



SAN FRANCISCO PLANNING DEPARTMENT

Executive Summary Conditional Use

HEARING DATE: OCTOBER 2, 2014

Date: September 25, 2014
Case No.: **2006.0383CEKV**
Project Address: **1527-1545 Pine Street**
Zoning: RC-4 (Residential Commercial, High Density) and Polk Street NCD (Neighborhood Commercial District)
Partially w/in the Van Ness Automotive Special Use District
65-A and 130-V Height and Bulk Districts
Block/Lot: 0667/016, 017, 018, 018A and 019
Project Sponsor: Jessie Stuart, Trumark Urban
90 New Montgomery, Suite 750
San Francisco, CA 94105
Staff Contact: Sharon Lai – (415) 575-9087
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Recommendation: Approve with conditions

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PROJECT DESCRIPTION

The Project proposes to demolish all of the five existing structures at the Project Site with frontage on Pine and Austin Streets. The Project proposes a 13-story mixed-use development with 103 residential units and ground floor commercial spaces over two different zoning and height and bulk districts. Two levels of below grade parking would contain 84 parking spaces through the use of car stackers. Twelve (12) of the 103 residential units are proposed to be on-site affordable units, reflecting the unit mix of studio, one- and two-bedroom units. The main residential entry and lobby is located on Pine Street along with two ground floor commercial spaces. The vehicular access is located on Austin Street, along with dedicated carshare access, two bicycle storage rooms, secondary residential lobby access, an institutional use/retail use space and other back of house features. Open space is provided through a mix of private and usable open spaces at balconies, terraces, roof decks and a court yard.

SITE DESCRIPTION AND PRESENT USE

The Project is located on five lots at 1527-1545 Pine Street between Van Ness Avenue and Polk Street. The development site contains 125 feet of frontage along the south side of Pine Street and 125 feet of frontage along the north side of Austin Street in Assessor's Block 0667. Lots 016, 017, 018, 018A are located within the RC-4 (Residential-Commercial Combined, High Density) District, the Van Ness SUD (Special Use District), the Van Ness Automotive SUD, and the 130-V Height and Bulk District; lot 019 is located within the Polk Street NCD (Neighborhood Commercial District) and the 65-A Height and Bulk District. Both frontages along Pine Street and Austin Street slope laterally downward to the east (toward Polk Street).

The Project Site is 15,000 square feet in total area and is currently occupied by five buildings. The building at 1545 Pine Street is considered an historical resource for the purposes of environmental review. The buildings are vacant and were last occupied by an automotive repair shop, office uses, retail uses, and an industrial use. All existing buildings were vacant by 2005, except for 1545 Pine Street, which operated an auto repair shop until 2012.

Primary pedestrian access to 1545, 1533-1535, 1529, and 1527 Pine Street is from Pine Street. Vehicular access to off-street parking at 1545 Pine Street is from both Pine and Austin Streets via a 23-foot-wide driveway on Pine Street and a 16-foot-wide driveway on Austin Street. At 1533-1535 Pine Street, vehicular access is from Austin Street via a 16-foot-wide driveway. There is no vehicular access to 1529 or 1527 Pine Street.

SURROUNDING PROPERTIES AND NEIGHBORHOOD

The Project Site is located in the southwest corner of the Nob Hill neighborhood. The block to the west across Van Ness Avenue is the Western Addition neighborhood, and one block to the south is the Downtown/Civic Center area. The adjacent lot to the east of the site is a through lot containing a single-story restaurant (d.b.a. Grubstake) fronting on Pine Street and to the west is a through-lot containing a three-story, multi-unit apartment building, also fronting on Pine Street. Across Pine Street is the secondary façade of a tourist hotel (d.b.a. Holiday Inn) that fronts Van Ness Avenue, and a two-story commercial building containing an automotive repair and sales use. The blockface to the south across Austin Street from the Project Site includes three through lots fronting Bush Street. The buildings across Austin Street include a mixed-use building, an auto repair use and a retail store, ranging from one-to-four stories in height.

To the west of the Project Site, and including four of the five subject lots, is the Van Ness SUD and the Van Ness Automotive SUD within the underlying RC-4 zoning. The corridor contains a number of architecturally and historically significant and contributory buildings. Van Ness Avenue is also known as the U.S. Highway 101, which is a wide vehicular arterial that consists of a variety of residential, commercial, and mixed-use buildings featuring residential uses above ground-floor commercial establishments. Generally, the commercial establishments characterizing this portion of Van Ness Avenue include a mixture of retail stores, office buildings, restaurants, and automobile dealership/repair shops.

To the east of the Project Site and including the subject lot 19, is the Polk Street NCD which is characterized by dense mixed-use buildings with residential units above ground-story commercial use. The District is located between Nob and Russian Hills and Pacific Heights, and extends as a north-south linear strip (Filbert Street to Post Street), and includes a portion of Larkin Street between Post and California Streets. The District provides convenience goods and services to the surrounding residential communities such as specialty stores, automobile uses, office uses, restaurants and bars.

ENVIRONMENTAL REVIEW

On May 14, 2014, the Department published a Draft Environmental Impact Report (“DEIR”) for the Project for public review (Case No. 2013.0154E). The DEIR was available for public comment until June 30, 2014. On June 19, 2014, the Commission conducted a duly noticed public hearing at a regularly scheduled meeting to solicit comments regarding the DEIR. On September 17, 2014, the Department

published a Comments and Responses document, responding to comments made regarding the DEIR for the Project.

On October 2, 2014, the Commission will be asked to certify as adequate, accurate and complete the FEIR for the Project. Certification of the FEIR must occur prior to action on the Project's entitlements.

HEARING NOTIFICATION

TYPE	REQUIRED PERIOD	REQUIRED NOTICE DATE	ACTUAL NOTICE DATE	ACTUAL PERIOD
Classified News Ad	20 days	September 12, 2014	September 12, 2014	20 days
Posted Notice	20 days	September 12, 2014	September 12, 2014	20 days
Mailed Notice	20 days	September 12, 2014	September 11, 2014	21 days

PUBLIC COMMENT

The Department has received 18 letters of support and no opposition to the Project.

ISSUES AND OTHER CONSIDERATIONS

- As the proposed project is greater than 40 feet in height, the Department conducted a shadow fan for the project under, Case No. 2006.0383K, pursuant to Planning Code Section 295. The Department concluded that the shadow fan found that the project would not cast shadows on any Recreation and Park Department properties.
- The project seeks a number of variances and modifications:
 - The subject project seeks an exception from the ground level wind comfort within the Van Ness Special Use District, as the project will not reduce all existing wind comfort exceedances.
 - The project proposes 84 parking spaces, where 103 are required. An exception from the parking requirement is requested.
 - No off-street loading spaces are provided as part of this development and a variance is requested.
 - 11 dwelling units will not meet the dwelling unit exposure requirement and a variance is requested.
 - The project does not comply with the street frontage requirements and a variance is requested.
 - The project does not provide the required rear yard and a modification is requested.
- The Historic Preservation Commission has provided a letter to the Planning Commission, dated September 17, 2014, encouraging the approval of a Preservation Alternative as presented in the EIR. For the purposes of CEQA and the Planning Code, the historic façade retention alternative would still be considered demolition of the existing building.

REQUIRED COMMISSION ACTION

In order for the Project to proceed, the Commission must (a) Certify the FEIR; (b) adopt CEQA Findings; (c) approve the Determination of Compliance pursuant to Planning Code Sections 243, 253 and 303 with

exceptions from the ground-level wind current requirements and from the access to off-street parking (Section 243); and (d) adopt findings relating to the Project's consistency with the General Plan and the Priority Policies of Planning Code Section 101.1 as part of the General Plan Referral.

BASIS FOR RECOMMENDATION

- The existing sites are vacant and the project would not eliminate any residential uses.
- The project will provide 103 new housing units, including 12 on-site affordable housing units, at an underutilized site. The project will help alleviate the City's housing shortage and create more permanently affordable housing.
- The project is adjacent to the Van Ness corridor, and within the Van Ness Avenue Area Plan and the Polk Street NCD, which calls for increased housing development with the goal of establishing a mixed-use neighborhood. The project is the type of development encouraged for the site and has been designed to provide a transition between the two zoning districts.
- The project would create three new opportunities for neighborhood commercial serving uses.
- The project is in keeping with the goals of the City's Transit First policy by proposing eight parking spaces below the amount required by Code, especially as the project is within a transit rich neighborhood.
- Although the project will not reduce all existing wind exceedances, the project will result in fewer numbers of exceedances and will reduce the average wind comfort from 14 mph to 13 mph.
- Although the project will not meet the loading requirement, the sponsor has proposed to provide on-street loading on both Pine and Austin Streets.
- Although 11 dwelling units would require an exposure variance, those units will face onto an open area at least 25 feet by 25 feet in size. All other dwelling units will comply with exposure requirements.
- The project is desirable for, and compatible with, the surrounding neighborhood's character including the Holiday Inn hotel across Pine Street and other developments along the Van Ness SUD.

RECOMMENDATION: Approval with Conditions
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Attachments:

- CEQA Findings Draft Motion and MMRP
- CU Draft Motion
- Shadow Fan
- Parcel Map
- Sanborn Map
- Zoning Map
- Aerial Photographs
- Letter from HPC
- Inclusionary Affordable Housing Affidavit
- Project Sponsor Submittal, including:
 - Sponsor's brief
 - Site Photographs
 - Reduced Plans
 - Renderings

Attachment Checklist

- | | |
|---|---|
| <input checked="" type="checkbox"/> Executive Summary | <input checked="" type="checkbox"/> Project sponsor submittal |
| <input checked="" type="checkbox"/> Draft Motion | Drawings: <u>Existing Conditions</u> |
| <input 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 | 3-D Renderings (new construction or significant addition) |
| <input checked="" type="checkbox"/> Sanborn Map | <input checked="" type="checkbox"/> Check for legibility |
| <input checked="" type="checkbox"/> Aerial Photo | |
| <input checked="" type="checkbox"/> Context Photos | |
| <input checked="" type="checkbox"/> Site Photos | |

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

_____ SL _____
Planner's Initials

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SAN FRANCISCO PLANNING DEPARTMENT

Planning Commission Draft CEQA Findings Motion

HEARING DATE: OCTOBER 2, 2014

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ADOPTING ENVIRONMENTAL FINDINGS PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, INCLUDING FINDINGS OF FACT, FINDINGS REGARDING SIGNIFICANT IMPACTS AND SIGNIFICANT AND UNAVOIDABLE IMPACTS, EVALUATION OF MITIGATION MEASURES AND ALTERNATIVES, AND A STATEMENT OF OVERRIDING CONSIDERATIONS RELATED TO APPROVALS FOR THE PROJECT LOCATED AT 1527-45 PINE STREET, TO MERGE FIVE LOTS, DEMOLISH FIVE EXISTING BUILDINGS, AND CONSTRUCT A 12-STORY MIXED-USED BUILDING CONTAINING 103 RESIDENTIAL UNITS, 2,700 SQUARE FEET OF COMMERCIAL AND INSTITUTIONAL USES ON THE GROUND FLOOR, AND TWO LEVELS OF BELOW-GRADE PARKING FOR 84 VEHICLES.

PREAMBLE

The Project Sponsor Trumark Urban submitted an application for a project located at 1527-1545 Pine Street for conditional use authorization under Planning Code Sections 243, 253 and 303; and variance requests under Sections 136, 140, 145.1 and 152, to merge five lots, demolish all existing structures, and construct a 12-story, 130-foot tall approximately 129,600 gross square foot mixed-use building, containing 103 residential units, 2,700 square feet of commercial and institutional uses on the ground floor, and two levels of below-grade parking for 84 vehicles.

The Commission reviewed and considered the Final Environmental Impact Report (FEIR) and found the contents of said report and the procedures through which the FEIR was prepared, publicized and reviewed complied with the California Environmental Quality Act (Public Resources Code section 21000

et seq.) (“CEQA”), the CEQA Guidelines (14 Cal. Code Reg. section 15000 *et seq.*), and Chapter 31 of the San Francisco Administrative Code.

The Planning Commission found the FEIR was adequate, accurate and objective, reflected the independent analysis and judgment of the Department and the Planning Commission, and that the summary of comments and responses contained no significant revisions to the Draft EIR, and certified the Final EIR for the Project in compliance with CEQA, the CEQA Guidelines and Chapter 31 by its Motion No. ____.

The Commission, in certifying the FEIR, found that the project described in the FEIR will have the following significant and unavoidable environmental impacts: (1) the demolition of the building located at 1545 Pine Street will cause a substantial adverse change in the significance of historic architectural resources; and (2) in combination with other past, present, and reasonably foreseeable future projects in the project vicinity, the demolition of the building located at 1545 Pine Street will result in a significant and unavoidable cumulative impact on historic architectural resources.

The Planning Department, Jonas P. Ionin, is the custodian of records for the Planning Department materials, located in the File for Case No. 2006.0383CEKV, at 1650 Mission Street, Fourth Floor, San Francisco, California.

On October 2, 2014, the Planning Commission conducted a duly noticed public hearing at a regularly scheduled meeting on Case No. 2006.0383CEKV to consider the approval of the Project. 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 Project, the Planning Department staff, expert consultants and other interested parties.

This Commission has reviewed the entire record of this proceeding, the Environmental Findings, attached to this Motion as Attachment A, regarding the alternatives, mitigation measures, environmental impacts analyzed in the FEIR and overriding considerations for approving the Project, and the proposed MMRP attached as Attachment B, which material was made available to the public.

MOVED, that the Planning Commission hereby adopts findings under the California Environmental Quality Act, including rejecting alternatives as infeasible and adopting a Statement of Overriding Considerations, and adopts the MMRP attached as Attachment B, based on the findings attached to this Motion as Attachment A as though fully set forth in this Motion, and based on substantial evidence in the entire record of this proceeding.

I hereby certify that the foregoing Motion was ADOPTED by the Planning Commission at its regular meeting of October 2, 2014.

Jonas Ionin
Commission Secretary

Motion No. _____
October 2, 2014

CASE NO 2006.0383E
1527-1545 Pine Street

AYES:

NOES:

ABSENT:

EXCUSED:

ACTION: Adoption of CEQA Findings

Attachment A

PREAMBLE

In determining to approve the project described in Section I, below, the ("Project"), the San Francisco Planning Commission (the "Commission") makes and adopts the following findings of fact and decisions regarding the Project description and objectives, significant impacts, significant and unavoidable impacts, mitigation measures and alternatives, and a statement of overriding considerations, based on substantial evidence in the whole record of this proceeding and pursuant to the California Environmental Quality Act, California Public Resources Code Section 21000 et seq. ("CEQA"), particularly Section 21081 and 21081.5, the Guidelines for Implementation of CEQA, 14 California Code of Regulations Section 15000 et seq. ("CEQA Guidelines"), Section 15091 through 15093, and Chapter 31 of the San Francisco Administrative Code ("Chapter 31"). The Commission adopts these findings in conjunction with the Approval Actions described in Section I(c), below, as required by CEQA.

These findings are organized as follows:

Section I provides a description of the proposed project at 1527-1545 Pine Street, the environmental review process for the Project, the City approval actions to be taken, and the location and custodian of the record.

Section II lists the Project's less-than-significant impacts that do not require mitigation.

Section III identifies potentially significant impacts that can be avoided or reduced to less-than-significant levels through mitigation and describes the disposition of the mitigation measures.

Section IV identifies significant project-specific or cumulative impacts that would not be eliminated or reduced to a less-than-significant level and describes any applicable mitigation measures as well as the disposition of the mitigation measures. The Final EIR identified mitigation measures to address these impacts, but implementation of the mitigation measures will not reduce the impacts to a less than significant level.

Sections III and IV set forth findings as to the mitigation measures proposed in the Final EIR. (The Draft EIR and the Comments and Responses document together comprise the Final EIR, or "FEIR.") Attachment B to the Planning Commission Motion contains the Mitigation Monitoring and Reporting Program ("MMRP"), which provides a table setting forth each mitigation measure listed in the Final Environmental Impact Report that is required to reduce a significant adverse impact.

Section V identifies the project alternatives that were analyzed in the EIR and discusses the reasons for their rejection.

Section VI sets forth the Planning Commission's Statement of Overriding Considerations pursuant to CEQA Guidelines Section 15093.

The MMRP for the mitigation measures that have been proposed for adoption is attached with these findings as **Attachment B** to this Motion. The MMRP is required by CEQA Section 21081.6 and CEQA Guidelines Section 15091. Attachment B provides a table setting forth each mitigation measure listed in the FEIR that is required to reduce a significant adverse impact. Attachment B also specifies the agency responsible for implementation of each measure and establishes monitoring actions and a monitoring schedule. The full text of the mitigation measures is set forth in Attachment B.

These findings are based upon substantial evidence in the entire record before the Commission. The references set forth in these findings to certain pages or sections of the Draft Environmental Impact Report ("Draft EIR" or "DEIR") or the Comments and Responses document ("C&R") in the Final EIR are for ease of reference and are not intended to provide an exhaustive list of the evidence relied upon for these findings.

I. PROJECT DESCRIPTION AND PROCEDURAL BACKGROUND

A. Project Description

These environmental findings refer to the project identified in the Final EIR as the "Proposed Project" (see C&R, Section C) which conservatively analyzed a slightly larger project than is currently proposed and herein referred to as the "Project." The Project proposes to demolish the five existing buildings at the project site, 1527-1545 Pine Street, Lots 016, 017, 018, 018A and 019 in Assessor's Block 0667. The Project proposes a 12-story building with 103 residential units and ground floor commercial and institutional spaces containing 2,696 square feet. Two levels of below grade parking would contain 84 parking spaces through the use of car stackers. Twelve (12) of the 103 residential units are proposed to be on-site affordable units, reflecting the unit mix of studio, one- and two-bedroom units proposed at project. (See Project Objectives in Section IV(b), below.)

The project site is located mid-block on the south side of Pine Street between Polk Street and Van Ness Avenue (U.S. Highway 101) in two separate Zoning Districts and two separate Height and Bulk Districts. Lots 16, 17, 18 and 18A are in the Van Ness Special Use District (Van Ness SUD) and a 130-V Height and Bulk District. Lot 19 is in the Polk Street Neighborhood Commercial District (Polk Street NCD) and a 65-A Height and Bulk District. The project site is bisected by Austin Street, a one-way, east-west minor-street, creating a main frontage along Pine Street and a rear frontage along Austin Street. It occupies 125 feet of street frontage on both Pine Street and Austin Street and slopes upward from Polk Street to Van Ness Avenue. The project site contains 15,000 square feet.

The project site is located in San Francisco's Lower Nob Hill neighborhood. The adjacent lot to the west is an interior lot containing a three-story residential building with a ground-floor office use and adjacent to that is another interior lot containing a three-story residential building. The adjacent lot to the east is an interior lot containing a one-story restaurant and adjacent to that is a three-story mixed-use building with residences above a ground-floor commercial use. Across Pine Street to the north is a parking garage

for the 25-story Holiday Inn located at the corner of Pine Street and Van Ness Avenue and a two-story commercial building. Across Austin Street to the south is a five-story residential building, a four-story residential building and a two-story commercial building all fronting along the north side of Bush Street with access to off-street parking and loading provided along Austin Street adjacent to the project site.

B. Project Objectives

As described above, the Project seeks to demolish five existing buildings to construct a 103-unit development, including 12 affordable housing units and two commercial spaces and one institutional space. The following are the Project objectives, as identified in Chapter II of the Final EIR:

- To increase the City's supply of housing in an area designated for higher density due to its proximity to downtown and accessibility to local and regional transit.
- To construct a high-quality project with superior design and a sufficient number of dwelling units to produce a reasonable return on investment for the project sponsor and investors and attract investment capital and construction financing.
- To construct streetscape improvements that encourage and enliven pedestrian activity by developing ground floor retail and public amenity space that complements existing uses and serves neighborhood residents and visitors.
- To improve the architectural and urban design character of the project site by replacing run-down structures with a high-quality residential project incorporating a superior design succinctly transitioning the project between two planning districts.
- To provide adequate parking and vehicular access to serve the needs of project residents and their visitors.

C. Project Approvals

Planning Commission

- Conditional Use authorization pursuant to Planning Code 303 for:
 - Development of a structure over 50 feet tall in the Van Ness SUD (Section 253.2(a))
 - Wind speed above the comfort level in the Van Ness SUD (Section 243(c)(9))
- Modification pursuant to Planning Code sections 243 and 307:
 - Parking (Sections 151)

Zoning Administrator

- Variances pursuant to Planning Code 305:
 - Rear Yard (Section 136)
 - Dwelling Unit Exposure (Section 140)

o Street Frontage (Section 145.1)
Off Street Loading (Section 152)Board of Supervisors

- Possible appeal of certification of Final EIR
- Possible appeal of conditional use permit
- Possible approval of lot merger
- Actions by Other City Departments Approval of a lot merger (Planning Department, Department of Public Works).
- Approval of site permit (Planning Department and Department of Building Inspection).
- Approval of demolition, grading, and building permits (Planning Department and Department of Building Inspection).

D. Environmental Review

The Department determined that an Environmental Impact Report (hereinafter "EIR") was required and published a NOP/IS on November 6, 2013, announcing its intent to prepare and distribute a focused EIR. Topics analyzed in the EIR were Cultural and Paleontological Resources (Historic Architectural Resources only), and Transportation and Circulation (all topics except Air Traffic Patterns).

On May 14, 2014, the Department published the Draft Environmental Impact Report (hereinafter "DEIR") and provided public notice in a newspaper of general circulation of the availability of the DEIR for public review and comment and of the date and time of the Planning Commission public hearing on the DEIR; this notice was mailed to the Department's list of persons requesting such notice.

Notices of availability of the DEIR and of the date and time of the public hearing were posted near the project site by the project sponsor on May 14, 2014.

On May 14, 2014, copies of the DEIR were mailed or otherwise delivered to a list of persons requesting it, to those noted on the distribution list in the DEIR, to adjacent property owners, and to government agencies, the latter both directly and through the State Clearinghouse.

Notice of Completion was filed with the State Secretary of Resources via the State Clearinghouse on May 14, 2014.

The Commission held a duly advertised public hearing on said DEIR on June 19, 2014, at which opportunity for public comment was given, and public comment was received on the DEIR. The period for acceptance of written comments ended on June 30, 2014.

The Department prepared responses to comments on environmental issues received at the public hearing and in writing during the 45 day public review period for the DEIR, prepared revisions to the text of the DEIR in response to comments received or based on additional information that became available during the public review period, and corrected errors in the DEIR. This material was presented in a Responses to Comments document, published on September 17, 2014, distributed to the Commission and all parties who commented on the DEIR, and made available to others upon request at the Department.

A Final Environmental Impact Report (hereinafter "FEIR") has been prepared by the Department, consisting of the DEIR, any consultations and comments received during the review process, any additional information that became available, and the Responses to Comments document all as required by law.

Project EIR files have been made available for review by the Commission and the public. These files are available for public review at the Department at 1650 Mission Street, Suite 400, and are part of the record before the Commission.

On October 2, 2014, the Commission reviewed and considered the FEIR and hereby does find that the contents of said report and the procedures through which the FEIR was prepared, publicized, and reviewed comply with the provisions of CEQA, the CEQA Guidelines, and Chapter 31 of the San Francisco Administrative Code.

E. Content and Location of Record

The record upon which all findings and determinations related to the adoption of the proposed project are based include the following:

- The FEIR, and all documents referenced in or relied upon by the FEIR;
- All information (including written evidence and testimony) provided by City staff to the Planning Commission relating to the FEIR, the proposed approvals and entitlements, the Project, and the alternatives set forth in the FEIR;
- All information (including written evidence and testimony) presented to the Planning Commission by the environmental consultant and subconsultants who prepared the FEIR, or incorporated into reports presented to the Planning Commission;
- All information (including written evidence and testimony) presented to the City from other public agencies relating to the project or the FEIR;
- All applications, letters, testimony, and presentations presented to the City by the project sponsor and its consultants in connection with the project;
- All information (including written evidence and testimony) presented at any public hearing or workshop related to the project and the EIR;
- The MMRP; and
- All other documents comprising the record pursuant to Public Resources Code Section 21167.6(e).

The public hearing transcript, a copy of all letters regarding the FEIR received during the public review period, the administrative record, and background documentation for the FEIR are located at the

Planning Department, 1650 Mission Street, 4th Floor, San Francisco. The Planning Department, Jonas P. Ionin, is the custodian of these documents and materials.

F. Findings about Environmental Impacts and Mitigation Measures

The following Sections II, III and IV set forth the Commission's findings about the Final EIR's determinations regarding significant environmental impacts and the mitigation measures proposed to address them. These findings provide the written analysis and conclusions of the Commission regarding the environmental impacts of the Project and the mitigation measures included as part of the FEIR and adopted by the Commission as part of the Project. To avoid duplication and redundancy, and because the Commission agrees with, and hereby adopts, the conclusions in the FEIR, these findings will not repeat the analysis and conclusions in the FEIR but instead incorporate them by reference and rely upon them as substantial evidence supporting these findings.

In making these findings, the Commission has considered the opinions of staff and experts, other agencies, and members of the public. The Commission finds that (i) the determination of significance thresholds is a judgment decision within the discretion of the City and County of San Francisco; (ii) the significance thresholds used in the FEIR are supported by substantial evidence in the record, including the expert opinion of the FEIR preparers and City staff; and (iii) the significance thresholds used in the FEIR provide reasonable and appropriate means of assessing the significance of the adverse environmental effects of the Project. Thus, although, as a legal matter, the Commission is not bound by the significance determinations in the FEIR (see Public Resources Code, Section 21082.2, subdivision (e)), the Commission finds them persuasive and hereby adopts them as its own.

These findings do not attempt to describe the full analysis of each environmental impact contained in the FEIR. Instead, a full explanation of these environmental findings and conclusions can be found in the FEIR, and these findings hereby incorporate by reference the discussion and analysis in the FEIR supporting the determination regarding the project impact and mitigation measures designed to address those impacts. In making these findings, the Commission ratifies, adopts and incorporates in these findings the determinations and conclusions of the FEIR relating to environmental impacts and mitigation measures, except to the extent any such determinations and conclusions are specifically and expressly modified by these findings.

As set forth below, the Commission adopts and incorporates all of the mitigation measures set forth in the FEIR and the attached MMRP to reduce the significant and unavoidable impacts of the Project. The Commission intends to adopt the mitigation measures proposed in the FEIR. Accordingly, in the event a mitigation measure recommended in the FEIR has inadvertently been omitted in these findings or the MMRP, such mitigation measure is hereby adopted and incorporated in the findings below by reference. In addition, in the event the language describing a mitigation measure set forth in these findings or the MMRP fails to accurately reflect the mitigation measures in the FEIR due to a clerical error, the language of the policies and implementation measures as set forth in the FEIR shall control. The impact numbers and mitigation measure numbers used in these findings reflect the information contained in the FEIR.

In Sections II, III and IV below, the same findings are made for a category of environmental impacts and mitigation measures. Rather than repeat the identical finding to address each and every significant effect and mitigation measure, the initial finding obviates the need for such repetition because in no instance is the Commission rejecting the conclusions of the FEIR or the mitigation measures recommended in the FEIR for the Project.

These findings are based upon substantial evidence in the entire record before the Planning Commission. The references set forth in these findings to certain pages or sections of the EIR or responses to comments in the Final EIR are for ease of reference and are not intended to provide an exhaustive list of the evidence relied upon for these findings.

II. LESS-THAN-SIGNIFICANT IMPACTS

The Final EIR finds that implementation of the Project would result in less-than-significant impacts in the following environmental topic areas: Land Use and Land Use Planning; Population and Housing; Transportation and Circulation; Air Quality; Greenhouse Gas Emissions; Wind and Shadow; Recreation; Utilities and Service Systems; Public Services; Biological Resources; Geology and Soils; Hydrology and Water Quality; Hazards and Hazardous Materials; Mineral Resource and Energy Resources; and Agricultural and Forestry Resources.

Note: Senate Bill (SB) 743 became effective on January 1, 2014. Among other things, SB 743 added §21099 to the Public Resources Code and eliminated the the requirement to analyze aesthetics and parking impacts for certain urban infill projects under CEQA. The proposed project meets the definition of a mixed-use residential project on an infill site within a transit priority area as specified by Public Resources Code §21099. Accordingly, the FEIR did not discuss the topic of Aesthetics, which can no longer be considered in determining the significance of the proposed project's physical environmental effects under CEQA. The EIR nonetheless provided visual simulations for informational purposes. Similarly, the FEIR included a discussion of parking for informational purposes. This information, however, did not relate to the significance determinations in the FEIR.

III. Findings of Significant Impacts That Can Be Avoided or Reduced to a Less-Than-Significant Level through Mitigation and the Disposition of the Mitigation Measures

CEQA requires agencies to adopt mitigation measures that would avoid or substantially lessen a project's identified significant impacts or potential significant impacts if such measures are feasible. The findings in this section concern an impact and mitigation measure discussed in the Initial Study and the mitigation measure is presented in the MMRP. A copy of the MMRP is included as Attachment B to the Planning Commission Motion adopting these findings. The Initial Study includes a mitigation measure that was identified to eliminate or reduce to a less-than-significant level a potential noise impact of the Project, as set forth below. All of the mitigation measures set forth in the Final EIR that are needed to reduce or avoid any significant adverse environmental impacts are contained the MMRP.

The Project Sponsor has agreed to implement the following mitigation measure to address a noise impact identified in the Initial Study. As authorized by CEQA Section 21081 and CEQA Guidelines Section 15091, 15092, and 15093, based on substantial evidence in the whole record of this proceeding, the Planning Commission finds that, unless otherwise stated, the Project has been required to incorporate

mitigation measures identified in the FEIR into the project to mitigate or to avoid significant or potentially significant environmental impacts. Except as otherwise noted, these mitigation measures will reduce or avoid the potentially significant impacts described in the Final EIR, and the Commission finds that these mitigation measures are feasible to implement and are within the responsibility and jurisdiction of the City and County of San Francisco to implement or enforce.

Additionally, the required mitigation measures are fully enforceable and are included as conditions of approval in the Planning Commission's Planning Code Section 303 approval or will be enforced through inclusion as conditions of approval in any building permits issued for the Project by the San Francisco Department of Building Inspection. With the required mitigation measures, all potential project impacts, except for those associated with historical architecture resource impacts, would be avoided or reduced to a less-than-significant level (see Section IV, below). The Planning Commission finds that the mitigation measures presented in the MMRP are feasible and shall be adopted as conditions of project approval.

The following is the identified noise impact and the proposed mitigation measure.

Impact NO-2: Project demolition and construction would temporarily and periodically increase ambient noise and vibration in the project vicinity compared to existing conditions.

Mitigation Measure M-NO-2: General Construction Noise Control Measures

To ensure that project noise from construction activities is minimized to the maximum extent feasible, the project sponsor shall undertake the following:

- The project sponsor shall require the general contractor to ensure that equipment and trucks used for project construction utilize the best available noise control techniques (e.g., improved mufflers, equipment redesign, use of intake silencers, ducts, engine enclosures and acoustically-attenuating shields or shrouds, wherever feasible).
- The project sponsor shall require the general contractor to locate stationary noise sources (such as compressors) as far from adjacent or nearby sensitive receptors as possible, to muffle such noise sources, and to construct barriers around such sources and/or the construction site, which could reduce construction noise by as much as 5.0 dBA. To further reduce noise, the contractor shall locate stationary equipment in pit areas or excavated areas, if feasible.
- The project sponsor shall require the general contractor to use impact tools (e.g., jack hammers, pavement breakers, and rock drills) that are hydraulically or electrically powered wherever possible to avoid noise associated with compressed air exhaust from pneumatically powered tools. Where use of pneumatic tools is unavoidable, an exhaust muffler on the compressed air exhaust shall be used, along with external noise jackets on the tools, which could reduce noise levels by as much as 10 dBA.
- The project sponsor shall include noise control requirements in specifications provided to construction contractors. Such requirements could include, but not be limited to, performing all work in a manner that minimizes noise to the extent feasible; use of equipment with effective mufflers; undertaking the most noisy activities during times of least disturbance to surrounding residents and occupants, as feasible; and selecting haul routes that avoid residential buildings inasmuch as such routes are otherwise feasible.

Prior to the issuance of building permits, along with the submission of construction documents, the project sponsor shall submit to the Planning Department and Department of Building Inspection (DBI) a list of measures to respond to and track complaints pertaining to construction noise. These measures shall include (1) a procedure and phone numbers for notifying DBI, the Department of Public Health, and

the Police Department (during regular construction hours and off-hours); (2) a sign posted on-site describing noise complaint procedures and a complaint hotline number that shall be answered at all times during construction; (3) designation of an on-site construction complaint and enforcement manager for the project; and (4) notification of neighboring residents and non-residential building managers within 300 feet of the project construction area at least 30 days in advance of extreme noise generating activities (defined as activities generating noise levels of 90 dBA or greater) about the estimated duration of the activity.

IV. SIGNIFICANT IMPACTS THAT CANNOT BE AVOIDED OR REDUCED TO A LESS-THAN-SIGNIFICANT LEVEL

Based on substantial evidence in the whole record of these proceedings, the Planning Commission finds that there are significant project-specific and cumulative impacts that would not be eliminated or reduced to an insignificant level by the mitigation measures listed in the MMRP. The FEIR identifies a significant and unavoidable impact on historical architectural resources related to the demolition of the building 1545 Pine Street. The FEIR also indicates that implementation of the project would result in an significant and unavoidable cumulative impact related to the loss of an eligible historic resource.

CEQA requires agencies to adopt mitigation measures that would lessen a project's identified significant impacts if such measures are feasible. The findings in this section concern mitigation measures discussed in the FEIR and presented in the MMRP, included as Attachment B to the Planning Commission Motion adopting these findings. The FEIR includes mitigation measures that have been identified that would reduce the significant and unavoidable environmental impacts of the Project listed in this section. All of the mitigation measures set forth in the FEIR that are needed to reduce these significant and unavoidable environmental impacts are contained in the MMRP.

As authorized by CEQA Section 21081 and CEQA Guidelines Section 15091, 15092, and 15093, based on substantial evidence in the whole record of this proceeding, the Planning Commission finds that these mitigation measures are feasible to implement and are within the responsibility and jurisdiction of the City and County of San Francisco to implement or enforce.

Additionally, the required mitigation measures are fully enforceable and are included as conditions of approval in the Planning Commission's Planning Code Section 303 proceeding or will be enforced through inclusion as conditions of approval in any building permits issued for the Project by the San Francisco Department of Building Inspection. With the required mitigation measures, the significant and unavoidable impacts associated with historical architecture resource impacts would be reduced but not eliminated. The Planning Commission finds that the mitigation measures presented in the MMRP are feasible and shall be adopted as conditions of project approval.

The FEIR identifies mitigation measures to address the impacts on historic resources, identified in the FEIR as:

Impact CP-1 -- The proposed demolition of the existing 1545 Pine Street building would have a substantial adverse effect on an individual historical resource. (Significant and Unavoidable with Mitigation); and

Impact C-CP-1 -- The proposed project, in combination with other past, present and reasonably foreseeable future projects in the project vicinity, would result in a cumulatively considerable contribution to a significant cumulative impact on an historic architectural resource. (Significant and Unavoidable with Mitigation).

The following mitigation measures address both of the above-identified significant and unavoidable environmental impacts on cultural resources.

A. Cultural Resources (Historic Architectural Resources)

Mitigation Measure M-CP-1a, Documentation: Prior to the issuance of demolition or site permits, the project sponsor shall undertake Historic American Building Survey (HABS) documentation of the subject property, structures, objects, materials, and landscaping. The documentation shall be undertaken by a qualified professional who meets the standards for history, architectural history, or architecture (as appropriate), as set forth by the Secretary of the Interior's Professional Qualification Standards (36 CFR, Part 61). The documentation shall consist of the following:

- **Measured Drawings:** A set of measured drawings that depict the existing size, scale, and dimension of the subject property. The Planning Department Preservation staff will accept the original architectural drawings or an as-built set of architectural drawings (plan, section, elevation, etc.). The Planning Department Preservation staff will assist the consultant in determining the appropriate level of measured drawings;
- **HABS-Level Photography:** Digital photographs of the interior and the exterior of subject property. Large format negatives are not required. The scope of the digital photographs shall be reviewed by Planning Department Preservation staff for concurrence, and all digital photography shall be conducted according to the latest National Park Service Standards. The photography shall be undertaken by a qualified professional with demonstrated experience in HABS photography; and
- **HABS Historical Report:** A written historical narrative and report, per HABS Historical Report Guidelines.

The professional shall prepare the documentation and submit it for review and approval by the Planning Department's Preservation Specialist prior to the issuance of building permits. The documentation shall be disseminated to the Planning Department, San Francisco Main Library History Room, Northwest Information Center-California Historical Resource Information System, and San Francisco Architectural Heritage.

Mitigation Measure M-CP-1b, Interpretation: The project sponsor shall provide a permanent display of interpretive materials concerning the history and architectural features of the original 1545 Pine Street building and its association with the temporary commercial reconstruction in the aftermath of the 1906 Earthquake and Fire. Interpretation of the site's history shall be supervised by an architectural historian or historian who meets the Secretary of the Interior's Professional Qualification Standards. The interpretative materials (which may include, but are not limited to, a display of photographs, news

articles, memorabilia, video) shall be placed in a prominent setting on the project site visible to pedestrians.

A proposal describing the general parameters of the interpretive program shall be approved by the San Francisco Planning Department's Preservation Coordinator prior to issuance of a Site Permit. The substance, media and other characteristics of such interpretive display shall be approved by the San Francisco Planning Department's Preservation Coordinator prior to issuance of a Temporary Certificate of Occupancy.

The Commission considers these mitigation measures feasible, but their implementation would not reduce the impacts to historical architectural resources to less-than-significant levels.

V. EVALUATION OF PROJECT ALTERNATIVES

A. Alternatives Analyzed in the FEIR

This section describes the alternatives and the reasons for rejecting the alternatives. CEQA mandates that an EIR evaluate a reasonable range of alternatives to the Project or the Project location that generally reduce or avoid potentially significant impacts of the Project. CEQA requires that every EIR also evaluate a "No Project" alternative. Alternatives provide a basis of comparison to the Project in terms of their significant impacts and their ability to meet project objectives. This comparative analysis is used to consider reasonable, potentially feasible options for minimizing environmental consequences of the Project.

The Planning Department considered a range of alternatives in Chapter VI of the FEIR. The FEIR considered but rejected an Off-Site Alternative and Preliminary Project Design Alternative due to inability to meet most of the Project's objectives and infeasibility. The FEIR analyzed the No Project Alternative, a Preservation Alternative, a Partial Preservation Alternative and a Façade Retention Alternative. Each alternative is discussed and analyzed in these findings, in addition to being analyzed in Chapter VI of the FEIR. The Planning Commission certifies that it has independently reviewed and considered the information on the alternatives provided in the FEIR and in the record. The FEIR reflects the Planning Commission's and the City's independent judgment as to the alternatives. The Planning Commission finds that the Project provides the best balance between satisfaction of Project objectives and mitigation of environmental impacts to the extent feasible, as described and analyzed in the FEIR, and adopts a statement of overriding considerations.

B. Reasons for Approving the Project

- To increase the City's supply of housing in an area designated for higher density due to its proximity to downtown and accessibility to local and regional transit.
- To construct a high-quality project with superior design and a sufficient number of dwelling units to produce a reasonable return on investment for the project sponsor and investors and attract investment capital and construction financing.

