of our block of Ivy Street (between Gough and Octavia). This small street has an opportunity to become a much more lively, pedestrian-friendly space. Together with Fletcher Studio, landscape designers, we will work with the neighborhood to bring forward a design which will include street trees and plantings, traffic calming improvements and pedestrian-scale lighting to this block. In order to make the conceptual design proposal a reality, we will attempt to obtain approval for "in-kind" improvements over the coming year.

Community Support for the Project:

Given that the proposed project is a modification of existing entitlements granted in 2008, the neighborhood has been involved in the planning process for many years. The Hayes Valley Neighborhood Association has been very supportive of the revisions to the original design and has provided a letter of support to that effect. On May 22, 2011, our neighbors were invited to an open house at the site where we shared our updated vision for the project; our neighbors encouraged us to make this project a reality. San Francisco Housing Action Coalition has also provided a letter of support. Copies of HVNA and SFHAC's letters are attached.

Conclusion:

We look forward to presenting the 401 Grove project in more detail at the hearing on July 14, 2011. If we can provide any additional insight, please feel free to contact Elizabeth Costello with Pocket Development, LLC (415-956-1226) or our counsel, Steve Vettel (415-954-4902). Thank you for your consideration.

The HAYES VALLEY Neighborhood Association | HVNA

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

March 11, 2011

Re: 401 Grove Street

Dear Commission President Olague and Planning Commissioners,

The Hayes Valley Neighborhood Association's Transportation & Planning Committee is pleased to enthusiastically support the proposal for a mixed-use development at 401 Grove Street. We urge you to approve the project expeditiously.

The proposed project is fully in keeping with the spirit of the Market/Octavia Plan. We particularly applaud the mix of uses including retail on Gough St and on the corner with Grove St; the high ceilings for the retail space; the activation of Ivy St with townhouses and multiple entry ways (this project does not turn its back on alleys); and the large number of residential units. HVNA was pleased to work with the developer and architect several years ago on an earlier iteration of this proposal, and we commend the overall quality of the design. The current design by David Baker and Partners is in keeping with the original and we've met with that outfit several times. We are very comfortable with DB and Partners work and urge you to approve the project design.

Significantly, we welcome the developer's decision to limit parking to the amount permitted as-of-right under the Market/Octavia Plan. As you know, the level of parking maximums was dealt with at great length during the Market/Octavia planning process, and it was envisioned that the increments allowable via a Conditional Use permit should only be available under exceptional circumstances where a clear justification was provided. When considering this and future projects, we urge you to expedite projects that limit parking to as-of-right levels (assuming other aspects of the project are acceptable and consistent with the Market/Octavia Plan), and give extensive scrutiny to projects that seek the CU increment of parking.

Sincerely,

Jason Henderson
Chair, Hayes Valley Neighborhood Association Transportation & Planning Committee
300 Buchanan Street Apt 503
San Francisco CA 94102
[jhenders@sbcglobal.net](mailto:jhenderson@sbcglobal.net)
415-255-8136



San Francisco
HOUSING
301199642.1
COALITION

95 Brady Street
San Francisco, CA 94103
415 541 9001 tel
415 431 2468 fax
info@sfhac.org
www.sfhac.org

January 28, 2011

Ms. Elizabeth Costello
Ivy Grove Partners, LLC/Pocket Development, LLC
615 Front Street
San Francisco, CA 94111

Re: 401 Grove Street Mixed-Use Development

Dear Ms. Costello,

On behalf of the San Francisco Housing Action Coalition (SFHAC), we are pleased to enthusiastically endorse the 401 Grove Street project. Following review and discussion, our Endorsement Committee believes the project has many merits and will make a substantial contribution to SFHAC's mission of increasing the supply of well-designed, well-located housing that conforms to good urban design principles and meets the needs of present and future San Franciscans.

A copy of the endorsement guidelines we applied in reviewing your project is attached. The proposed project meets our guidelines in the following ways:

Project Size:

The proposed project involves the construction of approximately 63 residential condominiums and approximately 5,400 square feet of commercial space. There will be two separate buildings over a subterranean garage on Grove and Gough that will be approximately 54.5 feet tall. On Ivy Street, there will be five-three-story wood frame townhouses that will be approximately 38 feet tall.

Land Use:

The proposed high-density, transit-oriented and mixed-use project is an appropriate use of the site and is well suited to the surrounding character of the neighborhood and will enhance its livability. It is within walking distance to the City's job centers, entertainment, shopping and cultural venues.

Density:

The project proposes a density of 120 units per acre. The project attempts to take full advantage of the maximum building envelope allowable.

Affordability:

The smaller size of the proposed units makes them "affordable by design" and more likely affordable to middle-income households. The SFHAC is pleased that you propose building nine units of affordable housing (15 percent) onsite.

Alternative Transportation and Parking:

Ms. Elizabeth Costello
January 28, 2011
Page 2

The proposed project meets SFHAC guidelines by proposing 0.5:1 parking space per residential unit and is enhanced by its proximity to numerous MUNI bus lines. Two car share spaces have been allocated and the project intends to achieve a 1:1 bicycle-parking ratio with more than 28 spaces. The SFHAC encourages you to consider adding wiring necessary for both electric bikes and automobiles to their respective parking areas.

Historic Preservation:

No historic resources are affected by the project. The site is currently used as a parking lot.

Urban Design:

The proposed project promotes the principles of good urban design and increased transit-orientation. The scale, profile and use of materials are an improvement on the character of the surrounding neighborhood. The project will help activate the pedestrian realm by providing building entries and residential stoops along Ivy and Grove Streets, as well as retail space with windows and display spaces along Gough, Grove and Ivy Streets. Curb cuts are minimized with a single garage entry provided on Ivy Street. Regarding open space, we would appreciate learning more about how you will use the ground level courtyard, and roof decks with vegetable garden plots for residents.

The SFHAC also suggests that you consider that any potential ground-floor signage has adequate visibility.

Environmental Features:

The SFHAC is highly supportive of the project's commitment to the City's Greenpoint standards. The project will be a low-energy building with a goal of 15 percent improvement over Title 24 Energy standards. This would be achieved with rooftop solar domestic hot water panels, high-efficiency boilers, thermally broken aluminum windows, and energy-star ventilation fans and lighting. However, we encourage you to consider continue greening the building by including individual water and energy meters.

Community Input:

The SFHAC believes you have done an exemplary job of seeking the input from surrounding neighbors and community groups in the area.

Thank you for submitting this project to the SFHAC Endorsements Committee. Please keep us abreast of any changes or updates with this project. However, we are pleased to fully endorse your excellent project. It meets our guidelines in an exemplary fashion. Please let us know how we may be of assistance.

Sincerely,



Tim Colen, Executive Director

ENDORSEMENT GUIDELINES

Adopted January 2010

The SFHAC will consider endorsing housing developments and mixed-use projects with a housing component. The following guidelines will be used to evaluate the project:

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

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

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

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

Proximity to transit should result in less need for parking.

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

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

Urban Design: The project should promote principles of good urban design: Where appropriate, contextual design that is compatible with the adjacent streetscape and

Ms. Elizabeth Costello
January, 28 2011
Page 4

existing neighborhood character while at the same time utilizing allowable unit density: pleasant and functional private and/or common open space; pedestrian, bicycle and transit friendly site planning; and design treatments that protect and enhance the pedestrian realm, with curb cuts minimized and active ground floor uses provided.

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

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

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

From: [Brady Murray](mailto:bradymurray@gmail.com)
Reply To: bradymurray@gmail.com
To: kevin.guy@sfgov.org
Subject: 401 Grove St.
Date: 06/14/2011 05:34 PM

Kevin, I am unable to attend the Planning Commission Hearing on June 23rd at 12 noon, but I did want to weigh in that I am fully in favor of the proposed development at 401 Grove St.

As a neighbor (I live on the same block at 472 Grove St) I think this development will improve the quality and livability of the neighborhood

I think a 5 story building as proposed will fit in well with the current neighborhood and the mix of ground floor commercial space and 63 dwelling units is a good mix.

Please do not hesitate to contact me if you have any questions at all.

Regards,
Brady Murray

--

Brady Murray
472 Grove St.
San Francisco, CA 94102
home: 415.874.9429
email: bradymurray@gmail.com

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

I, A. Elizabeth Costello, do hereby declare as follows:

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

401 Grove Street San Francisco CA 94102 0808/036
Address Block / Lot

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

The Planning Case No./Building Permit No. is 2011.0399C.

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

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

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

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

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

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

² California Civil Code Section 1954.50 and following.

- e. The Project Sponsor acknowledges that failure to sell the affordable units as ownership units or to eliminate the on-site or off-site affordable ownership-only units at any time will require the Project Sponsor to:
 - (1) Inform the Planning Department and the Mayor's Office of Housing and, if applicable, fill out a new affidavit;
 - (2) Record a new Notice of Special Restrictions; and
 - (3) Pay the Affordable Housing Fee plus applicable interest (using the fee schedule in place at the time that the units are converted from ownership to rental units) and any applicable penalties by law.

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

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

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

_____ San Francisco CA _____
Location

_____ July 5, 2011 _____
Date

Ivy Grove Partners, LLC

By: A. Elizabeth Costello _____
Signature

A. Elizabeth Costello, Managing Director _____
Name (Print), Title

415-956-1226 _____
Contact Phone Number

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

Unit Mix Tables

NUMBER OF ALL UNITS IN PRINCIPAL PROJECT				
Total Affordable Units	Studios	One-Bedroom Units	Two-Bedroom Units	Three-Bedroom Units
9	1	23	34	5

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

On-site Affordable Housing Alternative (Planning Code Section 415.6): calculated at 15% of the unit total.

NUMBER OF AFFORDABLE UNITS TO BE LOCATED ON-SITE				
Total Affordable Units	Studios	One-Bedroom Units	Two-Bedroom Units	Three-Bedroom Units
9	0	3	5	1

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

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

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

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

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

1. Fee _____ % of affordable housing requirement.

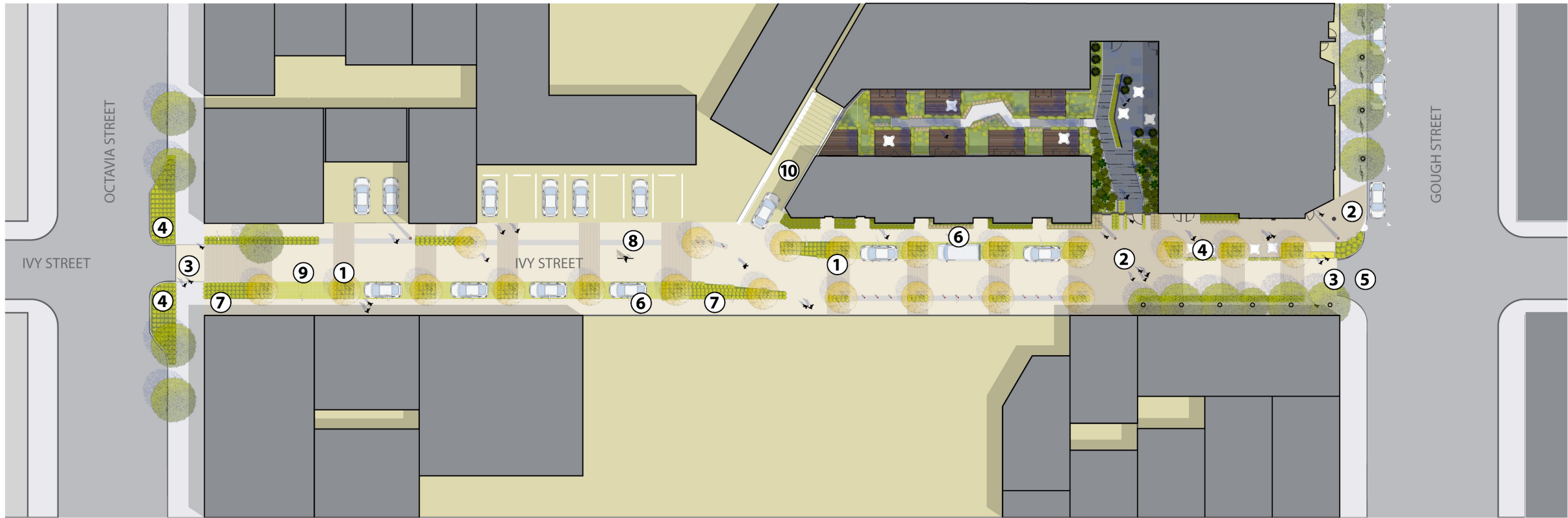
2. On-Site _____ % of affordable housing requirement.