- To construct streetscape improvements that encourage and enliven pedestrian activity by developing ground floor retail and public amenity space that complements existing uses and serves neighborhood residents and visitors.
- To improve the architectural and urban design character of the project site by replacing run-down structures with a high-quality residential project incorporating a superior design succinctly transitioning the project between two planning districts.
- To provide adequate parking and vehicular access to serve the needs of project residents and their visitors.

C. Evaluation of Project Alternatives

CEQA provides that alternatives analyzed in an EIR may be rejected if “specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible . . . the project alternatives identified in the EIR.” (CEQA Guidelines § 15091(a)(3).) The Commission has reviewed each of the alternatives to the Project as described in the Final EIR that would reduce or avoid the impacts of the Project and finds that there is substantial evidence of specific economic, legal, social, technological and other considerations that make these Alternatives infeasible, for the reasons set forth below.

In making these determinations, the Planning Commission is aware that CEQA defines “feasibility” to mean “capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, legal, and technological factors.” The Commission is also aware that under CEQA case law the concept of “feasibility” encompasses (i) the question of whether a particular alternative promotes the underlying goals and objectives of a project, and (ii) the question of whether an alternative is “desirable” from a policy standpoint to the extent that desirability is based on a reasonable balancing of the relevant economic, environmental, social, legal, and technological factors.

1. No Project Alternative

Under the No Project Alternative, the Project Site would remain in its existing condition. The existing buildings would likely continue to remain in their current condition for the foreseeable future. Conditions described in detail for each environmental topic in Chapter IV, Environmental Setting, Impacts and Mitigation Measures, would remain and none of the impacts associated with the Project would occur.

The existing temporary off-street parking use accommodated at 1545 Pine Street would likely continue. The remaining four (4) buildings would continue to remain vacant given their current condition and no new construction would occur at the site. Overall, this alternative would result in the development of no residential units and the retention of approximately 25,000 square feet of vacant or underutilized space.

The No Project Alternative would be inconsistent with key goals of the General Plan with respect to housing production. With no new housing created here and no construction, the No Project Alternative would not increase the City’s housing stock of both market rate and affordable housing, would not create

new job opportunities for construction workers, and would not expand the City's property tax base. This alternative would also fail to serve any of the Project Objectives, as described in the EIR, including the construction of a preeminent building with a superior level of design in an area of San Francisco that is accessible to local and regional transit, as well as cultural amenities and attractions or the provision of housing in an urban infill location to help alleviate the effects of suburban sprawl

For the foregoing reasons, the Planning Commission rejects the No Project Alternative as infeasible.

2. Preservation Alternative

The FEIR identified both the No Project Alternative and the Preservation Alternative as the environmentally superior alternatives. The Preservation Alternative would demolish four of the five existing buildings on the project site (Lots 17, 18, 18A, and 19) and retain and rehabilitate the building at 1545 Pine Street (Lot 16) in conformance with the *Secretary of the Interior's Standards for the Treatment of Historic Properties* (Secretary's Standards). A new 12-story, mixed-use building with residences above ground floor retail space and one below-grade parking level (one fewer than under the proposed project) would be constructed on Lots 17, 18, 18A and 19. The building would vary in height from 130 feet in the Van Ness Special Use District (Van Ness SUD) (Lots 17, 18, and 18A) to 65 feet in the Polk Street Neighborhood Commercial District (Polk Street NCD) (Lot 19). 1545 Pine Street would be rehabilitated and developed with a 4,217 square feet retail space along Pine Street and a 1,803 square feet off-street loading area along Austin Street. The off-street loading area would serve both the existing and new buildings but there would be no connection between the two buildings. The Preservation Alternative would have a total area of 106,360 square feet, 56 new residential units, 6,630 square feet of commercial space, and 18,221 square feet of space devoted to parking, loading, storage, mechanical space, and circulation at the ground floor and below-grade parking level. The Planning Commission rejects the Preservation Alternatives as infeasible because it would fail to meet the Project Objectives for reasons including, but not limited to, the following:

- 1) The Preservation Alternative would limit the project to 56 dwelling units; whereas the proposed project would provide 103 units to the City's housing stock, including 12 affordable housing units. The proposed density at 103 units would be consistent with other mixed-use residential developments in the vicinity, and the proposed project will maximize the creation of new residential units and provide ground-floor commercial and institutional space to serve neighborhood residents, enliven the surrounding streets, contribute to a safe, active neighborhood, while meeting the demands of the expanding San Francisco economy and growth in the project area.
- 2) The Preservation Alternative would not provide a succinct transition between two planning districts, thereby creating a disjointed street wall limiting the architectural and urban design character of the project site.
- 3) The Preservation Alternative would not include an institutional space along Austin Street slated for community and neighborhood use.

- 4) The Preservation Alternative would create a project that would not fully utilize this site for housing production, thereby not fully satisfying General Plan policies such as Housing Element Policies 1.1 and 1.4, among others. While the Preservation Alternative would preserve the existing historical resource, the alternative would not create a project that is consistent with and enhances the existing scale and urban design character of the area or furthers the City's housing policies to create more housing, particularly affordable housing opportunities.
- 5) The Preservation Alternative is also economically infeasible. Large development projects are capital-intensive and depend on obtaining financing from equity investors to cover a significant portion of the project's costs, obtain a construction loan for the bulk of construction costs, and provide up to 10 percent of the costs out-of-pocket. Equity investors require a certain profit margin to finance development projects and must achieve established targets for their internal rate of return and return multiple on the investment. Because the Preservation Alternative would result in a project that is approximately 23,272 square feet smaller than the Project, and contains 47 fewer residential units, the total potential for generating revenue is lower while the construction cost per square foot is higher due to restoration efforts, lower economies of scale and the impact of fixed project costs associated with development. The reduced unit count would not generate a sufficient economic return to obtain financing and allow development of the proposed project and therefore would not be built.
- 6) The Preservation Alternative would create a project with fewer housing units in an area well-served by transit, services and shopping as well adjacent to employment opportunities which would then push demand for residential development to other sites in the City or the Bay Area. This would result in the Preservation Alternative, not meeting, to the same degree, the City's *Strategies to Address Greenhouse Gas Emissions* or CEQA and the Bay Area Air Quality Management District's ("BAAQMD") requirements for a GHG reductions, by not maximizing housing development in an area with abundant local and region-serving transit options.

For the foregoing reasons, the Planning Commission rejects the Preservation Alternative as infeasible.

3. Partial Preservation Alternative

The Partial Preservation Alternative would demolish four of the five existing buildings on the project site (Lots 17, 18, 18A, and 19). The 1545 Pine Street building (Lot 16) would be rehabilitated in conformance with the Secretary's Standards so as not to result in the *de facto* demolition of the existing structure as that term is defined in Planning Code §1005(f)¹ and developed with a two-story approximately 20-foot-tall residential addition on top of the existing building. The two-story addition would be supported by beams or structures placed within the existing building and integrated with the new building foundation

¹ Demolition is defined in Planning Code §1005 as any one of the following: (1) removal of more than 25 percent of the surface of all external walls facing a public street(s); (2) removal of more than 50 percent of all external walls from their function as all external walls; (3) removal of more than 25 percent of external walls from function as either external or internal walls; or (4) removal of more than 75 percent of the building's existing internal structural framework or floor plates unless the City determines that such removal is the only feasible means to meet the standards for seismic load and forces of the latest adopted version of the San Francisco Building Code and the State Historical Building Code.

for a total height of approximately 45 feet. Access to the residential floors above the 1545 Pine Street building would be provided from the adjacent new construction via a central corridor connected to the elevators and stairwells at the new building's central core. The ground floor of 1545 Pine Street would include a 4,217 square foot retail space along Pine Street and a 1,803 square foot off-street loading area along Austin Street. The off-street loading area would serve both the existing and new buildings, but there would be no connection between the two buildings.

On Lots 17, 18, 18A and 19, a new 12-story, mixed-use residential building above a ground floor retail and one below-grade parking level would be constructed. The building would vary in height from 130 feet in the Van Ness Special Use District (Van Ness SUD) (Lots 17, 18, and 18A) to 65 feet in the Polk Street Neighborhood Commercial District (Polk Street NCD) (Lot 19). The Partial Preservation Alternative would include a total area of 108,246 square feet including 6,630 square feet of commercial space, 54 dwelling units, and 18,536 square feet of parking, loading, storage, mechanical space, and circulation at the ground floor and below-grade parking level. The Planning Commission rejects the Partial Preservation Alternative as infeasible because it would fail to meet the Project Objectives for reasons including, but not limited to, the following:

- 1) The Partial Preservation Alternative would limit the project to 54 dwelling units; whereas the proposed project would provide 103 units to the City's housing stock, including 12 affordable housing units. The proposed density at 103 units would be consistent with other mixed-use residential developments in the vicinity, and the proposed project will maximize the creation of new residential units and provide ground-floor commercial and institutional space to serve neighborhood residents, enliven the surrounding streets, contribute to a safe, active neighborhood, while meeting the demands of the expanding San Francisco economy and growth in the project area.
- 2) The Partial Preservation Alternative would not provide a succinct transition between two planning districts, thereby creating a disjointed street wall limiting the architectural and urban design character of the project site.
- 3) The Partial Preservation Alternative would not include an institutional space along Austin Street slated for community and neighborhood use.
- 4) The Partial Preservation Alternative would create a project well below the prescribed 130-foot height limit for a portion of the project site and would not fully utilize this site for housing production, thereby not fully satisfying General Plan policies such as Housing Element Policies 1.1 and 1.4, among others. While the Partial Preservation Alternative would preserve the existing historical resource, the alternative would not create a project that is consistent with and enhances the existing scale and urban design character of the area or furthers the City's housing policies to create more housing, particularly affordable housing opportunities.
- 5) The Partial Preservation Alternative is also economically infeasible. Large development projects are capital-intensive and depend on obtaining financing from equity investors to cover a significant portion of the project's costs, obtain a construction loan for the bulk of construction

costs, and provide up to 10 percent of the costs out-of-pocket. Equity investors require a certain profit margin to finance development projects and must achieve established targets for their internal rate of return and return multiple on the investment. Because the Partial Preservation Alternative would result in a project that is approximately 21,386 square feet smaller than the Project, and contains 49 fewer residential units, the total potential for generating revenue is lower while the construction cost per square foot is higher due to restoration efforts, lower economies of scale and the impact of fixed project costs associated with development. The reduced unit count would not generate a sufficient economic return to obtain financing and allow development of the proposed project and therefore would not be built.

- 6) The Partial Preservation Alternative would create a project with fewer housing units in an area well-served by transit, services and shopping as well adjacent to employment opportunities which would then push demand for residential development to other sites in the City or the Bay Area. This would result in the Preservation Alternative, not meeting, to the same degree, the City's *Strategies to Address Greenhouse Gas Emissions* or CEQA and the BAAQMD requirements for a GHG reductions, by not maximizing housing development in an area with abundant local and region-serving transit options.

For the foregoing reasons, the Planning Commission rejects the Partial Preservation Alternative as infeasible.

4. Façade Retention Alternative

The Façade Retention Alternative would demolish the majority of the existing 1545 Pine Street building (Lot 16) and the four buildings on the remainder of the project site (Lots 17, 18, 18A, and 19). The front 8 feet of the existing 1545 Pine Street building would be retained and incorporated into the Pine Street façade of the new building. The Façade Retention Alternative would have a total area of 129,632 square feet and 103 dwelling units, similar to the Project but would include a 1,520 square foot off-street loading space along Austin Street. Two below grade parking levels and a 2,070 square feet of retail along Pine Street and a 774 square foot institutional space along Austin Street would also be included. The Planning Commission rejects the Façade Retention Alternative as infeasible because it would fail to eliminate the identified environmental impacts, and it would not meet the Project Objectives or the policies or goals of the Planning Commission for reasons including, but not limited to, the following:

1. The Façade Retention Alternative would not reduce or lessen any project-level or cumulative impacts associated with the project and would have the same significant and unavoidable environmental effects of the proposed project.
2. The Façade Retention Alternative would create a project that preserves a façade constructed as part of a temporary building constructed after the 1906 earthquake and intended to be demolished and replaced with a more substantial structure and constructed without high quality design or distinct architectural features. Retaining the façade does not improve the architectural and urban design character of the project site and precludes the development of a superior designed project that succinctly transitions between planning districts.

3. The Façade Retention Alternative would maintain the existing ground floor retail opening at the larger of the two retail spaces along Pine Street limiting the potential usefulness of the space, impacting the ability of a commercial use to utilize the streetscape and features such as lighting, awnings and active entry indicators thereby failing to enliven pedestrian activity along the street frontage.
4. The Façade Retention Alternative preserves a single façade that is not part of a larger group of similar structures, is not architecturally significant, and is not near or related to other similar buildings thereby limiting its ability to evoke its history or context.

For the foregoing reasons, the Planning Commission rejects the Facade Preservation Alternative as infeasible.

VI. STATEMENT OF OVERRIDING CONSIDERATIONS

The Planning Commission finds that, notwithstanding the imposition of all feasible mitigation measures and alternatives, significant impacts related to Historic Resources will remain significant and unavoidable. Pursuant to CEQA section 21081 and CEQA Guideline Section 15093, the Planning Commission hereby finds, after consideration of the Final EIR and the evidence in the record, that each of the specific overriding economic, legal, social, technological and other benefits of the Project as set forth below independently and collectively outweighs these significant and unavoidable impacts and is an overriding consideration warranting approval of the Project. Any one of the reasons for approval cited below is sufficient to justify approval of the Project. Thus, even if a court were to conclude that not every reason is supported by substantial evidence, the Commission will stand by its determination that each individual reason is sufficient. The substantial evidence supporting the various benefits can be found in the preceding findings, which are incorporated by reference into this Section, and in the documents found in the record, as defined in Section I.

On the basis of the above findings and the substantial evidence in the whole record of this proceeding, the Planning Commission specifically finds that there are significant benefits of the Project to support approval of the Project in spite of the unavoidable significant impacts, and therefore makes this Statement of Overriding Considerations. The Commission further finds that, as part of the process of obtaining Project approval, significant effects on the environment from implementation of the Project have been eliminated or substantially lessened where feasible. All mitigation measures proposed in the EIR and MMRP are adopted as part of the Approval Actions described in Section I, above.

Furthermore, the Commission has determined that any remaining significant effects on the environment found to be unavoidable are acceptable due to the following specific overriding economic, technical, legal, social and other considerations.

The Project will have the following benefits:

1. The Project would add 103 dwelling units to the City's housing stock, including 12 affordable housing units.

2. The project site is currently underused and the construction of 103 new housing units at this underutilized site will directly help to alleviate the City's housing shortage and lead to more affordable housing. A primary objective of the Van Ness Area Plan is to increase housing locally through the build out of the plan area. The Project develops the project site in a manner envisioned by the Van Ness Area Plan in its density as well as its ability to orient the Project's massing within existing height districts of both the Van Ness Area Plan and adjacent Polk Street corridor.
3. The Project promotes a number of General Plan Objectives and Policies, including Housing Element Policy 1.1, which provides that "Future housing policy and planning efforts must take into account the diverse needs for housing; and policies 11.1, 11.3 and 11.6, which "Support and respect the diverse and distinct character of San Francisco's Neighborhoods." The RHNA projections indicate housing goals for various income levels thus provide basic planning goals for housing affordability. San Francisco's housing policies and programs should provide strategies that promote housing at each income level, and furthermore identify sub-groups, such as middle income and extremely low income households that require specific housing policy. In addition to planning for affordability, the City should plan for housing that serves a variety of household types and sizes." The Project will provide on-site affordable housing as well as market rate housing, increasing the diversity of housing in this area of the City.
4. The Project meets the City's *Strategies to Address Greenhouse Gas Emissions* and the BAAQMD requirements for a GHG reductions by maximizing development on an infill site that is well-served by transit, services and shopping and is suited for dense residential development, where residents can commute and satisfy convenience needs without frequent use of a private automobile and is adjacent to employment opportunities, in an area with abundant local and region-serving transit options.
5. The Project's innovative design furthers Housing Element Policy 11.1, which provides that "The City should continue to improve design review to ensure that the review process results in good design that complements existing character."
6. The Project would construct a development that is in keeping with the scale, massing and density of other structures in the immediate vicinity.
7. The Project would create two new opportunities for neighborhood commercial serving uses as well as create an institutional space for a neighborhood and community serving use in an area embracing and encourage such uses and diversity.
8. The Conditions of Approval for the Project include all the mitigation and improvement measures that would mitigate the Project's potentially significant impact to insignificant levels, except for its impact on Historic Resources.

9. The Project will create temporary construction jobs and permanent jobs in the retail sector. These jobs will provide employment opportunities for San Francisco residents, promote the City's role as a commercial center, and provide additional payroll tax revenue to the City.
10. The Project will substantially increase the assessed value of the Project Site, resulting in corresponding increases in tax revenue to the City.

Having considered the above, the Planning Commission finds that the benefits of the Project outweigh the unavoidable adverse environmental effects identified in the Final EIR, and that those adverse environmental effects are therefore acceptable.

Attachment B

MITIGATION MONITORING AND REPORTING PROGRAM FOR 1527-1545 PINE STREET MIXED-USEPROJECT (Includes Text for Mitigation Measures)				
MITIGATION MEASURES FOR THE 1527-1545 PINE STREET MIXED-USE PROJECT	Responsibility for Implementation	Schedule	Monitoring/Reporting Actions and Responsibility	Status/Date Completed
Cultural and Paleontological Resources Mitigation Measures				
Mitigation Measure M-CP-1a: Documentation				
<p>Prior to the issuance of demolition or site permits, the project sponsor shall undertake Historic American Building Survey (HABS) documentation of the subject property, structures, objects, materials, and landscaping. The documentation shall be undertaken by a qualified professional who meets the standards for history, architectural history, or architecture (as appropriate), as set forth by the Secretary of the Interior’s Professional Qualification Standards (36 CFR, Part 61). The documentation shall consist of the following:</p> <ul style="list-style-type: none"> <i>Measured Drawings:</i> A set of measured drawings that depict the existing size, scale, and dimension of the subject property. The Planning Department Preservation staff will accept the original architectural drawings or an as-built set of architectural drawings (plan, section, elevation, etc.). The Planning Department Preservation staff will assist the consultant in determining the appropriate level of measured drawings; <i>HABS-Level Photography:</i> Digital photographs of the interior and the exterior of subject property. Large format negatives are not required. The scope of the digital photographs shall be reviewed by Planning Department Preservation staff for concurrence, and all digital photography shall be conducted according to the latest National Park Service Standards. The photography shall be undertaken by a qualified professional with demonstrated experience in HABS photography; and <i>HABS Historical Report:</i> A written historical narrative and report, per HABS Historical Report Guidelines. <p>The professional shall prepare the documentation and submit it for review and approval by the Planning Department’s Preservation Specialist prior to the</p>	<p>Project sponsor to retain qualified professional consultant.</p> <p>Consultant to prepare documentation.</p> <p>Planning Department shall review, request revisions if appropriate, and ultimately approve documentation.</p>	<p>Prior to any action to demolish or remove the 1545 Pine Street building consultant to submit documentation package per HABS / HAER / HALS Guidelines for review by Planning Department.</p> <p>Prior to construction, transmit documentation to the History Center in SF Library and NWIC.</p>	<p>Consultant to submit draft and final documentation prepared pursuant to HABS/HAER/HALS Guidelines to Planning Department for review and approval.</p> <p>Following approval of documentation, consultant to transmit documentation to the SF History Center in SF Library, Planning Department, and NWIC.</p>	

MITIGATION MONITORING AND REPORTING PROGRAM FOR 1527-1545 PINE STREET MIXED-USEPROJECT (Includes Text for Mitigation Measures)				
MITIGATION MEASURES FOR THE 1527-1545 PINE STREET MIXED-USE PROJECT	Responsibility for Implementation	Schedule	Monitoring/Reporting Actions and Responsibility	Status/Date Completed
issuance of building permits. The documentation shall be disseminated to the Planning Department, San Francisco Main Library History Room, Northwest Information Center-California Historical Resource Information System, and San Francisco Architectural Heritage.				
<p>Mitigation Measure M-CP-1b: Interpretation</p> <p>The project sponsor shall provide a permanent display of interpretive materials concerning the history and architectural features of the original 1545 Pine Street building and its association with the temporary commercial reconstruction in the aftermath of the 1906 Earthquake and Fire. Interpretation of the site’s history shall be supervised by an architectural historian or historian who meets the Secretary of the Interior’s Professional Qualification Standards. The interpretative materials (which may include, but are not limited to, a display of photographs, news articles, memorabilia, video) shall be placed in a prominent setting on the project site visible to pedestrians.</p> <p>A proposal describing the general parameters of the interpretive program shall be approved by the San Francisco Planning Department’s Preservation Coordinator prior to issuance of a Site Permit. The substance, media and other characteristics of such interpretive display shall be approved by the San Francisco Planning Department’s Preservation Coordinator prior to issuance of a Temporary Certificate of Occupancy.</p>	<p>Project sponsor and their architectural historian to select materials from 1545 Pine Street building to display.</p> <p>Project sponsor to establish location(s), media, and characteristics of the display.</p> <p>Project sponsor and their architectural historian to prepare display.</p>	Prior to any demolition or removal activities, selection of interpretative materials to occur.	<p>Consultant to submit interpretive materials to Planning Department for approval.</p> <p>Project sponsor to report to Planning Department when display is completed.</p>	
<p>M-CP-2: Archaeological Monitoring Program</p> <p>The project sponsor shall retain the services of an archaeological consultant from the pool of qualified archaeological consultants maintained by the Planning Department archaeologist. The archaeological consultant shall undertake an Archaeological Monitoring Program (AMP). 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</p>	Project sponsor to retain qualified professional archaeologist from the pool of archaeological	Prior to commencement of soil-disturbing activities, submittal of all plans and reports for approval by ERO.	The archaeological consultant shall undertake an archaeological monitoring program as specified herein. (See	

**MITIGATION MONITORING AND REPORTING PROGRAM FOR
 1527-1545 PINE STREET MIXED-USE PROJECT
 (Includes Text for Mitigation Measures)**

MITIGATION MEASURES FOR THE 1527-1545 PINE STREET MIXED-USE PROJECT	Responsibility for Implementation	Schedule	Monitoring/Reporting Actions and Responsibility	Status/Date Completed
<p>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 CEQA Guidelines Sect. 15064.5 (a) (c).</p> <p>The AMP shall minimally include the following provisions:</p> <ul style="list-style-type: none"> • 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. 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; • 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; • 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 project archaeological consultant, determined that project construction activities could have no effects on significant archaeological deposits; • The archaeological monitor shall record and be authorized to collect soil samples and artifactual/ecofactual material as warranted for analysis; 	<p>consultants maintained by the Planning Department.</p> <p>Project sponsor and project archaeological consultant in consultation with ERO.</p>	<p>The archaeological consultant, project sponsor, and ERO shall meet prior to commencement of soils-disturbing activities. If ERO determines that archaeological monitoring is necessary, monitor throughout all soils-disturbing activities.</p>	<p>below regarding archaeological consultant's reports.)</p> <p>If required, archaeological consultant to prepare Archaeological Monitoring Program (AMP) in consultation with ERO.</p> <p>Project sponsor, project archaeological consultant, archaeological monitor, and project sponsor's contractors shall implement the AMP, if required by ERO.</p>	

MITIGATION MONITORING AND REPORTING PROGRAM FOR 1527-1545 PINE STREET MIXED-USE PROJECT (Includes Text for Mitigation Measures)				
MITIGATION MEASURES FOR THE 1527-1545 PINE STREET MIXED-USE PROJECT	Responsibility for Implementation	Schedule	Monitoring/Reporting Actions and Responsibility	Status/Date Completed
<ul style="list-style-type: none"> 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 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>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"> A) The proposed project shall be redesigned so as to avoid any adverse effect on the significant archaeological resource; or B) 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. <p>If an archaeological data recovery program is required by the ERO, the archaeological data recovery program shall be conducted in accordance 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</p>	<p>Project sponsor and project archaeological consultant, in consultation with ERO.</p>	<p>If there is a determination by ERO that an Archaeological Data Recovery Program (ADRP) is required.</p>	<p>If required, archaeological consultant to prepare an Archaeological Data Recovery Plan (ADRP) in consultation with ERO.</p>	

MITIGATION MONITORING AND REPORTING PROGRAM FOR 1527-1545 PINE STREET MIXED-USE PROJECT (Includes Text for Mitigation Measures)				
MITIGATION MEASURES FOR THE 1527-1545 PINE STREET MIXED-USE PROJECT	Responsibility for Implementation	Schedule	Monitoring/Reporting Actions and Responsibility	Status/Date Completed
<p>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 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 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><i>Final Archaeological Resources Report.</i> The archaeological consultant shall submit a Draft Final Archaeological Resources Report (FARR) to the ERO that evaluates the historical significance of any discovered archaeological</p>	<p>Project sponsor and project archaeological</p>	<p>If applicable, after completion of archaeological data recovery, inventorying,</p>	<p>If applicable, archaeological consultant to submit a Draft Final</p>	

MITIGATION MONITORING AND REPORTING PROGRAM FOR 1527-1545 PINE STREET MIXED-USE PROJECT (Includes Text for Mitigation Measures)				
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<p>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. 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 Environmental Planning division of the Planning Department shall receive one bound, one unbound and one unlocked, searchable PDF copy of the FARR on CD 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>consultant, in consultation with ERO.</p> <p>Archaeological consultant at the direction of ERO.</p>	<p>analysis and interpretation.</p> <p>If applicable, upon approval of Final Archaeological Resources Report by ERO.</p>	<p>Archaeological Resources Report (FARR) to ERO.</p> <p>Archaeological consultant to distribute FARR.</p>	
<p>M-CP-3: Paleontological Resources Monitoring and Mitigation Program</p> <p>The project sponsor shall retain the services of a qualified paleontological consultant having expertise in California paleontology to design and implement a Paleontological Resources Monitoring and Mitigation Program. The PRMMP shall include a description of when and where construction monitoring would be required; emergency discovery procedures; sampling and data recovery procedures; procedure for the preparation, identification, analysis, and curation of fossil specimens and data recovered; preconstruction coordination procedures; and procedures for reporting the results of the monitoring program.</p> <p>The PRMMP shall be consistent with the Society for Vertebrate Paleontology Standard Guidelines for the mitigation of construction-related adverse impacts to paleontological resources and the requirements of the designated repository for any fossils collected. During construction, earth-moving activities shall be monitored by a qualified paleontological consultant having expertise in California paleontology in the areas where these activities have the potential to disturb previously undisturbed native sediment or sedimentary rocks. Monitoring need</p>	<p>Project sponsor to retain appropriately qualified consultant to prepare PRMMP, and carry out monitoring and reporting, if required.</p>	<p>Prior to and during construction.</p>	<p>ERO to approve final PRMMP.</p>	

MITIGATION MONITORING AND REPORTING PROGRAM FOR 1527-1545 PINE STREET MIXED-USE PROJECT (Includes Text for Mitigation Measures)				
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<p>not be conducted in areas where the ground has been previously disturbed, in areas of artificial fill, in areas underlain by nonsedimentary rocks, or in areas where exposed sediment would be buried, but otherwise undisturbed.</p> <p>The consultant's work shall be conducted in accordance with this measure and at the direction of the City's ERO. Plans and reports prepared by the consultant 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. Paleontological monitoring and/or data recovery programs required by this measure could suspend construction of the proposed project for as short a duration as reasonably possible and in no event for more than 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 potential effects on a significant paleontological resource as previously defined to a less-than-significant level.</p>	<p>The project paleontological consultant to consult with ERO as indicated.</p>	<p>Prior to and during construction, if required.</p>	<p>Consultant shall provide brief monthly reports to ERO during monitoring or as identified in the PRMMP, and notify ERO immediately if work should stop for data recovery during monitoring.</p> <p>ERO to review and approve the final documentation as established in the PRMMP.</p>	
<p>M-CP-4: Treatment of Human Remains</p> <p><i>Human Remains and Associated or Unassociated Funerary Objects.</i> The treatment of human remains and of associated or unassociated funerary objects discovered during any soils disturbing activity shall comply with applicable State and Federal laws, 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) (Pub. Res. Code Sec. 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 (CEQA Guidelines. Sec. 15064.5(d)). The agreement should take into consideration the</p>	<p>Project sponsor and project archaeological consultant, in consultation with the San Francisco Coroner, NAHC and MLD.</p>	<p>In the event human remains and/or funerary objects are encountered.</p>	<p>Archaeological consultant/ archaeological monitor/project sponsor or contractor to contact San Francisco County Coroner. Implement regulatory requirements, if applicable, regarding discovery of Native American human remains and</p>	

MITIGATION MONITORING AND REPORTING PROGRAM FOR 1527-1545 PINE STREET MIXED-USE PROJECT (Includes Text for Mitigation Measures)				
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appropriate excavation, removal, recordation, analysis, curation, possession, and final disposition of the human remains and associated or unassociated funerary objects.			associated/unassociated funerary objects. Contact archaeological consultant and ERO.	
<i>Noise Mitigation Measures</i>				
<p>M-NO-2: General Construction Noise Control Measures</p> <p>To ensure that project noise from construction activities is minimized to the maximum extent feasible, the project sponsor shall undertake the following:</p> <ul style="list-style-type: none"> The project sponsor shall require the general contractor to ensure that equipment and trucks used for project construction utilize the best available noise control techniques (e.g., improved mufflers, equipment redesign, use of intake silencers, ducts, engine enclosures and acoustically-attenuating shields or shrouds, wherever feasible). The project sponsor shall require the general contractor to locate stationary noise sources (such as compressors) as far from adjacent or nearby sensitive receptors as possible, to muffle such noise sources, and to construct barriers around such sources and/or the construction site, which could reduce construction noise by as much as 5.0 dBA. To further reduce noise, the contractor shall locate stationary equipment in pit areas or excavated areas, if feasible. The project sponsor shall require the general contractor to use impact tools (e.g., jack hammers, pavement breakers, and rock drills) that are hydraulically or electrically powered wherever possible to avoid noise associated with compressed air exhaust from pneumatically powered tools. Where use of pneumatic tools is unavoidable, an exhaust muffler on the compressed air exhaust shall be used, along with external noise jackets on the tools, which could reduce noise levels by as much as 10 dBA. The project sponsor shall include noise control requirements in specifications provided to construction contractors. Such requirements could include, but not be limited to, performing all work 	Project sponsor and project construction contractor(s).	Prior to the issuance of the building permit, along with the submission of construction documents, the project sponsor shall submit to the Planning Department and Department of Building Inspection (DBI) a list of measures to respond to and track complaints pertaining to construction noise.	Project sponsor to submit to Planning Department and DBI a list of measures to respond to and track complaints pertaining to noise. Project sponsor to provide copies of contract documents to Planning Department that show construction contractor agreement with specified practices.	

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<p>in a manner that minimizes noise to the extent feasible; use of equipment with effective mufflers; undertaking the most noisy activities during times of least disturbance to surrounding residents and occupants, as feasible; and selecting haul routes that avoid residential buildings inasmuch as such routes are otherwise feasible.</p> <ul style="list-style-type: none"> • Prior to the issuance of building permits, along with the submission of construction documents, the project sponsor shall submit to the Planning Department and Department of Building Inspection (DBI) a list of measures to respond to and track complaints pertaining to construction noise. These measures shall include (1) a procedure and phone numbers for notifying DBI, the Department of Public Health, and the Police Department (during regular construction hours and off-hours); (2) a sign posted on-site describing noise complaint procedures and a complaint hotline number that shall be answered at all times during construction; (3) designation of an on-site construction complaint and enforcement manager for the project; and (4) notification of neighboring residents and non-residential building managers within 300 feet of the project construction area at least 30 days in advance of extreme noise generating activities (defined as activities generating noise levels of 90 dBA or greater) about the estimated duration of the activity. 				



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: Street Trees

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Planning Commission Conditional Use Draft Motion HEARING DATE: OCTOBER 2, 2014

Date: September 25, 2014
Case No.: **2006.0383CEKV**
Project Address: **1527-1545 Pine Street**
Zoning: RC-4 (Residential Commercial, High Density) and Polk Street NCD (Neighborhood Commercial District)
 Partially w/in the Van Ness Special Use District and Van Ness Automotive Special Use District
 65-A and 130-V Height and Bulk Districts
Block/Lot: 0667/016, 017, 018, 018A and 019
Project Sponsor: Jessie Stuart, Trumark Urban
 90 New Montgomery, Suite 750
 San Francisco, CA 94105
Staff Contact: Sharon Lai – (415) 575-9087
sharon.w.lai@sfgov.org
Recommendation: Approve with conditions

ADOPTING FINDINGS RELATING TO THE APPROVAL OF CONDITIONAL USE AUTHORIZATION PURSUANT TO PLANNING CODE SECTIONS 243, 253 AND 303 TO MERGE FIVE LOTS CONTAINING APPROXIMATELY 15,000 SQUARE FEET, DEMOLISH THE EXISTING BUILDINGS, AND CONSTRUCT A 12-STORY, 130-FOOT TALL, APPROXIMATELY 129,600-GROSS-SQUARE-FOOT MIXED-USED BUILDING CONTAINING 103 RESIDENTIAL UNITS, 2,700 SQUARE FEET OF GROUND FLOOR COMMERCIAL AND INSTITUTIONAL USES, AND TWO LEVELS OF BELOW-GRADE PARKING FOR 84 VEHICLES, WITHIN THE RC-4 (RESIDENTIAL COMMERCIAL, HIGH DENSITY) AND POLK STREET NEIGHBORHOOD COMMERCIAL DISTRICTS, THE 130-V AND 65-A HEIGHT AND BULK DISTRICTS, AND PARTIALLY WITHIN THE VAN NESS SPECIAL USE DISTRICT AND VAN NESS AUTOMOTIVE SPECIAL USE DISTRICT.

PREAMBLE

On November 28, 2012, Trumark Urban (hereinafter “Project Sponsor”) filed an application with the Planning Department (hereinafter “Department”) for Conditional Use Authorization under Planning

Code Sections 243, 253 and 303 to merge five lots, demolish the five existing buildings, and construct a 12-story, 130-foot tall, approximately 129,600 gross-square-foot mixed-use building, containing 103 residential units, 2,700 square feet of ground floor commercial space, and two levels of below-grade parking for 84 vehicles (hereinafter "Project"), within the RC-4 (Residential Commercial, High Density) and Polk street Neighborhood Commercial Districts, the 130-V and 65-A Height and Bulk Districts, and partially within the Van Ness Special Use District and Van Ness Automotive Special Use District.

On June 5, 2014, the Project Sponsor filed a variance application with the Zoning Administrator to allow development within the required rear yard, pursuant to Planning Code Section 134; to allow insufficient dwelling unit exposure for 11 units, pursuant to Section 140; to allow certain non-active uses to front Pine and Austin Streets, pursuant to Section 145; and to waive the required off-street loading space, pursuant to Section 152.

On September 9, 2014, the Project Sponsor filed an application to allow the reduction of required off-street parking, pursuant to Planning Code Sections 161(j) and 307(i).

On October 2, 2014, the San Francisco Planning Commission (hereinafter "Commission"), by Motion No. _____ certified the Final Environmental Impact Report (FEIR), Case No. 2006.0383CEKV, for the Project at 1527-1545 Pine Street.

On October 2, 2014, the Commission, by Motion No. _____ approved California Environmental Quality Act (CEQA) findings, including adoption of a Mitigation Monitoring and Reporting Program (the MMRP), under Case No. 2006.0383CEKV, for approval of the proposed project at 1527-1545 Pine Street.

On October 2, 2014, the Commission conducted a duly noticed public hearing at a regularly scheduled meeting on Conditional Use Application No. 2006.0383CEKV.

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. 2006.0383CEKV, 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.
1. **Site Description and Present Use.** The Project is located on five lots at 1527-1545 Pine Street between Van Ness Avenue and Polk Street. The development site contains 125 feet of frontage along the south side of Pine Street and 125 feet of frontage along the north side of Austin Street in Assessor's Block 0667. Lots 016, 017, 018, 018A are located within the RC-4 (Residential-

Commercial Combined, High Density) District, the Van Ness SUD (Special Use District), the Van Ness Automotive SUD, and the 130-V Height and Bulk District; lot 019 is located within the Polk Street NCD (Neighborhood Commercial District) and the 65-A Height and Bulk District. Both frontages along Pine Street and Austin Street slope laterally downward to the east (toward Polk Street).

The Project Site is 15,000 square feet in total area and is currently occupied by five buildings. The building at 1545 Pine Street is considered an historical resource for the purposes of environmental review. The buildings are vacant and were last occupied by an automotive repair shop, office uses, retail uses, and an industrial use. All existing buildings were vacant by 2005, except for 1545 Pine Street, which operated an auto repair shop until 2012.

Primary pedestrian access to 1545, 1533-1535, 1529, and 1527 Pine Street is from Pine Street. Vehicular access to off-street parking at 1545 Pine Street is from both Pine and Austin Streets via a 23-foot-wide driveway on Pine Street and a 16-foot-wide driveway on Austin Street. At 1533-1535 Pine Street, vehicular access is from Austin Street via a 16-foot-wide driveway. There is no vehicular access to 1529 or 1527 Pine Street.

- 2. Surrounding Properties and Neighborhood.** The Project Site is located in the southwest corner of the Nob Hill neighborhood. The block to the west across Van Ness Avenue is the Western Addition neighborhood, and one block to the south is the Downtown/Civic Center area. The adjacent lot to the east of the site is a through lot containing a single-story restaurant (d.b.a. Grubstake) fronting on Pine Street and to the west is a through-lot containing a three-story, multi-unit apartment building, also fronting on Pine Street. Across Pine Street is the secondary façade of a tourist hotel (d.b.a. Holiday Inn) that fronts Van Ness Avenue and a two-story commercial building containing an automotive repair and sales use. The blockface to the south across Austin Street from the Project Site includes three through lots fronting Bush Street. The buildings across Austin Street include a mixed-use building, an auto repair use and a retail store, ranging from one-to-four stories in height.

To the west of the Project Site, and including four of the five subject lots, is the Van Ness SUD and the Van Ness Automotive SUD within the underlying RC-4 zoning. The corridor contains a number of architecturally and historically significant and contributory buildings. Van Ness Avenue is also known as the U.S. Highway 101, which is a wide vehicular arterial that consists of a variety of residential, commercial, and mixed-use buildings featuring residential uses above ground-floor commercial establishments. Generally, the commercial establishments characterizing this portion of Van Ness Avenue include a mixture of retail stores, office buildings, restaurants, and automobile dealership/repair shops.

To the east of the Project Site and including the subject lot 19, is the Polk Street NCD which is characterized by dense mixed-use buildings with residential units above ground-story commercial use. The District is located between Nob and Russian Hills and Pacific Heights, and extends as a north-south linear strip (Filbert Street to Post Street), and includes a portion of Larkin Street between Post and California Streets. The District provides convenience goods and

services to the surrounding residential communities such as specialty stores, automobile uses, office uses, restaurants and bars.

3. **Project Description.** The Project proposes to demolish all of the five existing structures at the Project Site with frontage on Pine and Austin Streets. The Project proposes a 13-story mixed-use development with 103 residential units and ground floor commercial spaces over two different zoning and height and bulk districts. Two levels of below grade parking would contain 84 parking spaces through the use of car stackers. Twelve (12) of the 103 residential units are proposed to be on-site affordable units, reflecting the unit mix of studio, one- and two-bedroom units. The main residential entry and lobby is located on Pine Street along with two ground floor commercial spaces. The vehicular access is located on Austin Street, along with dedicated carshare access, two bicycle storage rooms, secondary residential lobby access, an institutional use/retail use space and other back of house features. Open space is provided through a mix of private and usable open spaces at balconies, terraces, roof decks and a court yard.
4. **Public Comment.** The sponsor has submitted 18 letters of support; the Department has not received any opposition to the Project.
5. **Planning Code Compliance:** The Commission finds that the Project is consistent with the relevant provisions of the Planning Code in the following manner:
 - A. **Height.** Section 253.2 of the Planning Code requires a Conditional Use authorization for review of any new building or structure exceeding 50 feet in height in the Van Ness SUD, and Section 260 of the Planning Code limits the height of development at the site to 130 feet (on the lots zoned RC-4) and 65 feet (on the lots zoned Polk Street NCD). Planning Code Section 261.1 further requires the lot zoned Polk Street NCD to have its upper stories set back at least 10 feet from the property line above a height equivalent to 1.25 times the width of the abutting narrow Austin Street.

As part of this Conditional Use authorization, the Planning Commission may require a setback of up to 15 feet for all or a portion of the building abutting Pine Street in order to preserve the existing view corridors; the Planning Commission may also require that the permitted bulk and required setbacks of the building abutting Austin Street (which is considered a narrow streets), be arranged to maintain an appropriate scale and maximize sunlight.

The proposed 130- foot tall building exceeds a height of 50 feet, thereby requiring a Conditional Use authorization pursuant to Planning Code Sections 243 and 253. The building has been sculpted and provides setbacks at upper levels so as to be compatible with the scale and massing of the surrounding neighborhood and city skyline.

The portion of the building located within the Polk Street NCD that fronts Austin Street (35 feet wide) provides an additional 10 foot setback at levels 4-6 to comply with the additional height limit required above 43'-9".

- B. **Bulk.** Pursuant to Planning Code Section 270, the "V" Bulk District shall have a maximum length of 110 feet and a maximum diagonal dimension of 140 feet, above 50 feet in height; and the "A" Bulk District shall have a maximum length of 110 feet and a maximum diagonal dimension of 125 feet.

The Project complies with the bulk limits of both districts.

- C. **Floor Area Ratio (FAR).** In the Van Ness Special Use District, the FAR limit for properties zoned RC-4 is increased to 7.0 to 1 where the height limit is 130'-0". Additionally, Planning Code Section 125 allows the subject interior lot an FAR premium increase of 10 feet in lot depth for the purposes of floor area ratio computation. In the Polk Street NCD, the non-residential FAR limit is 2.5 to 1.

The portion of the site located within the Van Ness SUD is 12,000 square feet. The FAR premium allows the lots size to increase to 13,000 square feet for the purposes of FAR computation. This allows the permitted FAR to be 91,000 gross square feet within the Van Ness SUD portion of the lot. The Project complies with the permitted FAR limits of both districts.

- D. **Dwelling Unit Density.** The Polk Street NCD permits a dwelling-unit density of one-unit per 400 square feet of lot area, pursuant to Planning Code Section 723.91. This density can be increased to the density permitted in the nearest R-District, pursuant to Planning Code Section 209.4, which is the RC-4 District. The RC-4 Zoning District permits a density of up to one-unit per 200 square feet of lot area. The Van Ness SUD eliminates density limits otherwise established by the underlying Zoning District.

The Polk Street NCD allows for a dwelling unit density equal to the density of the nearest R District. The closest R District is the adjacent RC-4 District, which allows a dwelling unit density of 1:200. Thus, based on a lot area of 3,000 square feet, the maximum dwelling unit density that could be permitted at the NC portion of the site is 15 units. The Project proposes nine dwelling-units on the NC portion of the site and 94 dwelling-units on the Van Ness SUD portion of the site.

- E. **Rear Yard.** Per Planning Code Sections 134 and 723.12, a 25-percent rear yard is required at all levels in the RC-4 District and a 25-percent rear yard is required at all residential levels in the Polk Street NCD. An approximately 30-foot deep rear yard from the rear lot line would need to be provided for the project (with front lot line assumed along Pine Street); however, the rear yard requirement may be modified by the Zoning Administrator pursuant to Planning Code Sections 243(c)(7) and 307(g).

The project does not meet the rear yard depth per Planning Code Section 134; however, the Project is seeking modifications to the rear yard requirement as part of the related Case No. 2006.0383V.

- F. **Dwelling Unit Exposure.** Planning Code Section 140 requires every dwelling-unit to face onto a Code-complying rear yard, a 25-foot wide street, side yard or a qualifying open area.

As Code-complying dwelling unit exposure is not provided for 11 of the 103 dwelling-units, the Project is seeking modifications to the rear yard requirement as part of the related Case No. 2006.0383V. The majority of the dwelling-units face onto Pine and Austin Streets, which comply with the exposure requirement. The building has been designed to provide a 25 foot side yard along the west side at the residential levels to provide sufficient exposure for the west facing units, with the exception of one unit at level 2. A 25 foot by 25 foot open area is provided along the east side for the units facing to the east; however, the size of this open area does not comply with exposure requirements for levels 2 through 6.

- G. **Open Space.** Per Planning Code Section 135, in Neighborhood Commercial Districts, the amount of usable open space to be provided shall be the amount required in the nearest Residential District. The adjacent RC-4 District requires 36 square feet of private open space per unit or 48 square feet of common open space per unit. Section 135 also provides additional open space criteria, such as minimum dimensions and minimum areas.

The Project meets the open space requirement by providing a combination of private balconies and terraces, and a court yard and common roof decks. 19 of the 103 dwelling-units will have private usable open space. The remaining 84 dwelling-units will have access to approximately 4,380 square feet of common usable open space, where 4,246 square feet is required. The Project exceeds the amount of open space area required by the Code and meets the minimum dimensions and areas prescribed by the Code.

- H. **Street Trees (Sections 138.1 and 428).** Section 138.1 requires the installation of street trees in the case of the construction of a new building. One 24-inch box tree is required for every 20 feet of property frontage along each street or alley, with any remaining fraction of ten feet or more of frontage requiring an additional tree. The species and locations of trees installed in the public right-of-way shall be subject to approval by the Department of Public Works (DPW). The requirements of Section 138.1 may be waived or modified by the Zoning Administrator, pursuant to Section 428, where DPW cannot grant approval due to practical difficulties.

The site contains 125 feet of street frontage along both Pine and Austin Streets and would require six street trees along each frontage. As currently designed, six street trees will be provided along Pine Street and five will be provided along Austin Street. Although the Project currently proposes only five street trees along Austin Street, the Project Sponsor is working with DPW's Bureau of Urban Forestry to identify additional locations along the Site's public right-of-way where street trees or landscaping can feasibly be installed. If the Sponsor is unable to plant the sixth required street tree along Austin Street, they will be required to pay an in-lieu fee to satisfy the requirement. The Project will comply with the requirements of Section 138.1 as required through the Conditions of Approval.

- I. **Streetscape Improvements (Section 138.1).** Section 138.1(b) requires new construction projects with 250 feet of frontage or more to provide streetscape improvements consistent with the Better Streets Plan. Under Section 138.1(c), the Commission may also require the

Project Sponsor to install additional sidewalk improvements such as lighting, special paving, seating and landscaping in accordance with the guidelines of the Downtown Streetscape Plan if it finds that these improvements are necessary to meet the goals and objectives of the General Plan.

The Project will include new street trees consistent with the requirements of Planning Code Section 138.1(c)(1). Although the Project currently proposes only five street trees along Austin Street, the Project Sponsor is working with DPW's Bureau of Urban Forestry to identify additional locations along the Site's public right-of-way where street trees or landscaping can feasibly be installed. The Project will also include streetscape elements such as specialty pavers and planters along both frontages, consistent with Planning Code Section 138.1. These requirements are included as Conditions of Approval.

- J. **Street Frontage.** Per Planning Code Section 145.1, the treatment of the street frontages at the project shall be designed to preserve, enhance and promote attractive, clearly defined street frontages that are pedestrian-oriented, fine-grained, and which are appropriate and compatible with the buildings and uses in the RC and NC Districts. The project requires that 60 percent of the building perimeter at the ground floor be transparent and the first 25 feet of the ground floor to be devoted to active uses. Spaces such as lobbies are considered active uses only if they do not exceed 40 feet and spaces such as restrooms, bike parking, and other service areas are not considered "active uses".

The Project proposes the ground floor along Pine Street to be 68 percent transparent and approximately 48 percent transparent along Austin Street. Approximately 24 feet of the Pine Street frontage and approximately 64 feet of the Austin Street frontage do not comply with the active use requirement. However, the project proposes two retail spaces along Pine Street and one retail/institutional use along Austin Street. The Austin Street façade has mainly been designed to accommodate off-street parking and bicycle store. The bicycle storage has been designed with glazing to encourage activation of Austin Street. The Project Sponsor is seeking a variance from Section 145.1 through Case No. 2006.0383V.

- K. **Off-Street Parking.** For the portion of the lot within the Van Ness SUD, one parking space is required for each dwelling unit pursuant to Planning Code Section 161(j) and 243(c)(9)(F); however, a reduction to one parking space to four dwelling units can be requested from the Planning Commission pursuant to Section 307(i). For the portion of the lot within the Polk Street NCD, one parking space is required for each dwelling unit pursuant to Planning Code Section 723.94; however, similarly, a reduction can be sought from the Planning Commission pursuant to Planning Code Section 307(i).

The Project is required to provide 103 parking spaces and 84 are proposed. The Project seeks a parking reduction ratio from 1-to-1 to 1-to-0.8, pursuant to Planning Code Section 243 and 307(i). See Parking Reduction Findings below.

- L. **Off-Street Loading.** Per Planning Code Section 152, as the proposed gross floor area of the project is greater than 100,000 square feet and does not exceed 200,000 square feet of residential space, one off-street loading space is required.

The Project proposes a total of 129,632 square feet of residential space and no off-street loading spaces. On-street loading spaces are proposed and would be subject to MTA approval. The Project seeks a variance from the loading requirement through Case No. 2006.0383V.

- M. **Bicycle Parking.** Per Planning Code Section 155.2, one (1) Class 1 bicycle parking space per unit up to 100 units, and one additional space per each 4 units above 100 units are required for new construction projects. As the Project proposes 103 dwelling-units, 101 Class 1 bicycle parking spaces are required. In addition, one (1) Class 2 bicycle parking space is required per 20 units. With 103 dwelling-units in the project, five (5) Class 2 bicycle parking spaces are required to serve the residential units. For the 2,700 square feet of retail/institutional spaces, two (2) additional Class 2 spaces are required.

The Project proposes 112 Class 1 bicycle parking spaces at the street level along Austin Street, where 101 are required, and eight Class 2 bicycle parking spaces are provided where seven are required (six along Pine Street and two along Austin Street).

- N. **Car Share Parking.** Section 166 of the Planning Code requires no fewer than one car share parking space for every 50-200 residential units.

The project proposes two carshare spaces located at Level B2 with access from Austin Street. The carshare spaces shall be designed to comply with the Zoning Administrator Bulletin for Carshare spaces.

- O. **Van Ness SUD – Ground Story Wind Levels.** Planning Code Section 243(c)(10) allows exceptions to be sought to permit wind speeds higher than 11 mph at certain sidewalk locations providing that, on balance, conditions are not worsened. No exception may be permitted that causes equivalent wind speeds to reach or exceed the hazard level of 26 m.p.h. for a single hour of the year.

The VNSUD (Section 243(c)(10)) regulates pedestrian-level wind speeds resulting from the construction of new buildings, prohibits wind speeds considered hazardous, and encourages limiting wind speeds to levels considered comfortable. The maximum wind speed for comfort is 11 mph, and in certain circumstances wind speeds higher than the comfort level are permitted at the discretion of the Planning Commission.

The Project has been sculpted to not create any hazardous wind conditions. Wind studies conducted under the FEIR demonstrate that the proposed development would decrease the overall wind hazards from 4 to 3 locations and would result in an overall improvement in ground-level wind conditions near the Project Site. The existing average wind speed for the wind comfort analysis at 54 test points is 14 m.p.h., with wind speeds ranging from 8 to 26 m.p.h., where 35 of the existing test locations do not meet the wind comfort criterion. The proposed average wind speed at the 54 test points would decrease

from an average of 14 m.p.h. to 13 m.p.h., with wind speeds ranging from 8 to 24 m.p.h., and the highest wind speeds occurring along the north and south sides of Pine Street between the Project Site and the intersection of Pine Street and Van Ness Avenue. The wind speeds would decrease at seven locations, remain the same at 28 locations, and increase at four locations. Therefore, the total number of points exceeding the wind comfort level would be fewer with the Project than under the existing conditions.

- P. **Shadows on Parks (Section 295).** Section 295 requires any project proposing a structure exceeding a height of 40 feet to undergo a shadow analysis in order to determine if the project will result in the net addition of shadow to properties under the jurisdiction of the Recreation and Park Department.

The Department conducted a shadow analysis, under Case No. 2006.0383K, and determined that the Project would not shade any properties under the jurisdiction of, or designated for acquisition by, the Recreation and Park Department.

- Q. **Affordable Housing.** Per Planning Code Section 415, all projects that include ten or more units must participate in the Inclusionary Affordable Housing Program. Of the total number of proposed dwelling units, the project shall provide 12-percent on-site affordable units.

The Project proposes 12 on-site affordable housing units, which equals 12-percent of the 103 dwelling units proposed at the project. See Inclusionary Affordable Housing Program Findings below.

5. **Reduction of Ground-level Wind Currents Exception Findings.** Pursuant to Planning Code Section 243(c)(10), new buildings within the Van Ness SUD 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, between 7:00 a.m. and 6:00 p.m., the comfort level of 11 m.p.h. equivalent wind speed in areas of pedestrian use and seven m.p.h. 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. An exception may be permitted if the project sponsor demonstrates that the building cannot be shaped or wind baffling measures cannot be adopted without unduly restricting the development potential of the building site. The exception may permit the building 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. 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 m.p.h. for a single hour of the year.

Wind studies conducted under the FEIR demonstrate that the proposed Project would not create any hazardous wind conditions above 26 m.p.h. and would reduce the existing wind hazards from four to three locations. The Project would result in a total of 28 of the 54 sidewalk test points that currently have wind speeds above the comfort level to remain above the comfort level. The wind study also found that the

Project would reduce the wind speed at seven points from above the comfort level to within the comfort level and also increase four other points from within the comfort level to above the level. Therefore, the total number of points exceeding the wind comfort level would be decreased from 35 to 32 point after the construction of the Project. The average wind speed exceeded 10 percent of the time will also be reduced from 14 m.p.h. to 13 m.p.h.

The wind analysis states that the overall number of exceedances of the pedestrian comfort criterion and average wind speeds for the Project is similar to those predicted for the existing conditions.

Given the potential for at least some exceedances of the wind comfort level criterion to occur, a Conditional Use Authorization is being requested. While wind speeds may increase at some locations, on balance, the construction of the Project would not degrade wind comfort overall, and the Project would result in significant public benefit. Furthermore, it is unlikely that the Project could be designed in a manner that would affect wind conditions substantially enough to eliminate all proposed comfort exceedences, without unduly restricting the site's development potential.

6. **Inclusionary Affordable Housing Program Findings.** Planning Code Section 415 sets forth the requirements and procedures for the Inclusionary Affordable Housing Program. Under Planning Code Section 415.3, these requirements would apply to projects that consist of 10 or more units, where the first application (EE or BPA) was applied for on or after July 18, 2006. Pursuant to Planning Code Section 415.5 and 415.6, the Inclusionary Affordable Housing Program requirement for the On-site Affordable Housing Alternative is to provide 15% of the proposed dwelling units as affordable. Pursuant to San Francisco Charter Section 16.110 (g), adopted by the voters in November, 2012, beginning on January 1, 2013, the City shall reduce by 20% the on-site inclusionary housing obligation for all on-site projects subject to the Inclusionary Affordable Housing, but in no case below 12%. Thus, under Charter Section 16.110 (g) all the on-site requirements here are reduced by 3% (20% of 15%) to 12%.

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 September 2, 2014. The EE application was submitted on May 4, 2012. Pursuant San Francisco Charter Section 16.110 (g) the 15% on-site requirement stipulated in Planning Code Section 415.6, is reduced by 3% (20% of 15%) to 12%. Twelve (12) units (one studio, eight one-bedroom, and three two-bedroom units) of the 103 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. **Parking Reduction Findings:** Planning Code Section 307(i) provides criteria for the Reduction or Modification of Off-Street Parking Requirements. The Planning Commission or the Zoning Administrator has considered and applied the following criteria:
- a. the reduction in the parking requirement is justified by the reasonably anticipated automobile usage by residents of and visitors to the project; and
 - b. the reduction in the parking requirement will not be detrimental to the health, safety, convenience, or general welfare of persons residing in or working in the vicinity; and
 - c. the minimization of conflict of vehicular and pedestrian movements; and
 - d. the availability of transportation modes other than the automobile; and
 - e. the pattern of land use and character of development in the vicinity;

The Project currently proposes 84 parking spaces, where 103 spaces are required and is further substituting 11 required parking spaces with bicycle parking. The reduction of eight parking spaces is in keeping with the City's Transit First Policy. The amount of proposed parking is desirable, as the project is within a transit-rich neighborhood and is close to State Highway 101 (Van Ness Avenue), which is located along the planned future BRT route. The Project's FEIR has fully analyzed the Project's impact on traffic and mitigation measures have been adopted as part of the MMRP under Attachment B. The Project's vehicular parking is proposed via one access point, thus limiting the potential for pedestrian and vehicular conflicts. The garage access is proposed on Austin Street; therefore, the traffic flow along the major arterial along Van Ness Avenue will be unimpeded. The Project incentivizes bicycle use by proposing 112 Class 1 bicycle parking spaces at the street level along Austin Street and is designed to be visible from the street.

8. **Planning Code Section 303** establishes criteria for the Planning Commission to consider when reviewing applications for Conditional Use approval. On balance, the project does comply with said criteria in that:

- A. The proposed new uses and building, at the size and intensity contemplated and at the proposed location, will provide a development that is necessary or desirable, and compatible with, the neighborhood or the community.

The proposed Project is necessary as it adds 103 new dwelling-units to the City's housing stock, including 12 affordable housing units. The Project is desirable, as the affordable units are provided on-site. The Project is also desirable in that it is well-designed and in keeping with the scale and density of the immediate neighborhood.

- B. The proposed project will not be detrimental to the health, safety, convenience or general welfare of persons residing or working in the vicinity. There are no features of the project that could be detrimental to the health, safety or convenience of those residing or working the area, in that:

- i. Nature of proposed site, including its size and shape, and the proposed size, shape and arrangement of structures;

The Project has been modulated to comply with the respective zoning, height and bulk limitations. The project further provides various setbacks along Pine Street and Austin Street as well as a partial 25-foot side yard from the western, uphill side neighbor to provide additional relief for the adjacent property.

- 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;

The parking proposed at the Project is reasonable and in-keeping with the City's Transit First Policy. The Project does not propose the required off-street loading spaces; however, the Project is not expected to create the need for regular loading, as the Project is comprised of mostly residential for-sale units and three smaller commercial spaces. The Project's FEIR has fully analyzed the project's impact on traffic. The Project's vehicular parking is proposed via one access point, thus limiting the potential for pedestrian and vehicular conflicts. The garage access is proposed on Austin Street and will not impede the thoroughfare along Van Ness Avenue.

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

Noxious or offensive emissions are not associated with the residential uses and smaller commercial spaces proposed.

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

The Project proposes a variety of common and private open spaces in the form of balconies, roof decks and at the ground floor level. New street trees are proposed along Pine and Austin Streets as well as specialty paving and planters. The required parking is screened from view by a garage door, and parking is proposed within the basement level.

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

The Project complies with all relevant requirements and standards of the Planning Code and is consistent with objectives and policies of the General Plan as detailed below.

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

The proposed Project is consistent with the stated purpose of the Polk Street NCD District, in that the Project will allow for ground floor commercial opportunities with residential uses located at the upper floors.

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

HOUSING ELEMENT

Objectives and Policies

OBJECTIVE 1:

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

Policy 1.1:

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

The Project proposes a broad range of studio, one-, two- and three-bedroom units. The requirements of the Inclusionary Affordable Housing Program are proposed to be met by providing 12 affordable dwelling-units (12 percent of the total unit count) reflecting the mix of the proposed market rate units.

OBJECTIVE 11:

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

Policy 11.1

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

Policy 11.3

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

Policy 11.6

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

The Project design is of a contemporary style, but in keeping with the building patterns, scale and massing of the existing neighborhood character. The Project provides appropriate window proportions, variation of facade planes and the selection of exterior materials to produce a building that is harmonious with its surrounding context. The development follows and reconciles the natural lateral slope of the site by introducing appropriate height changes and modulations of the building massing. The residential density is comparable to other large apartment/condominium buildings found in the vicinity particularly along the Van Ness Avenue corridor. A sense of community is fostered by the project in terms of the location of the residential entry and the active commercial uses that front onto Pine Street and Austin Street, the provision of residential balconies and the use of residential-scaled exterior materials. The proposed specialty

paving between the street trees to be consistent with the paving on the site and the proposed planters contribute positively to fostering a pleasant pedestrian realm.

NEIGHBORHOOD COMMERCE ELEMENT

Objectives and Policies

OBJECTIVE 1:

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

Policy 1:

Encourage development which provides substantial net benefits and minimizes undesirable consequences. Discourage development that has substantial undesirable consequences that cannot be mitigated.

The Project would add 103 units to the City's housing stock in a zoning district that encourages the development of high density housing and commercial uses at the lower levels of the building. The number of units and the building size and shape are proposed to create a design that is beneficial to residents and users of the Project and also to the urban landscape and existing development patterns.

URBAN DESIGN ELEMENT

Objectives and Policies

OBJECTIVE 1:

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

Policy 1.2:

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

The Project's height of 130 feet and 65 feet is comparable to other developments within the Van Ness SUD and the Polk Street NCD. As discussed above, the Project's massing, articulation, and scale are in-keeping with existing neighborhood patterns and residential uses.

Policy 1.3:

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

The Project is of a modern architectural style that relates positively to the nearby residential buildings and newer development within the district. The Project is grounded in the common rhythms and elements of architectural expression found in the surrounding neighborhood through the façade expressions. The massing of the Project is broken down into three main volumes that response to the topography of the

sloped site and the through-lot conditions. The scale is broken down further with the use of varied window proportions, balconies, and the expression and use of various exterior materials. The Project will complement and be harmonious with the surrounding neighborhood character.

OBJECTIVE 3

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

Policy 3.6:

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

See Objective 1 Policy 1 and Objective 3 Policy 3, above, for a description of how the bulk and massing of the building is related to the neighborhood. The massing and bulk of the Project has been modulated to provide a transition between the higher density Van Ness SUD and the moderate density Polk Street NCD.

Policy 3.7:

Recognize the special urban design problems posed in development of large properties.

Some of the design problems typically occurring in larger urban developments are addressed by the project by responding to the visual character of the neighborhood with regard to the project's site design and the building scale and form. The subject building will draw from elements that are common to the block including a tall ground floor with commercial uses. Additional problems often occur at the base of larger developments where multiple garage entrances dominate the pedestrian level as seen in many large residential buildings in the neighborhood. The base of the subject building will have one garage entrance on Pine Street. The massing of the building will reflect the site characteristics of the existing topography and will not obscure any public views.

OBJECTIVE 4:

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

Policy 4.10:

Encourage or require the provisions of recreation space in private development.

In addition to private open space, the Project will include several areas of common usable open space in form of a court yard and roof decks for the residents. The building provides generous setbacks at the street level and has been designed with planters and specialty pavers as secondary open space.

Policy 10:

Install, promote and maintain landscaping in public and private areas.

The required street trees are proposed to be planted as approved by the Department of Public Works.

TRANSPORTATION ELEMENT

Objectives and Policies

OBJECTIVE 2:

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

OBJECTIVE 11:

MAINTAIN PUBLIC TRANSIT AS THE PRIMARY MODE OF TRANSPORTATION IN SAN FRANCISCO AND AS A MEANS THROUGH WHICH TO GUIDE FUTURE DEVELOPMENT AND IMPROVE REGIONAL MOBILITY AND AIR QUALITY.

The Project Site is easily accessible by public transit. MUNI lines 1, 31, 38, 47, 49 AX, BX and NX are within one block of the project site. MUNI lines 2, 3 and 19 are within 2-4 blocks from the Project Site.

OBJECTIVE 28:

PROVIDE SECURE AND CONVENIENT PARKING FACILITIES FOR BICYCLES.

The Project will provide 112 secured bicycle parking spaces (Class 1) at the street level, 11 beyond the required amount.

VAN NESS AVENUE AREA PLAN

Objectives and Policies

OBJECTIVE 1:

CONTINUE EXISTING OF THE AVENUE AND ADD A SIGNIFICANT INCREMENT OF NEW HOUSING.

Policy 1.1:

Encourage development of high density housing above a podium of commercial uses in new construction or substantial expansion of existing buildings.

The proposed development will provide high density housing above commercial uses.

Policy 1.5:

Employ various techniques to provide more affordable housing.

The Project will provide 12 percent of on-site affordable housing.

OBJECTIVE 6:

ENCOURAGE DISTINGUISHED ARCHITECTURE WHOSE SCALE, COMPOSITION AND DETAILING ENHANCES THE OVERALL DESIGN STRUCTURE OF THE AVENUE AND RELATES TO HUMAN SCALE.

Policy 6.2:

Create varied rhythms in developments on large lots by inserting vertical piers/columns, or changes in fenestration and materials to articulate what otherwise would be an undifferentiated facade plane.

Policy 6.3:

Incorporate setbacks and/or stepping down of building form on new developments — and major renovations when necessary — to increase sun exposure on sidewalks.

Policy 6.4:

Differentiate bases of buildings and incorporate detail at ground level through variety in materials, color, texture and architectural projections. Provide windows with clear glass throughout the building.

The proposed development has been design to incorporate changes in fenestration, planes, materials and massing to articulate the massing appropriately. Additional setbacks are provided along the upper stories along Austin Street and street level recesses are provided to enhance the pedestrian realm and the light exposure along the sidewalks.

OBJECTIVE 7:

PROVIDE SAFE AND ATTRACTIVE ENVIRONMENTS WITHIN EACH MIXED USE DEVELOPMENT.

Policy 7.2:

Provide wind protection and sun exposure to private and common open space areas.

Policy 7.4:

Design mixed use developments to create a quiet residential environment with a variety of intimate, personal spaces well insulated from the intrusion of noises from street or commercial activities.

The Project has been sculpted to incorporate awnings along the south side of Pine Street. Attention has been given to the design of the common usable open spaces as well as the recessed ground floor areas along Pine Street and Austin Street to include streetscape improvements such as planters and specialty paving. The varied depth of the ground floor recess provides a well-insulated transitional space between the public sidewalk and the proposed building.

OBJECTIVE 8:

CREATE AN ATTRACTIVE STREET AND SIDEWALK SPACE WHICH CONTRIBUTES TO THE TRANSFORMATION OF VAN NESS AVENUE INTO A RESIDENTIAL BOULEVARD.

Policy 8.1:

Require sponsors of major renovation or new development projects to improve and maintain the sidewalk space abutting their properties according to the guidelines contained in this Plan.

The Project will meet the requirements of Planning Code Section 138.1 and will voluntarily provide additional planting areas along both street frontages.

Policy 8.5:

Maintain existing sidewalk widths.

The Project will maintain the existing sidewalk width and effectively increase the width by providing additional setbacks as the street level to be publically accessible.

OBJECTIVE 9:

PROVIDE SAFE AND EFFICIENT MOVEMENT AMONG ALL USERS ON VAN NESS AVENUE.

Policy 9.1:

Reduce conflicts between transit vehicles and other moving and parked vehicles. Aggressively enforce no parking regulations in bus zones.

The Project has been designed to limit vehicular access along Austin Street as opposed to the more heavily trafficked Pine Street. There is one vehicular entrance along the entire development, which will limit the modal conflicts.

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 Project would not affect neighborhood-serving retail uses, as there is currently no neighborhood-serving retail use at the Site. The Project would provide future commercial opportunities, as three ground floor commercial spaces are proposed.

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

There are no existing dwelling-units on the site. The neighborhood character will not be impaired and the residential component of the Project will add economic diversity to the neighborhood including a mix of affordable units on-site.

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

The buildings to be demolished do not contain housing. The addition of 12 affordable units will enhance the City's supply of affordable housing.

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

The Transportation Study and the FEIR concluded that the Project will not have any significant effect on the streets, and MUNI services. The reduction in the amount of required parking would help in reducing commuter traffic by way of private vehicles.

- 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.

Industrial or service sector businesses are not permitted in the prescribed zoning districts.

- 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. This proposal will not affect the property's ability to withstand an earthquake.

- G. That landmarks and historic buildings be preserved.

The Project would demolish an historic resource (1545 Pine Street) to make way for a new construction project. The adverse impact of the project on the historic resource has been fully analyzed in the Project's FEIR. While the Project proposes demolition of the existing buildings, the Project would increase the City's needed housing supply by 103 units, including 12 integrated on-site affordable units. A project alternative to preserve the existing historic façade was evaluated; however, the resource would still be considered removed for the purposes of CEQA under this alternative. The project alternative to retain the existing historic resource was determined to be financial infeasible and would not meet the objectives of the project sponsor.

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

The Project proposes a building up to 130 feet in height. A shadow fan study was prepared by the Planning Department and it was determined that the Project would not affect the sunlight access to any public parks or open space under Case No. 2006.0383K. The building is an infill development and will not impair any public view corridor.

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. Environmental Findings. The Commission adopted findings under CEQA, including adoption of the MMRP and a Statement of Overriding Considerations, in its Motion No. _____. These findings are incorporated in to this approval action as though fully set forth herein.
13. 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. 2006.0383C** subject to the conditions attached hereto as "EXHIBIT A" in general conformance with plans on file, dated September 25, 2014, and stamped "EXHIBIT B", which is incorporated herein by reference as though fully set forth herein, and adopts the MMRP, attached as "Attachment B" to the CEQA Findings Motion No. XXXX, as conditions of approval, incorporated herein as part of this Motion as though fully set forth herein.

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.

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

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

I hereby certify that the Planning Commission **ADOPTED** the foregoing Motion on October 2, 2014.

Jonas P. Ionin
Commission Secretary

AYES:

NAYS:

ABSENT:

ADOPTED: October 2, 2014

EXHIBIT A

AUTHORIZATION

This authorization is for a Conditional Use to merge five lots, demolish all existing structures, and construct a 12-story, 130-foot tall approximately 129,600 gross square foot mixed-use building, containing 103 residential units, 2,700 square feet of ground floor commercial use and two levels of below-grade parking for 84 vehicles, located at 1527-1545 Pine Street, Block 0667, and Lots 016, 017, 018, 018A and 019 pursuant to Planning Code Sections 243, 253, and 303 within the RC-4 and Polk Street Neighborhood Commercial Districts and the 130-V and 65-A Height and Bulk Districts, and partially within the Van Ness Automotive Special Use District, and; in general conformance with plans, dated **August 29, 2014**, and stamped "EXHIBIT B" included in the docket for Case No. **2006.0383C** and subject to conditions of approval reviewed and approved by the Commission on **October 2, 2014**, 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 **October 2, 2014**, 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.** The authorization and right vested by virtue of this action is valid for three (3) years from the effective date of the Motion. The Department of Building Inspection shall have issued a Building Permit or Site Permit to construct the project and/or commence the approved use within this three-year period.
For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org
2. **Expiration and Renewal.** Should a Building or Site Permit be sought after the three (3) year period has lapsed, the project sponsor must seek a renewal of this Authorization by filing an application for an amendment to the original Authorization or a new application for Authorization. Should the project sponsor decline to so file, and decline to withdraw the permit application, the Commission shall conduct a public hearing in order to consider the revocation of the Authorization. Should the Commission not revoke the Authorization following the closure of the public hearing, the Commission shall determine the extension of time for the continued validity of the Authorization.
For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org
3. **Diligent pursuit.** Once a site or Building Permit has been issued, construction must commence within the timeframe required by the Department of Building Inspection and be continued diligently to completion. Failure to do so shall be grounds for the Commission to consider revoking the approval if more than three (3) years have passed since this Authorization was approved.
For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org
4. **Extension.** All time limits in the preceding three paragraphs may be extended at the discretion of the Zoning Administrator where implementation of the project is delayed by a public agency, an appeal or a legal challenge and only by the length of time for which such public agency, appeal or challenge has caused delay.
For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org
5. **Conformity with Current Law.** No application for Building Permit, Site Permit, or other entitlement shall be approved unless it complies with all applicable provisions of City Codes in effect at the time of such approval.
For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org
6. **Mitigation Measures.** Mitigation measures described in the Mitigation, Monitoring and Reporting Program attached as "Attachment B" to the CEQA Findings Motion No. XXXX (the

“MMRP”) are necessary to avoid potential significant impacts of the 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

7. **Additional Project Authorization.** The Project Sponsor must obtain a Variance under Sections 136, 140, 145.1, and 152 to allow modification of the rear yard requirement; to allow reduction from the dwelling unit exposure for 11 units; to provide less than the required amount of ground floor transparency and active uses; and to allow the reduction of required off-street loading space. The conditions set forth below are additional conditions required in connection with the Project. If these conditions overlap with any other requirement imposed on the Project, the more restrictive or protective condition or requirement, as determined by the Zoning Administrator, shall apply.

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

DESIGN

8. **Final Materials.** The Project Sponsor shall continue to work with Planning Department on the building design, particularly the Austin Street façade. 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

9. **Glazing.** Final glazing selection, particularly at the ground floor shall be subject to Department staff review and approval in order to ensure maximum transparency and minimal reflectivity. *For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org.*

10. **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

11. **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

12. **Street Trees.** The Project shall comply with the requirements of Planning Code Section 138.1, subject to the Department's review and approval of a final streetscape plan.
For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org
13. **Streetscape Plan.** Pursuant to Planning Code Section 138.1, the Project Sponsor shall continue to work with Planning Department staff, in consultation with other City agencies, to refine the design and programming of the Streetscape Plan so that the plan generally meets the standards of the Better Streets Plan and all applicable City standards. The Project Sponsor shall complete final design of all required street improvements, including procurement of relevant City permits, prior to issuance of first architectural addenda, and shall complete construction of all required street improvements prior to issuance of first temporary certificate of occupancy.
For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org
14. **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
15. **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>

AFFORDABLE UNITS

16. **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. Pursuant San Francisco Charter Section 16.110 (g) the 15% on-site requirement stipulated in Planning Code Section 415.6, is reduced by 3% (20% of 15%) to 12%. The Project contains 103 units; therefore, 12 affordable units are required. The Project Sponsor will fulfill this requirement by providing the 12 affordable units on-site. If the number of market-rate units change, the number of required affordable units shall be modified accordingly with written approval from Planning Department staff in consultation with the Mayor's Office of Housing ("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, www.sf-moh.org.

17. **Unit Mix.** The Project contains 10 studio, 67 one-bedroom, 23 two-bedroom and 3 three-bedroom units; therefore, the required affordable unit mix is 1 studio, 8 one-bedroom and 3 two-bedroom units. If the market-rate unit mix changes, the affordable unit mix will be modified accordingly with written approval from Planning Department staff in consultation with MOH.

For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org or the Mayor's Office of Housing at 415-701-5500, www.sf-moh.org.

18. **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, www.sf-moh.org.

19. **Phasing.** If any building permit is issued for partial phasing of the Project, the Project Sponsor shall have designated not less than twelve percent (12%) 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, www.sf-moh.org.

20. **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, www.sf-moh.org.

21. **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, www.sf-moh.org.

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

conditions of approval and a reduced set of plans that identify the affordable units satisfying the requirements of this approval. The Project Sponsor shall promptly provide a copy of the recorded Notice of Special Restriction to the Department and to MOH or its successor.

- f. The Project Sponsor has demonstrated that it is eligible for the On-site Affordable Housing Alternative under Planning Code Section 415.6 instead of payment of the Affordable Housing Fee, and has submitted the *Affidavit of Compliance with the Inclusionary Affordable Housing Program: Planning Code Section 415* to the Planning Department stating that any affordable units designated as on-site units shall be sold as ownership units and will remain as ownership units for the life of the Project.
- g. If the Project Sponsor fails to comply with the Inclusionary Affordable Housing Program requirement, the Director of DBI shall deny any and all site or building permits or certificates of occupancy for the development project until the Planning Department notifies the Director of compliance. A Project Sponsor's failure to comply with the requirements of Planning Code Section 415 et seq. shall constitute cause for the City to record a lien against the development project and to pursue any and all available remedies at law.
- h. If the Project becomes ineligible at any time for the On-site Affordable Housing Alternative, the Project Sponsor or its successor shall pay the Affordable Housing Fee prior to issuance of the first construction permit or may seek a fee deferral as permitted under Ordinances 0107-10 and 0108-10. If the Project becomes ineligible after issuance of its first construction permit, the Project Sponsor shall notify the Department and MOH and pay interest on the Affordable Housing Fee at a rate equal to the Development Fee Deferral Surcharge Rate in Section 107A.13.3.2 of the San Francisco Building Code and penalties, if applicable.

PARKING AND TRAFFIC

22. **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.

23. **Bicycle Parking.** Pursuant to Planning Code Section 155.1, the Zoning Administrator has determined that the Project shall provide no fewer than 101 Class 1 and 8 Class 2 bicycle parking spaces. The Zoning Administrator will use this information to consider the parking reduction request. This requirement shall not preclude the Project Sponsor from providing additional bicycle parking facilities through valet services or a self-service corral as needed by demand, particularly for conventions with a large number of local attendees.

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

24. **Car Share.** Pursuant to Planning Code Section 166, no less than two (2) 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. Car share facilities must be designed to meet the requirements of the Department.

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

25. **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

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

For information about compliance, contact the First Source Hiring Manager at 415-581-2335, www.onestopSF.org

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

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

MONITORING

28. **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*
29. **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

30. **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>*
31. **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*
32. **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*

Additional Conditions of Approval – Improvement Measures

The following conditions consist of improvement measures that were suggested in the Final Environmental Impact Report as methods to improve some of the transportation challenges for the 1527-1545 Pine Street project. While neither required by nor authorized under CEQA, the Planning Department environmental staff and the expert consultants suggested inclusion of these components as a way of improving the transportation experiences in the area. The Project Sponsor will include these measures in the Project in order to improve the Project and reduce any potential inconveniences or other negative effects in the area. Accordingly, the improvement measures would be implemented as described below.

1. Improvement Measure I-TR-A: Monitoring and Abatement of Queues

As an improvement measure to reduce the potential for queuing of vehicles accessing the project site, it shall be the responsibility of the project sponsor to ensure that recurring vehicle queues do not occur on Austin Street adjacent to the site. A vehicle queue is defined as one or more vehicles blocking any portion of the Austin Street sidewalk or travel lanes on Austin Street or Van Ness Avenue for a consecutive period of three minutes or longer on a daily and/or weekly basis.

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

2. Improvement Measure I-TR-B: Construction Measures

Traffic Control Plan for Construction – As an improvement measure to reduce potential conflicts between construction activities and pedestrians, transit and vehicles at the project site, the contractor shall prepare a traffic control plan for the project construction period. The project sponsor and construction contractor(s) would meet with DPW, SFMTA, the Fire Department, Muni Operations and other City agencies to coordinate feasible measures to reduce traffic congestion, including temporary transit stop relocations (not anticipated, but if determined necessary) and other measures to reduce potential traffic and transit disruption and pedestrian circulation effects during construction of the proposed project. This review would consider other ongoing construction in the project area, such as construction of the 1634-1690 Pine Street project or the planned CPMC Cathedral Hill Hospital. The contractor would be required to comply with the *City of San Francisco's Regulations for Working in San Francisco Streets*, which establish rules and permit requirements so that construction activities can be done safely and with the lowest level of possible conflicts with pedestrians, bicyclists, transit and vehicular traffic. As part of this effort, alternate construction staging locations could be identified and assessed.