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

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

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


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



SCHEMATIC IVY LIVING ALLEY PLAN

1"=40'-0"

LEGEND

-  EXISTING TREE
-  NEW TREE

KEY NOTES

- | | |
|------------------------------|----------------------------|
| ① FLOW THROUGH PLANTER | ⑨ PERMEABLE PAVING PARKING |
| ② SPECIAL PAVING | ⑩ RAMP |
| ③ TRAFFIC TABLE | |
| ④ EXTENDED BULB-OUT | |
| ⑤ ONE WAY-DRIVING LANE | |
| ⑥ PEDESTRIAN-SCALE LIGHTING | |
| ⑦ CONTINUOUS PLANTER | |
| ⑧ PERMEABLE COLORED CONCRETE | |

IVY STREET MASTER PLAN

401 GROVE ST. PROJECT

AS NOTED SCALE

JULY 1, 2011 DATE

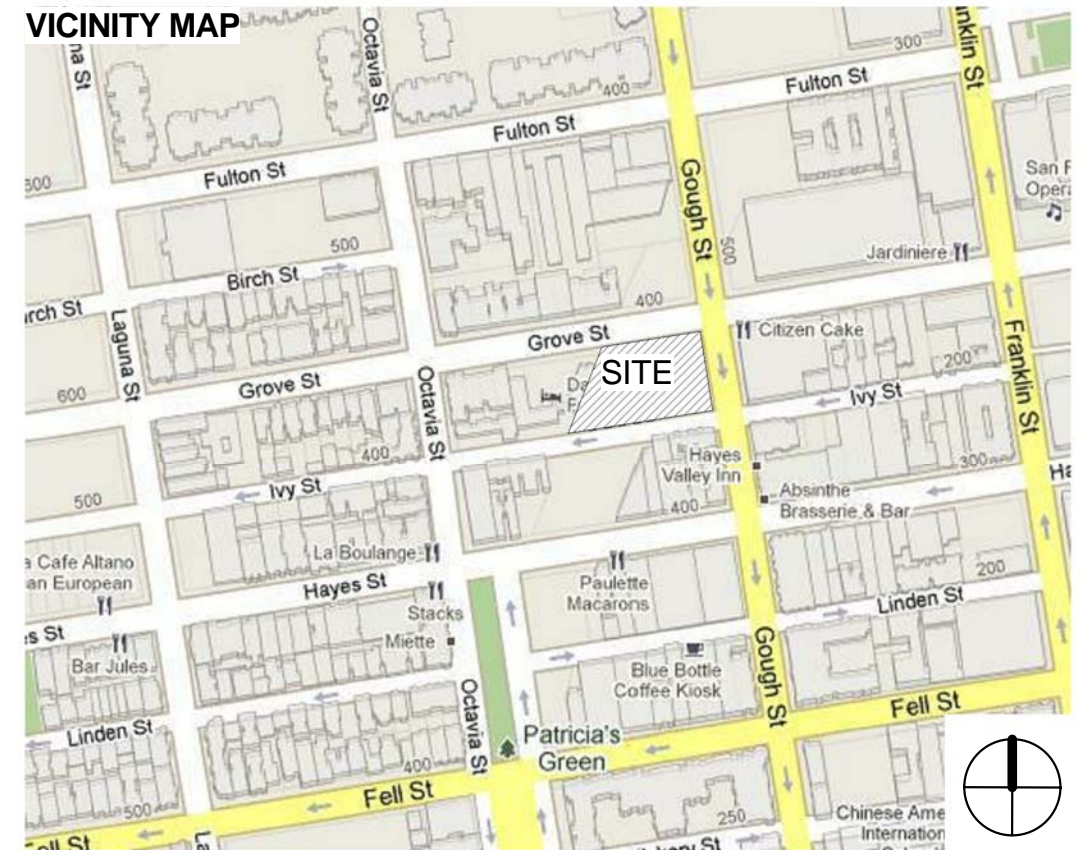
LAYOUT PLAN SHEET TITLE

1.0

SHEET #



VICINITY MAP



PROJECT TEAM

DEVELOPER
Ivy Grove Partners, LLC
615 Front Street
San Francisco, CA 94111
office 415-956-1226
fax 415-362-5805

ARCHITECT
David Baker FAIA + Partners
461 Second Street Loft c127
San Francisco, CA 94107
t: 415.896.6700
f: 415.896.6103
Attn: Daniel Simons
danielsimons@dbarchitect.com

LANDSCAPE ARCHITECT
Fletcher Studio
2339 3rd St suite 43R
floor 3R
san francisco 94107
office 415-230-9144
Attn: David Fletcher
fletcherstudio@gmail.com

PROJECT LOCATION

THE SITE IS LOCATED AT 401 GROVE STREET, AT THE SOUTHWEST CORNER OF GROVE STREET AND GOUGH STREET IN SAN FRANCISCO, CALIFORNIA.

HOUSING: THE HOUSING WILL CONSIST OF 58 STUDIO, ONE-, & TWO-BEDROOM UNITS AND 5 THREE-BEDROOM TOWNHOUSES. THE UNITS ARE CLUSTERED AROUND A COURTYARD. A PORTION OF THE GROUND FLOOR WILL CONTAIN RETAIL SPACES. THE BASEMENT WILL CONTAIN RESIDENTIAL PARKING AND UTILITY/MECHANICAL SPACES.

PROJECT BLOCK & LOT

BLOCK 0808, LOT 036
LAND-USE DESIGNATION: HAYES-GOUGH NCT (NEIGHBORHOOD COMMERCIAL TRANSIT)
HEIGHT DISTRICT: 40-X/50-X
BULK DISTRICT: X

PLANNING CODE BUILDING HEIGHT

BUILDING HEIGHT = 54.5': EXCEPTION TO METHOD OF MEASUREMENT OF HEIGHT (IN PLANNING CODE SECTION 102.12) GRANTED IN CONDITIONAL USE AUTHORIZATION (CASE NO. 2007.0487CEK). MEASUREMENT OF HEIGHT FOR PORTION OF THE PROJECT SITE THAT IS IN A 50-X HEIGHT AND BULK DISTRICT, FROM THE HIGHEST POINT OF THE SITE, AT THE CURB AT THE WESTERNMOST EDGE OF THE GROVE STREET FRONTAGE.

Building Area Tabulation

Apartment	Area (SF)
Basement	19392 SF
Level 1	5465 SF
Level 1	8101 SF
Level 2	14198 SF
Level 3	14324 SF
Level 4	13860 SF
Level 5	13787 SF
Total	89126 SF

Townhouse	Area (SF)
Level 1	2494 SF
Level 2	2573 SF
Level 3	2576 SF
Level 4	520 SF
Total	8163 SF
Grand total	97289 SF

Parking Tabulation

Description	Count
Carshare	
Full Size	2
Commercial	
ADA VAN	1
Full Size	2
Residential	
ADA	1
Full Size	24
Tandem	7
Total	37

Unit Tabulation

Type	Count
Studio	1
1 Bedroom	23
2 Bedroom	34
Townhouse	5
Grand Total	63

Open Space Tabulation

Common Usable Open Space	
Common Usable Open Space	674 SF
Roof Deck (east)	2248 SF
Roof Deck (west)	920 SF
Total	3842 SF
Private Usable Open Space	
Private Deck	1145 SF
Private Patio	800 SF
TH Roof Deck	600 SF
Total	2545 SF

> 5,400 SF
OPEN SPACE GRANTED IN CONDITIONAL USE AUTHORIZATION (CASE NO. 2007.0487CEK).

Bicycle Parking

Residential Spaces Req'd: 28
Residential Spaces Provided: 68

SHEET INDEX

A 0.0 Title Sheet	A 2.3 Level 3 Plan
A 0.0a Diagrams - Building Articulation	A 2.4 Level 4 Plan
A 0.1 Rendering - Gough at Ivy	A 2.5 Level 5 Plan
A 0.2 Rendering - Gough South	A 2.6 Roof Plan
A 0.3 Rendering - Ivy	A 3.0 Elevations
A 0.4 Rendering - Gough at Grove	A 4.0 Sections
A 0.5 Rendering - Retail @ Gough & Grove	A 6.0 Diagram- Open Space - Ground Level
A 0.6 Context Photos - Gough & Grove	A 6.1 Diagram- Open Space - Roof
A 0.7 Context photos -Ivy	A 6.2 Diagram - Building Height
A 0.8 Townhouse entry	A 6.3 Window details
A 0.9 Grove Stoops	
A 1.0 Site Plan	
A 2.0 Basement Plan	
A 2.1 Ground Level Plan	
A 2.2 Level 2 Plan	



Ivy Grove Partners, LLC

401 Grove

Title Sheet

21010
scale: As indicated
date: 2011.06.16

A 0.0

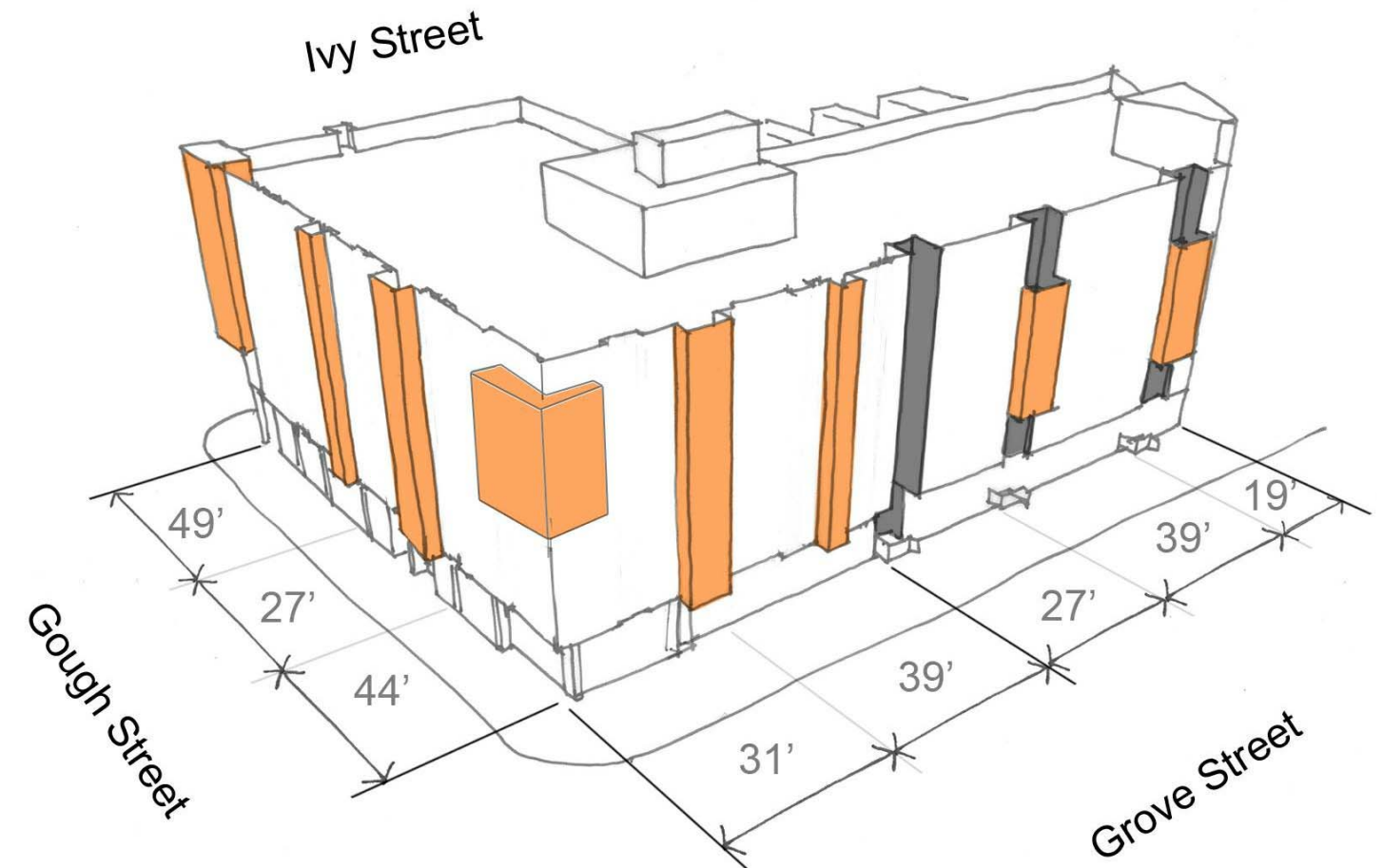
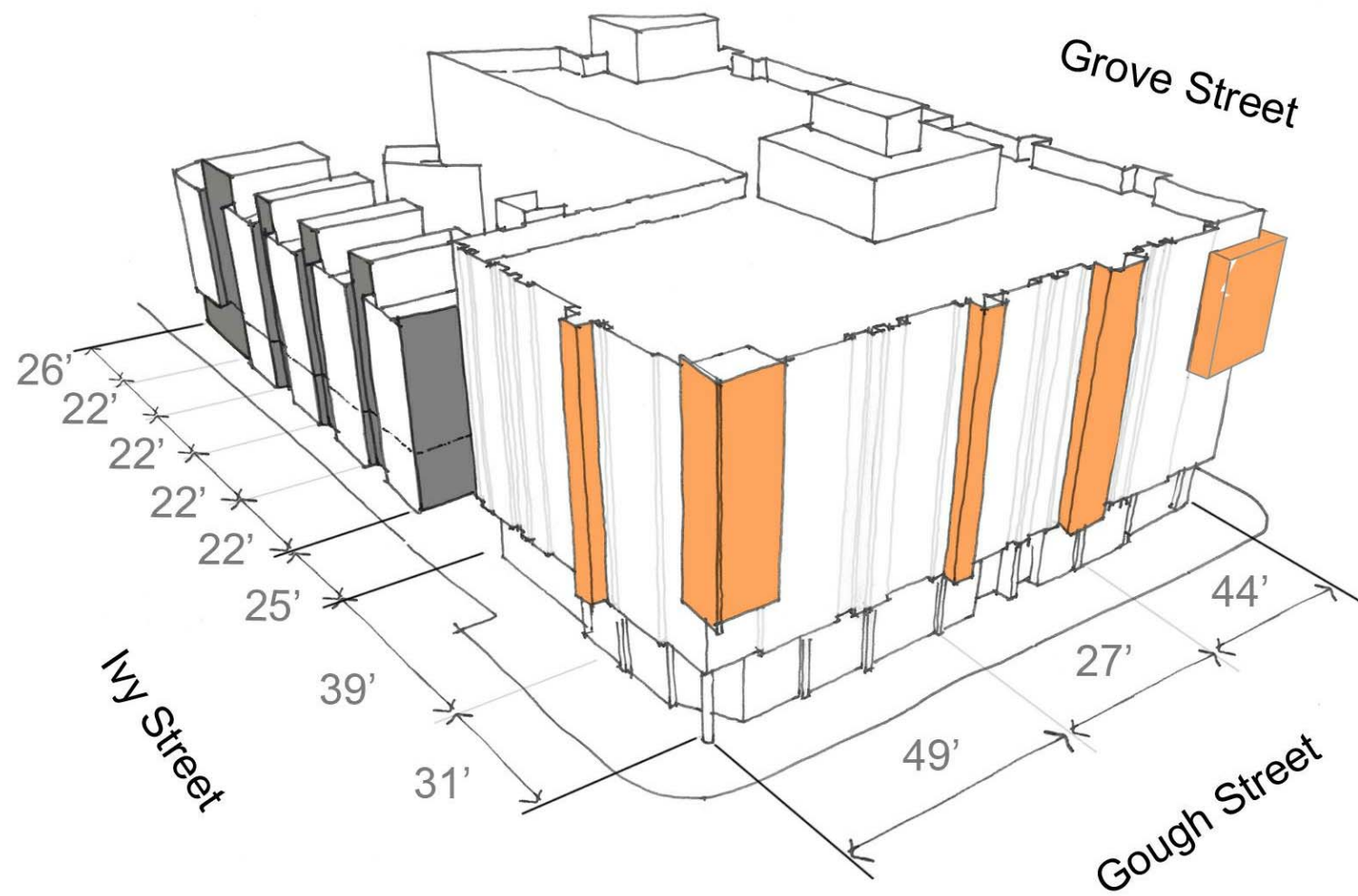


Diagram Legend

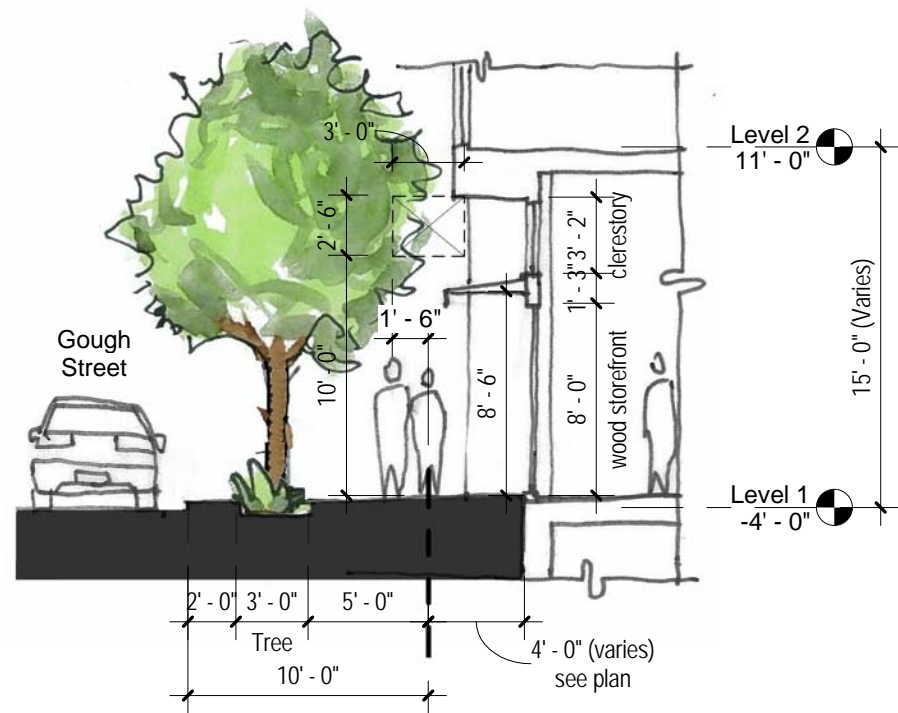
- Bay
- Recess > 2'-0"



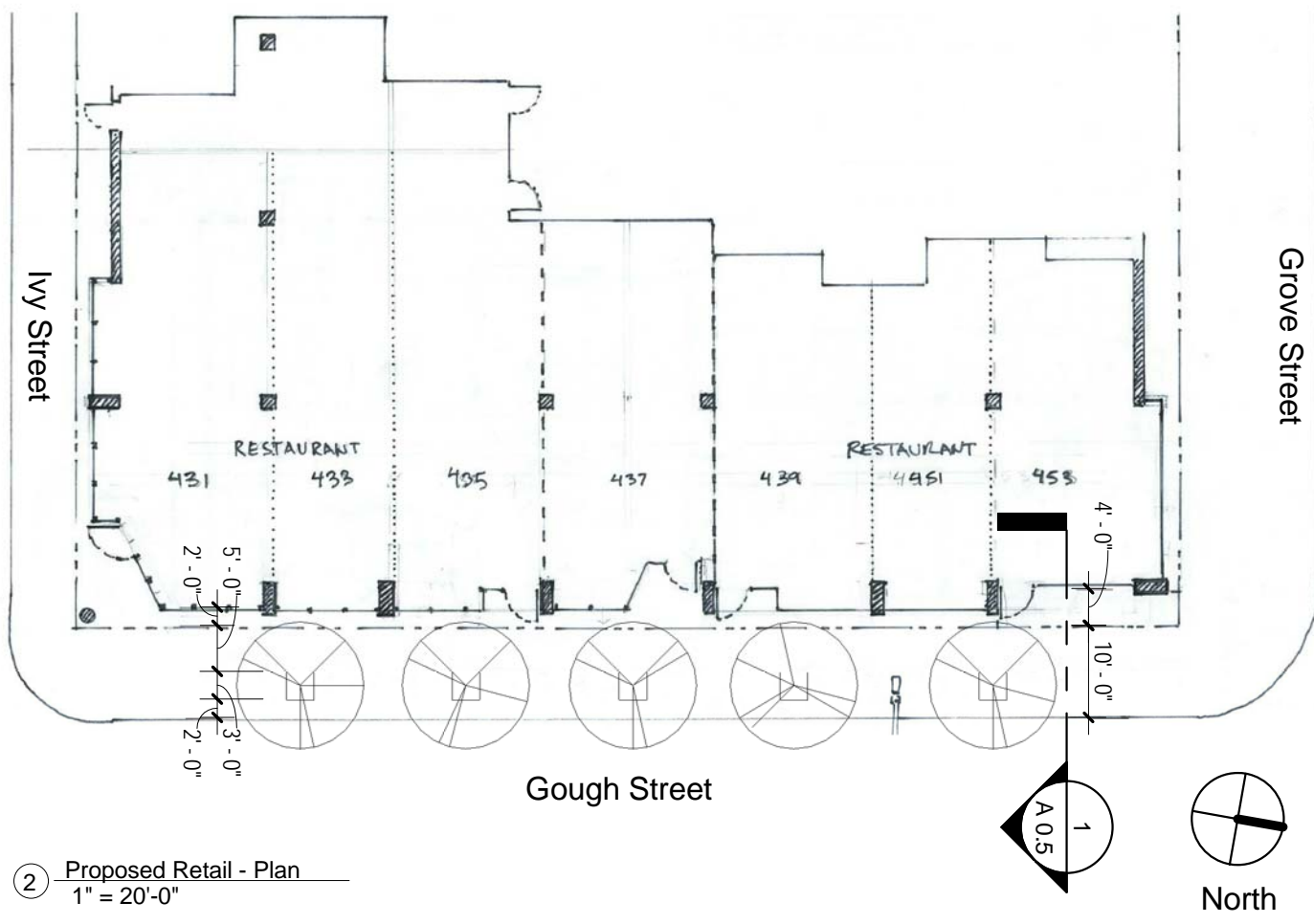








① Proposed Retail - Section
1/8" = 1'-0"