Carpool and Transit Access for Construction Workers – As an improvement measure to minimize parking demand and vehicle trips associated with construction workers, the construction contractor should include methods to encourage carpooling and transit access to the project site by construction workers in the Construction Management Plan.

Project Construction Updates for Adjacent Businesses and Residents – As an improvement measure to minimize construction impacts on access to nearby institutions and businesses, the project sponsor would

provide existing residential tenants, nearby residences and adjacent businesses with regularly-updated information regarding project construction, including construction activities, peak construction vehicle activities (e.g., concrete pours), travel lane closures, parking lane and sidewalk closures. A web site could be created by the project sponsor that would provide current construction information of interest to neighbors, as well as contact information for specific construction inquiries or concerns.

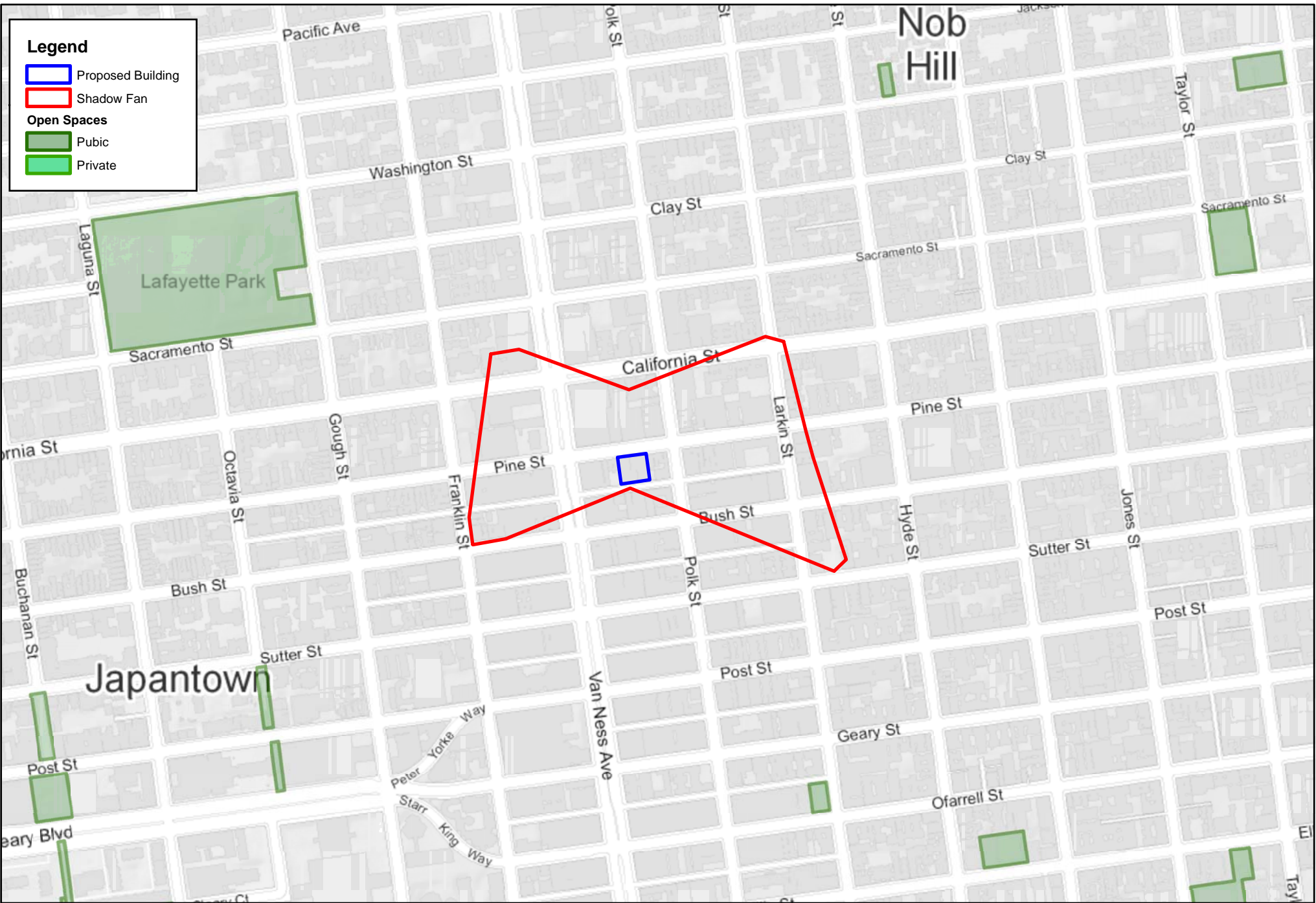
3. Improvement Measure I-TR-C: Transportation Demand Management Plan

As an improvement measure to reduce the project's unmet parking demand and encourage use of alternate modes, the project sponsor would develop and implement a Transportation Demand Management ("TDM") Plan that would be designed to reduce use of single-occupant vehicles and to increase the use of rideshare, transit, bicycle, and walk modes for trips to and from the proposed project. The TDM plan would include such measures as the following to reduce single occupancy vehicles and encourage alternate modes of travel:

- Designate and train an on-site or on-call TDM contact/coordinator. Provide TDM training for property managers.
- Provide a transportation insert for the move-in packet that would provide up-to-date information on transit service (e.g., nearby Muni and regional transit routes, Muni routes used to access regional transit, Muni routes to nearby parks, supermarkets, and other attractions), information on where Clipper Cards or FastPasses could be purchased, and information on the 511 Regional Rideshare Program. Provide similar information for new and existing tenants and employees.
- Offer employee, visitor, and customer incentives to increase use of alternate modes.
- Establish a "ride board" through which residents can offer/request rides.
- Provide ongoing local and regional transportation information (e.g., transit maps and schedules, maps of bicycle routes, internet links), including updates for all users, including residents, employers, and employees. This can be accomplished on the Homeowners Association (HOA) website and/or lobby bulletin board and directly with other tenants.
- Ensure that any bicycle parking is located at a central site within the building, and provide signage indicating the location of bicycle parking.
- Provide information and/or signage indicating path of access to bicycle routes and facilities (particularly to Polk Street bicycle route).
- Ensure that bicycle safety strategies are developed, thus avoiding conflicts between bicyclists, private autos, and transit vehicles.
- Create a project-wide program to allow for bulk purchasing of transit passes (Muni FastPass, etc.), car-share or bike-share memberships. The HOA shall contribute no less than \$20 per month, per unit, to subsidize the program and provide each unit with free or discounted passes or memberships for its occupants. Notice of the project's participation in a bulk transit, car-share or bike-share program shall be provided as part of the information packet given to every resident.

- Assure the proper and efficient use of on-site vehicle and bicycle parking.
- Actively encourage alternative mode choice and rideshares by monitoring above efforts effectiveness and fostering local deliveries from nearby businesses, where appropriate.

The project sponsor or building management representative will provide a draft TDM Plan to the Planning Department for review and approval. The building management representative will also provide an annual performance report of the approved TDM Plan to the Planning Department to evaluate the effectiveness of the TDM Plan.



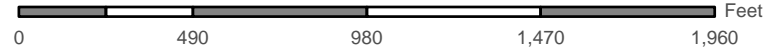
Legend

- Proposed Building
- Shadow Fan
- Open Spaces**
- Pubic
- Private

Title: 2006.0383K - 1527-1545 Pine Street

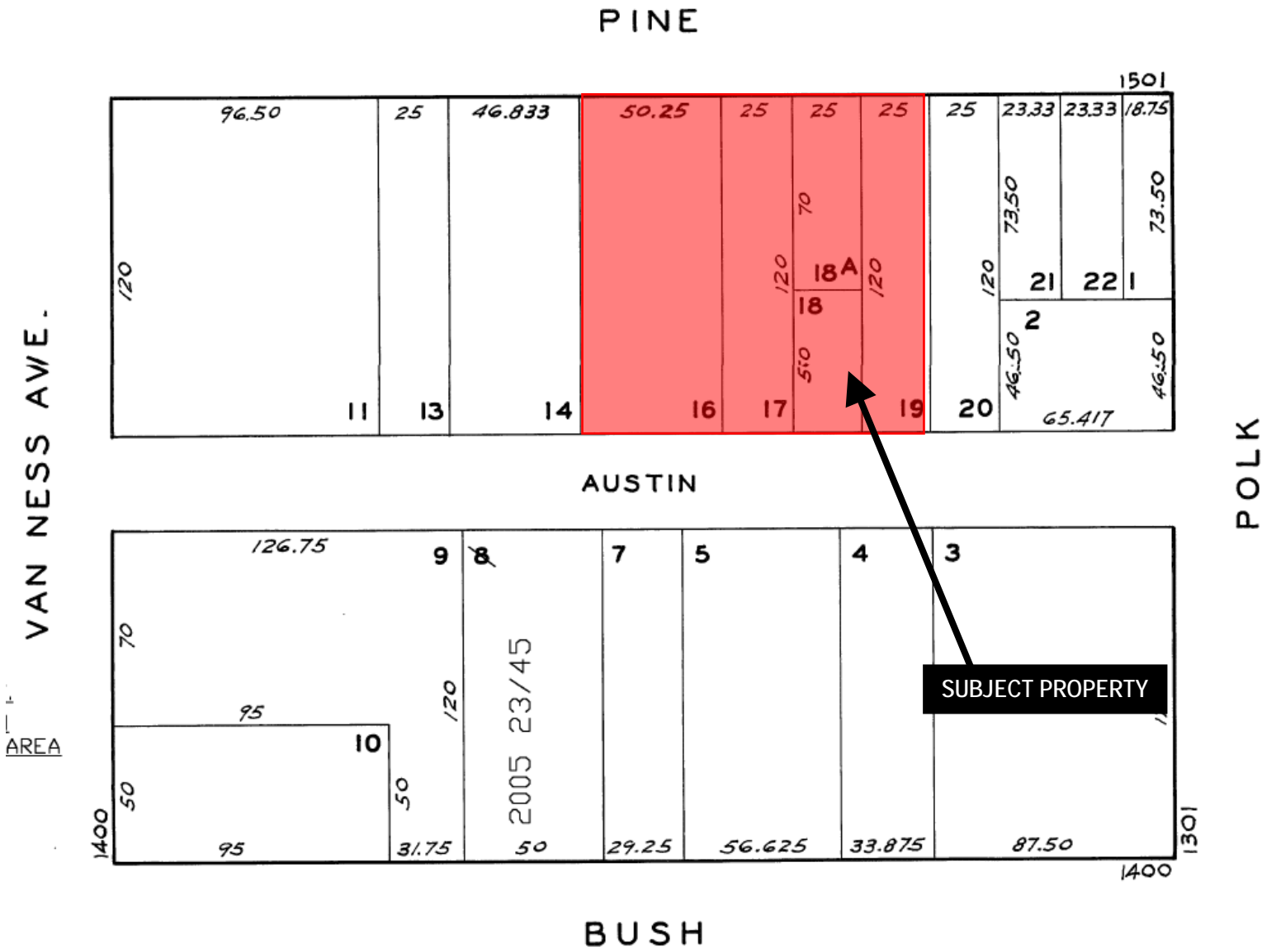
Comments: Block 0067, Lots 016, 017, 018. 18A & 19
145-foot tall building assumed for entire development lot

Printed: 24 September, 2014



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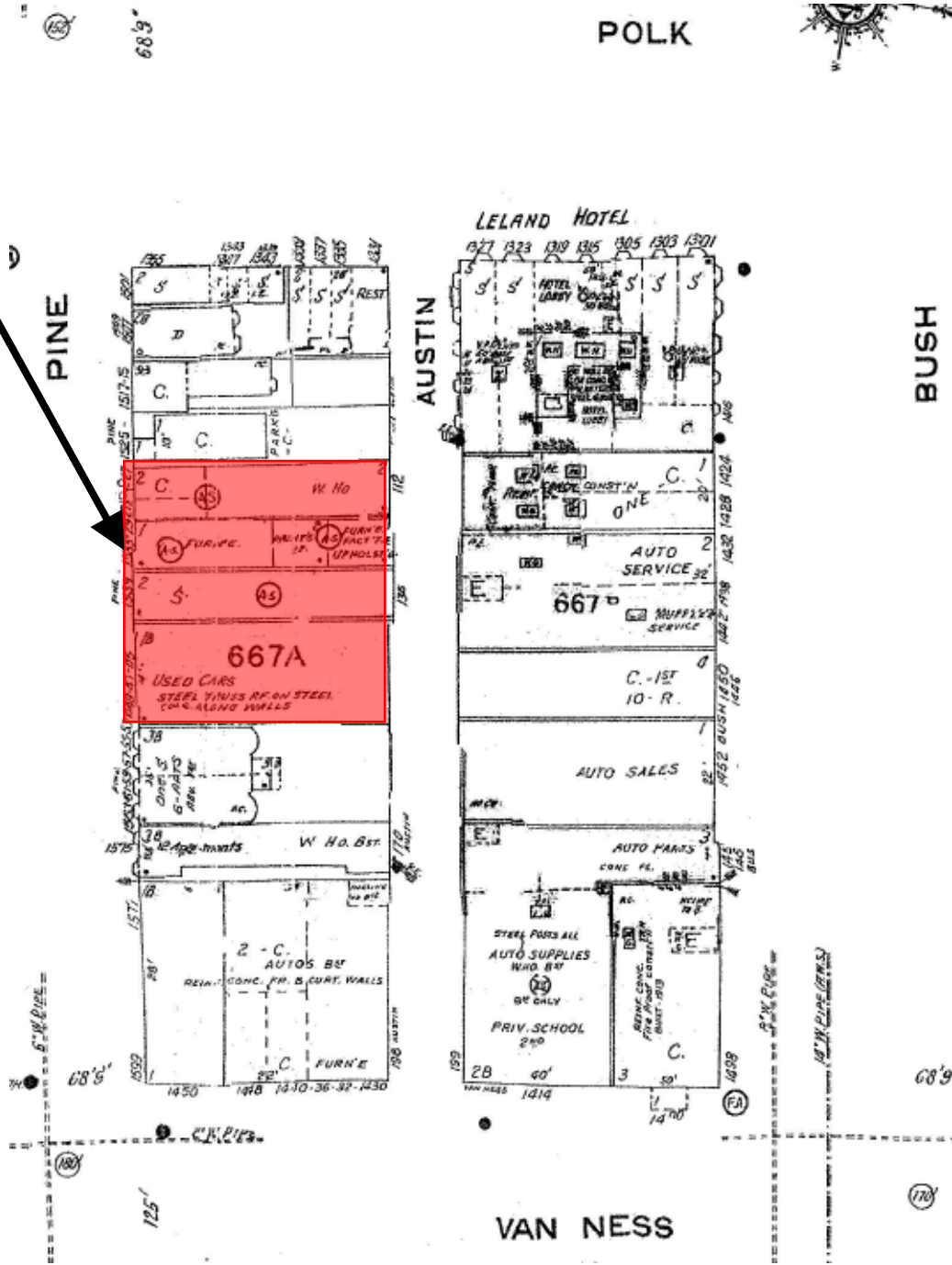
Parcel Map



Conditional Use Authorization
 Case Number 2006.0383C
 Mixed-Use New Construction
 1527-1545 Pine Street

Sanborn Map*

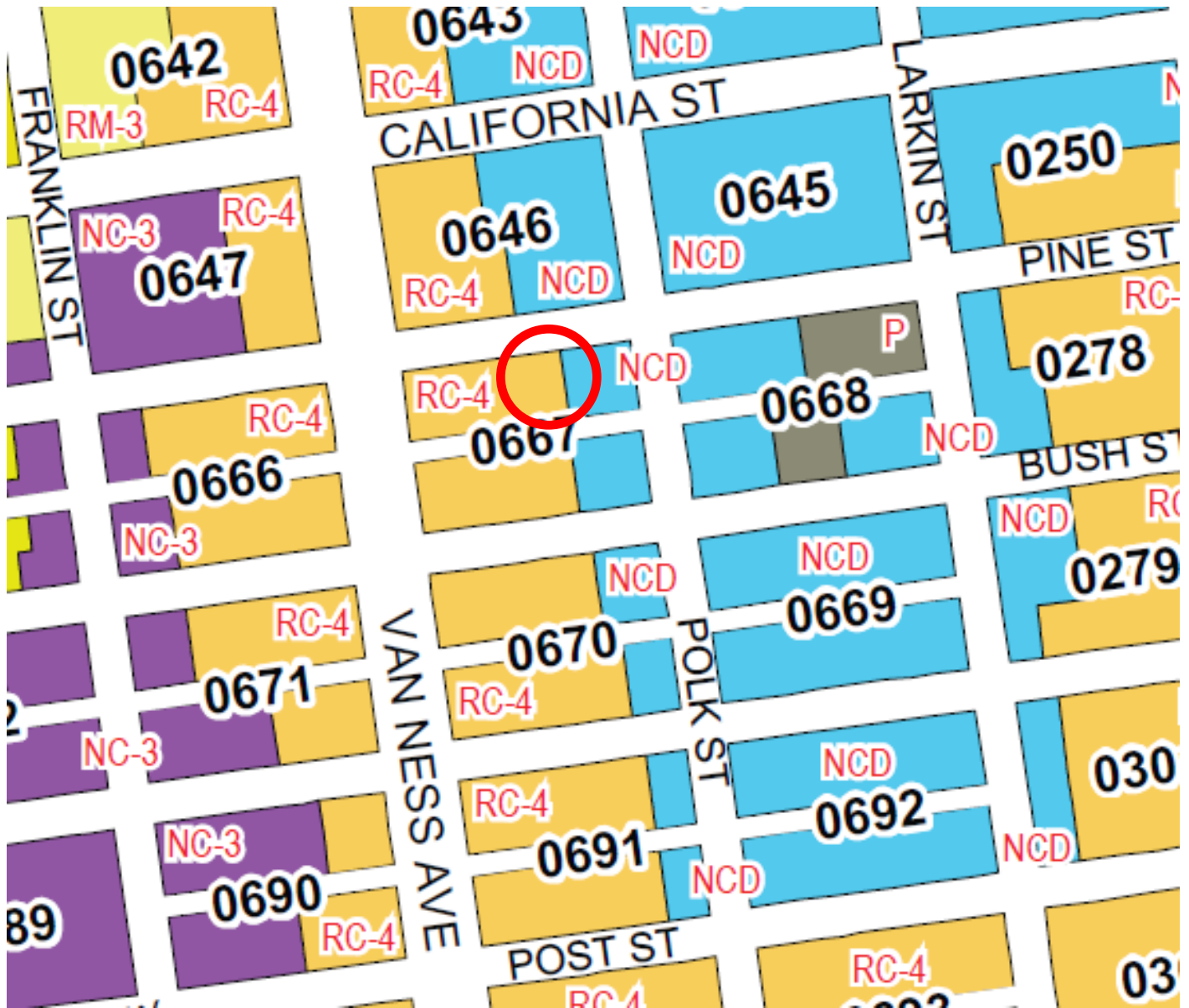
SUBJECT PROPERTY



*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 2006.0383C
 Mixed-Use New Construction
 1527-1545 Pine Street

Zoning Map



Conditional Use Authorization
Case Number 2006.0383C
Mixed-Use New Construction
1527-1545 Pine Street

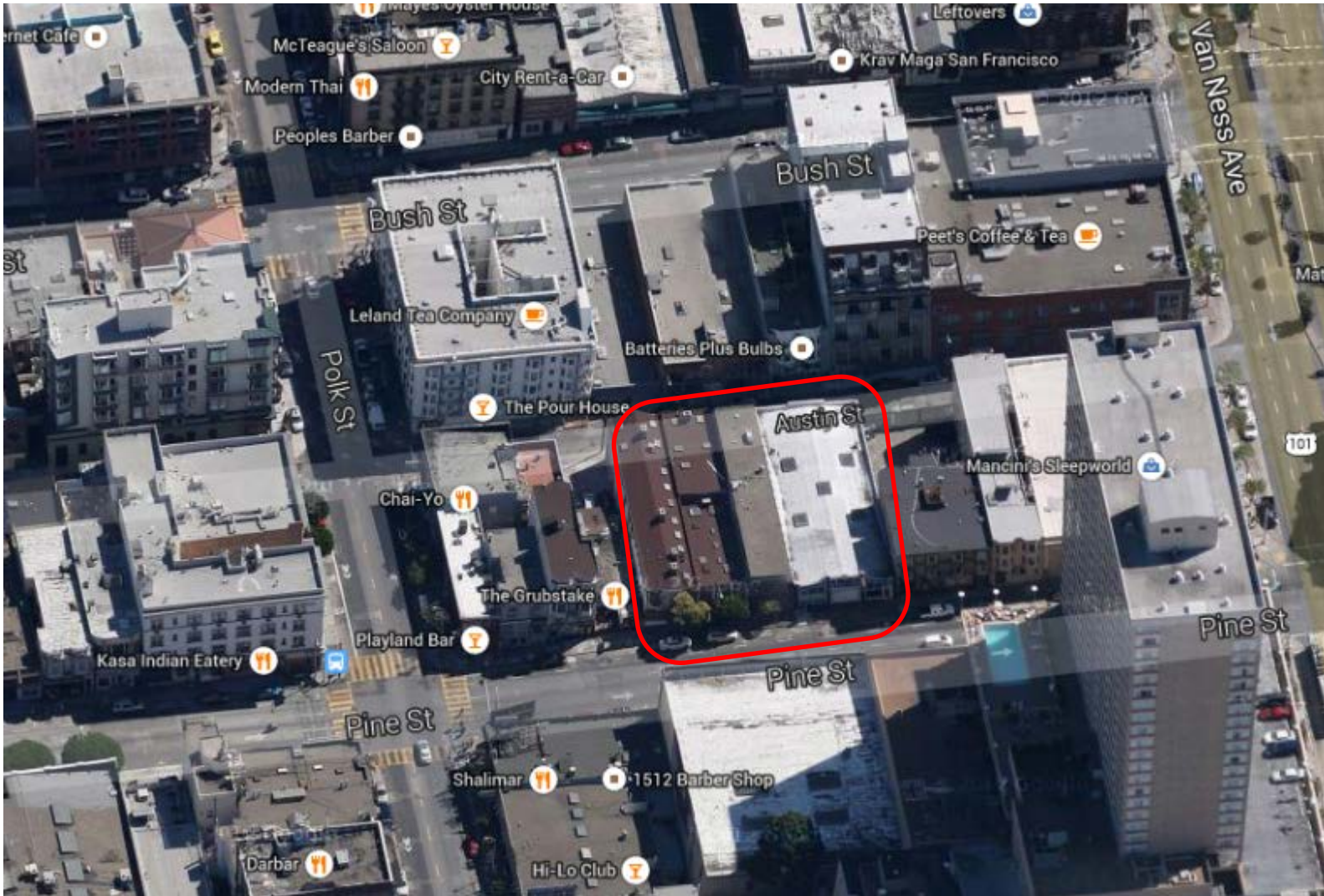
Aerial Photo – View to north



Conditional Use Authorization
Case Number 2006.0383C
Mixed-Use New Construction
1527-1545 Pine Street



Aerial Photo – View to south



Conditional Use Authorization
Case Number 2006.0383C
Mixed-Use New Construction
1527-1545 Pine Street

Site Photo

1535 Pine St

1545 Pine St



1527 Pine St

1529 Pine St

Conditional Use Authorization
Case Number 2006.0383C
Mixed-Use New Construction
1527-1545 Pine Street



SAN FRANCISCO PLANNING DEPARTMENT

September 17, 2014

Planning Commission
c/o Commission Secretary
San Francisco Planning Department
1650 Mission Street, 4th Floor
San Francisco, CA 94103

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

Dear President Wu and Commissioners,

On June 4, 2014, the Historic Preservation Commission (HPC) held a public hearing and provided comment on the Draft Environmental Impact Report (DEIR) for the 1527-1545 Pine Street Project (2008.1396E). The HPC raised several issues and questions, but overall found that the analysis in the DEIR was adequate. For this reason, the HPC supports certification of the EIR. However, the HPC believes a revised design could improve the streetscape and the overall public benefit of the project. We encourage the Planning Commission to adopt one of the Preservation Alternatives presented in the EIR.

We've asked the developer to explore retaining the façade in order to maintain the historic character to the block. While such a project would still constitute a demolition of a historic resource, we believe that retaining the front façade as a remnant of the historic building improves the streetscape and benefits the public by providing a visible reminder of the property's evolution.

In the event that you find overriding considerations that warrant total demolition of the existing historic property, we encourage an alternative that retains and incorporates the historic façade into the proposed project.

The HPC appreciates the opportunity to comment on the Conditional Use Authorization and hopes that you will take our commission's perspective under consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "Karl Hasz", followed by the word "PER:" in a similar script.

Karl Hasz, President
Historic Preservation Commission

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

August 28, 2014

Date

I, **Jessie Stuart**, do hereby declare as follows:

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

1527-1545 Pine Street

Address

667/ 16, 17, 18, 18a, 19

Block / Lot

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

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

2006.0383C

Planning Case Number

2013 /12/03/ 3256 S

Building Permit Number

This project requires the following approval:

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

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

Doug Vu

Planner Name

Is this project within the Eastern Neighborhoods Plan Area?

- Yes (if yes, please indicate Tier) _____
- No

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

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

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

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

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

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

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

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

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

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

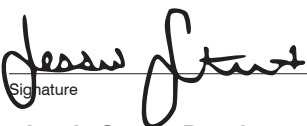
I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed on this day in:

90 New Montgomery Suite 750, San Francisco, CA 94105

 Location

8.28.14

 Date



 Signature
Jessie Stuart, Development Manager

 Name (Print), Title

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

415-370-1767

 Contact Phone Number

2 California Civil Code Section 1954.50 and following.

Unit Mix Tables

NUMBER OF ALL UNITS IN PRINCIPAL PROJECT:					
Total Number of Units	SRO	Studios	One-Bedroom Units	Two-Bedroom Units	Three-Bedroom Units
103	-	10	67	23	3

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

- On-site Affordable Housing Alternative (Charter Section 16.110 (g) and Planning Code Section 415.6): calculated at 12% of the unit total.

NUMBER OF AFFORDABLE UNITS TO BE LOCATED ON-SITE					
Total Affordable Units	SRO	Studios	One-Bedroom Units	Two-Bedroom Units	Three-Bedroom Units
12	-	1	8	3	-

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

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

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

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

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

1. Fee _____ % of affordable housing requirement.


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

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

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

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

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

CONTACT INFORMATION AND DECLARATION OF SPONSOR OF PRINCIPAL PROJECT	CONTACT INFORMATION AND DECLARATION OF SPONSOR OF OFF-SITE PROJECT (IF DIFFERENT)
Company Name Trumark Urban	Company Name
Print Name of Contact Person Jessie Stuart	Print Name of Contact Person
Address 90 New Montgomery Suite 750	Address
City, State, Zip San Francisco, CA 94105	City, State, Zip
Phone, Fax 415-370-1767	Phone, Fax
Email jstuart@trumarkco.com	Email
I hereby declare that the information herein is accurate to the best of my knowledge and that I intend to satisfy the requirements of Planning Code Section 415 as indicated above.	I hereby declare that the information herein is accurate to the best of my knowledge and that I intend to satisfy the requirements of Planning Code Section 415 as indicated above.
 _____ <small>Signature</small> Jessie Stuart, Development Manager _____ <small>Name (Print), Title</small>	_____ <small>Signature</small> _____ <small>Name (Print), Title</small>



September 11, 2014

Ms. Cindy Wu, President
San Francisco Planning Commission
1650 Mission Street, STE 400
San Francisco, CA 94103

Re: 1527 – 1545 Pine Street (Case No. 2006.0383) – October 2, 2014, Hearing on Certification of Final Environmental Impact Report, Conditional Use Authorization and Variance

Dear President Wu and Commissioners,

I am writing on behalf of my client, Trumark Urban, the project sponsor for 1527-1545 Pine Street (Case No. 2006.0383). On October 2, 2014, the Planning Commission will consider approving a Conditional Use Authorization¹ for the development of a 12-story, 129,632 gross square foot residential mixed use development on five (5) properties on the south side of Pine Street between Van Ness Avenue and Polk Street (“Project”).

Trumark Urban has worked closely over the past few years with Planning Department staff, neighbors and community groups and greatly appreciates their input and insight. As will be described in greater detail below, while the Project experienced complications early on due to its unique location, those complications created opportunities for Trumark Urban to refine and improve the Project. The result is a building and design that integrates nicely into the established community and includes unique amenities for local residents and building occupants. The initial dwelling unit count for the Project was one hundred and twenty-three (123), but the Project today includes, or would add, **one hundred and three (103) new dwelling units to the City’s housing supply, including twelve (12) new on-site below market rate units.**

For all these reasons and as discussed in more detail below, **Trumark Urban respectfully requests that the Planning Commission grant the approvals requested.**

SUMMARY

The Project is located in the Lower Polk Neighborhood, in both the Polk Street Neighborhood Commercial District (“NCD”) and the Residential Commercial, High Density (“RC-4”) District and Van Ness Special Use District (“SUD”) and the 65-A and 130-V Height and Bulk Districts. This provides a unique opportunity to step the building up the block from Polk Street to Van Ness Avenue and create a uniform transition from one district to the other. Although its location between two districts created challenges in allocating density, that challenge was addressed by creating enhanced public and residential amenity space, instead of pursuing a change in zoning to a district that would allow more dense development on the site.

¹ The Project is also seeking Variances from the Zoning Administrator.

Wind in the area of the Project is especially fierce. To ensure the Project would not create a wind hazard, as defined by the Planning Code, a wind tunnel analysis was required and prepared. Unfortunately, the challenging existing wind conditions made it especially difficult to find a Project design that “passed” the wind tunnel and it took **four (4) wind tunnel runs, and countless consultations** with the wind expert to find an approvable design (i.e., bulk, massing and setback). The Project under consideration for approval **passed the wind tunnel and actually improves existing wind conditions in the surrounding area** by eliminating an existing wind hazard condition and reducing existing wind comfort exceedances.²

The entire time the Project was undergoing review and analysis for density and wind, it also was being thoroughly vetted with the community, adjacent neighbors, and Planning Department staff. Changes specifically incorporated into the Project as part of that vetting include: a twenty-five (25) foot setback along the western facade to create separation from the existing adjacent residential building; a pulling forward of the front façade along Pine Street to maintain the street wall; a setting back of the building along Austin Street from the property line to create separation along the alley and enhance the pedestrian streetscape; and, the elimination of the façade at 1545 Pine Street.

Programming was also vetted, which resulted in the addition of a retail/commercial space along Austin Street, to activate the alley and provide a place for local artists to display and sell their works. Trumark Urban has agreed to provide this space to the newly created Lower Polk Community Benefit District (“CBD”), which will use it as their headquarters, staffing it and establishing a continuous presence in the space to facilitate activation and art sales. The space, which was inspired by the Lower Polk Art Walk, will be used for neighborhood and community events, enlivening the alley during the day and evening.

1545 Pine Street is a post-1906 structure determined to be historic that will be demolished as part of the Project.³ As a result, an Environmental Impact Report (“EIR”) under the California Environmental Quality Act (“CEQA”) was prepared and will need to be certified as part of the overall Project approvals. The EIR analyzed various alternatives, some of which lessened the significant and unavoidable environmental impact, but were ultimately rejected for failing to meet the Project sponsor’s objectives. One alternative met the Project sponsor’s objectives, the façade retention alternative, but “would not reduce the project-level and cumulative significant and unavoidable impacts on historic architectural resources to less-than-significant levels ... [and] would generate the same impacts as those identified for the proposed project”⁴ and was therefore also rejected. **Trumark Urban supports the findings and conclusions of the Final EIR and recommends its certification under CEQA.**

Trumark Urban has worked diligently over the past almost three (3) years on this Project. It has listened to its neighbors and the community and has created a building and design that is consistent with the density and intensity of the Planning Code and General Plan, reflects the Lower

² Case No. 2006.0383E, 1527-1545 Pine Street Mixed-Use Project, NOP/Initial Study (November 6, 2003), pages 125-128.

³ The structure at 1545 Pine Street was most recently used for automotive purposes, but was found to be historic because of its post-1906 earthquake status. While studied as part of the 2010 Van Ness Auto Row Support Structures, it was determined not to be historic for that purpose. (Case No. 2006.0383E, 1527-1545 Pine Street Mixed-Use Project, Draft EIR (April 14, 2014), page 4.B.17).

⁴ Case No. 2006.0383E, 1527-1545 Pine Street Mixed-Use Project, Draft EIR (April 14, 2014), pages 6.38-6.39 (emphasis added).

Polk Neighborhood, and is harmonious with the surrounding context and respectfully requests that you approve the Project, as proposed.

A. Property Background

1527-1545 Pine Street is comprised of five lots on Assessor's Block 667 (Lots 16, 17, 18, 18A and 19) totaling 15,000 square feet. The site is mid-block on the south side of Pine Street between Polk Street and Van Ness Avenue with frontages along both Pine Street and Austin Street. Four of the lots are in the Van Ness SUD and 130-V Height and Bulk District with one lot, Lot 19, in the Polk Street NCD and 65-A Height and Bulk District.

The Project site is fully developed with five one- to two-story buildings. The buildings were constructed at varying times starting in 1906 with the final building constructed in the 1940s. Over the years, the buildings have been renovated and occupied by a variety of commercial, retail, office and residential uses, but are now vacant except 1545 Pine Street, which is temporarily being used for off-site parking for an adjacent business. Although all the structures are over fifty (50) years old, only 1545 Pine Street is considered a historic resource due to its status as a post-1906 earthquake structure.⁵

The Project site is within the Lower Polk Neighborhood, a vibrant neighborhood consisting of an eclectic mix of residential, commercial and retail uses.

B. Project Description

The Project is the construction of one hundred and three (103) dwelling units comprised of three (3) 3-bedroom units, twenty-three (23) 2-bedroom units, sixty-seven (67) 1-bedroom and 1-bedroom+den units and ten (10) studios. Nine (9) of the dwelling units are in the Polk Street NCD. The Project includes eight-two (82) parking spaces, plus two (2) car share spaces in two below grade basement levels accessed via a 20-foot drive aisle along Austin Street. One hundred and twelve (112) Class 1 bicycle parking spaces are also provided along Austin Street at the ground floor with direct street access. The residential lobby runs the length of the Project site and is accessed via Pine Street and Austin Street.

The Project provides approximately 12,459 square feet of open space area. This includes 768 square feet of private code complying open space on balconies and terraces and 4,380 square feet of common code complying open space on a 12th Floor rooftop terrace. A 623 square foot common interior courtyard on the ground floor with direct access off the residential lobby and lounge is also provided. Significant pedestrian improvements are also planned along Pine Street and Austin Street. Enhanced landscaping and greening is proposed and approximately 2,700 square feet of commercial/retail space is provided along Pine Street and Austin Street.

⁵ Unlike the recently approved project at 1634-1690 Pine Street, 1545 Pine Street is not part of a group of resources, or part of a larger historic district or historic context. **1545 Pine Street is an example of a post-1906 earthquake building, built quickly as a temporary structure following the 1906 earthquake.** (Case No. 2006.0383E, 1527-1545 Pine Street Mixed-Use Project, Draft EIR (April 14, 2014), page 4.B.13 “[these] small, wood-framed commercial buildings [built] in 1906...were probably considered to be temporary at the time they were built; once the shops that first occupied them removed to a rebuilt downtown, these buildings were to be replaced by larger, more permanent, structures of brick or reinforced concrete.”).

The Project design reflects comments received by the neighborhood, Planning Department staff, and responds to development constraints such as wind. Along the western façade, the building is set back to create separation between the Project and the existing residential uses whereas along Pine Street, the building is pulled forward to create a uniform street wall. Along Austin Street, the building is set back 10 feet from the rear property line in the Van Ness SUD and six (6) feet in the Polk Street NCD to expand the pedestrian streetscape and provide opportunities for enhanced lighting and landscaping.

The Project building steps up from Polk Street to Van Ness Avenue with a uniform design providing context and continuity as the neighborhood transitions from one Planning and Height District to another. The design responds to the underlying zoning and height and bulk districts, articulating the building through setbacks from the property line at most floors and on all elevations. The setbacks are aligned vertically to span floors and horizontally to span structural bays, while acknowledging the street walls along Pine Street and Austin Street. The exterior of the building is proposed to be clad in a variety of materials creating interest and depth to the structure including glass fiber reinforced concrete panels, painted metal panels, painted aluminum glazed curtain wall and storefront systems, exposed architectural concrete, and glass balustrades. The result is a design that integrates beauty, flexibility and innovative design while respecting the existing character and the transitional nature of the Project site.

C. Project Approvals

The Project is requesting Conditional Use authorization under the Planning Code for a new structure over fifty (50) feet in height in the Van Ness SUD (section 253.2(a)) and Variances from the Planning Code requirements for the Rear Yard (section 134), Exposure (section 140), Street Frontage (section 145.1 and Off-Street Loading (section 152).⁶ A request for a reduction in parking is also proposed under Planning Code section 307.⁷

1. Conditional Use Authorization

Under Planning Code section 253.2(a), any new structure greater than 50 feet in the Van Ness SUD requires a Conditional Use Authorization. The Project is a 12-story 130 foot multi-family residential building in the Van Ness SUD that is consistent with the size and intensity of development in the neighborhood and surrounding community. At 130-feet, the Project is consistent with the San Francisco Towers located across Van Ness Avenue and the Holiday Inn located across Pine Street.

The Project is in two height districts and steps up in height from 65 feet to 130 feet, creating a uniform transition from the lower scale development along Polk Street to the higher scale development along Van Ness Avenue. The Project site is an interior through lot with frontages on both Pine Street and Austin Street. This also affords uniform development across the block length as well as allowing off-street parking along Austin Street, a narrow alley, instead of Pine Street, a busy arterial roadway.

⁶ As part of these approvals, the Planning Commission will also need to certify the Final EIR under CEQA and make the required CEQA Findings and adopt a Statement of Overriding Considerations.

⁷ A reduction in parking is considered and granted by the Zoning Administrator under Planning Code section 307. The Project requires 1:1 parking under the Planning Code. A reduction of parking on the Van Ness SUD property from 94 spaces to 74 spaces is being requested. As this reduction is consistent with the City's Transit First Policy and will not create any impact on surrounding streets, a discussion of this request is not included in this letter.

The Project complies with the height and density restrictions of the Planning Code and is designed to create new active pedestrian uses along Pine Street and Austin Street. It enhances and improves the streetscape with landscaping, trees, lighting and other features while providing significant private and common open space and outdoor areas for residents in private and common open areas.

For all these reasons, a **Conditional Use authorization is warranted.**

2. VariANCES

The Project requests four (4) Variances from the strict quantitative standards of the Planning Code. The Variances requested are minor and appropriate, and are in harmony with the general purpose and intent of the Planning Code. Granting the Variances requested allows construction of one hundred and three (103) much needed dwelling units, including twelve (12) new on-site below market rate units, on underutilized in-fill properties near regional transit creating “smart-growth” in an area designated by the City for additional residential development.

a) Rear Yard

Planning Code section 134(a)(1) requires a rear yard equal to 25 percent of the total depth of the lot, but in no case less than 15 feet. The Project site is 15,000 square feet and would require a 3,750 square foot rear yard. Most buildings on the block are built to the property line and there is no pattern of rear yards on the block or in the surrounding blocks and neighborhood.

The Project includes 12,459 square feet of open area, which is 8,709 square feet, or over 300%, more open area than is required in a code complying rear yard. The open areas provided are in private terraces and balconies (5,805 square feet of private open areas) and common open areas located on the ground floor (2,274, square feet) and a roof top terrace (4,380 square feet). Access to the common open space areas is provided via central corridors and elevators.