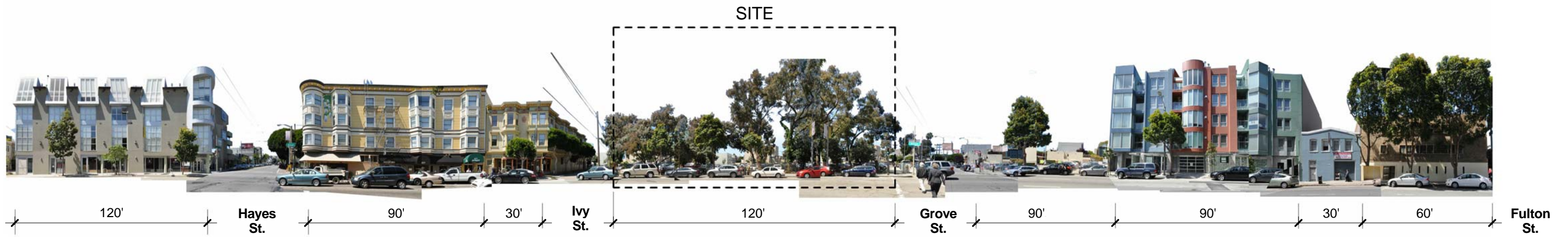
② Proposed Retail - Plan
1" = 20'-0"



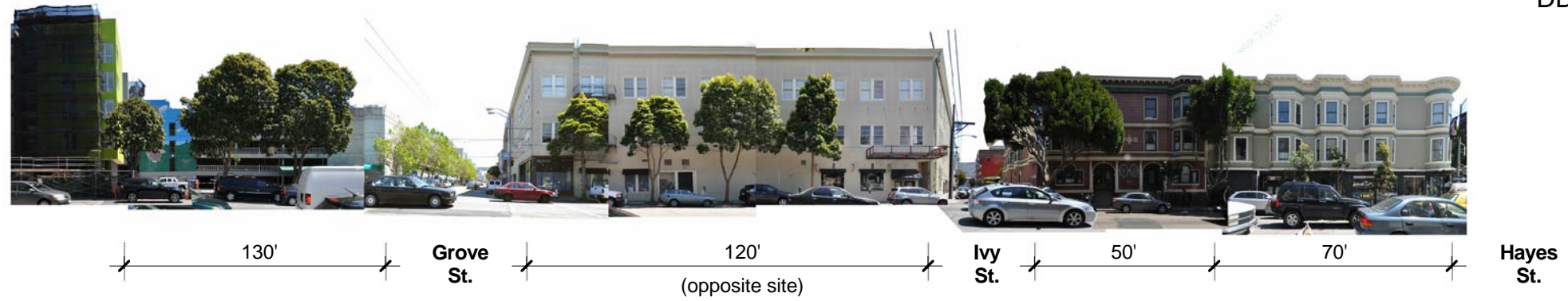
Hayes Valley Retail Precedents



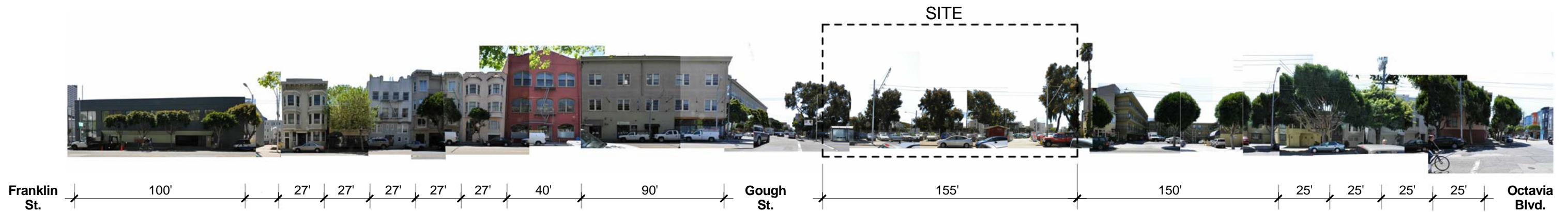
Proposed Retail - Corner of Gough & Grove Streets



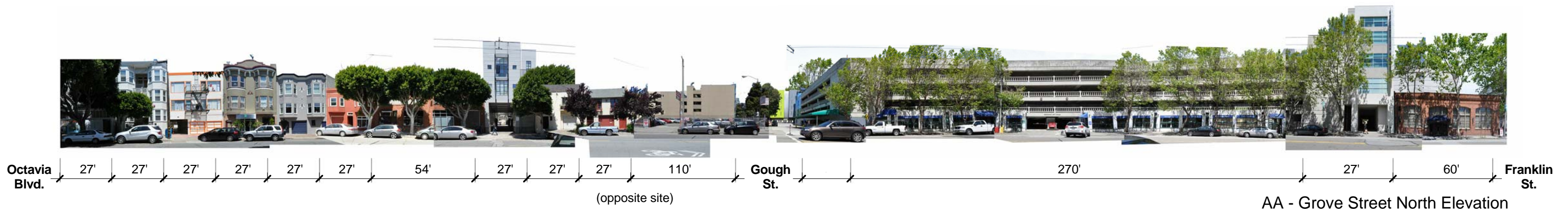
DD - Gough Street West Elevation



CC - Gough Street East Elevation



BB - Grove Street South Elevation



AA - Grove Street North Elevation



Ivy Grove Partners, LLC

401 Grove

Context Photos - Gough & Grove

21010
scale: not to scale
date: 2011.06.16

A 0.6



① ② ③ ④ ⑤ ⑥ ⑦ ⑧

Existing entrances on Ivy



25' 25' 50' 40' 50' 80' 60' Gough St. 75' 25' +/-160' (vacant) 60' 40' 40' Octavia Blvd.

(opposite site)

FF - Ivy Street South Elevation

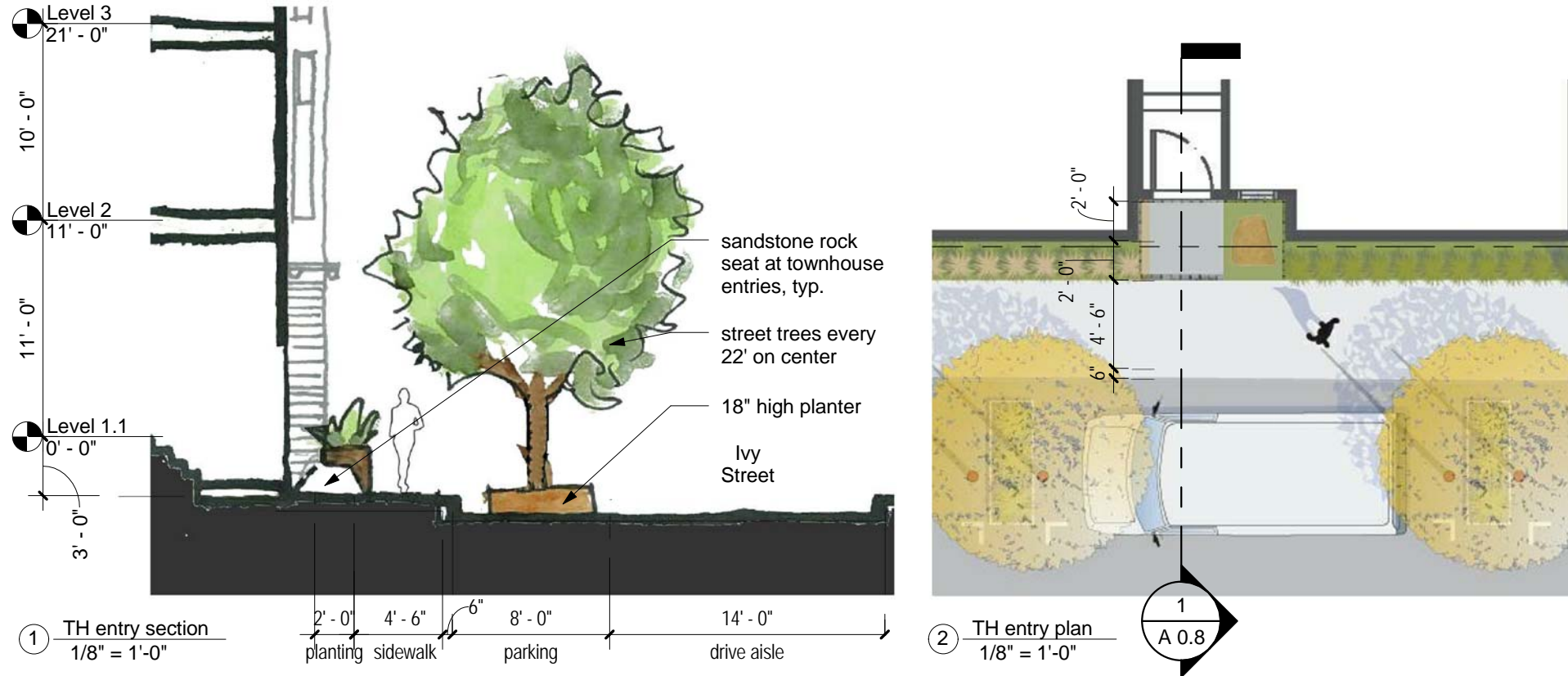


Octavia Blvd. 75' 25' 80' 225' Gough St. 90' 40' 27' 27' 27' 27' 27' 40'

EE - Ivy Street North Elevation



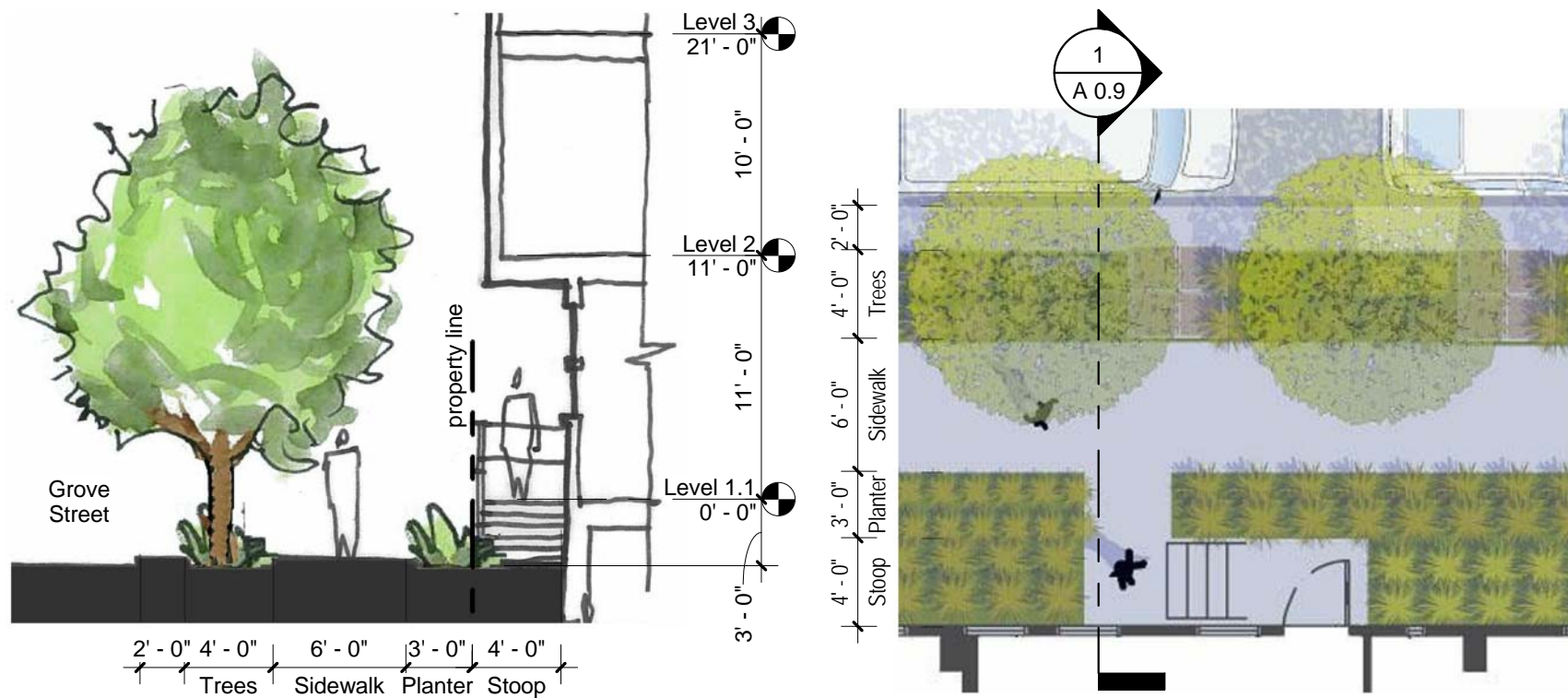
Existing Entries on Ivy Street (within two blocks)