Given the surrounding development and lack of rear yard pattern on the block, the provision of open space outside the rear yard area is more functional and usable than a traditional rear yard. For all these reasons, a **Variance to the rear yard requirement is warranted.**

b) Exposure

Planning Code section 140 requires that each unit have one room that faces either a public street measuring at least 25 feet in width, a code complying rear yard, or an interior court that measures 25 feet in every horizontal dimension increasing by five feet at each successive level above the second floor.

Ninety-one percent (91%) of the Project’s one hundred and three (103) dwelling units meet the dwelling unit exposure requirements of Section 140. There are nine (9) units, one (1) on the western side of the Project and eight (8) on the eastern side that require a dwelling unit exposure variance. Along the western façade, a setback of 25 feet 11 inches is included to create a side yard or outer court, but at the 2nd story the unit to the north does not look over this setback and, because of the double high ground floor retail space, does not overlook Pine Street. The unit is, however, afforded ample light and air because it has a western exposure and overlooks a 760 square foot private terrace. Along the eastern façade an interior courtyard is proposed between two buildings

fronting on Pine Street and Austin Street in the Polk Street NCD. The courtyard is 25 feet by 25 feet and provides light and air to the internal facing units in that location, but at levels 3-6, the interior courtyard does not meet the dimensional requirements for an inner court under the Planning Code. These units, however, are afforded ample light and air because they have an eastern exposure and overlook a 623 square foot open area.

For all these reasons, a **Variance to the exposure requirements is warranted.**

c) Street Frontages

Planning Code section 145.1 requires “active” street frontages. The Project is a through lot with 125 foot street frontages along both Pine Street and Austin Street. Austin Street is a narrow east-west alley primarily devoted to automobile uses with vehicular ingress/egress for buildings fronting along Pine Street and Bush Street. The Project would include a 717 square foot commercial/retail space, a 10 foot residential lobby entrance and a 20 foot wide entry to the below grade off-street parking along Austin Street. The remainder of the Austin Street frontage is dedicated to at-grade bike storage and repair, and entry to a staging area for loading.

Bike storage and repair is not an “active” use under the Planning Code. The bike storage and repair areas, however, are designed as engaging and interesting spaces with significant transparency allowing light to spill out onto the sidewalk and pedestrian streetscape and create visual interest to those passing by. The bike storage areas are divided into two Class 1 spaces flanking the residential lobby entry along Austin Street at-grade with direct access from the street. Combined they include thirty-three (33) linear feet of transparent glass façade.

For all these reasons, a **Variance from the street frontage requirements applicable to Austin Street is warranted.**

d) Loading

Planning Code section 152 requires that one off street loading space be provided for any new residential development between 100,001 and 200,000 square feet. Due to site constraints, the Project can only accommodate off-street loading at grade. While providing off-street loading at-grade is feasible, it would create a conflict with the active street frontage requirements of the Planning Code. As a result, the Project proposes to use existing on-street loading spaces located adjacent to the Project site along Austin Street, and create a new on-street loading space along Pine Street at the existing curb cut for retail space loading during non-commute hours. Because the Project is a for sale residential development, move-in/move-outs are likely to be limited and demand for off-street loading low.

For all these reasons, a **Variance to the loading requirements of the Planning Code is warranted.**

D. Project Benefits⁸

The Project includes significant neighborhood and citywide benefits as well as providing exceptional design. Bernardo Fort-Brescia and Michael O’Boyle of Arquitectonica designed the

⁸ A separate letter from Trumark Urban, dated September 10, 2014, has been submitted outlining their community outreach efforts to date.

Project, taking cues from the surrounding neighborhood, its context to create a singular design across two very distinct Planning districts. The design is distinctive and integrated, transforming the underutilized infill site into a contemporary, sophisticated residential building. In addition to the exceptional design, the Project Benefits include:

- Reduction in Blight: The Project will replace five (5) under-utilized and dilapidated structures along a major transit thoroughfare with 103 high quality residential dwelling units.
- Street Activation: The Project will activate Austin Street, a narrow east-west alley used for primarily for automotive uses. It includes at-grade bicycle storage, a 717 square foot commercial/retail space and significant streetscape and pedestrian improvements to draw pedestrians from Polk Street and Van Ness Avenue into the alley, activating its use for something other than automobile travel and access.
- Community Support: The commercial/retail space along Austin Alley will be provided to the recently formed Lower Polk CBD for their headquarters. The Lower Polk CBD is a community and neighborhood organization and its occupancy of the space will create a neighborhood amenity and gathering place for local events and displays as well as a place for local artists to sell and display their work.
- Improved Wind Conditions: The Project would result in overall improvement in ground-level wind conditions near the Project site. It decreases the average wind speed and total duration of hazardous wind, eliminates three (3) existing areas that exceed the pedestrian wind comfort criteria and one (1) existing wind hazard exceedance area, and improves conditions at the remaining three (3) wind hazard locations.
- Green Development: The Project will be a “green” development committed to reducing energy and water demand associated with new construction. The building will be GreenPoint Rated.
- Infill Residential Development: In developing the Project Site with residential uses, the Project provides much needed residential units in an ideal location for infill development.
- Job Creation: The Project **will create over 300 union construction jobs over a 19 month period** as well as provide an apprentice, from the SoMa Pathways Program,⁹ an opportunity to work on the construction site.
- Inclusionary Housing Commitment: The Project will include twelve (12) on-site below market rate units including one (1) studio, eight (8) 1-bedroom units and three (3) 2-bedroom units.

* * * * *

⁹SoMa Pathways is a partnership between Trumark Urban and United Playaz that aims to educate and connect youth to potential local employment and education opportunities within real estate, development and construction.

In sum, the Project before you is an excellent example of green, infill development. It adds one hundred and three (103) new dwelling units to the City's housing stock in an area without significant prospective housing growth potential. It creates a residential use that is compatible with the surrounding neighborhood and proposes a design that integrates with the neighborhood and community and transitions from Polk Street to Van Ness Avenue.

It is an exceptional Project, in an exceptional location, and one that we respectfully request you support and approve.

Very truly yours,



Alexis M. Pelosi

September 10th, 2014

Ms. Sharon Lai
City of San Francisco, Planning Department
1650 Mission Street, Suite 400
San Francisco, CA 94103

RE: 1545 Pine Street – Trumark Urban’s Community Outreach-to-date

Dear Sharon,

As a follow-up to the previous Community Outreach letter submitted on October 14, 2013 (Attachment A), I wanted to provide you an update on our outreach efforts related to our project at 1545 Pine Street in San Francisco (“Project”). While we are continuing our community outreach as we move forward towards an October 2nd Planning Commission hearing, we wanted to provide you with a summary of our outreach efforts to date.

Since first taking over this project in early 2012, we have met with or spoken to numerous neighbors, local businesses, community groups and interested parties about the Project. We are in the process of collecting signatures and letters of support and so far have collected 19 letters of support, as detailed below, and prior to the hearing will provide any additional letters of support and signatures collected.

The design of the Project resulted from working in close collaboration with the Lower Polk Neighbors (LPN) and other local stakeholders. We listened to various comments and made numerous changes to the Project based on what we heard. The final Project that is before the Planning Commission reflects the neighborhood’s insights and comments. We are thankful for their input as we believe it, and the overall process for this Project, has made it a better Project with a superior design that fits the neighborhood.

Supervisor David Chiu

- Trumark Urban has provided Supervisor Chiu regular updates regarding the proposed Project and our community outreach efforts.

Lower Polk Neighbors (LPN)

- Since receiving unanimous support from the LPN in October 2013, we have kept in regular contact with members of the LPN, and have attended and participated in monthly meetings.
- The LPN has been vocal in support of the Project including the proposed design.
- Andrew Chandler, the Chair of the LPN has expressed the LPN’s strong support of the Project in letters and emails sent to Supervisor Chui, Planning Commissioner President Cindy Wu, the Planning Commission Secretary, and the Historic Preservation Commission (HPC) President Karl Hasz. A copy of this correspondence is included in Attachment B.

Polk Street Merchants Association

- Trumark has provided regular updates to Duncan Lay, of the Polk Street Merchants Association, on the proposed development and timeline.

Lower Polk Community Benefit District

- Trumark Urban has been actively involved in the formation of the Lower Polk Community Benefit District (CBD) and Arden Hearing, the Managing Director of Trumark Urban, sits on its Steering Committee.

- Trumark Urban is proud to donate the Project's Austin Street retail/commercial space for the Lower Polk CBD to support their operations. The Lower Polk CBD's presence in this ground floor space will activate the currently blighted Alley and allow it to more easily and effectively be used as part of the ongoing Art Walk as new gallery space for local artists and further enliven the neighborhood and the Alley.

Individual Neighborhood Merchants

- Trumark Urban has been regularly updating local merchants in the area over the course of the past few years and copies of letters of support from merchants are included in Attachment B.
- Grubstake, the Project's immediate neighbor, has also been regularly updated on the Project. They also support the Project and a copy of their written letter of support is included in Attachment B.

Larkin Street Youth Services

- Larkin Street Youth Services is located in the Lower Polk Neighborhood and Trumark Urban has been actively involved with this organization as detailed in Larkin Street's letter of support included in Attachment B.

Letters of Support

- Trumark Urban is in the process of collecting letters of support for the Project. To date, the Project has received letters of support from Lower Polk Neighbors (LPN) as well as from seven residents in the area.
- Additional letters of support have also been received from the following: IBEW6, Carpenters Local Union No. 22, Sheet Metal Workers Local 104, Laborers' Local 261, Plumbers Local Union 38 and United Playaz. Copies of all letters of support are included in Attachment B.
- On September 9, 2014, Trumark Urban presented the Project to SPUR and on September 24, 2014, the Project will be presented to the San Francisco Housing Action Coalition (SFHAC). Letters provided by SPUR or SFHAC will be provided once received.

As the Project moves toward October 2, 2014, Trumark Urban will continue its community outreach efforts. We are currently in the process of scheduling meetings with other local neighborhood groups as well as continuing to update existing stakeholders regarding the status of the Project. If you have any questions about the information provided or need any additional information regarding the benefits of the Project, please let us know.

Very Truly Yours,



Kim Diamond
Development Director
Trumark Urban
kdiamond@trumarkco.com

Attachment A

October 14, 2013

Mr. Glenn Cabrerros
Planning Department
1650 Mission Street, Suite 400
San Francisco, CA 94103

RE: 1545 Pine Street – Trumark Urban’s Community Outreach-to-date

Dear Glenn,

I thought it might be helpful to provide you with a quick summary of Trumark Urban’s community outreach efforts to date related to its project at 1545 Pine Street in San Francisco (“Project”). Trumark Urban believes in learning from the communities where it seeks to locate its projects, and as a result, for the past 18 months has been on a ‘listening tour,’ hearing from neighbors, neighborhood groups and others about the concerns and needs of the neighborhood. The information we have gained from that listening tour has resulted in the project that is before you today.

Some specific changes to the Project that have occurred as a direct result of meeting with the community include: (1) an increased set back along the western property line to create separation between our property and the property to the west; (2) the location of an art gallery along Austin Alley to activate the alleyway and contribute to the growing art scene; (3) direct visibility to ground floor bike parking to create a connection between the Project and biking; (4) adding lighting along Austin Alley to improve pedestrian safety; and, (5) retaining off-street loading so as not to block Austin Alley or Pine Street with trucks making deliveries. These are just a few of the many changes that have been incorporated into the Project in direct response to what we have heard from the neighbors and community.

While we will prepare a complete summary of all community outreach efforts as part of our materials for Planning Commission consideration of the Project, we thought it might be helpful to list the individuals and groups we have met with and their responses, if applicable.

- ❖ Supervisor David Chiu
 - Trumark Urban has been in regular contact with Supervisor Chiu regarding the proposed Project and our community outreach efforts.

- ❖ Lower Polk Neighborhood Association (“LPN”)
 - Trumark Urban has been an active member in the LPN for 18 months. We presented the Project to the LPN on August 14, 2013, and **on October 9, 2013, the LPN voted unanimously to support the Project.**

- ❖ Polk Street Merchants Association
 - Trumark Urban has met with Duncan Lay to better understand local merchant needs, and address any questions they might have.

- ❖ Individual Neighborhood Merchants
 - Trumark Urban has met with the following merchants in the immediate neighborhood, all of whom have indicated that they will support and endorse the Project: Grubsteak (neighbor to the east); Cars Dawydiak; Spirits In the Flesh Tattoo Studio; Playland Bar; Lush Lounge; BOOR Bridges Architects; Royal Liquors; Mayes Oyster & Cocktail Bar; Blur Bar & Lounge; McTeagues Saloon; Peoples Barber Shop; and, Pour House.

- ❖ City CarShare
 - Trumark Urban has met with Rick Hutchinson, and others at City CarShare, on the two proposed City CarShare spots at the proposed Project.

In addition, to meeting with community members, Trumark Urban also has donated over \$20,000 to local community organizations to fund activities that directly benefit the neighborhood. Trumark Urban has sponsored the Lower Polk Art Walk for the past two years and has supported the Larkin Street Youth Services including attending graduation ceremonies, cooking lunch for youth, painting the organization's facilities, and attending and sponsoring fundraising events. On the merchant front, the Steering Committee to establish a Lower Polk Central Business District selected Arden Hearing, the Managing Director of Trumark Urban, to join its committee. Over the past several months, Arden has actively participated on the Steering Committee to help form the CBD, a public/private partnership where business and property owners work together to maintain, develop and promote the Lower Polk neighborhood.

Trumark Urban intends to continue its community outreach efforts and is in the process of scheduling meetings with other local neighborhood groups as well as continuing to update existing contacts regarding the status of the Project. While this letter may be a bit early in the process, we thought it might be useful to provide a bit of background on some of the many ways that Trumark Urban is working with the community and neighborhood. If you have any questions about the information provided or need any additional information regarding the benefits of the Project, please let us know.

Very Truly Yours,



Kim Diamond
Development Director
Project Sponsor
kdiamond@trumarkco.com

Attachment B

From: Andrew Chandler <andrewchandler@me.com>
Date: Tuesday, September 9, 2014 at 5:59 PM
To: David Chiu <David.Chiu@sfgov.org>
Cc: Cindy Wu <cwu.planning@gmail.com>, Sharon Lai <sharon.w.lai@sfgov.org>, "Commissions.Secretary@sfgov.org" <Commissions.Secretary@sfgov.org>, Arden Hearing <ahearing@trumarkco.com>, "Karl@haszinc.com" <Karl@haszinc.com>
Subject: SUPPORT for Trumark Urban project at 1545 Pine Street

Supervisor Chiu,

Lower Polk Neighbors is excited that Trumark Urban's project at 1545 Pine St. will be heard by Planning Commission on October 2. As detailed in the attached letters, the developer has worked in tandem with the community for over two years on the design.

As stated here, we strongly support the project as designed.

Please find the attached letters

1) LPN Letter of Support (to Planning Dept): *Sent October 14, 2013*
- Unanimous support for current design

2) LPN Letter of Support (To Historic Preservation Commission President Karl Hasz): *Sent May 2014*
- Excerpt: *"We are aware of the buildings they will be replacing. As a group we are happy to see these structures replaced with a nicely designed development. We feel that there is little redeeming value in the existing facades. We ask you to please support the wishes of the neighborhood....in order to move this project forward."*

We ask that the Planning Department, HPC, and the Planning Commissioners support the wishes of the neighbors to move this project forward without delay as designed.

**Regards,
Andrew Chandler
Chair
Lower Polk Neighbors**



October 14, 2013
Mr. Glenn Cabrerros
San Francisco Planning Department
1650 Mission Street, Suite 400
San Francisco, CA 94103-2414
re: Case # 2006.0383C (1525 Pine Street)

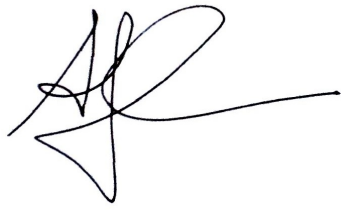
Dear Mr Cabrerros:

In reference to case #2006.0383C , I am writing on behalf of **Lower Polk Neighbors** [LPN], a community association made up of residents and merchants. Our association boundaries are California St on the North, Ellis St on the South, Larkin on the East and the West Side of Van Ness. This project is situated within our organization boundaries.

At our regular meeting on October 9, the project sponsors summarized their project's current state to our membership and asked for our support for the project. After the presentation and further discussion, the **membership voted unanimously to support** the current state of the project. Given that we are early in the process, this support is based upon the assumption that the project design does not change in any significant way. The project sponsors agreed that they would return to present any significant changes to LPN, should they occur. There is clear and positive support for this project, in its current state, within our membership. The project sponsors have been very pro-active with LPN, engaging us in design changes specifically based on neighborhood input. The way the project addresses Austin Alley is highly commendable and represents a new and positive approach to development in the neighborhood alleyways, including landscaping, lighting, bike parking and an art gallery space.

Thank you for your serious consideration on this matter.

With regards,

A handwritten signature in black ink, consisting of several loops and a long horizontal stroke extending to the right.

Andrew Chandler, AIA
Co-Chair
Lower Polk Neighbors

Cc: Supervisor David Chui, President, San Francisco Board of Supervisors

LOWER POLK NEIGHBORS

P. O. Box 641980 • SAN FRANCISCO, CA 94164-1980

WWW.LOWERPOLKNEIGHBORS.ORG



May 23, 2014

RE: **1527-1545 Pine Street**

Dear President Hasz:

I understand that the Historic Preservation Commission will be considering the *draft* EIR prepared for the proposed development at 1527-1545 Pine Street on June 4, 2014.

I am writing on behalf of **Lower Polk Neighbors** [LPN], a community association made up of residents and merchants. LPN's boundaries are California Street on the North, Ellis Street on the South, Larkin on the East and the West Side of Van Ness as the West boundary. The proposed development at 1527-1545 Pine is within our boundaries. We focus on issues of crime, cleanliness, beautification, and strengthening of our community.

We are very much in support of the proposed new commercial and residential development. For the past several years we have heard numerous presentations from the developer, most of the presentations were design changes in response to our concerns. They listened and came back with improvements.

We are aware of the buildings they will be replacing. As a group, we are happy to see these structures replaced with a nicely designed development. We feel that there is little redeeming value in the existing facades.

We ask you to please consider the wishes of our neighborhood and support the draft EIR in order to move this project forward.

With regards,

Ron Case, Past Chairman
Lower Polk Neighbors

September 3, 2014

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

RE: 1545 Pine Street
Case # 2006.0383C

Dear Planning Commissioners,

I am writing to support Trumark Urban's proposed 103-unit residential development located at 1545 Pine Street. As an active member of the Lower Polk Neighbors (LPN), the Lower Polk Community Benefit District, and a local resident in the neighborhood I am excited for this quality well designed development to be added to the area.

Trumark Urban has presented the proposed development at 1545 Pine Street at multiple general LPN membership meetings. Each updated presentation has shown they have listened to the concerns and suggestions expressed by the neighborhood, and have incorporated many of the proposed changes into their revised plans.

The proposed project will greatly enhance the pedestrian experience along the development's street frontages. New street trees, landscaped planter boxes, and nighttime lighting will activate, beautify, and improve the site and the block.

I commend Trumark Urban on their genuine involvement in the community. They have been actively involved with formation of the Lower Polk Community Benefit District and are committed to the betterment of the neighborhood. Trumark Urban's community outreach efforts are outstanding and are truly appreciated.

Trumark Urban's proposed project will activate the site, improve safety and security, and provide much needed housing to the area. The current design has been thoughtfully achieved in collaboration with the community and in consideration of numerous items. **I encourage you to join me and support this exciting and desirable new development as proposed.**

Sincerely,



Chris Schulman
Lower Polk Community Benefit District – President
Lower Polk Neighbors – Vice-Chair
chris.schulman@gmail.com

September 2, 2014

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

RE: 1545 Pine Street
Case # 2006.0383C

Dear Commissioners,

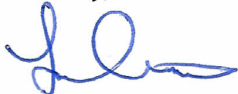
As a longtime business located directly adjacent to Trumark Urban's proposed development at 1545 Pine Street, I am writing in full support of the mixed-use development as proposed. Trumark Urban has done a great job with engaging the community and their commitment to help the neighborhood improve the public realm is greatly appreciated.

The proposed mixed-use residential development consisting of 103 residential homes, with ground floor retail space, is an appropriate size and scale for the area and a welcomed addition to the neighborhood.

The pedestrian experience will be greatly improved along the development's street frontages with new street trees, landscaped planter boxes, and nighttime lighting to beautify and improve the site and the block.

I encourage you to support this well-designed development as planned as it will activate the site, improve safety and security in the neighborhood, and provide much needed housing to the area.

Sincerely,

A handwritten signature in blue ink, appearing to be 'Fernando & Linda Santos', written in a cursive style.

Fernando & Linda Santos
Grub Steak
1525 Pine St
San Francisco, CA 94109
415-673-8268

September 8th, 2014

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

RE: 1545 Pine Street
Case # 2006.0383C

Dear Commissioners,

As a business located in the area near Trumark Urban's proposed development at 1545 Pine Street, I am writing in full support of the project as proposed.

Trumark Urban has done a great job with engaging the community and their commitment to help the neighborhood improve the public realm is greatly appreciated.

The proposed development has inviting design to enhance the pedestrian experience with additional lighting, street trees and plantings, and neighborhood serving retail. The site and block will be activated with attention paid to Austin Alley to encourage more foot traffic and enliven the Alley.

I encourage you to support this well designed development as planned as it will activate the site, improve safety in the neighborhood, and provide much needed housing to the area.

Sincerely,



CHANT PHAM
MAX MUSCLE
1346 POLK ST.
SAN FRANCISCO CA 94109

September 5th, 2014

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

RE: 1545 Pine Street - Case # 2006.0383C

Dear Planning Commissioners,

As a resident of the neighborhood, I am writing to support Trumark Urban's proposed 103-unit mixed-use development located at 1545 Pine Street. The well-designed development will significantly enhance the neighborhood and is an appreciated improvement from the vacant underutilized uses currently on the site.

The proposed development has inviting design to enhance the pedestrian experience with additional lighting, street trees and plantings, and neighborhood serving retail. The site and block will be activated with attention paid to Austin Alley to encourage more foot traffic and enliven the Alley.

Trumark Urban has carefully modified the proposed design in response to neighborhood input. I support that Trumark Urban has committed to providing onsite inclusionary units. In addition, they have carefully designed an appropriate size and scale development working in close collaboration with local neighbors.

I commend Trumark Urban for their genuine engagement with the community. They have become extremely involved in the local community and are a welcomed neighbor to the area.

Trumark Urban's proposed mixed-use development is critical to activate the site, improve safety and security, and provide much needed housing to the area. I encourage you to join me to support this exciting and desirable new development without delay.

Sincerely,



Name AMANDA HADDAD
Address 927 GREENWICH ST. SAN FRANCISCO, CA 94133
Email or phone number 772-285-2650

September 5th, 2014

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

RE: 1545 Pine Street
Case # 2006.0383C

Dear Planning Commissioners,

As a resident of the neighborhood, I am writing to support Trumark Urban's proposed 103-unit mixed-use development located at 1545 Pine Street. The well-designed development will significantly enhance the neighborhood and is an appreciated improvement from the vacant underutilized uses currently on the site.

The proposed development has inviting design to enhance the pedestrian experience with additional lighting, street trees and plantings, and neighborhood serving retail. The site and block will be activated with attention paid to Austin Alley to encourage more foot traffic and enliven the Alley.

Trumark Urban has carefully modified the proposed design in response to neighborhood input. I support that Trumark Urban has committed to providing onsite inclusionary units. In addition, they have carefully designed an appropriate size and scale development working in close collaboration with local neighbors.

I commend Trumark Urban for their genuine engagement with the community. They have become extremely involved in the local community and are a welcomed neighbor to the area.

Trumark Urban's proposed mixed-use development is critical to activate the site, improve safety and security, and provide much needed housing to the area. I encourage you to join me to support this exciting and desirable new development without delay.

Sincerely,



Chris Smith
1650 California St, Apt 18
SF, CA 94109
4158464987

September 10th, 2014

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

RE: 1545 Pine Street
Case # 2006.0383C

Dear Planning Commissioners,

As a resident of the neighborhood, I am writing to support Trumark Urban's proposed 103-unit mixed-use development located at 1545 Pine Street. The well-designed development will significantly enhance the neighborhood and is an appreciated improvement from the vacant underutilized uses currently on the site.


The proposed development has inviting design to enhance the pedestrian experience with additional lighting, street trees and plantings, and neighborhood serving retail. The site and block will be activated with attention paid to Austin Alley to encourage more foot traffic and enliven the Alley.

Trumark Urban has carefully modified the proposed design in response to neighborhood input. I support that Trumark Urban has committed to providing onsite inclusionary units. In addition, they have carefully designed an appropriate size and scale development working in close collaboration with local neighbors.

I commend Trumark Urban for their genuine engagement with the community. They have become extremely involved in the local community and are a welcomed neighbor to the area.

Trumark Urban's proposed mixed-use development is critical to activate the site, improve safety and security, and provide much needed housing to the area. I encourage you to join me to support this exciting and desirable new development without delay.

Sincerely,



Name Jason M. Flom
Address 1434 Jones St., Apt. 7
Email or phone number jasonmflom@gmail.com

September 5th, 2014

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

RE: 1545 Pine Street - Case # 2006.0383C

Dear Planning Commissioners,

As a resident of the neighborhood, I am writing to support Trumark Urban's proposed 103-unit mixed-use development located at 1545 Pine Street. The well-designed development will significantly enhance the neighborhood and is an appreciated improvement from the vacant underutilized uses currently on the site.

The proposed development has inviting design to enhance the pedestrian experience with additional lighting, street trees and plantings, and neighborhood serving retail. The site and block will be activated with attention paid to Austin Alley to encourage more foot traffic and enliven the Alley.

Trumark Urban has carefully modified the proposed design in response to neighborhood input. I support that Trumark Urban has committed to providing onsite inclusionary units. In addition, they have carefully designed an appropriate size and scale development working in close collaboration with local neighbors.

I commend Trumark Urban for their genuine engagement with the community. They have become extremely involved in the local community and are a welcomed neighbor to the area.

Trumark Urban's proposed mixed-use development is critical to activate the site, improve safety and security, and provide much needed housing to the area. I encourage you to join me to support this exciting and desirable new development without delay.

Sincerely,

A handwritten signature in black ink, appearing to read 'H.V. Hixson', with a stylized flourish at the end.

H.V. Hixson
927 Greenwich Street
vhixson@yahoo.com

September 5th, 2014

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

RE: 1545 Pine Street
Case # 2006.0383C

Dear Planning Commissioners,

As a resident of the neighborhood, I am writing to support Trumark Urban's proposed 103-unit mixed-use development located at 1545 Pine Street. The well-designed development will significantly enhance the neighborhood and is an appreciated improvement from the vacant underutilized uses currently on the site.

The proposed development has inviting design to enhance the pedestrian experience with additional lighting, street trees and plantings, and neighborhood serving retail. The site and block will be activated with attention paid to Austin Alley to encourage more foot traffic and enliven the Alley.

Trumark Urban has carefully modified the proposed design in response to neighborhood input. I support that Trumark Urban has committed to providing onsite inclusionary units. In addition, they have carefully designed an appropriate size and scale development working in close collaboration with local neighbors.

I commend Trumark Urban for their genuine engagement with the community. They have become extremely involved in the local community and are a welcomed neighbor to the area.

Trumark Urban's proposed mixed-use development is critical to activate the site, improve safety and security, and provide much needed housing to the area. I encourage you to join me to support this exciting and desirable new development without delay.

Sincerely,



Kabir Seth

Address: 1369 Hyde Street, San Francisco CA 94109

Email or phone number: kabir@presidiobay.com

September 5th, 2014

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

RE: 1545 Pine Street
Case # 2006.0383C

Dear Planning Commissioners,

As a resident of the neighborhood, I am writing to support Trumark Urban's proposed 103-unit mixed-use development located at 1545 Pine Street. The well-designed development will significantly enhance the neighborhood and is an appreciated improvement from the vacant underutilized uses currently on the site.

The proposed development has inviting design to enhance the pedestrian experience with additional lighting, street trees and plantings, and neighborhood serving retail. The site and block will be activated with attention paid to Austin Alley to encourage more foot traffic and enliven the Alley.

Trumark Urban has carefully modified the proposed design in response to neighborhood input. I support that Trumark Urban has committed to providing onsite inclusionary units. In addition, they have carefully designed an appropriate size and scale development working in close collaboration with local neighbors.

I commend Trumark Urban for their genuine engagement with the community. They have become extremely involved in the local community and are a welcomed neighbor to the area.

Trumark Urban's proposed mixed-use development is critical to activate the site, improve safety and security, and provide much needed housing to the area. I encourage you to join me to support this exciting and desirable new development without delay.

Sincerely,

A handwritten signature in cursive script that reads "Miles Garber".

Miles Garber
535 Stockton St, Apt #75
San Francisco, CA 94108



YOUTH SERVICES

Larkin Street Youth Services
701 Sutter Street, Suite 2
San Francisco, CA 94109
Tel (415) 673.0911
Fax (415) 749.3838
www.larkinstreetyouth.org

Board of Directors

Charles Dicke, Chair
Laura Powell, Vice Chair
Art Fatum, Treasurer
Victoria J. Johnson, Secretary
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Phillip S. Estes, At-Large
Nina Hatvany, At-Large
Blake Jorgensen, At-Large
Terry Kramer, At-Large
Sherilyn Adams, Executive Director

February 18, 2014

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

Suzi Alexander
Jeremy Avenier
Chris Brahm
Daniel A. Cody
Mark A. Edmunds
Conor Famulener
Julie B. Harkins
Jim Henry
Philip Schlein
Aaron C. Schwartz
Sandra Stangl
Christine A. Tsingos
Carla Washington
John Whitting
Charles J. Wibbelsman
Allison N. Wysocki

Dear Planning Commissioners,

Larkin Street Youth Services has been delighted to have Trumark Urban's participation in a variety of different aspects of our organization. We truly value their staff's involvement and generosity.

Trumark Urban has become a welcome addition to Larkin Street's volunteer network. Their staff has attended youth graduation ceremonies, prepared and served lunch at the center, repainted our facilities, and volunteered on a variety of different occasions.

In addition, a few members of Trumark's staff are active in 'Friends of Larkin Street', which raises awareness of Larkin Street Youth Services to San Francisco's professional community, and hosts a variety of events to raise funds for the organization. Trumark also recently provided a generous holiday donation that we genuinely appreciate.

Trumark Urban is a quality developer, committed to supporting the local communities in which they are building as well as non-profit organizations throughout San Francisco. We look forward to continue working with them in the future.

Sincerely,

Sherilyn Adams
Executive Director

Honorary Board

Terry Allen-Rouman
Ray Brown
William F. Campbell
James E. Canales, Jr.
Laurence A. Colton
Jay Cuetara
Penelope Douglas
Tim Emanuals
Anita Feiger
Judy Getto
Vince Hoenigman
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Stephen C. Kirmse
Stephen Koch
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John E. Martinez
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David J. Nygren
Carla B. Oakley
Mary M. Prchal
Jean Richardson
Henry Safrit
J. Milton Seropan
Anne B. Stanton
Gregory W. Wendt
Victoria Willock
David B. Zenoff



August 29, 2014

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

RE: 1545 Pine Street
Case # 2006.0383C

Dear Planning Commissioners,

United Playaz strongly supports Trumark Urban and their outstanding and genuine commitment to the community. We have been so fortunate to have created a lasting relationship with Trumark Urban, and are extremely thankful for all that they have provided to our team here at UP.

Trumark Urban, in partnership with United Playaz, launched SOMA Pathways in 2013. SOMA Pathways is a program aimed to educate and connect youth to potential local employment and education opportunities, within real estate, development and construction. In 2013, SOMA Pathways was launched with a kick-off fundraiser to benefit United Playaz, and raised over \$20,000 to contribute to our organization's mission.

The 2013 SOMA Pathways program was truly a great success consisting of 8 sessions, occurring twice a month, with a total of 50 youth participating. Presenters included: Trumark Urban, Sheet Metal Workers Local Union No. 104, Carpenters Local Union No. 22, Operating Engineers Local 3, Forum Design Architects, Cahill Contractors, Laborers' Local 261, IBEW Local 6, and Polaris Pacific.

We greatly appreciate Trumark Urban's time and commitment to educating and exposing youth to the variety of disciplines and career opportunities available in the industry. We recently completed the 2014 SOMA Pathways program with Trumark Urban and look forward to another successful program in the near future.

Trumark held another a fundraiser in 2014 that raised over \$50,000 to contribute to our capital campaign to help purchase our existing building. In addition, Trumark Urban has provided an ongoing commitment to United Playaz through an innovative Homeowners Association (HOA) structure at the 923 Folsom Street development. Once residents are in place, ongoing monthly contributions will be made to UP through the HOA dues for UP to utilize for its ongoing organizational needs. In establishing this HOA program, Trumark's goal has been to maintain a long-term connection between the new residents of the Project and the SOMA neighborhood.

We commend Trumark Urban for providing much needed housing in the City and for providing onsite inclusionary at their proposed development. United Playaz strongly supports Trumark Urban's commitment to the community and their proposed project at 1545 Pine Street. I encourage you to support Trumark Urban, as they are an excellent developer and a valued partner in the community.

Sincerely,

A handwritten signature in blue ink that reads "Rudy Corpuz Jr." with a stylized flourish at the end.

Rudy Corpuz Jr.
Director
United Playaz
1038 Howard Street
San Francisco, CA 94105



**SAN FRANCISCO ELECTRICAL CONSTRUCTION INDUSTRY
Labor-Management Office of Business Development**

55 Fillmore Street, Suite 100 • San Francisco • CA 94117
Tel. 415.241.0126 • Fax 415.241.0129



September 3rd, 2014

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

RE: 1545 Pine Street
Case # 2006.0383C

Dear Planning Commissioners,

The IBEW Local Union 6 strongly endorses Trumark Urban's proposed mixed-use residential project located at 1545 Pine Street.

The proposed mixed-use development will generate new local construction jobs and additional employment opportunities associated with the development.

Trumark Urban's project will be an asset to the neighborhood by improving and activating the existing blighted site. The project will add 103 new homes, neighborhood serving retail, and is a welcome change to the neighborhood.

IBEW Local Union 6 has been actively involved with Trumark Urban's SOMA Pathways program and greatly appreciates Trumark's commitment to helping local youth. We are happy to partner with Trumark Urban to continue to support support their SOMA Pathways program moving forward.

IBEW Local Union 6 supports 1545 Pine Street as proposed, and urges you to endorse the project as proposed to support local job creation to improve the area.

Sincerely,

INTERNATIONAL ASSOCIATION OF SHEET METAL, AIR, RAIL AND TRANSPORTATION WORKERS
SHEET METAL WORKERS' LOCAL UNION No. 104
WEST BAY DISPATCH OFFICE

PHONE (415) 621-2930



FAX (415) 621-2554

1939 MARKET STREET, SUITE A, SAN FRANCISCO, CA 94103

September 10, 2014

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

RE: 1545 Pine Street
Case # 2006.0383C

Dear Planning Commissioners,

The brothers and sisters of the Sheet Metal Workers' Local Union No. 104 strongly support Trumark Urban's proposed development at 1545 Pine Street. We urge you to join us in supporting the mixed-use residential development that will create 103 new homes to the area.

By supporting the project, you will guarantee the addition of local employment, both indirect and direct through construction, and other related jobs associated with the development.

The proposed development will enhance the pedestrian experience by activating a currently underutilized site, thus improving safety and security in the area. We also support the project as Trumark Urban has opted to include the affordable housing units onsite.

Trumark Urban partnered with United Playaz for an exciting new program called SOMA Pathways. We participated in SOMA Pathways by presenting to local youth, and really enjoyed the experience. We appreciate and respect Trumark Urban for their dedication and involvement in the community.

The Sheet Metal Workers' Local Union No. 104 strongly supports the development proposed 1545 Pine Street for the above-mentioned reasons, and ask that you join us to support the development to create local jobs.

Kind Regards,

Anthony Urbina
Business Representative



LABORERS' INTERNATIONAL UNION OF NORTH AMERICA

LOCAL UNION NO. 261

September 2nd, 2014

RAMON HERNANDEZ
Business Manager

DAVID DE LA TORRE
Secretary-Treasurer

JESUS VILLALOBOS
President

JAVIER FLORES
Vice President

VINCE COURTNEY
Recording Secretary

OSCAR DE LA TORRE
Executive Board

JOSE DE LA MORA
Executive Board

SAN FRANCISCO
3271 18th Street
San Francisco, CA 94110

Phone: (415) 826-4550

Fax: (415) 826-1948

SAN MATEO COUNTY
300 7th Avenue
San Mateo, CA 94401

Phone: (650) 344-7168

Fax: (650) 344-5357

MARIN COUNTY
4174 Redwood Highway
San Rafael, CA 94903

Mail P.O. Box 4250
San Rafael, CA 94913

Phone: (415) 492-0936

Fax: (415) 492-8233

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

RE: 1545 Pine Street
Case # 2006.0383C

Dear Planning Commissioners,

On behalf of the brothers and sisters of Laborer's Local 261, I am writing to voice our strong support for Trumark Urban's proposed mixed-use, residential development at 1545 Pine Street.

The development will greatly improve the pedestrian experience, and provide much needed housing in the area, including onsite affordable units. Additionally, both direct and indirect local construction-related jobs will be created from the proposed development.

We have enjoyed participating in an exciting program established by Trumark Urban and United Playaz -- the SoMA Pathways program -- and commend Trumark for their ongoing commitment to educate and support local at-risk youth.

The Laborer's Local 261, strongly supports the development at 1545 Pine Street as proposed, and urges you to support the development in order to create local jobs and provide needed housing to the City.

Sincerely,

RAMON HERNANDEZ
Business Manager



United Brotherhood of Carpenters
and Joiners of America
LOCAL UNION NO. 22

September 3, 2014

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

**RE: 1545 Pine Street
Case # 2006.0383C**

Dear Planning Commissioners,

Carpenters Local Union 22 of the United Brotherhood of Carpenters and Joiners of America endorse Trumark Urban's proposed mixed-use residential development project located at 1545 Pine Street.

The proposed development will create new local construction jobs and additional employment opportunities.

Trumark Urban's proposed project will be an asset to the neighborhood by improving and activating the existing site. The project will add 103 new homes, neighborhood serving retail, and is a welcome improvement to the neighborhood.

Carpenters Local Union 22 participated in Trumark Urban's SOMA Pathways program, created in collaboration with United Playaz. The dedication Trumark Urban has shown towards United Playaz and the youth they serve is commendable.

We urge you to endorse this positive change to the community. Thank you for your consideration.

Sincerely,

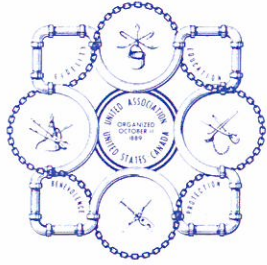
Peter Garza, Sr.

Peter Garza, Sr.
Field Representative

sko/opeiu-3-afl-cio (38)

2085 3RD STREET • SAN FRANCISCO, CA 94107
TELEPHONE: (415) 355-1322 • FAX: (415) 355-1422





**UNITED ASSOCIATION OF JOURNEYMEN AND APPRENTICES
OF THE PLUMBING AND PIPE FITTING INDUSTRY**

LOCAL UNION NO. 38

1621 MARKET STREET • SAN FRANCISCO, CA 94103

September 3, 2014

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

Re: 1545 Pine Street
Case No. 2006.0383C

Dear Planning Commissioners,

The United Association of Journeymen and Apprentices of the Plumbing and Pipe Fitting Industry – Local Union No. 38 San Francisco - strongly supports the project proposed, located at 1545 Pine Street.