Proposed Townhouse Entry



Entries on Grove on same block

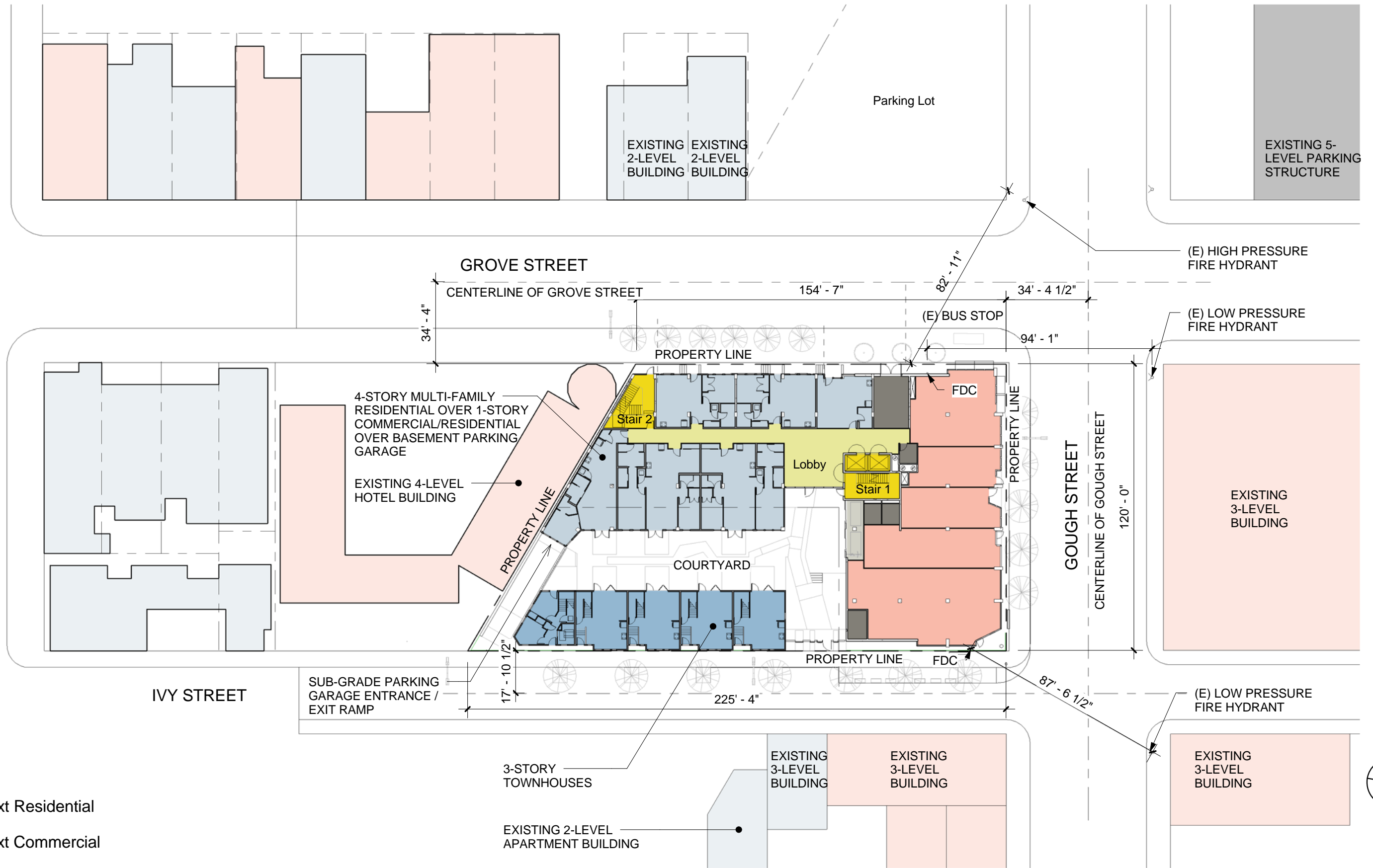


① Grove Stoop Section
1/8" = 1'-0"

② Grove Stoop Plan
1/8" = 1'-0"

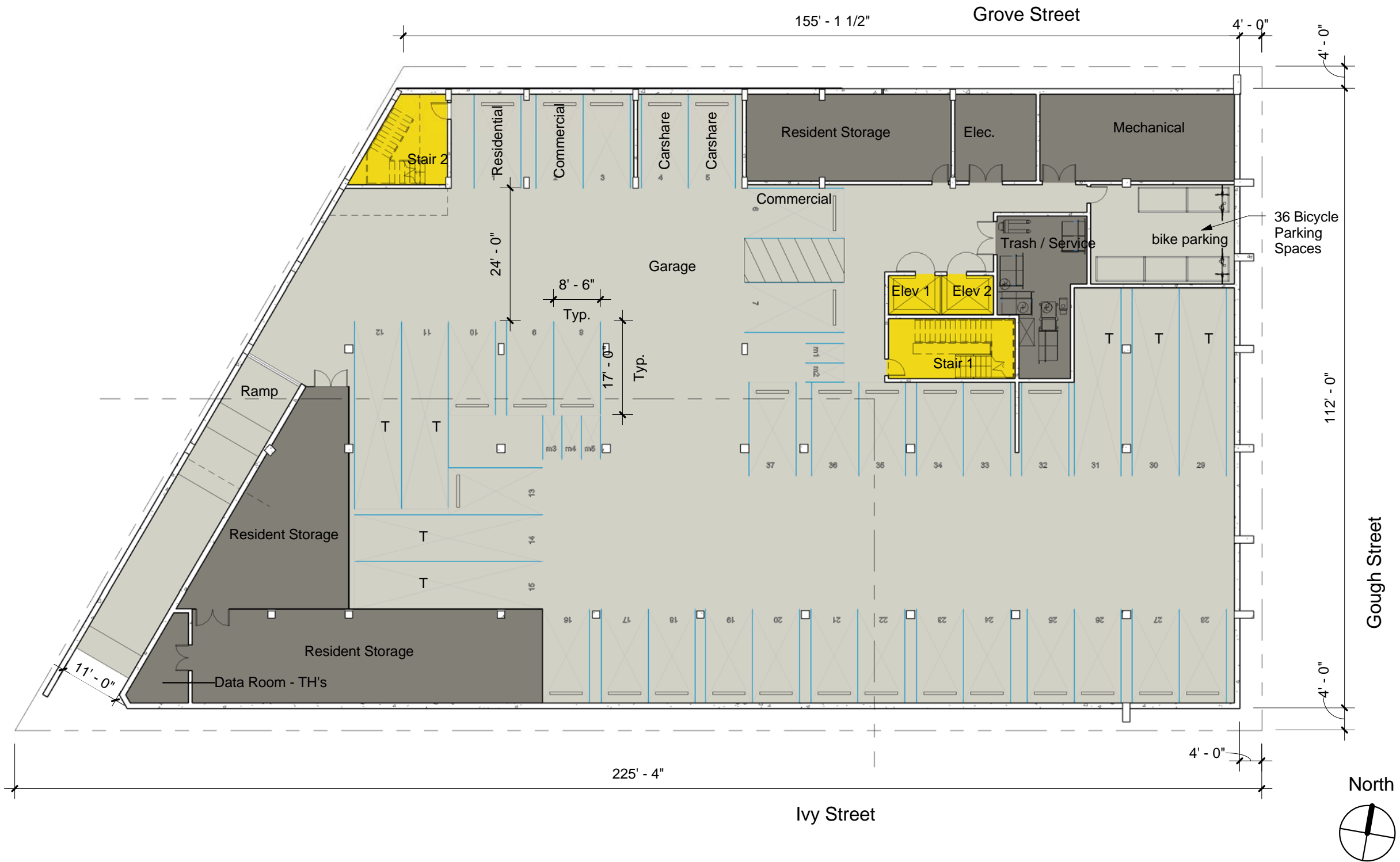


Proposed Grove Street Stoop Entry



- LEGEND**
- Context Residential
 - Context Commercial





KEY NOTES

- ① PLANTER
- ② 48" PATHWAY - 20' O.C.
- ③ 36" X 36" TREE WELL
- ④ EXISTING TREE TO REMAIN
- ⑤ BIKE RACK
- ⑥ SPECIAL SIDEWALK MATERIAL
- ⑦ PLANTED BULB-OUT WITH SEATING
- ⑧ WOOD DECK
- ⑨ FLOW THROUGH PLANTER
- ⑩ PERMEABLE PAVING
- ⑪ TRENCH DRAIN
- ⑫ (E) DRAIN INLET
- ⑬ (E) UTILITY POLE
- ⑭ BUS STOP ALLOWABLE PLANTING ZONE
- ⑮ FRONT PORCH
- ⑯ BAMBOO SCREENS
- ⑰ RAMP @ 8%
- ⑱ TREE 9' MIN. FROM EXISTING OPERATING STREET LAMP
- ⑲ 5' FROM FAR SIDE OF INTERSECTION, NO TREE PLANTING
- ⑳ 25' FROM INTERSECTION, NO TREE PLANTING
- ㉑ 22' X 8' PARKING STALL, TYP.
- ㉒ PEDESTRIAN-SCALE LAMP
- ㉓ UNLOADING ZONE
- ㉔ (E) ASPHALT TO REMAIN
- ㉕ EXTRA WIDE RAISED CROSS-WALK







Ivy Grove Partners, LLC

401 Grove

Level 3 Plan

21010
 scale: 1" = 20'-0"
 date: 2011.06.16

A 2.3





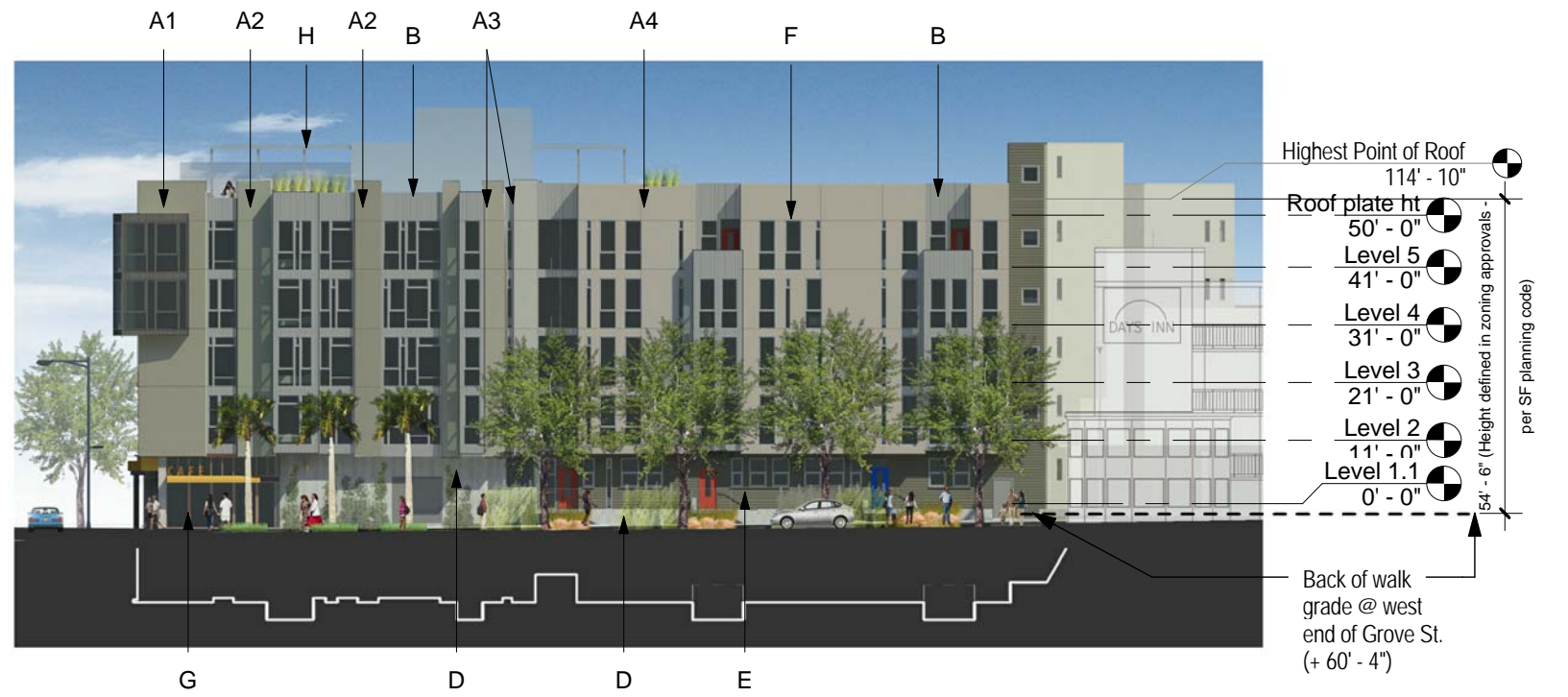
KEY NOTES

- ① CONCRETE MODULAR PAVERS
24"X24"
Color: TBD
- ② WOOD DECK
- ③ GRAVEL MULCH
3" deep
- ④ PRECAST PLANTER
Bamboo
- ⑤ VINE TRELLIS
- ⑥ BENCH
- ⑦ ALLOTMENT VEGETABLE
GARDEN
- ⑧ DINING TABLE
- ⑨ SEDIUM ROOF GARDEN
- ⑩ SOLAR HOT WATER
- ⑪ TELESCOPE

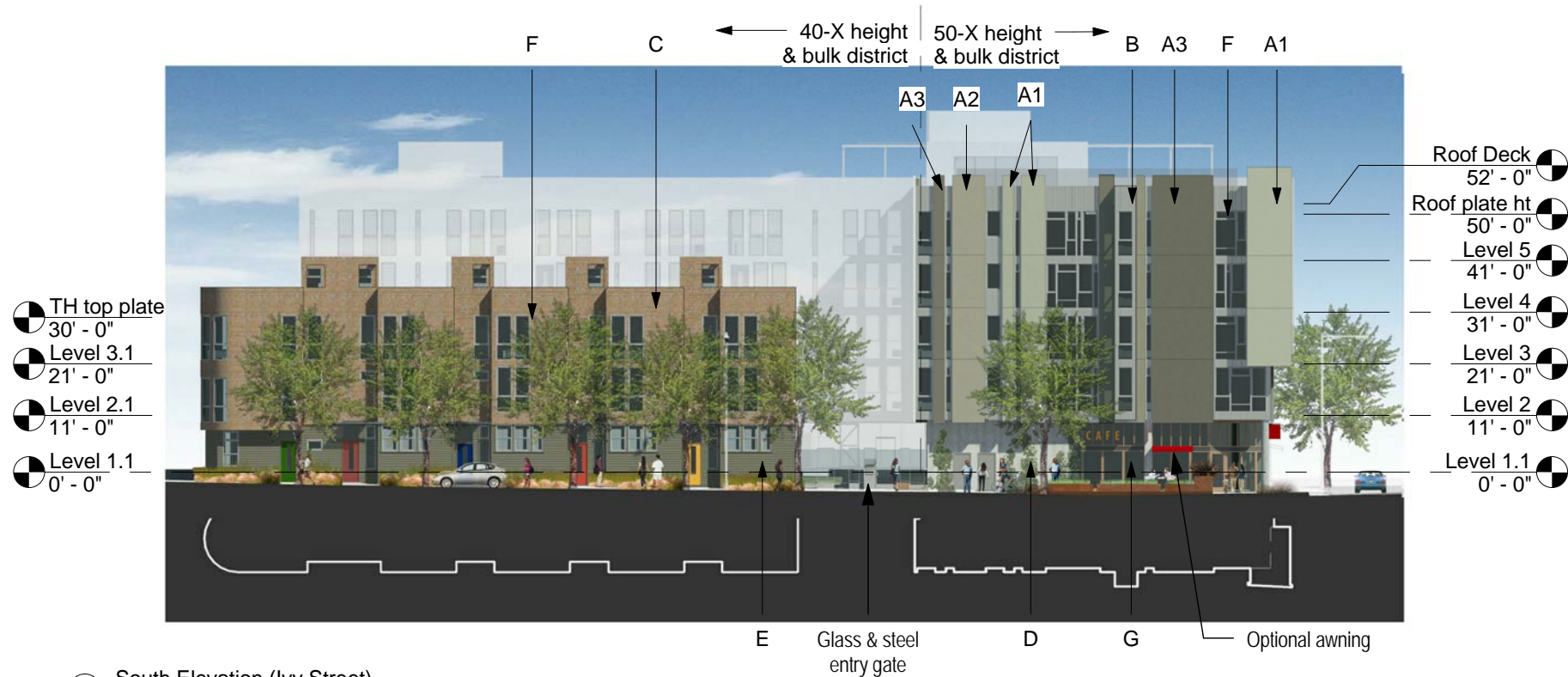




③ R-East Elevation - Gough Street
1/32" = 1'-0"



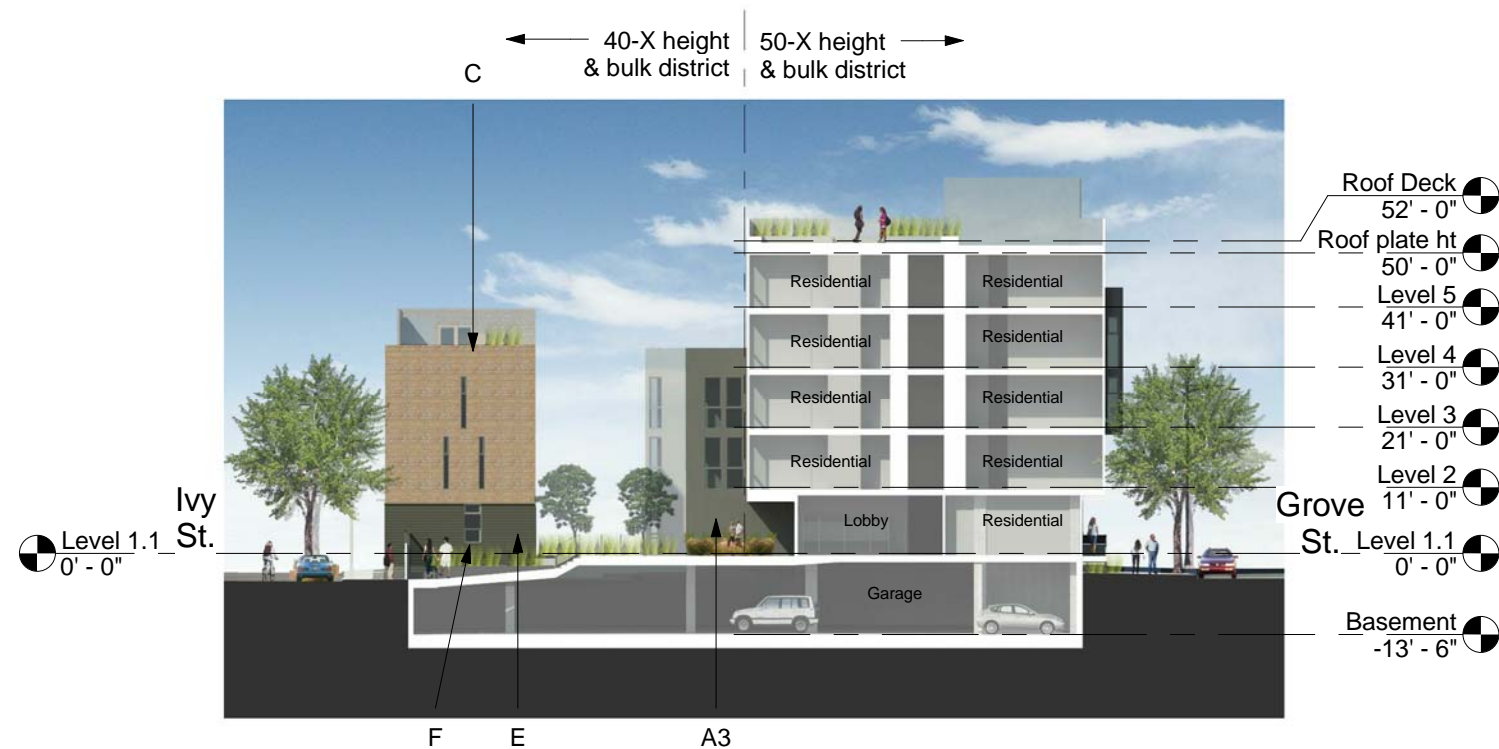
② North Elevation (Grove Street)
1/32" = 1'-0"