The mixed-use residential development will provide 103 homes to the neighborhood, greatly improve the pedestrian experience around all the project street frontages, and create employment opportunities for members of Local Union No. 38.

Local 38 has become involved with Trumark Urban's SoMA Pathways program to support the youth of United Playaz. We are excited to work closely with Trumark Urban to inform local youth about the apprentice and career pathways Local 38 provides.

We fully back the residential development proposed at 1545 Pine Street, and urge you to join us in supporting the development as proposed.

Sincerely,

LARRY MAZZOLA, JR.
Bus. Mgr. & Fin. Secty-Treas.

LMJR/la
opeiu-afl-cio (19)

1545 Pine Street

San Francisco, California

TRUMARKURBAN

90 New Montgomery Street, Suite 750
San Francisco, California 94105

ARQUITECTONICA

818 West 7th Street, Suite 800
Los Angeles, California 90017

PGA design ^{INC}

444 17th Street
Oakland, California 94612





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60	Thank you

Overview of Neighborhoods in Project Vicinity

Civic Center / Downtown
Neighborhood

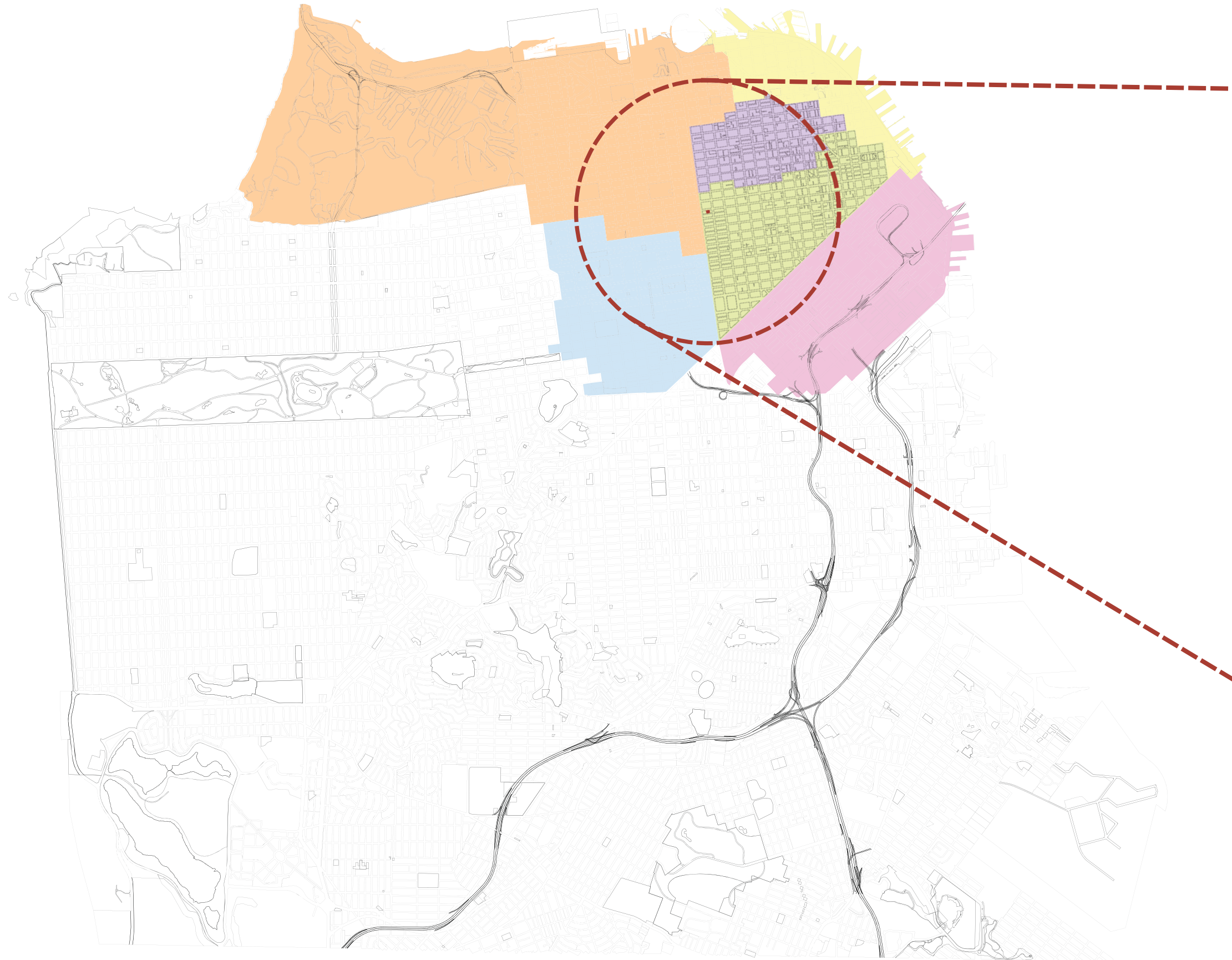
South of Market (SOMA)
Neighborhood

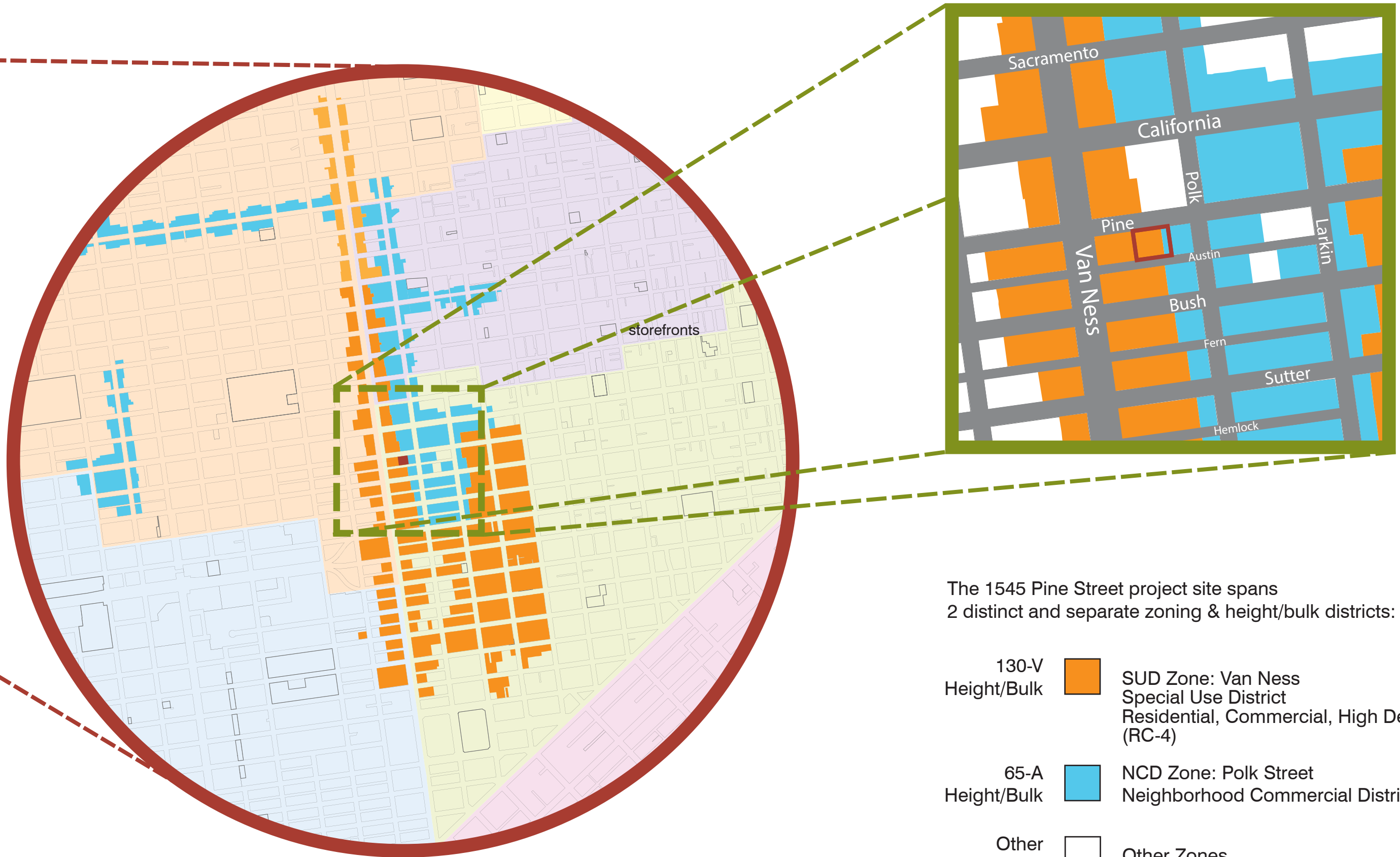
North Embarcadero
Neighborhood

Chinatown
Neighborhood

Marina / Pacific Heights
Neighborhood

Western Addition
Neighborhood





The 1545 Pine Street project site spans 2 distinct and separate zoning & height/bulk districts:

- 130-V Height/Bulk SUD Zone: Van Ness Special Use District Residential, Commercial, High Density (RC-4)
- 65-A Height/Bulk NCD Zone: Polk Street Neighborhood Commercial District
- Other Height/Bulk Other Zones

Neighborhood History & Character



It was not until after the Great San Francisco Earthquake of 1906 – and devastating subsequent fire – that development along the Van Ness Avenue corridor began to take off. Former residents settled away from damaged areas while the downtown area was being rebuilt, and businesses quickly set up shop north of the newly redeveloped Civic Center district. This new cluster of warehouse/showroom style structures along Van Ness Avenue, with generous and mostly double-height ground floor spaces quickly became a bustling business district.

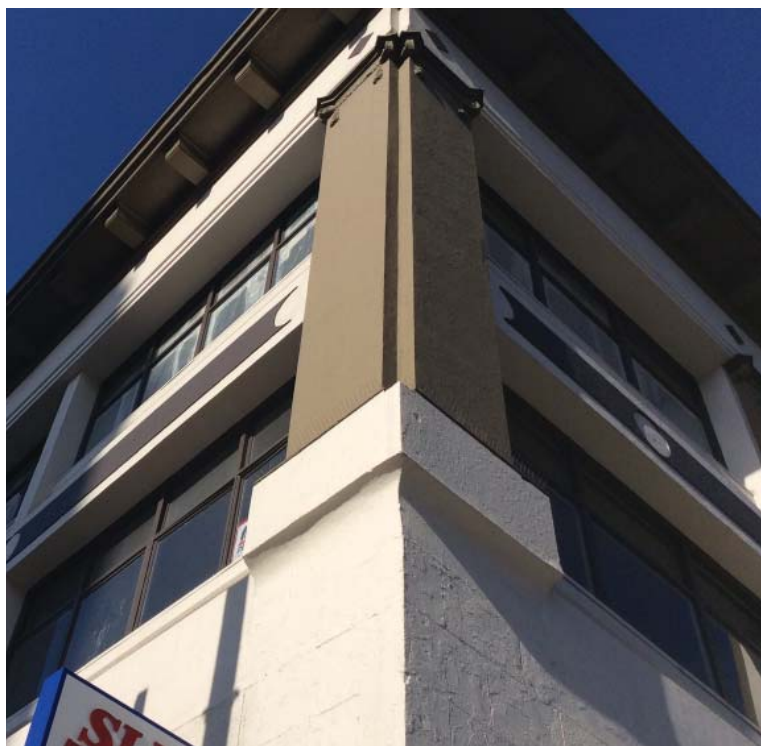
As automobile ownership and travel increased among the masses, Van Ness Avenue was then widened in 1936 to accommodate the growing automobile traffic traveling between the southern portion of San Francisco, the Marina District, and points further north beyond the peninsula– now accessible with the newly completed Golden Gate Bridge. Together with Lombard Street, Van Ness Avenue was now a major thorough way for the new US Highway 101.

By the 1970's, the once modern and glistening neighborhood fell into disrepair. In the late 1980's, the San Francisco Planning Commission adopted the "Van Ness Area Plan", which allowed for residential and mixed-use development along the corridor. Currently being realized, the Van Ness Area Plan also encourages street-level tree planting, echoing the city beautification plans of the late 19th century.

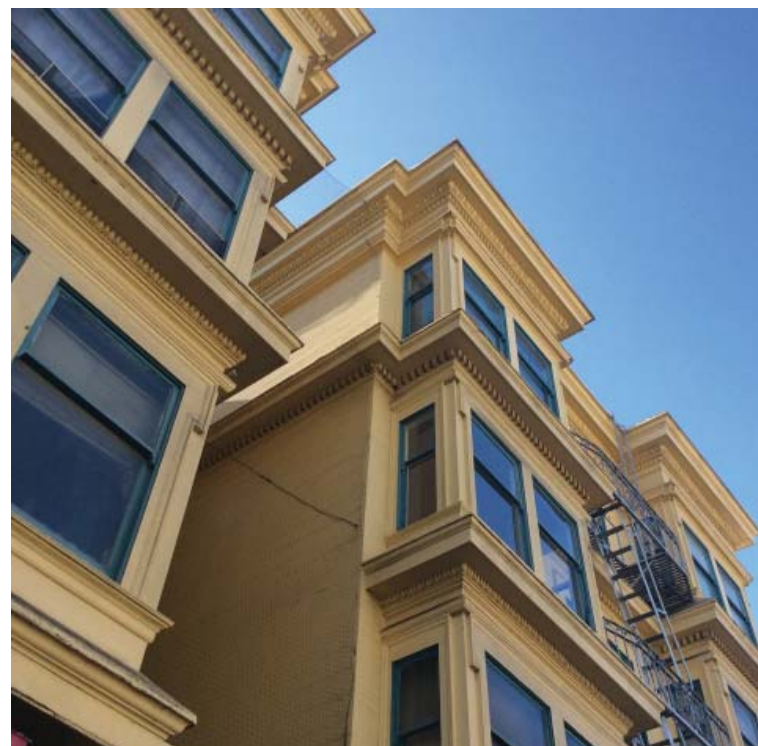
The goal of the development team for 1545 Pine Street is to create a central and vibrant mixed-use development that pays homage to the history of the area while enlivening the neighborhood along Pine Street and Austin Street. Historically, businesses located their storefronts along Van Ness Avenue's wider offshoots, such as Pine Street, and their back-of-house facilities along the more narrow and almost alley-like Austin Street. The team's goal is to change this mentality by creating a development with highly engaging and pedestrian-friendly spaces along both Pine Street and Austin Street, thus activating these two roadways at a human level.

In keeping with the character of the old retail and showrooms along Van Ness, this project has been designed with a facade composed of large bright frames inset with panels and window of varying sizes. Horizontal channels provide additional visual interest. The large frames are lifted above the ground to maximize potential open and green spaces while minimizing the bulkiness of a traditional columnar building. The building's structure is supported by columns allowing the facade to have a variety of window placements and sizes with plenty of natural daylight. The ground floor retail and community art spaces enjoy double-height ceilings and the lobby connects and activates both Pine and Austin Street.





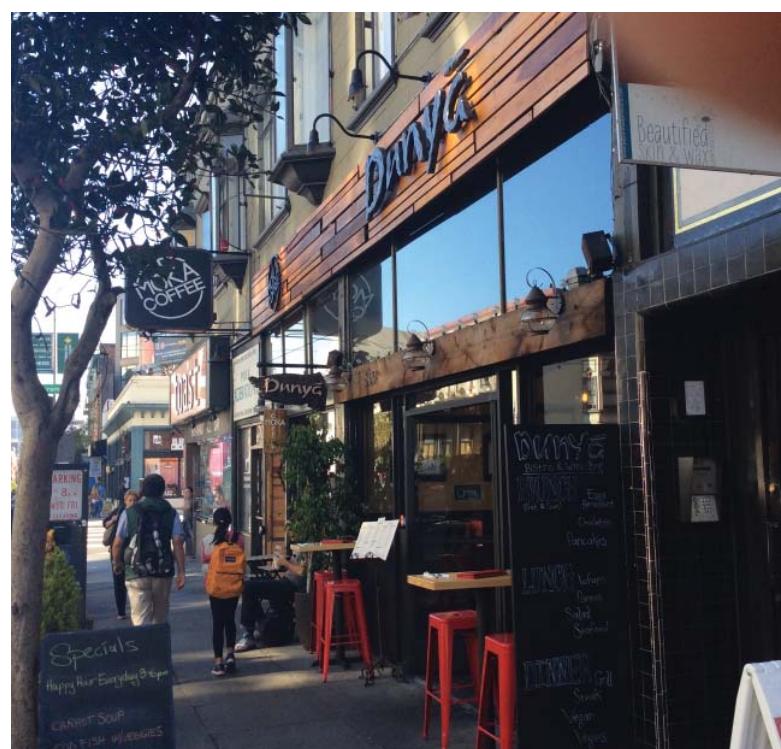
FACADE TEXTURE - FRAME + DEPTH



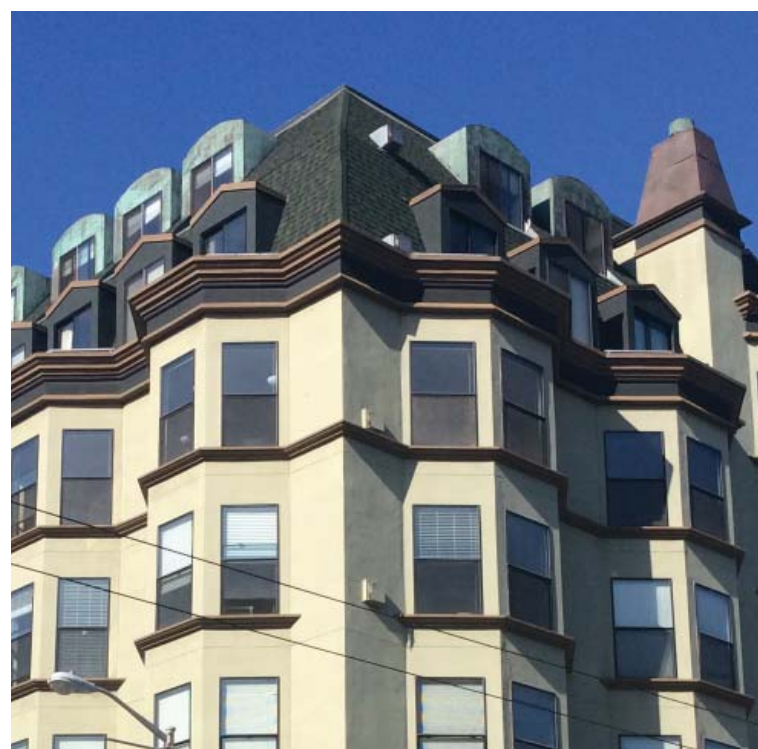
FACADE TEXTURE - FRAME + DEPTH



NEIGHBORHOOD TEXTURE - FRAME



GROUND FLOOR TEXTURE - FLOOR TO CEILING WINDOW WALL

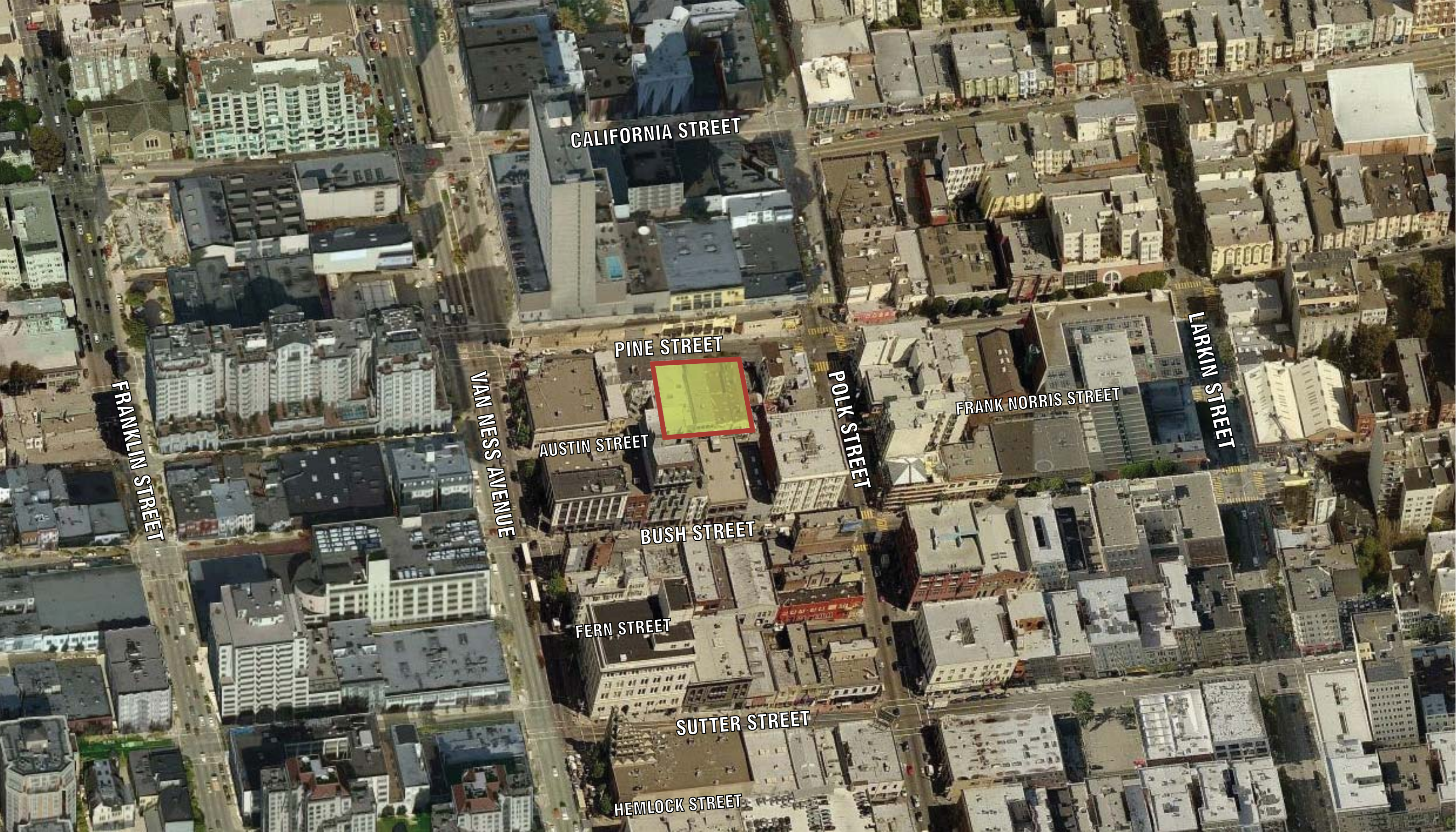


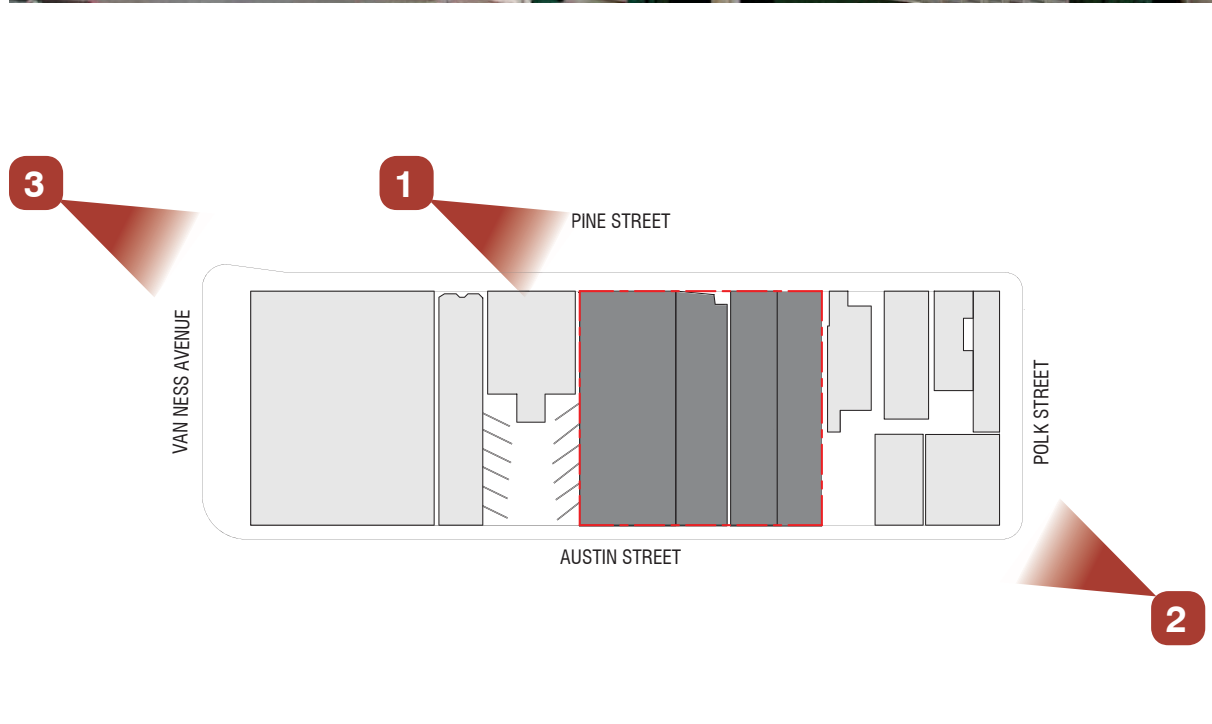
FACADE TEXTURE - HORIZONTAL BANDING + TERRACE



NEIGHBORHOOD TEXTURE - HORIZONTAL BANDING

Aerial View of Project Neighborhood





Existing Pine Street View





Pine Street Elevation



Existing



Proposed



Existing

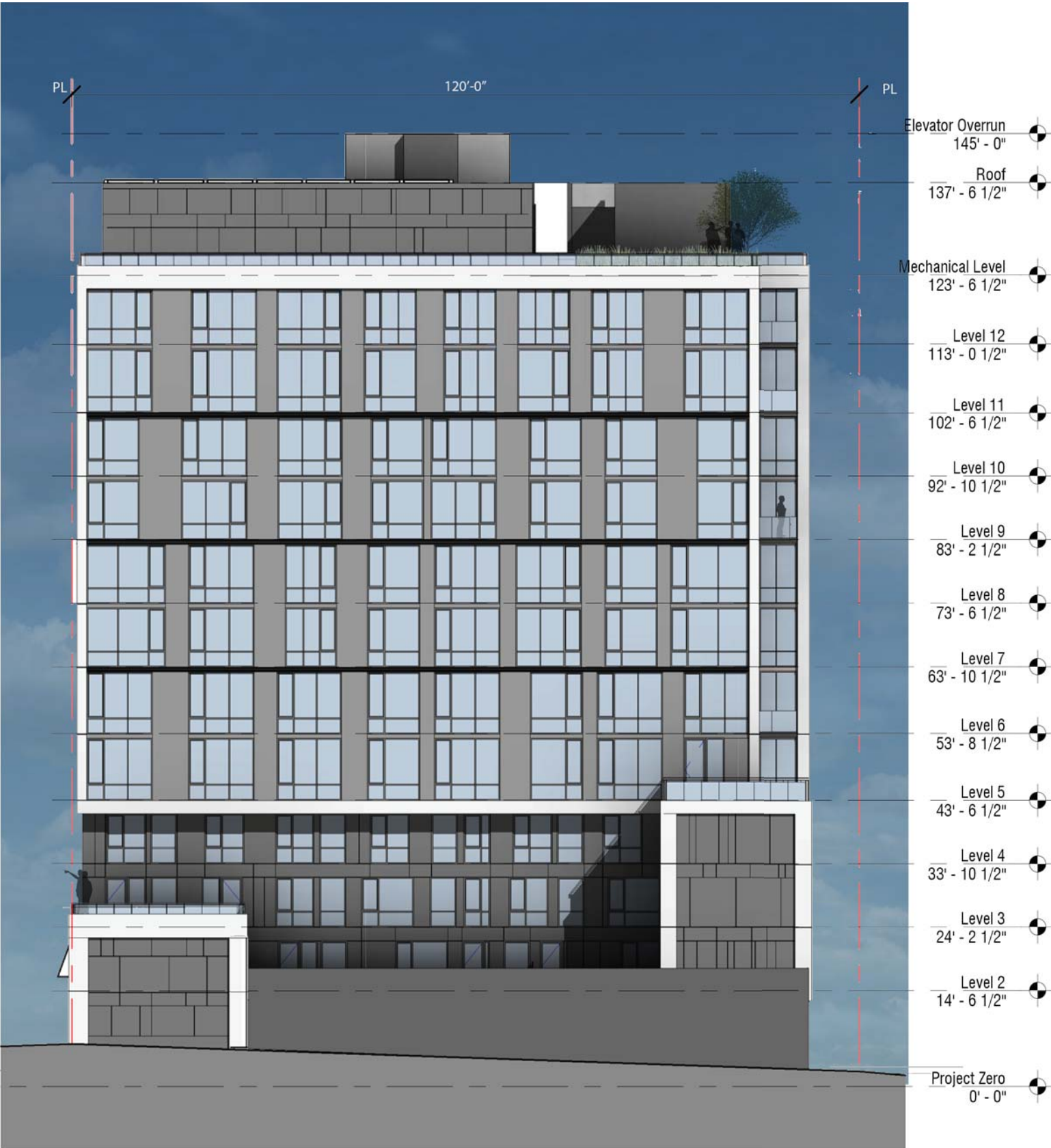


Proposed

Proposed Elevation – Pine Street



Proposed West Elevation – Facing Van Ness Avenue



Proposed Elevation – Austin Street



Proposed East Elevation – Facing Polk Street



Existing Pine Street View



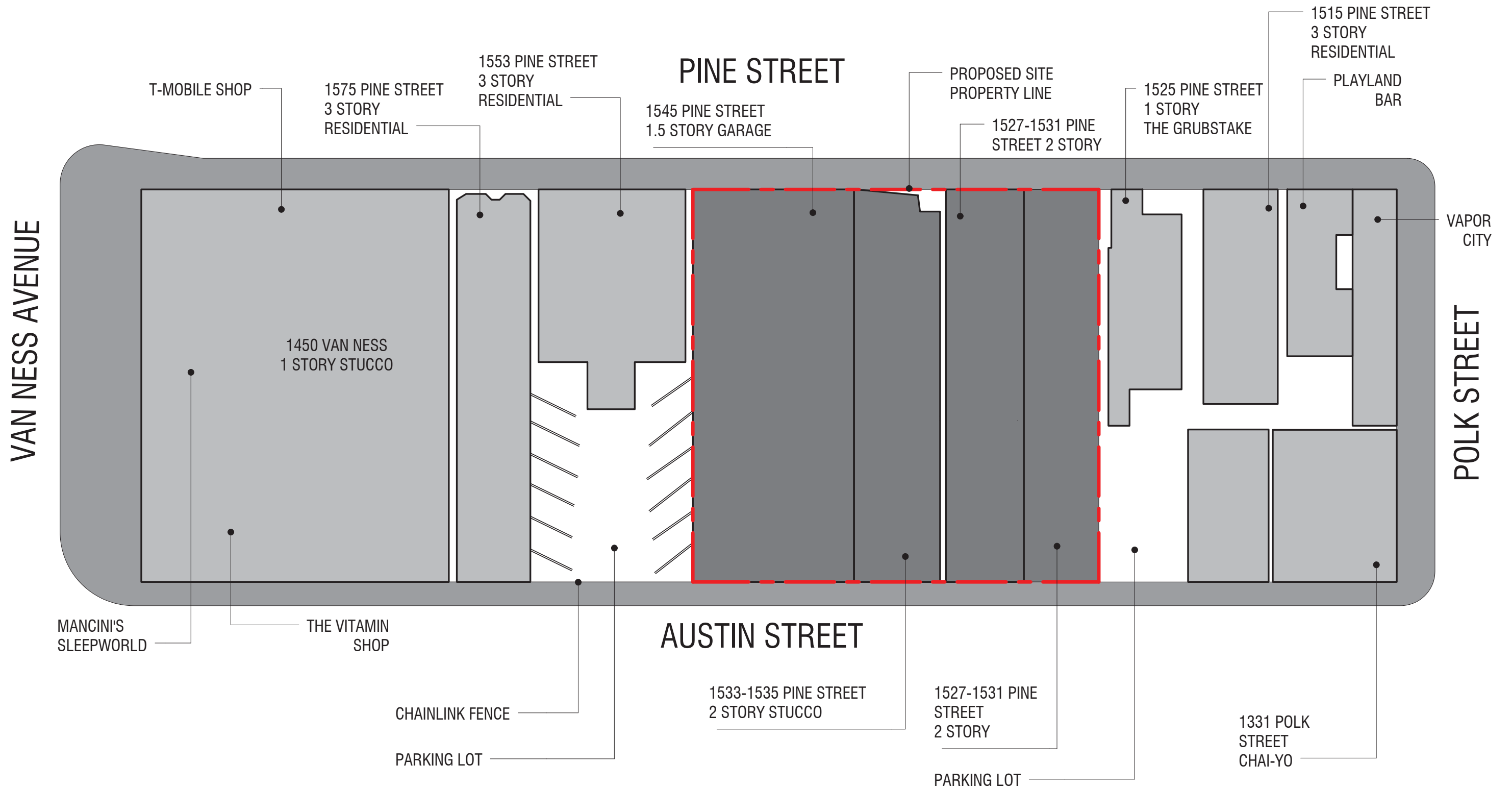


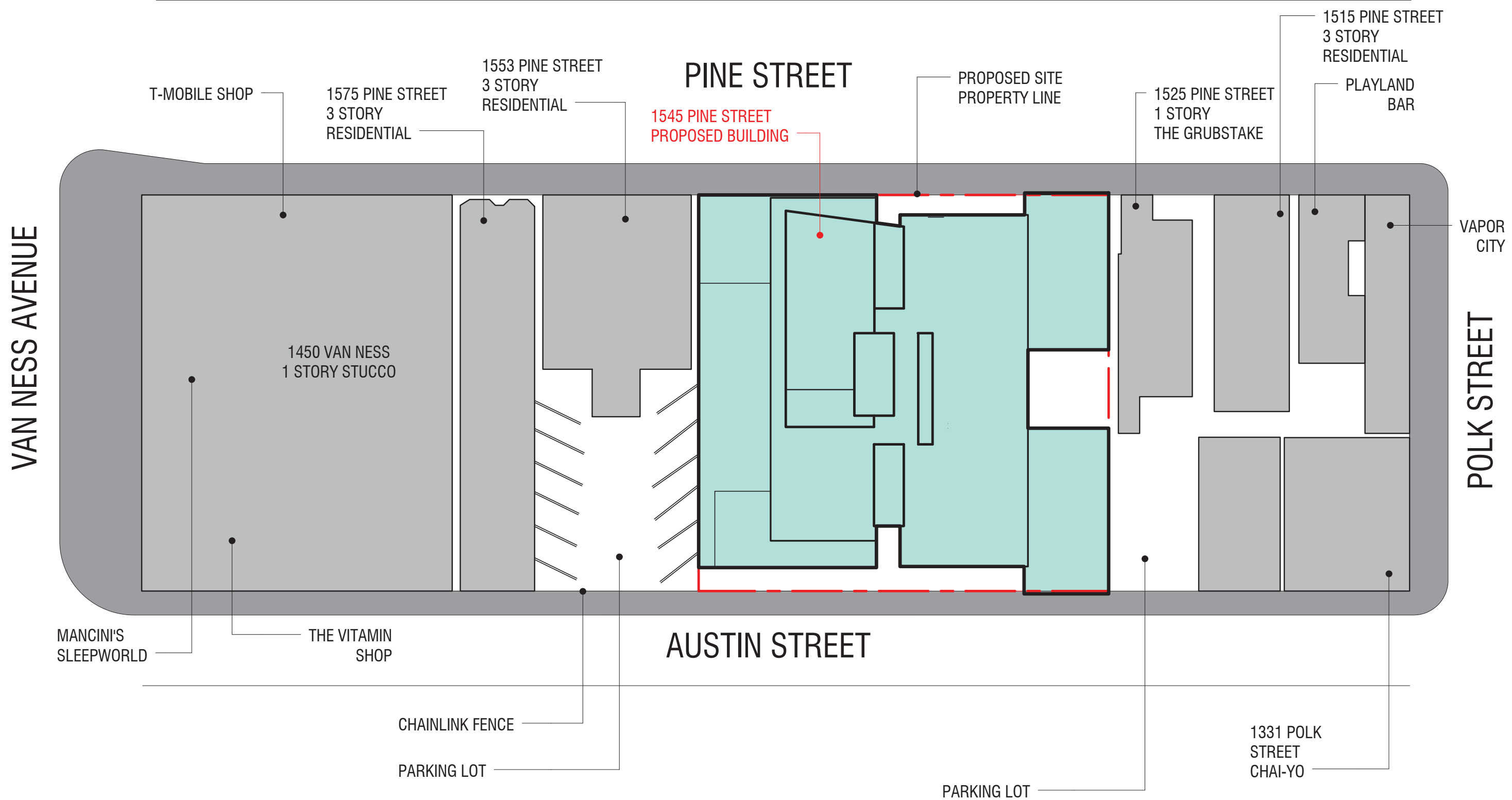
Existing Austin Street View





Existing Site Plan





Project Data

UNIT COUNT / UNIT MIX

	STUDIO	1 BR	1 BR + D	2 BR	3 BR	TOTAL
LEVEL 01	0	0	0	0	0	0
LEVEL 02	2	4	0	3	1	10
LEVEL 03	2	7	0	3	0	12
LEVEL 04	2	7	1	2	0	12
LEVEL 05	2	6	2	2	0	12
LEVEL 06	2	6	2	1	0	11
LEVEL 07	0	4	2	2	0	8
LEVEL 08	0	4	2	2	0	8
LEVEL 09	0	4	2	2	0	8
LEVEL 10	0	4	2	2	0	8
LEVEL 11	0	4	2	2	0	8
LEVEL 12	0	2	0	2	2	6
TOTAL	10	52	15	23	3	103
	10%	50%	15%	22%	3%	100%

COMBINED GROSS SQUARE FOOTAGE

B02	13,372
B01	13,372
LEVEL 01	6,561
LEVEL 02	9,788
LEVEL 03	10,390
LEVEL 04	10,075
LEVEL 05	9,792
LEVEL 06	9,560
LEVEL 07	7,787
LEVEL 08	7,787
LEVEL 09	7,787
LEVEL 10	7,787
LEVEL 11	7,787
LEVEL 12	7,787
TOTAL	129,632

OPEN SPACE REQUIREMENTS

ZONE	OPEN SPACE REQUIRED	'PRIVATE' OPEN SPACE	COMMON OPEN SPACE
VAN NESS RC-4	(94 UNITS * 36 = 3,384) - (17 UNITS * 36 = 612) =		2,772
POLK NCD	(9 UNITS * 60 = 540) - (2 UNITS * 60 = 120) =		420

COMMON OPEN SPACE RATIO	COMMON OPEN SPACE	COMMON OPEN SPACE REQUIRED
1.33 *	2,772 =	3,687
1.33 *	420 =	559
	TOTAL =	4,246
	COMMON OPEN SPACE REQUIRED	4,246
	COMMON OPEN SPACE PROVIDED	4,380

VAN NESS SUD GROSS SQUARE FOOTAGE FOR FAR CALCULATIONS

B02	-
B01	-
LEVEL 01	4,743
LEVEL 02	7,490
LEVEL 03	8,092
LEVEL 04	8,092
LEVEL 05	7,809
LEVEL 06	7,809
LEVEL 07	7,787
LEVEL 08	7,787
LEVEL 09	7,787
LEVEL 10	7,787
LEVEL 11	7,787
LEVEL 12	7,787
TOTAL	90,757

FAR CALCULATION:

FAR = 7.0
 LOT SQUARE FOOTAGE = 12,000 SF
 ADDITIONAL FAR PREMIUM = 1,000 SF
 TOTAL = 13,000 SF

FAR 7.0 x 13,000 SF = 91,000 SF
 GSF ALLOWED = 91,000 GSF
 90,757 GSF PROVIDED

BMR UNITS	STUIDO	1 BD	2 BD	TOTAL
LEVEL 02	-	1	2	3
LEVEL 03	-	2	1	3
LEVEL 04	-	2	-	2
LEVEL 05	-	2	-	2
LEVEL 06	1	-	-	1
LEVEL 07	-	1	-	1
TOTAL BMR UNITS:				12

TOTAL OPEN OPEN SPACE PROVIDED (COMPLIANT AND NON-COMPLIANT)

AREA	(SF)
ROOFTOP TERRACES	4,380
RESIDENTIAL BALCONIES AND TERRACES	6,035
STREET LEVEL AREA	1,651
GROUND LEVEL INTERIOR COURTYARD	623
TOTAL	12,689

PRIVATE OPEN SPACE PROVIDED: TERRACES AND BALCONIES

LEVEL	UNIT #	TOTAL TERRACE (SF)	TOTAL BALCONY (SF)	AREA COUNTED TOWARDS PRIVATE OPEN SPACE (SF)	VAN NESS	POLK NCD
L2	201	1103		0		
	210	611		0		
L3	302	761		36		
	310		48	36		
L4	408	253		60		
	409		48	36		
L5	508	242		60		
	511	626		36		
L6	510		48	36		
	611		48	36		
L7	703	885		36		
	704	243		36		
	705	279		36		
	706	432		36		
	706		60	0		
L8	806		48	36		
L9	907		48	36		
L10	1006		48	36		
L11	1106		48	36		
	1107		48	36		
L12	1205		48	36		
	1206		60	36		

Total Counted Van Ness (SF)	612	17 Units
Total Counted Polk (NCD) (SF)	120	2 Units

Total Terraces (SF)	5435
Total Balconies (SF)	600

Total Private Open Area (SF)	6,035
------------------------------	-------

SITE ADDRESS(ES): 1527-1545 PINE STREET
 NEAREST CROSS STREETS: VAN NESS AVENUE, POLK STREET
 BLOCK(S)/LOT(S): ASSESSOR'S BLOCK 667
 LOTS 16, 17, 18, 18A & 19

PROJECT DATA

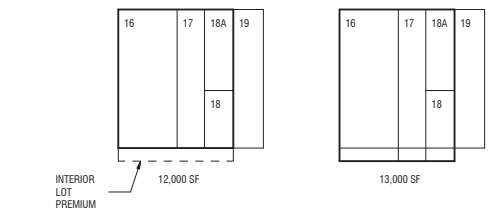
ZONING DISTRICT(S)	Van Ness SUD, Polk, NCD
HEIGHT/BLUK DISTRICT(S)	130-V, 65A
SITE SQUARE FOOTAGE	15,000 sf
TOTAL DWELLING UNITS	103
TOTAL PARKING SPACES	84
BELOW GRADE EXCAVATION	40'-0"
BELOW GRADE EXCAVATION VOLUME	17952.16 yd ³
BUILDING HEIGHT	130'-0", 65'-0"
STORIES	12, 6

LOTS 16, 17, 18 & 18A

ZONING DISTRICT(S)	Van Ness SUD
HEIGHT/BLUK DISTRICT(S)	130-V
LOT SQUARE FOOTAGE	12,000 sf
INTERIOR LOT PREMIUM	1,000 sf
LOT SF TOWARD FAR	13,000 sf
VAN NESS SUD FAR	7.0
ALLOWABLE GSF PER FAR	91,000 GSF
BUILDING HEIGHT	130'-0"
STORIES	12
DWELLING UNITS	94

LOT 19

ZONING DISTRICT(S)	POLK STREET NCD
HEIGHT/BLUK DISTRICT(S)	65A
LOT SQUARE FOOTAGE	3,000 sf
BUILDING HEIGHT	65'-0"
STORIES	6
DWELLING UNITS	9





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

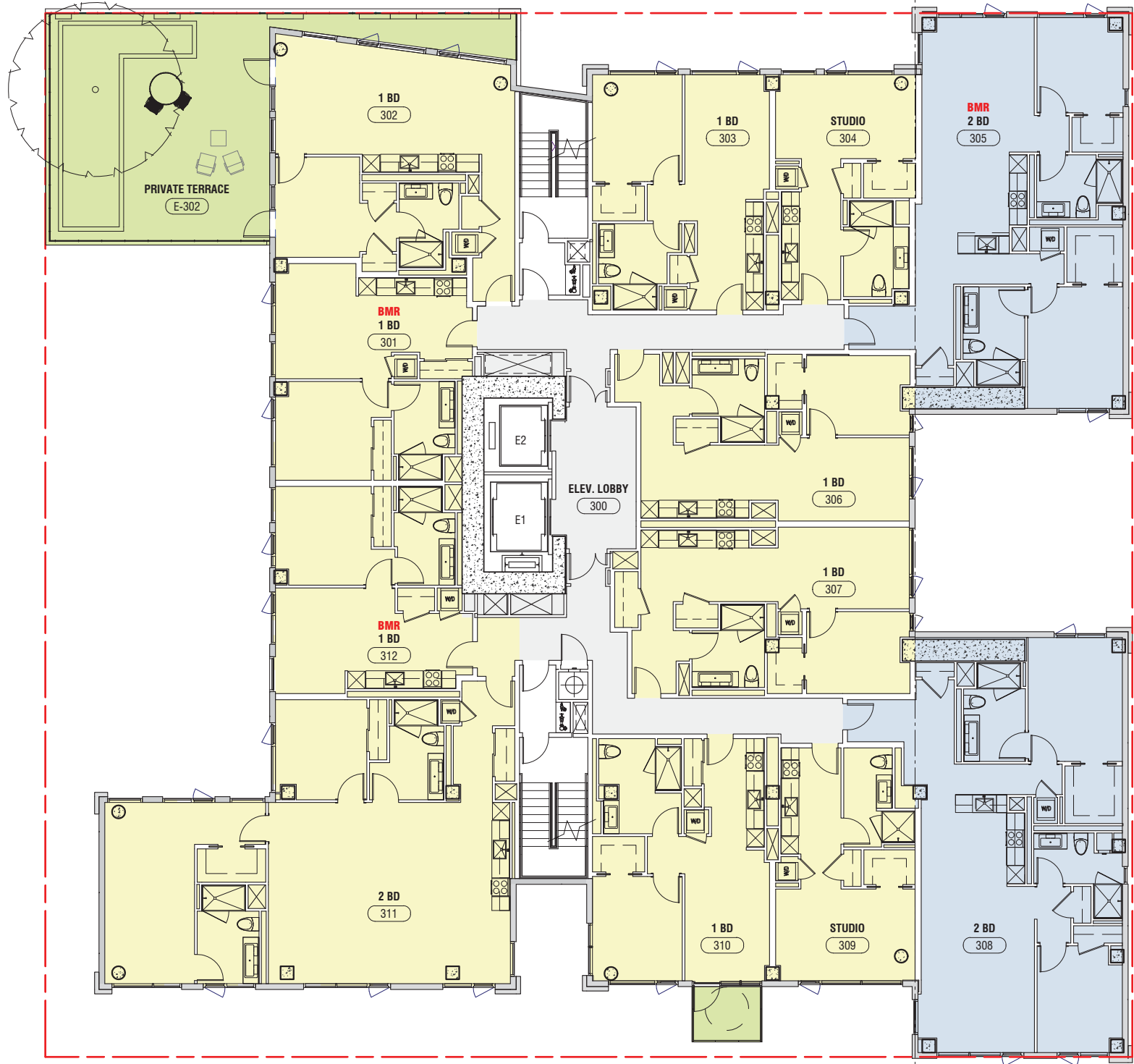
Plan – Level 02


Van Ness (SUD) Polk (NCD)



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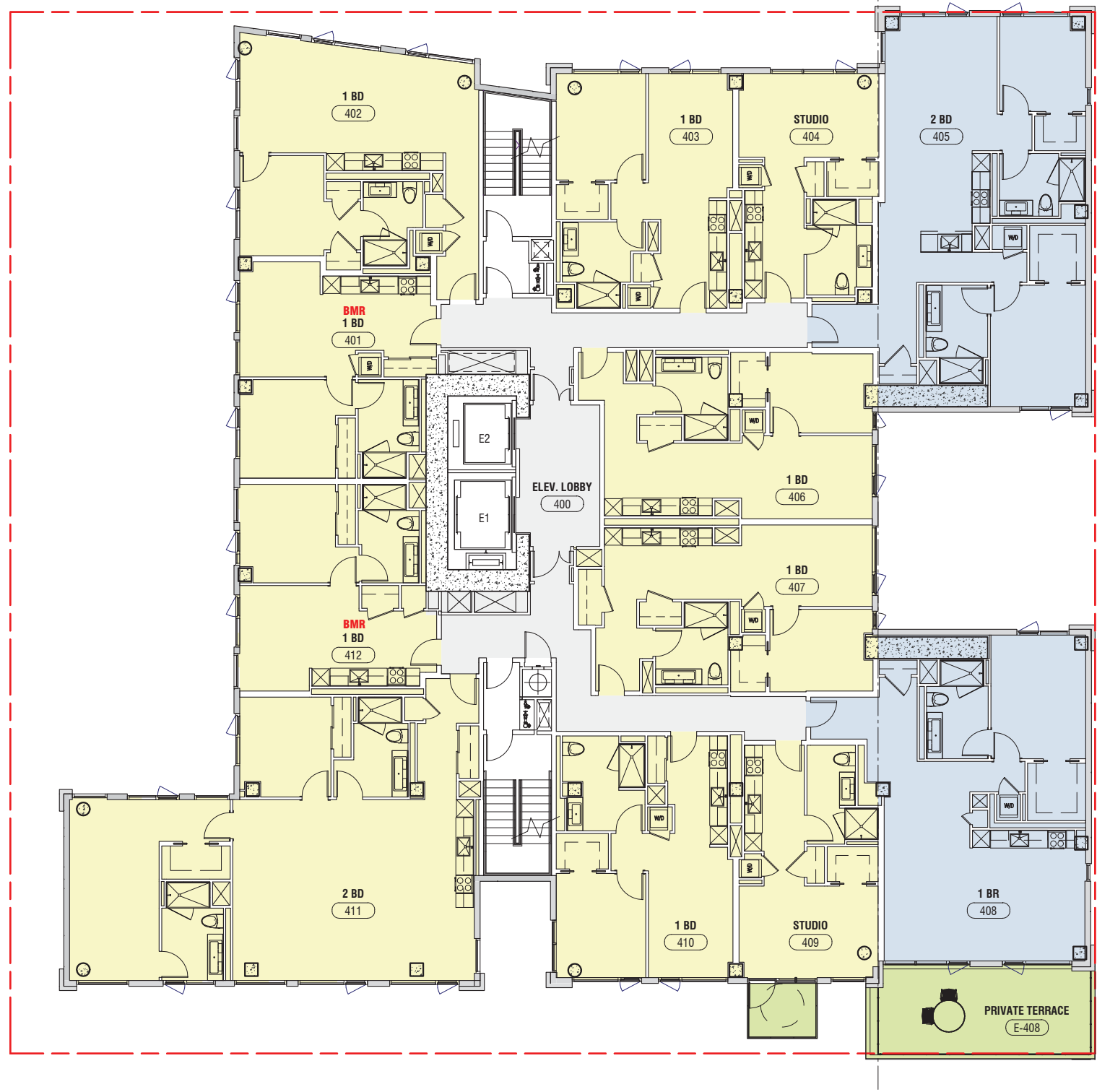
Van Ness (SUD) Polk (NCD)



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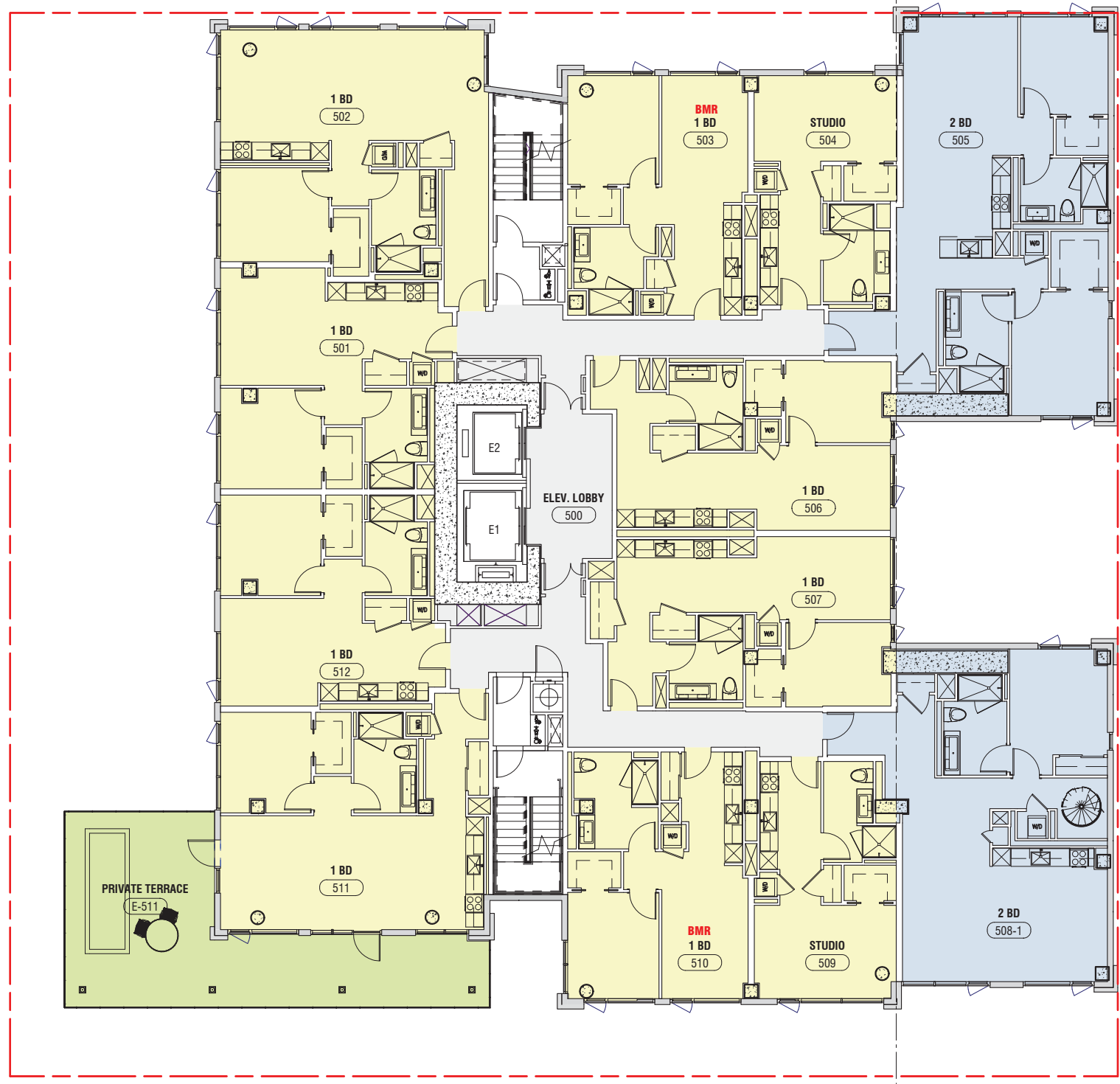
Plan – Level 04


Van Ness (SUD) ✕ Polk (NCD)



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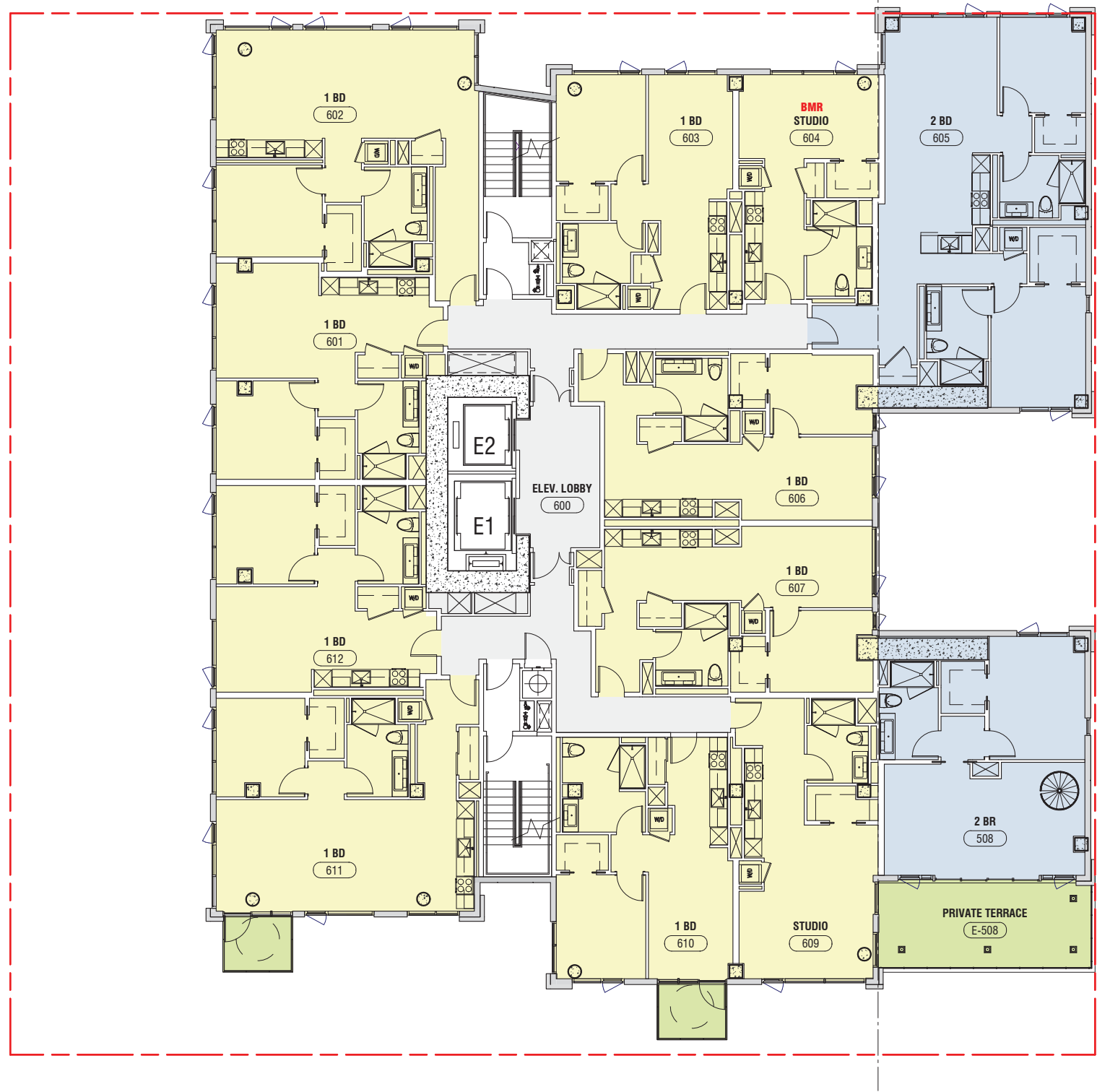
Van Ness (SUD) Polk (NCD)



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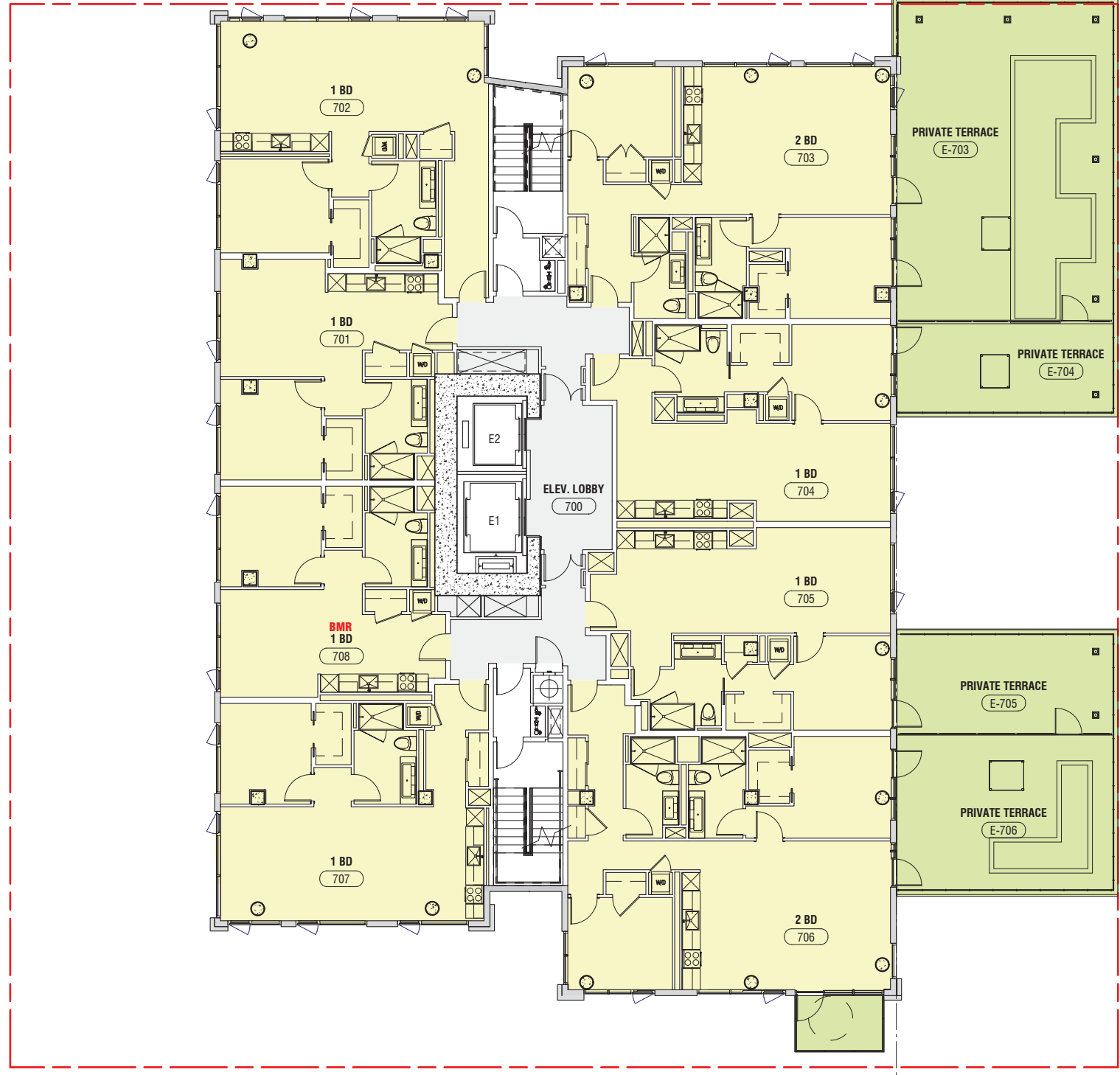
Plan – Level 06


Van Ness (SUD) Polk (NCD)



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

Van Ness (SUD) Polk (NCD)



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

Plan – Level 08

Van Ness (SUD) ✕ Polk (NCD)



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

Van Ness (SUD)

Polk (NCD)

Plan – Level 09



Plan – Level 10

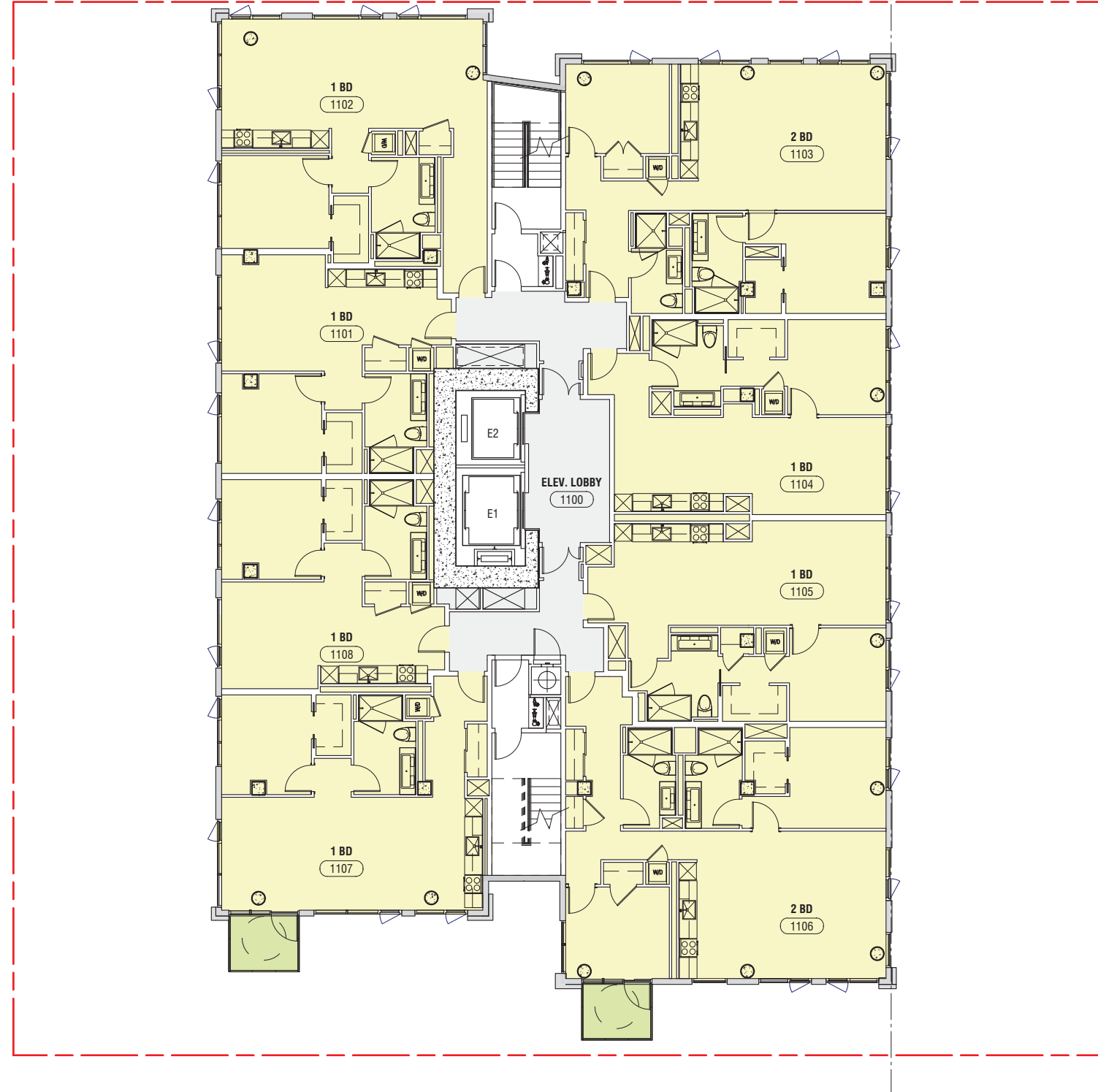
Van Ness (SUD) Polk (NCD)



Van Ness (SUD)


Polk (NCD)

Plan – Level 11



Van Ness (SUD) Polk (NCD)



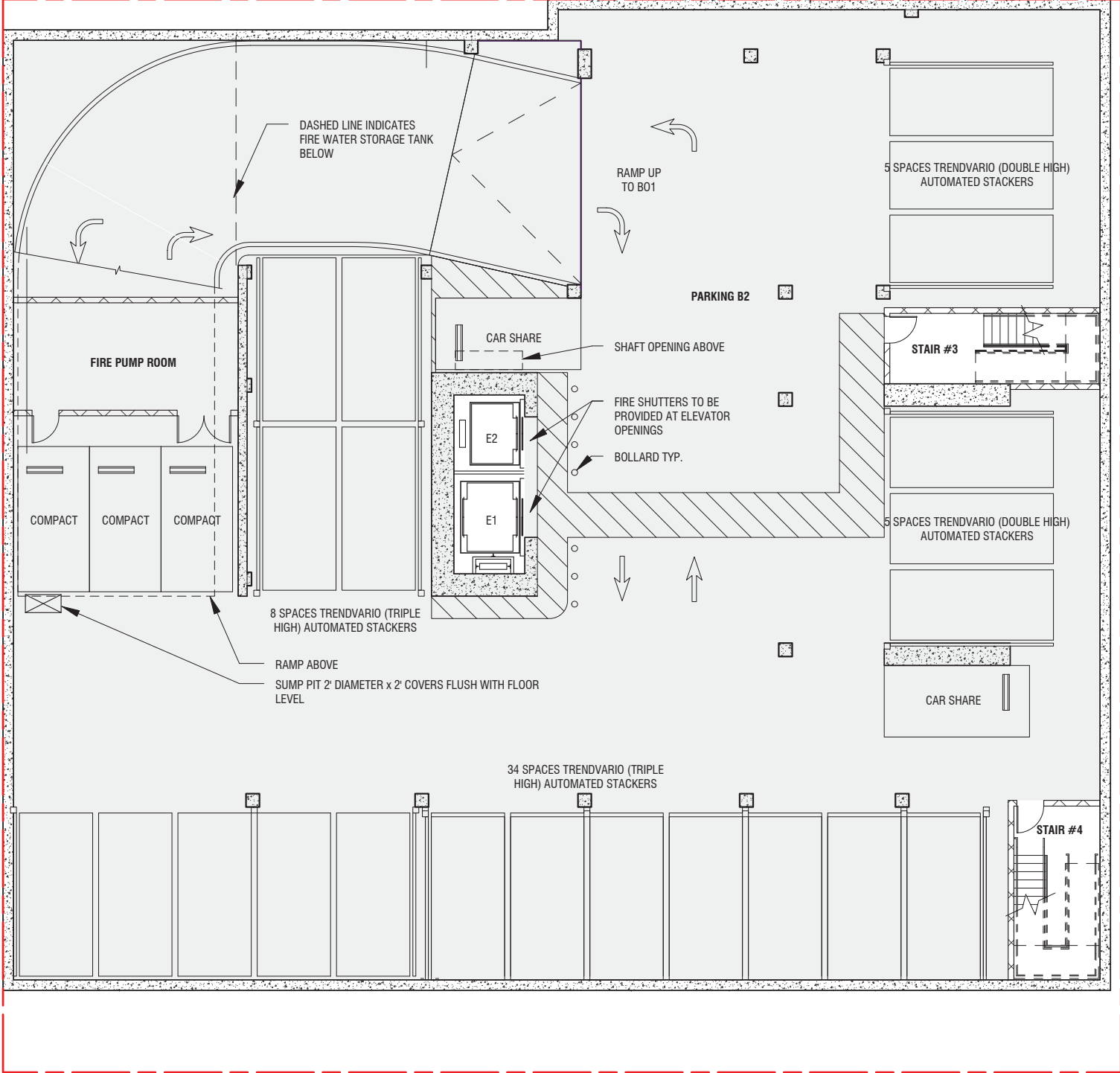
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Plan – Rooftop Terrace

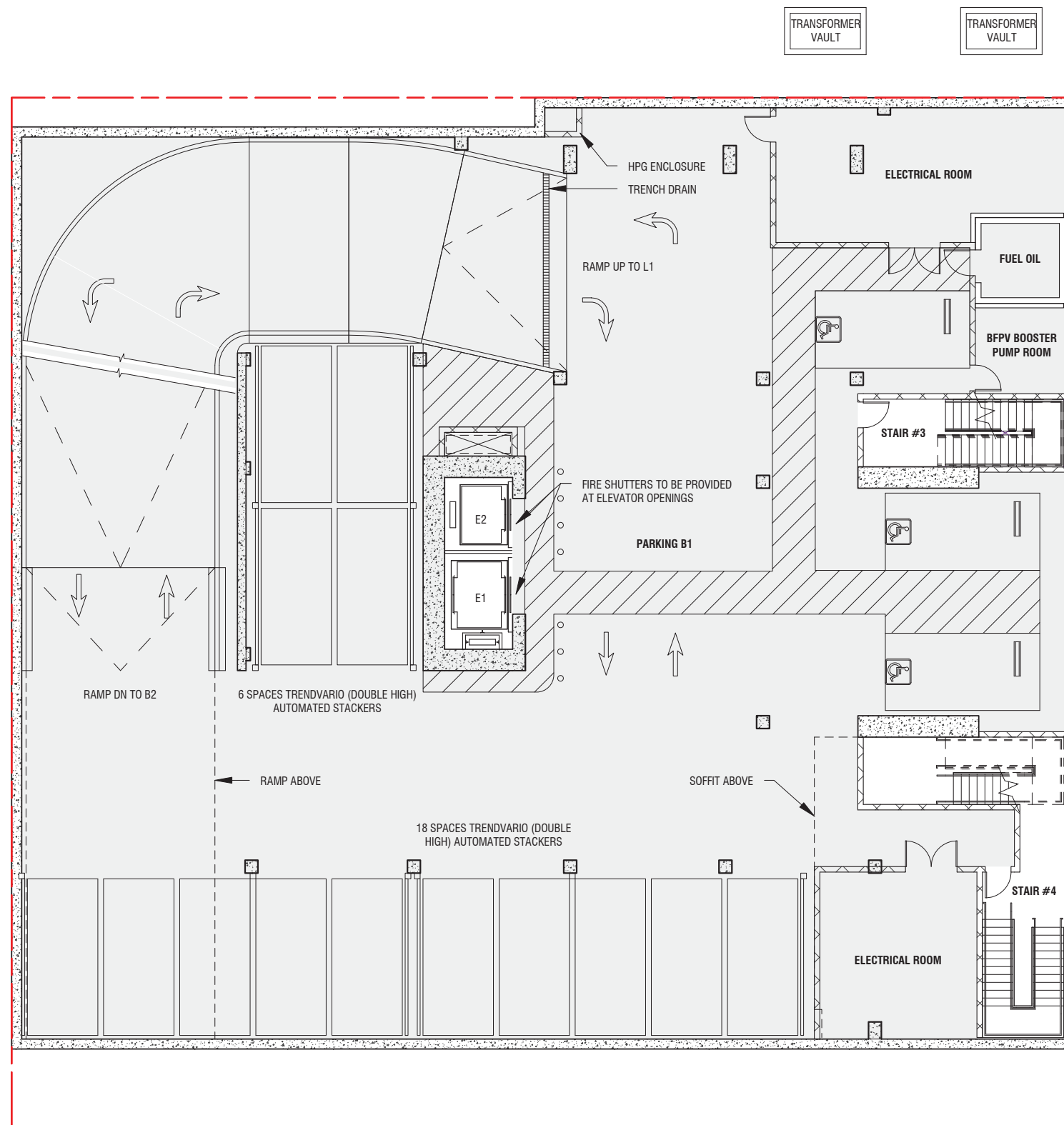
Van Ness (SUD) Polk (NCD)




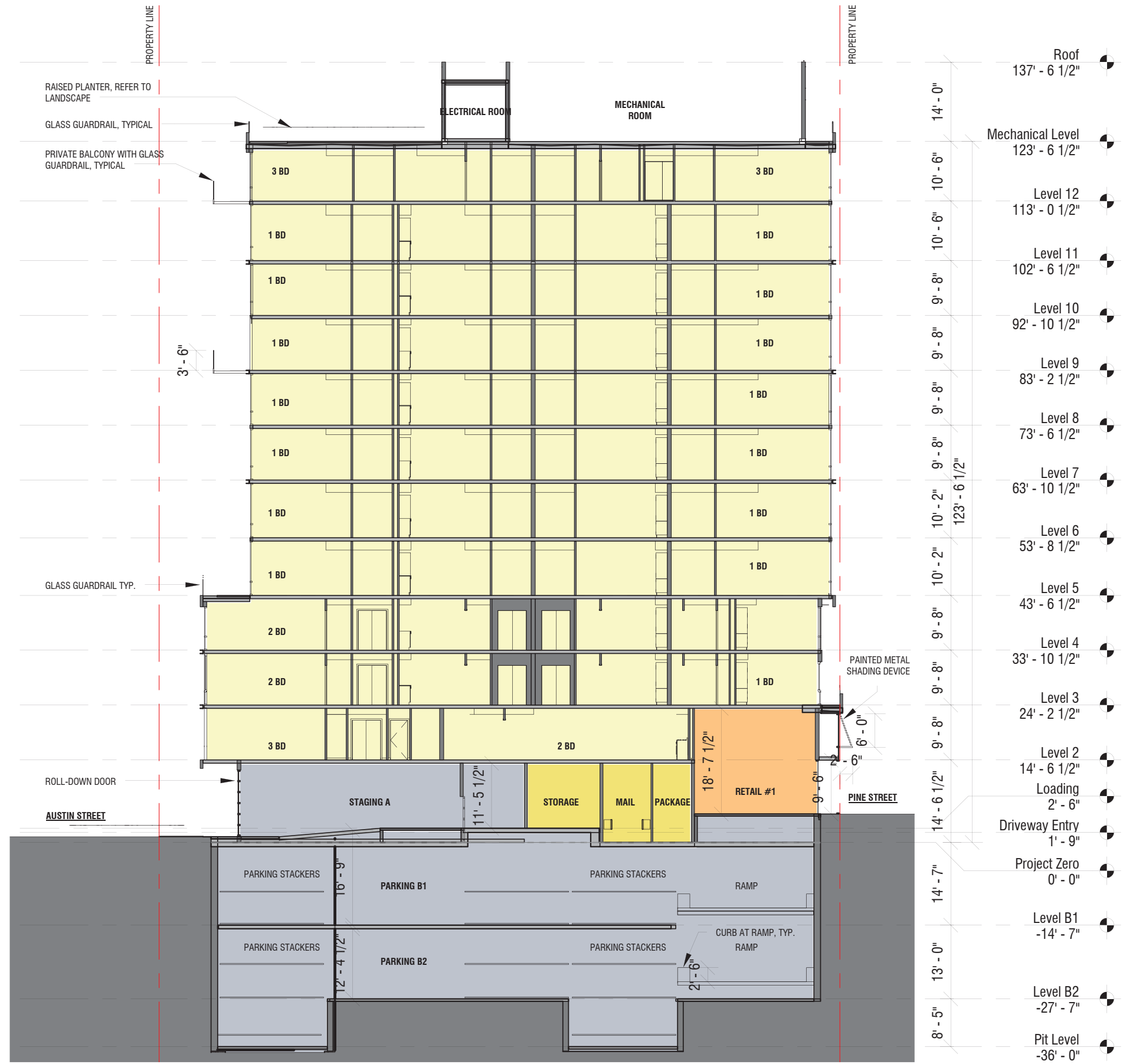
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Plan – Level B1