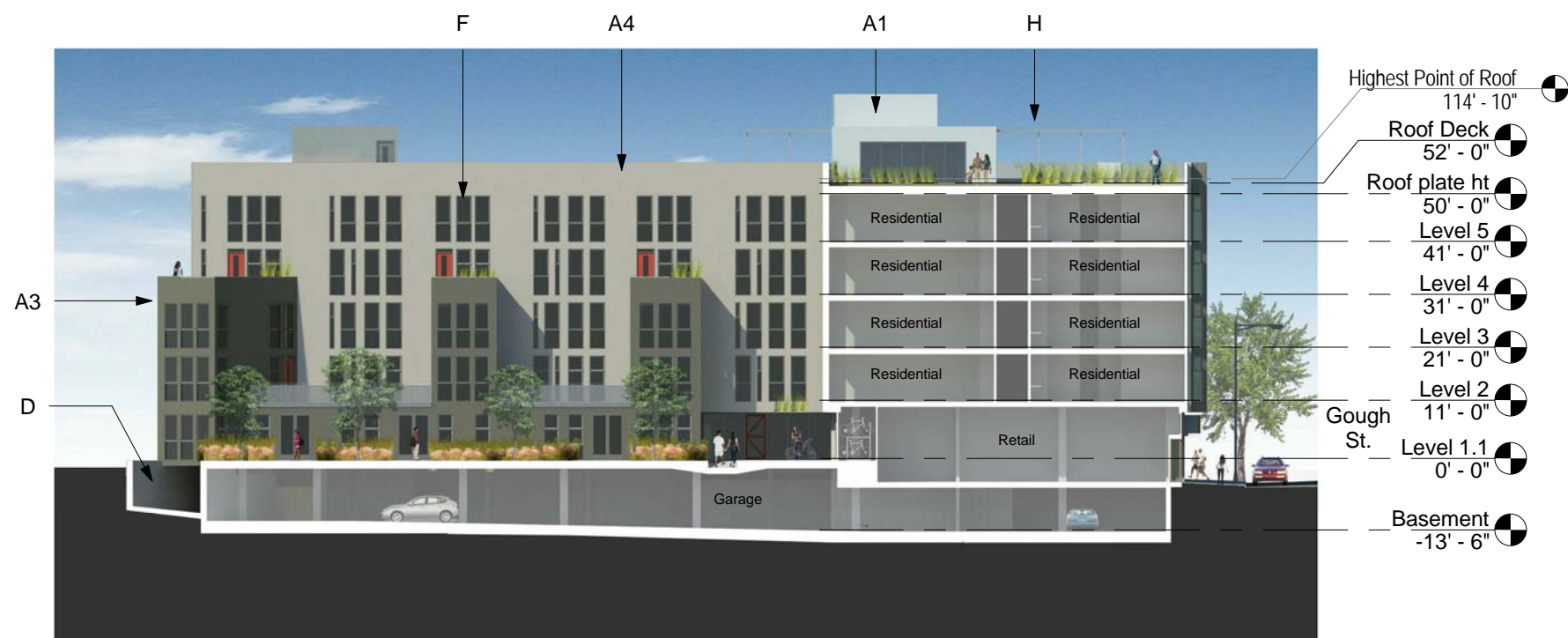
① South Elevation (Ivy Street)
1/32" = 1'-0"

MATERIALS LEGEND

- A) Smooth troweled hard coat stucco (Colors from Benjamin Moore)
 - 1. Color 1
 - 2. Color 2
 - 3. Color 3
 - 4. Color 4
- B) Standing seam metal panels
- C) Cedar wood shingles
- D) Vertical board formed concrete, clear sealed, natural color
- E) Painted shiplap wood siding: Benjamin Moore - River Rock (2139-10)
- F) Dark anodized aluminum thermally broken windows with 2-1/2" setback
- G) Wood & glass storefront
- H) Steel & wood trellis



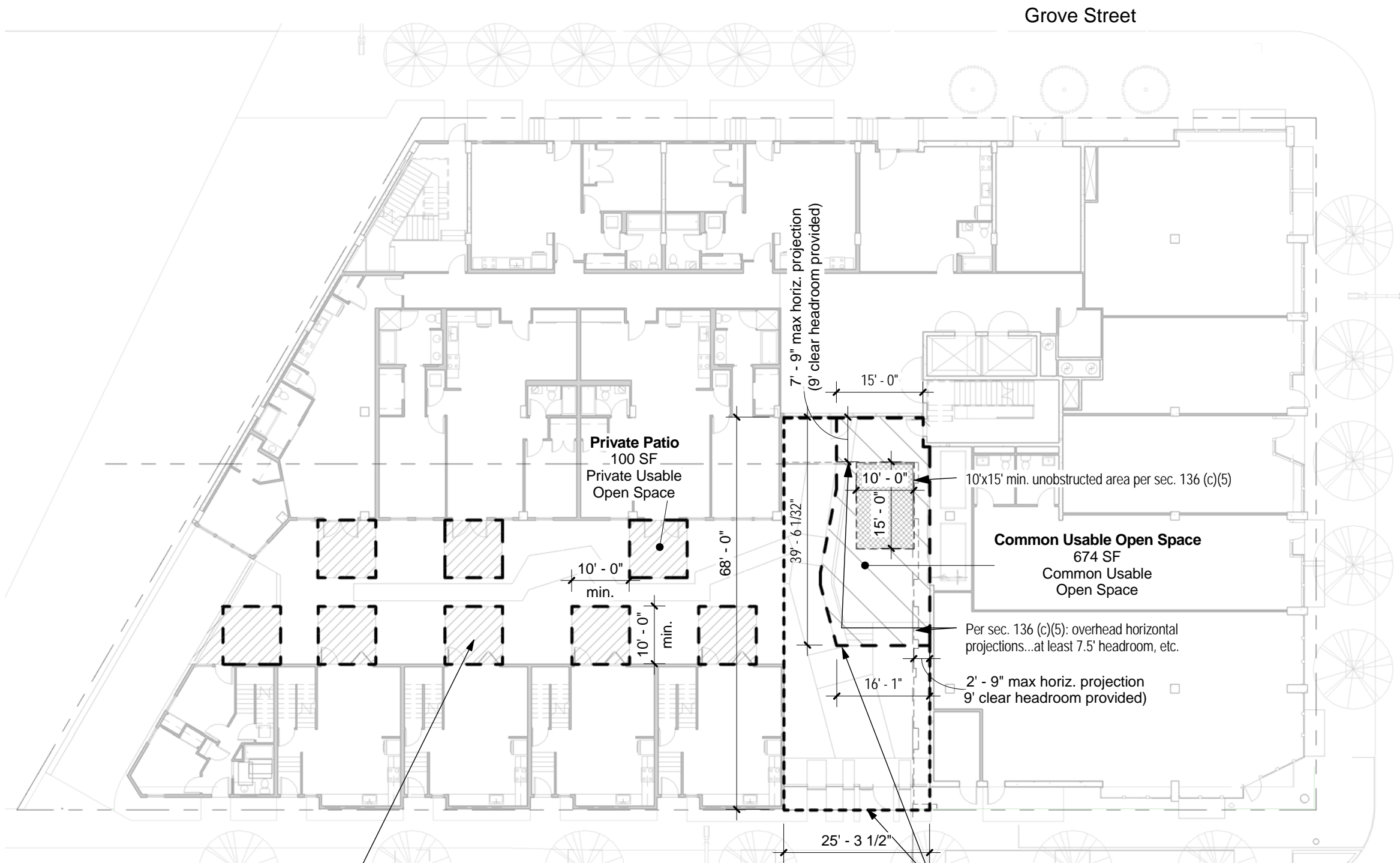
① Building Section 2
1/32" = 1'-0"



② Building Section 1
1/32" = 1'-0"

MATERIALS LEGEND

- A) Smooth troweled hard coat stucco (Colors from Benjamin Moore)
 1. Color 1
 2. Color 2
 3. Color 3
 4. Color 4
- B) Standing seam metal panels
- C) Cedar wood shingles
- D) Vertical board formed concrete, clear sealed, natural color
- E) Painted shiplap wood siding: Benjamin Moore - River Rock (2139-10)
- F) Dark anodized aluminum thermally broken windows with 2-1/2" setback
- G) Wood & glass storefront
- H) Steel & wood trellis



Open Space Summary

	# units	average UOS per DU (SF)	Sub-total UOS (SF)
Private Usable Open Space			
Ground Level Flats (w/ patios)	3	100	300
Upper Level Flats (w/ decks)	7	163.5	1,145
Townhouses (w/ patios + decks)	5	220	1,100
Private Usable Open Space Provided:			2,545
Private Usable Open Space Required: (60 SF min. per DU)	15	60	900
Common Usable Open Space			
Courtyard @ ground level			675
Roof deck (East)			2,248
Roof deck (West)			920
Common Usable Open Space Provided:			3,843
Common Usable Open Space Required: (for remaining units)	48	79.8	3,830
Total # units:	63		
Total Usable Open Space Provided:			6,388
Total Usable Open Space Required:			4,730

Total Usable Open Space req'd in original PUD: 4,880

Private Usable Open Space
See sec. 135(f)(1) & 135(f)(2)

Common Usable Open Space is within an "Outer Court" (defined as an "Outer Court" per sec. 102.4 - one side is bounded by a street)

...must face or be within...some other space which...meets the minimum dimension and area requirements for common usable open space as specified in paragraph 135(g)(1) - these private patios are in a space that meets the minimum dimension and area requirements for common usable open space.

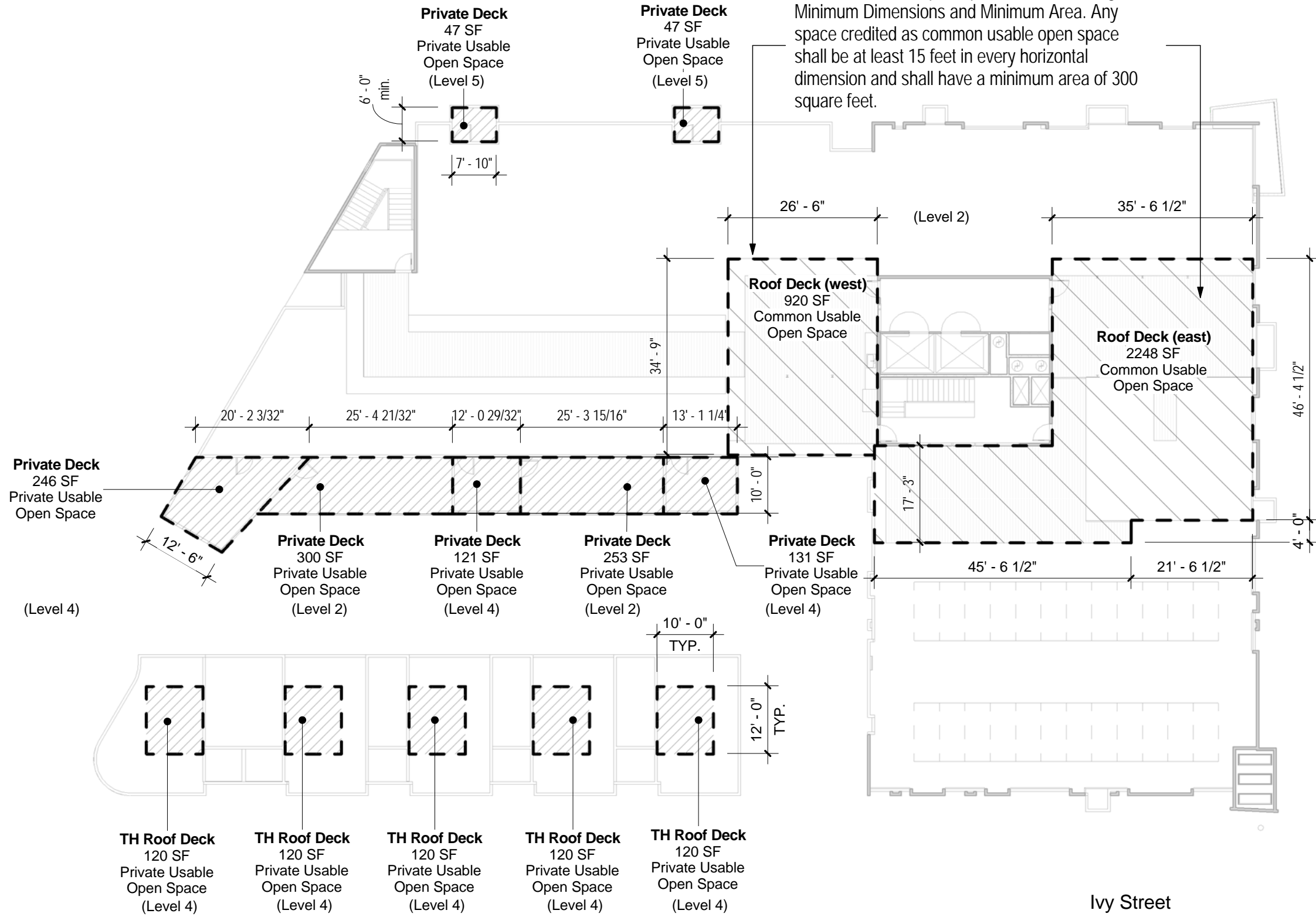
Per sec. 135(g)(1) Minimum Dimensions and Minimum Area. Any space credited as common usable open space shall be at least 15 feet in every horizontal dimension and shall have a minimum area of 300 square feet.

① Level 1.1 - Open Space
1" = 20'-0"



Grove Street

Common Usable Open Space (Per sec. 135(g)(1))
 Minimum Dimensions and Minimum Area. Any space credited as common usable open space shall be at least 15 feet in every horizontal dimension and shall have a minimum area of 300 square feet.



Open Space Summary

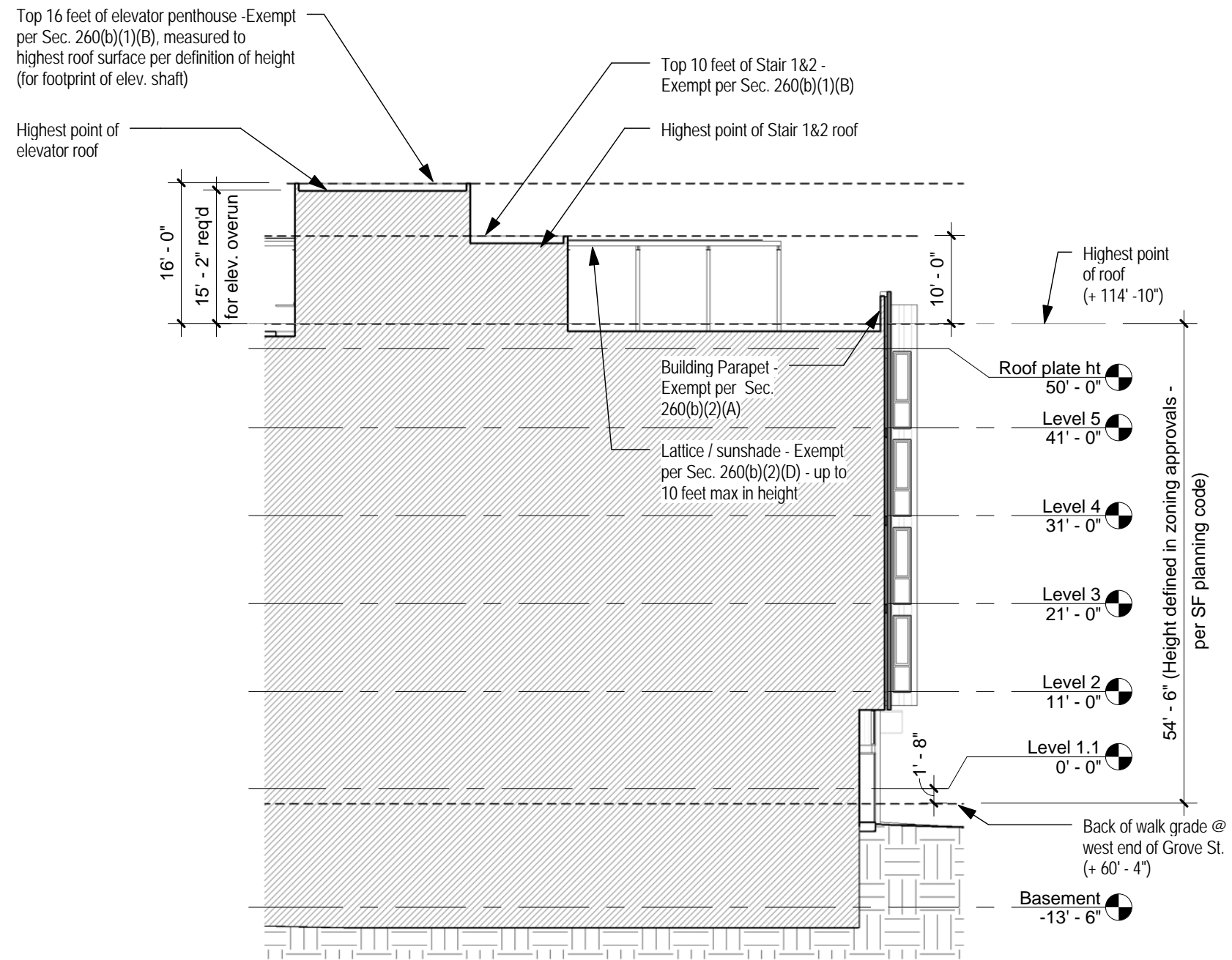
Private Usable Open Space	# units	average UOS per DU (SF)	Sub-total UOS (SF)
Ground Level Flats (w/ patios)	3	100	300
Upper Level Flats (w/ decks)	7	163.5	1,145
Townhouses (w/ patios + decks)	5	220	1,100
Private Usable Open Space Provided:			2,545
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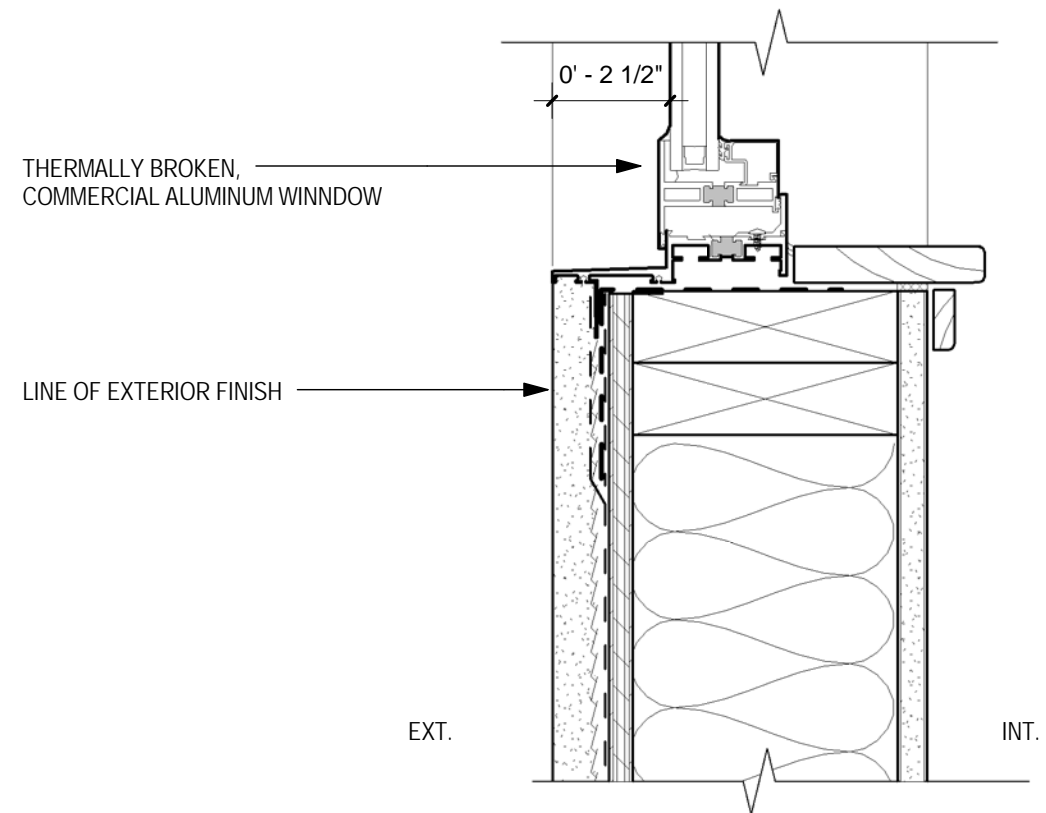
Common Usable Open Space	
Courtyard @ ground level	675
Roof deck (East)	2,248
Roof deck (West)	920
Common Usable Open Space Provided:	3,843
Common Usable Open Space Required: (for remaining units)	48 79.8 3,830

Total # units:	63
Total Usable Open Space Provided:	6,388
Total Usable Open Space Required:	4,730

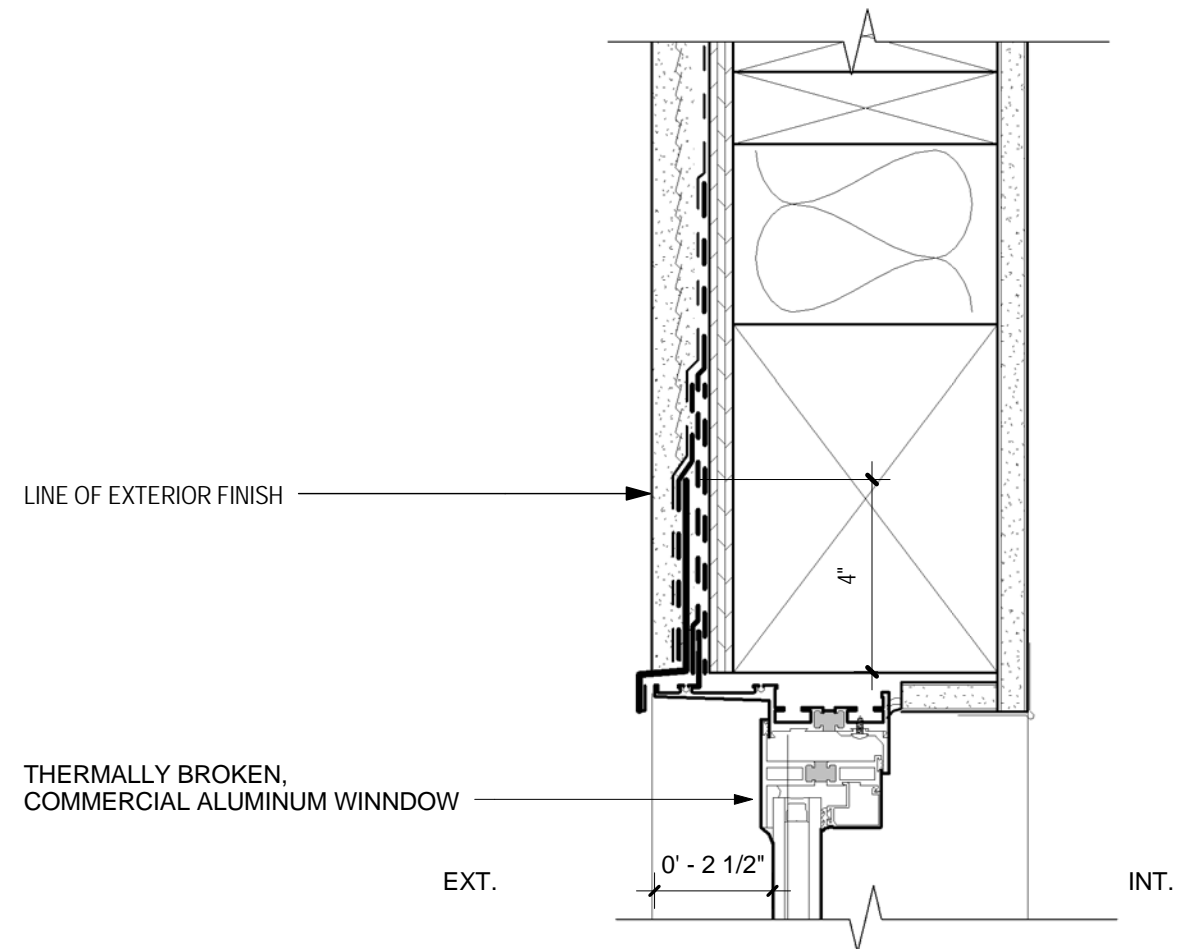
Total Usable Open Space req'd in original PUD: 4,880

① Roof Deck
 1" = 20'-0"





① sill detail @ typical window
3" = 1'-0"



② Head detail @ typical window
3" = 1'-0"