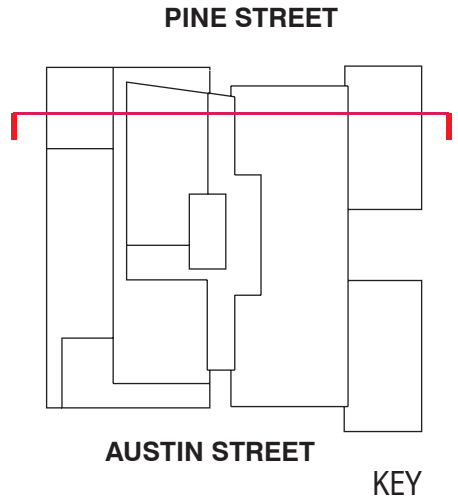
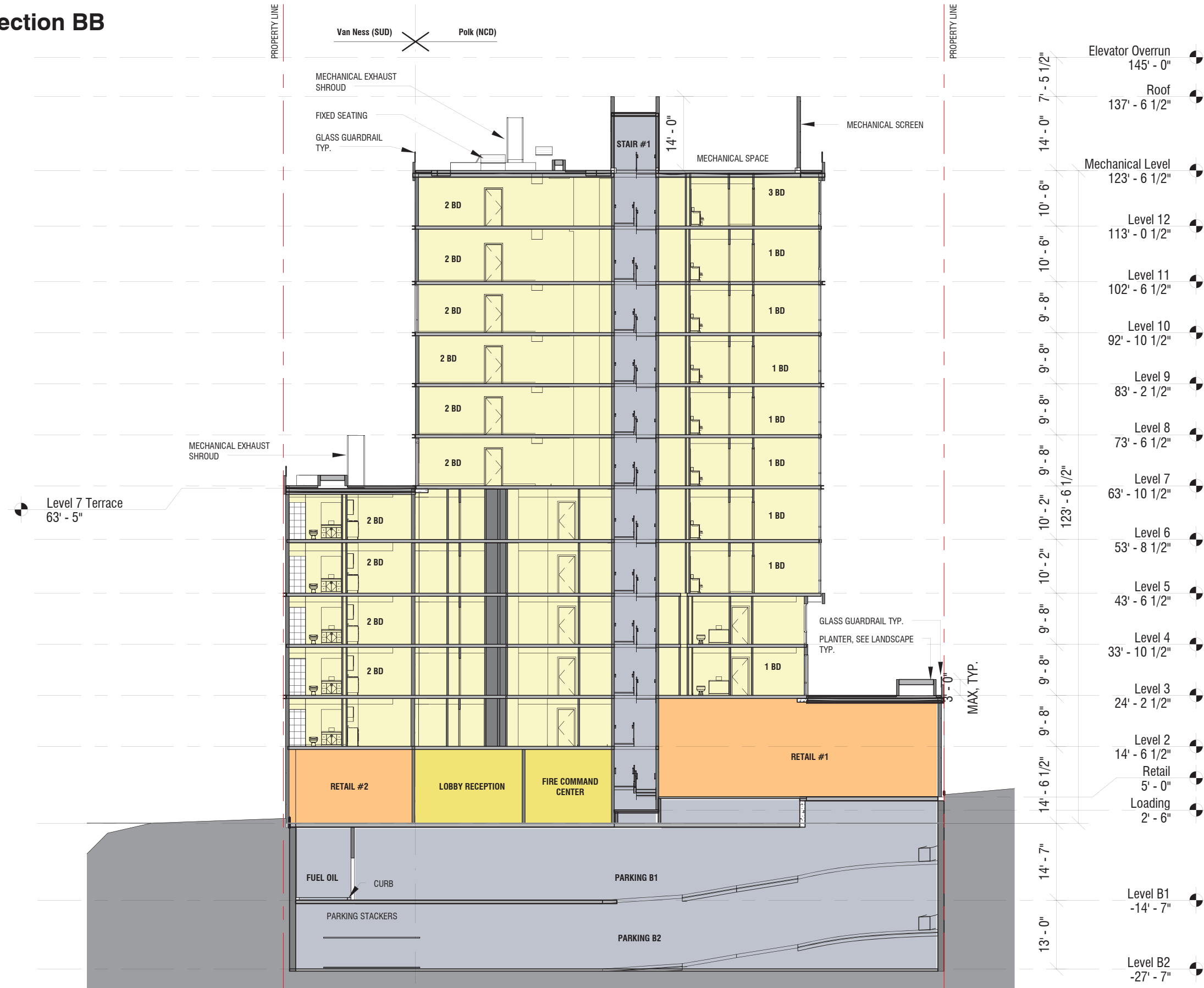
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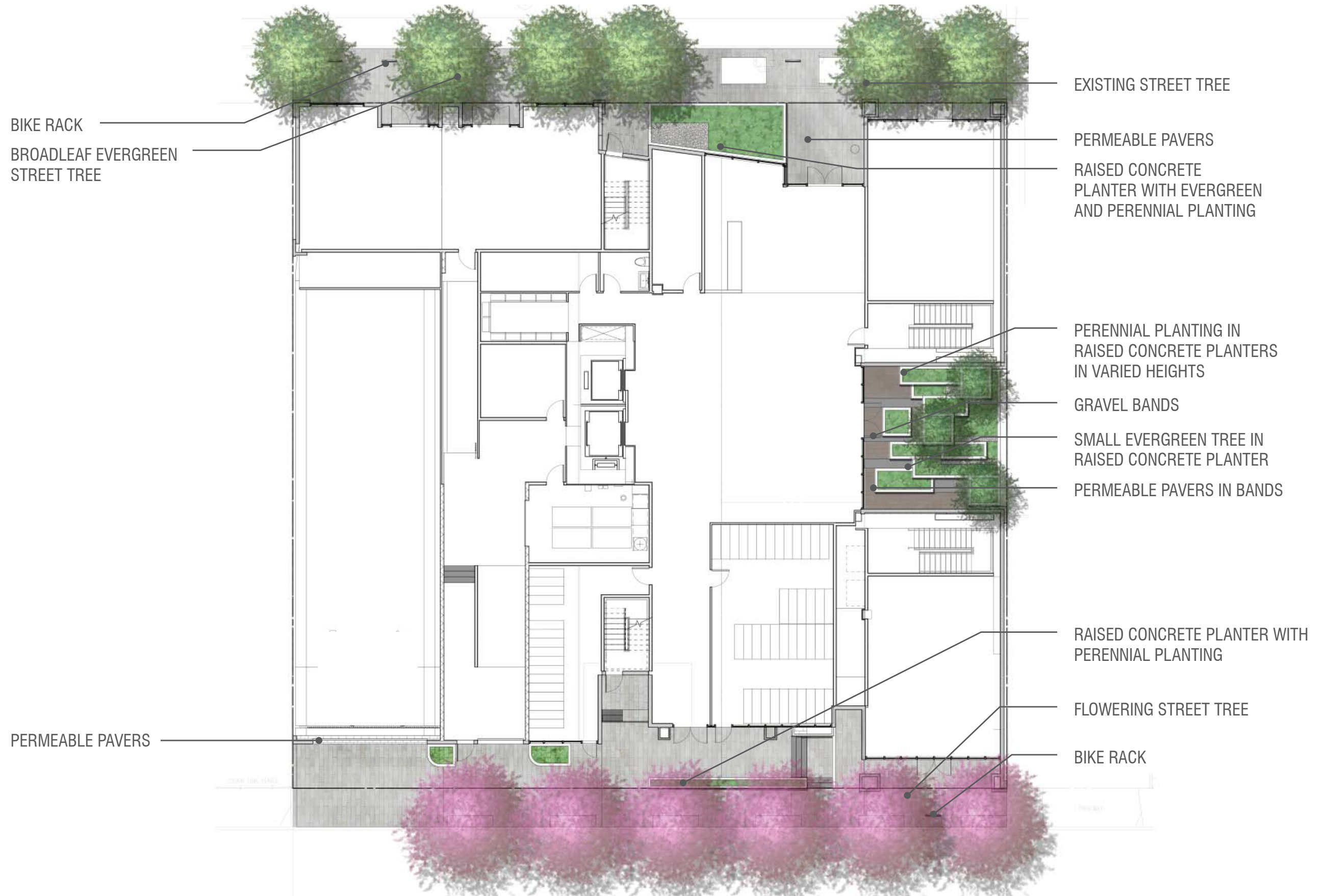
Proposed Section AA



Proposed Section BB



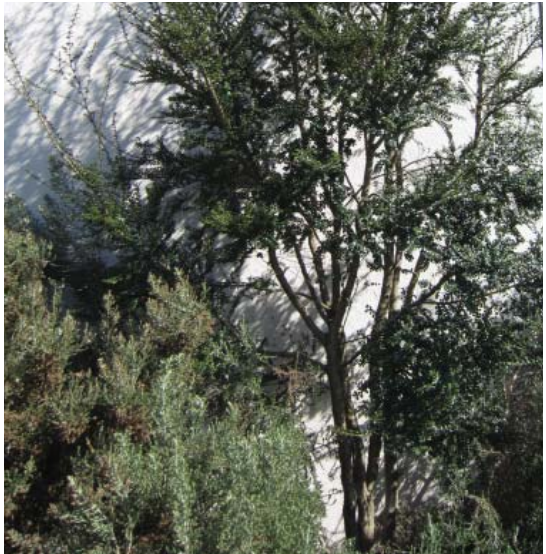
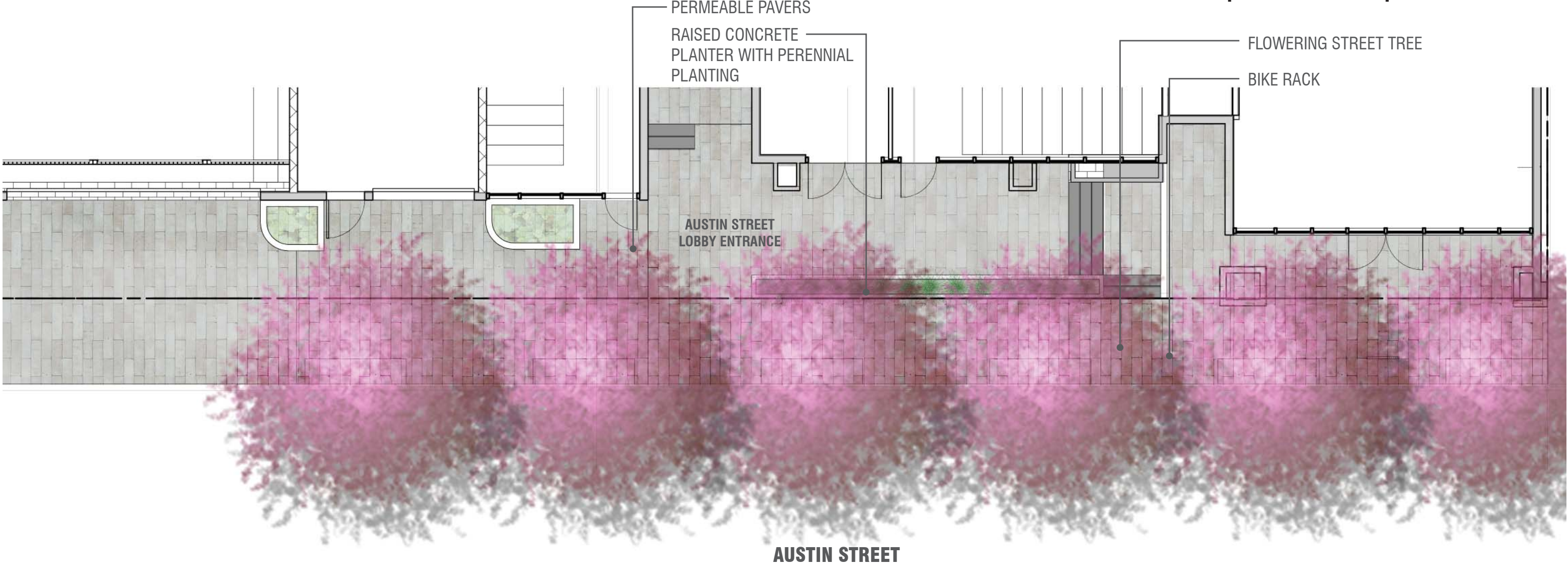
Proposed Landscape – Ground Floor



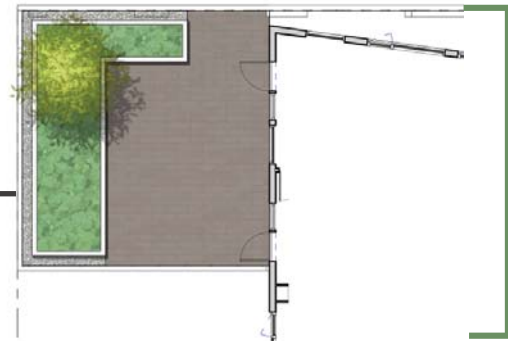
Proposed Landscape – Pine Street



Proposed Landscape – Austin Street



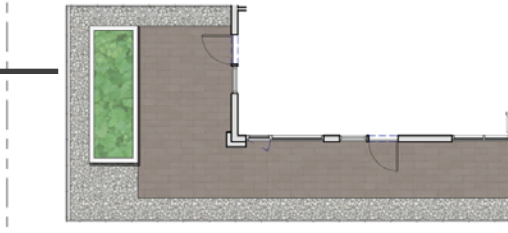
Proposed Landscape – Private Terraces



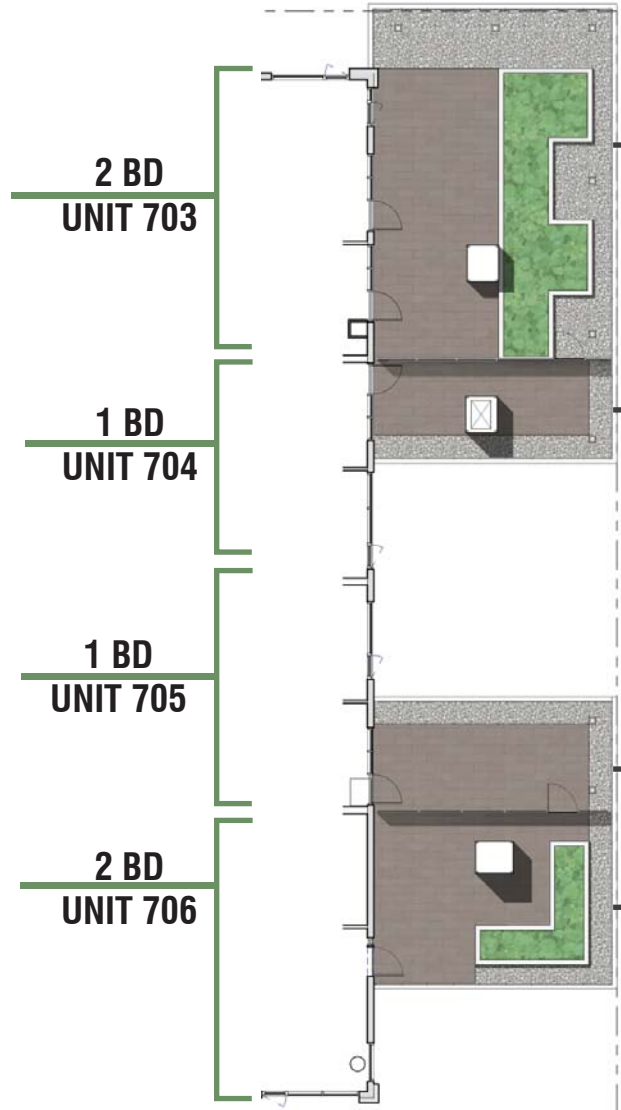
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**2 BD
UNIT 201**



**2 BD
UNIT 511**

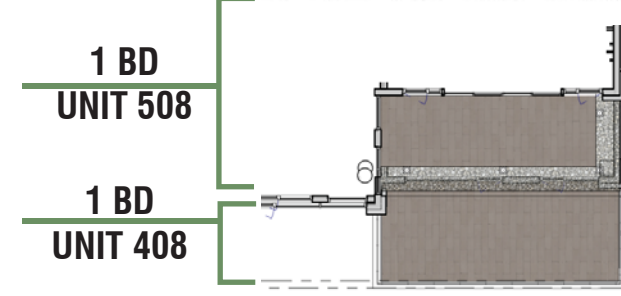


**2 BD
UNIT 703**

**1 BD
UNIT 704**

**1 BD
UNIT 705**

**2 BD
UNIT 706**



**1 BD
UNIT 508**

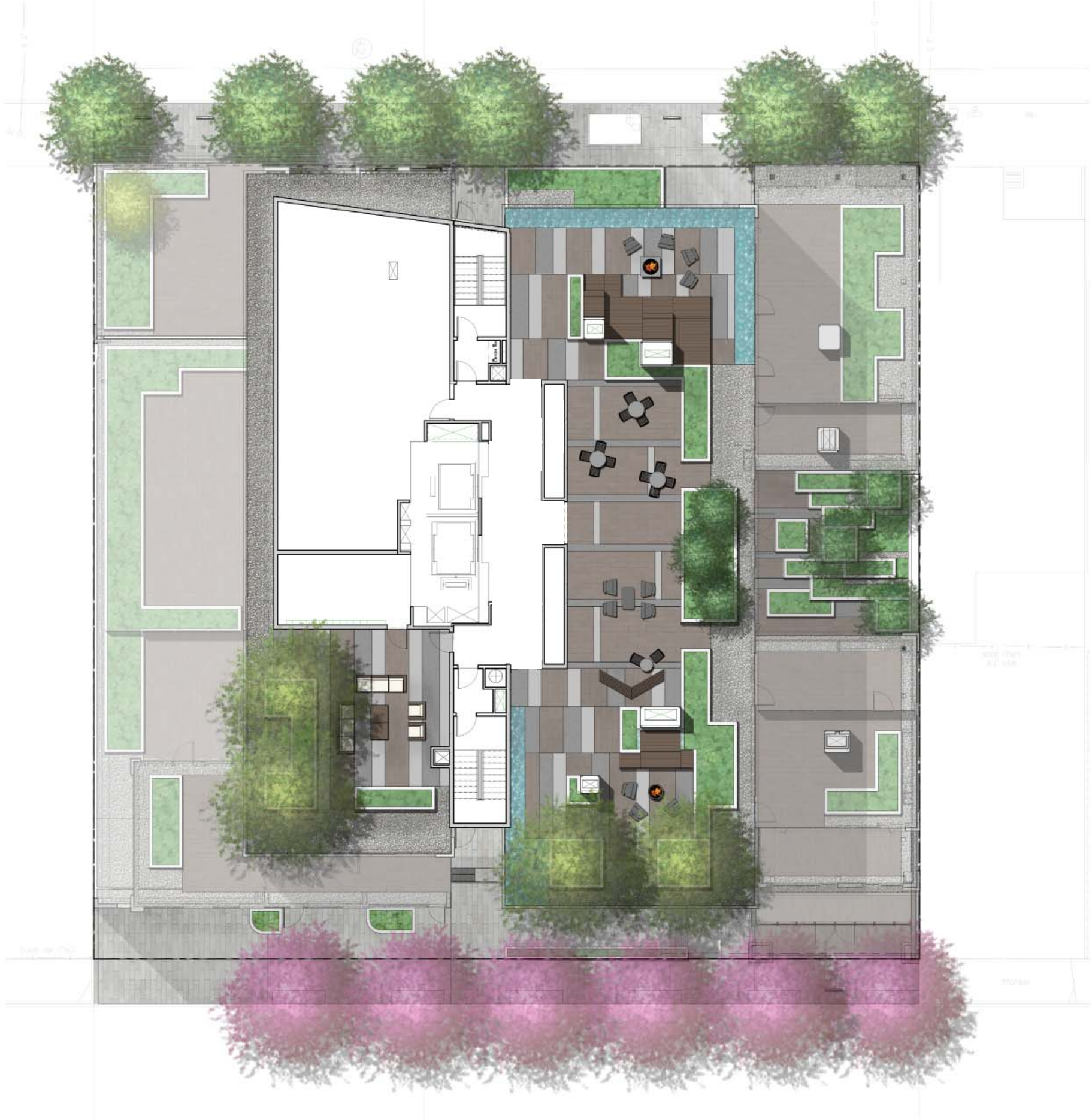
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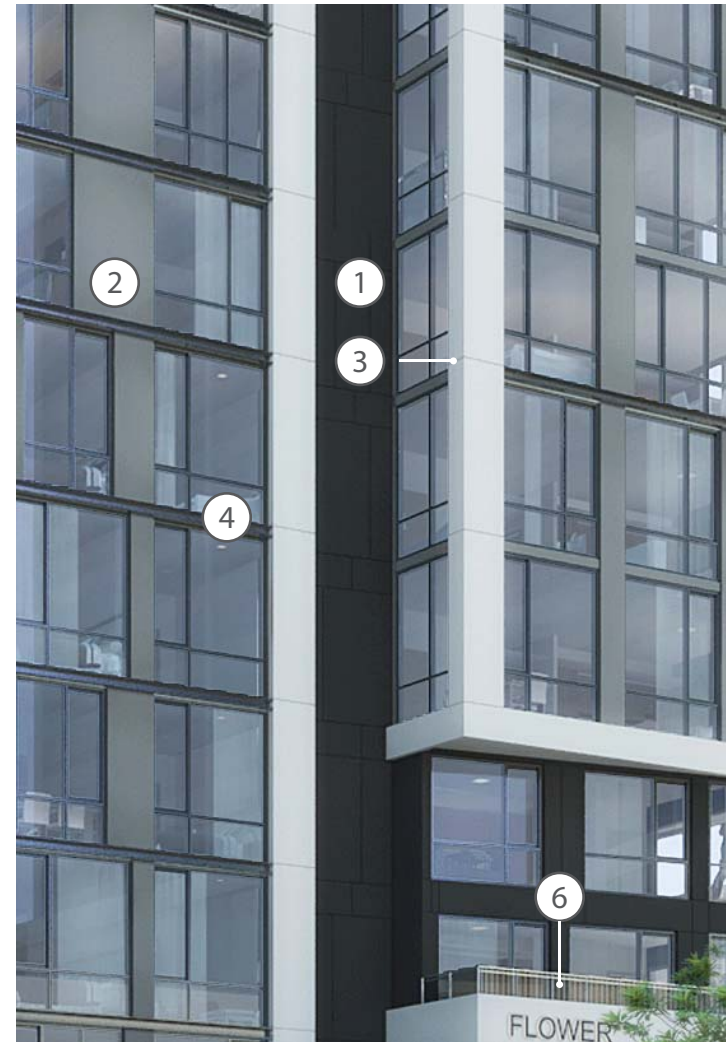


Proposed Landscape – Rooftop Terrace



Proposed Landscape – View from Rooftop





DARK GREY GFRG 1



GREY GFRG 2



WHITE GFRG 3



PAINTED DECORATIVE C CHANNEL 4



BALCONIES: PERMEABLE TERRACE PAVERS 5



GLASS GUARDRAIL 6



PAINTED LOUVERS 7



FLOOR TO CEILING WINDOW WALL 8



DARK GREY PAINT 9



PAVER 10

Proposed South-East Aerial View





Proposed East Aerial View



Proposed North-West Aerial View



Proposed View on Pine Street



Proposed Pedestrian Level View on Pine Street



Proposed Pedestrian View on Pine Street



Proposed Evening Pedestrian Level View on Pine Street







Proposed Evening Pedestrian Level View on Austin Street





THANK YOU



MATERIAL FINISH SCHEDULE					
GFR-01	FIBRE C GLASSFIBRE REINFORCED CONCRETE LIQUIDE BLACK FE FERRO (SANDBLASTED)	GL-03	FIRE RATED GLAZING ASSEMBLY	MET-05	PAINTED METAL SCREEN SILVERSMITH
GFR-02	FIBRE C GLASSFIBRE REINFORCED CONCRETE ANTHRACIT ANTHRACITE FL FERRO LIGHT (LIGHT SANDBLASTED)	MET-01	ALUMINUM MULLION SILVERSMITH	MET-06	PAINTED METAL LOUVERS
GFR-03	FONRE C CLASSFIBRE REINFORCED CONCRETE POLAR WHITE MA MATT (BRUSHED)	MET-02	STOREFRONT ALUMINUM MULLION SILVERSMITH	MET-07	METAL COVERED COLUMNS
GL-01	PILKINGTON VISION GLASS YNE0152 CLEAR	MET-03	PAINTED METAL TRIM PANEL GRAY	PLAS-01	COLORED PLASTER
GL-02	STOREFRONT VISION GLASS YNE0175 CLEAR	MET-04	PAINTED METAL DOOR GRAY	CONG-01	EXPOSED CONCRETE SMOOTH ARCHITECTURAL FINISH

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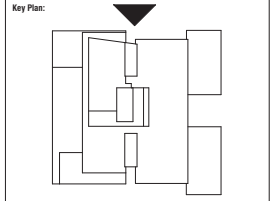
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Project No.: 2997
1545 Pine Street
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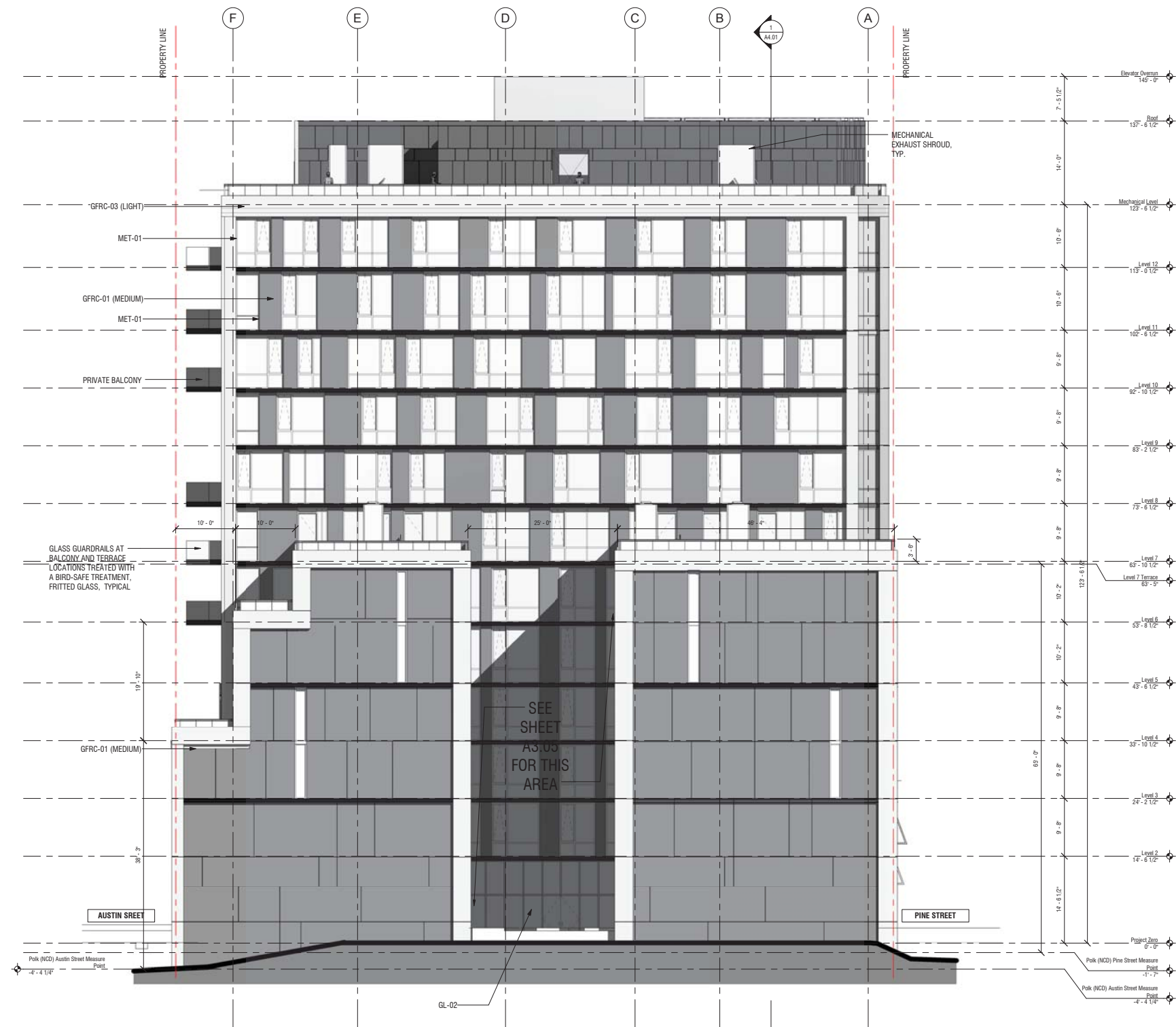
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Rev.	Date	Description
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50% DD	07.25.14	50% Design Development
80% DD	08.15.14	80% Design Development
100% DD	08.29.14	100% Design Development
	09.19.14	Planning Comments

Sheet Title:
North Elevation

Scale: 1/8" = 1'-0"
Not To Scale: 3/4" = 1'-0"

A3.00



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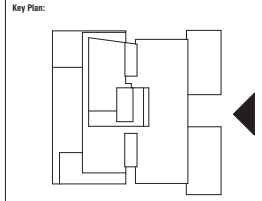
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80% DD	08.15.14	80% Design Development
100% DD	08.29.14	100% Design Development
	09.19.14	Planning Comments

Sheet Title:

East Elevation

Scale: 1/8" = 1'-0"
Not To Scale 3/8" x 11"

A3.01

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MATERIAL FINISH SCHEDULE

GFR-01	FIBRE C GLASSFIBRE REINFORCED CONCRETE LIOUIDE BLACK FE FERRO (SANDBLASTED)	GL-03	FIRE RATED GLAZING ASSEMBLY	MET-05	PAINTED METAL SCREEN SILVERSMITH
GFR-02	FIBRE C GLASSFIBRE REINFORCED CONCRETE ANTHRACIT ANTHRACITE FL FERRO LIGHT (LIGHT SANDBLASTED)	MET-01	ALUMINUM MULLION SILVERSMITH	MET-06	PAINTED METAL LOUVERS
GFR-03	FONRE C GLASSFIBRE REINFORCED CONCRETE POLAR WHITE MA MATT (BRUSHED)	MET-02	STOREFRONT ALUMINUM MULLION SILVERSMITH	MET-07	METAL COVERED COLUMNS
GL-01	PILKINGTON VISION GLASS YNE0152 CLEAR	MET-03	PAINTED METAL TRIM PANEL GRAY	PLAS-01	COLORED PLASTER
GL-02	STOREFRONT VISION GLASS YNE0175 CLEAR	MET-04	PAINTED METAL DOOR GRAY	CONC-01	EXPOSED CONCRETE SMOOTH ARCHITECTURAL FINISH

East 1
 1/8" = 1'-0"



MATERIAL FINISH SCHEDULE					
GFRC-01	FIBRE C GLASSFIBRE REINFORCED CONCRETE LIQUIDE BLACK FE FERRO (SANDBLASTED)	GL-03	FIRE RATED GLAZING ASSEMBLY	MET-05	PAINTED METAL SCREEN SILVERSMITH
GFRC-02	FIBRE C GLASSFIBRE REINFORCED CONCRETE ANTHRACIT ANTHRACITE FL FERRO LIGHT (LIGHT SANDBLASTED)	MET-01	ALUMINUM MULLION SILVERSMITH	MET-06	PAINTED METAL LOUVERS
GFRC-03	FONRE C GLASSFIBRE REINFORCED CONCRETE POLAR WHITE MA MATT (BRUSHED)	MET-02	STOREFRONT ALUMINUM MULLION SILVERSMITH	MET-07	METAL COVERED COLUMNS
GL-01	PIKINGTON VISION GLASS YNE0152 CLEAR	MET-03	PAINTED METAL TRIM PANEL GRAY	PLAS-01	COLORED PLASTER
GL-02	STOREFRONT VISION GLASS YNE0175 CLEAR	MET-04	PAINTED METAL DOOR GRAY	CONC-01	EXPOSED CONCRETE SMOOTH ARCHITECTURAL FINISH

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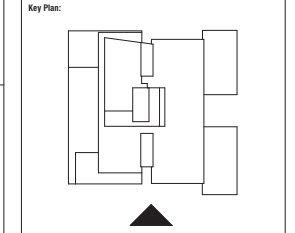
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Seal / Signature:

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100% DD	08.29.14	100% Design Development
	09.19.14	Planning Comments

Sheet Title:
South Elevation

Scale: 1/8" = 1'-0"
Not To Scale 3/4" x 4"

A3.02



MATERIAL FINISH SCHEDULE					
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GFR-02	FIBRE C GLASSFIBRE REINFORCED CONCRETE ANTHRAXIT ANTHRACITE FL FERRO LIGHT (LIGHT SANDBLASTED)	MET-01	ALUMINUM MULLION SILVERSMITH	MET-06	PAINTED METAL LOUVERS
GFR-03	FONRE C GLASSFIBRE REINFORCED CONCRETE POLAR WHITE MA MATT (BRUSHED)	MET-02	STOREFRONT ALUMINUM MULLION SILVERSMITH	MET-07	METAL COVERED COLUMNS
GL-01	PILKINGTON VISION GLASS YNE0152 CLEAR	MET-03	PAINTED METAL TRIM PANEL GRAY	PLAS-01	COLORLED PLASTER
GL-02	STOREFRONT VISION GLASS YNE0175 CLEAR	MET-04	PAINTED METAL DOOR GRAY	CONC-01	EXPOSED CONCRETE SMOOTH ARCHITECTURAL FINISH

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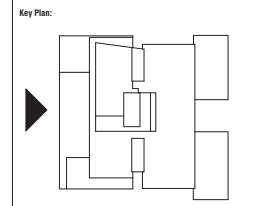
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1545 Pine Street
 1545 Pine St San Francisco, CA 94109



Seal / Signature:

Rev. No.	Date	Description
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80% DD	08.15.14	80% Design Development
100% DD	08.29.14	100% Design Development
	09.19.14	Planning Comments

Sheet Title:
West Elevation

Scale: 1/8" = 1'-0"
Not to Scale: 3/8" = 1'-0"

A3.03



September 23, 2014

Ms. Cindy Wu, President
San Francisco Planning Commission
1650 Mission Street, STE 400
San Francisco, CA 94103

Re: 1527 – 1545 Pine Street (Case No. 2006.0383)

Dear President Wu and Commissioners,

On October 2, 2014, the Planning Commission will consider a Conditional Use authorization for the development of a 12-story, 103 unit, mixed-use residential project at 1527-1545 Pine Street (“Project”). We submitted a letter in support of the Project on behalf of our client, Trumark Urban, the Project sponsor, on September 11, 2014. Since that submittal, the Historic Preservation Commission (“HPC”) has written a letter to the Planning Commission recommending preservation of the 1545 Pine Street façade. **While Trumark Urban appreciates and respects the work of the HPC, it disagrees with its recommendation and respectfully urges the Planning Commission to approve the Project as proposed, without the 1545 Pine Street façade.**

1545 Pine Street is located off of Van Ness Avenue, and most recently was used as an automotive use. Its historic context and relevance, however, is not related to the Van Ness Automotive Support Structures Survey or the potential Van Ness Automotive Row district. Instead, 1545 Pine Street is historic as a temporary building constructed following the 1906 earthquake.¹ The structure, like typical post-1906 buildings, was constructed quickly and intended to be replaced with a more substantial brick and mortar building following the rebuilding of downtown and relocation of its initial occupants. The result is a non-ornate or architecturally distinctive building façade as it was intended to be temporary in nature.²

1545 Pine Street also sits alone and is not part of a larger group of similar structures. Any surrounding or adjacent buildings constructed during the same time period have been removed or demolished. Thus, preserving the 1545 Pine Street façade alone limits its ability to evoke the history or context of the area as it is one façade only thereby significantly limiting its overall historic context.³

¹ 1527-1545 Pine Street Mixed-Use Project, Draft EIR (April 14, 2014), page 4.B.14.

² **1545 Pine Street is an example of a post-1906 earthquake building, built quickly as a temporary structure following the 1906 earthquake.** (Case No. 2006.0383E, 1527-1545 Pine Street Mixed-Use Project, Draft EIR (April 14, 2014), page 4.B.13 “[these] small, wood-framed commercial buildings [built] in 1906...were probably considered to be temporary at the time they were built; once the shops that first occupied them removed to a rebuilt downtown, these buildings were to be replaced by larger, more permanent, structures of brick or reinforced concrete.”). It is not high quality design or construction for its period and is not related to the Van Ness Auto Row Support Structures Survey or potential Van Ness Auto Row Historic District.

³ Unlike the recently approved project at 1640-1690 Pine Street, the 1545 Pine Street façade is not part of a group of resources, or part of a larger historic district or historic context.

Since mid-2012, Trumark Urban has worked closely with neighbors, merchants and community organizations (collectively referred to as “community stakeholders”) to create a project design and development program that meets the needs, and addresses the concerns of, the neighborhood. No concerns or comments regarding the preservation 1545 Pine Street were raised nor were requests made to preserve its façade during these outreach efforts. If anything, Trumark Urban heard the opposite from community stakeholders, that preservation of the existing buildings or facades is not supported.⁴ We believe this is why no comments on the Draft Environmental Impact Report (“EIR”) were received despite significant community outreach. Listening to the community stakeholders, Trumark Urban created a Project with an exceptional design and a ground floor façade that enhances, activates and enlivens the Pine Street and Austin Street frontages with dynamic transparent spaces that spill light and activity onto the pedestrian scape.⁵

Preservation of the 1545 Pine Street façade is a design decision, as its preservation does not reduce or lessen the significant environmental impact associated with the Project.

Initially, the Project design did incorporate the façade, but following additional insight into the building history, learning more about the intent behind façade preservation, and receiving input from community stakeholders, the design was changed and the façade removed. This initial design could also never have been built as it exceeded the density requirements and its bulk and massing resulted in a wind hazard impact.⁶

In redesigning the building, Trumark Urban specifically integrated the comments and concerns of community stakeholders, which, again, did not include façade preservation. The result is the Project design that is before you for consideration. For your reference, attached as Attachment A are renderings that show the Project and what it would look like with the façade preserved. The high quality of ground floor streetscape integration included in the Project was the direct result of working with community stakeholders. Similar activation does not occur with the façade retained.

While Trumark Urban appreciates the opinion of the HPC, it does not agree with its recommendation. It does not agree that preservation of the 1545 Pine Street façade will maintain the historic character of the block as no such historic character currently exists. It also does not agree that preservation of the façade will improve the streetscape as retaining the façade would only create a false sense of preservation while precluding development of a ground floor streetscape design that integrates and enhances the pedestrian experience. It also not does agree that preserving the façade will create a visible reminder of the property’s evolution as the building itself was never intended to be permanent, and the façade to be preserved is both unremarkable and insignificant conveying little of the historic context of the previous building.

⁴ Evidence of this opinion is set forth in the May 24, 2014, Lower Polk Street Neighbors Association (“LPN”) to the HPC which is attached to Trumark Urban’s September 10, 2014 letter to the Planning Commission.

⁵ Preservation of the 1545 Pine Street façade would limit that activation by creating a single 13’-0” wide by 15’-0” high entry point with 13’-0” wide by 17’-6” high transparent window openings on either side as opposed to two 10’-0” wide by 9’-6” high entry points and 9’-6” wide by 17’-6” high transparent window openings on either side.

⁶ As noted in our September 11, 2014, letter, the bulk and massing of the Project as currently designed improves existing wind conditions in the area.

For all these reasons, Trumark Urban does not support retention of the 1545 Pine Street façade and **respectfully requests that the Planning Commission approve the Project as proposed.**

Very truly yours,



Alexis M. Pelosi

Attachment A

Proposed View on Pine Street



Proposed Pedestrian View on Pine Street



Proposed View on Pine Street with Facade Retention





Proposed View on Pine Street

- 2 Retail entrances
- Awnings
- Double height ceiling



Proposed View on Pine Street with Facade Retention

- 1 retail entrance
- decreased view for unit above
- less transparency between retail and street

Proposed Evening Pedestrian Level View on Pine Street



Proposed Evening Pedestrian Level View on Pine Street





Proposed View on Pine Street



**Proposed View on Pine Street with
Facade Retention**