



SAN FRANCISCO PLANNING DEPARTMENT

Subject to: (Select only if applicable)

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|---|---|
| <input checked="" type="checkbox"/> Affordable Housing (Sec. 415) | <input checked="" type="checkbox"/> First Source Hiring (Admin. Code) |
| <input type="checkbox"/> Jobs Housing Linkage Program (Sec. 413) | <input type="checkbox"/> Child Care Requirement (Sec. 414) |
| <input type="checkbox"/> Downtown Park Fee (Sec. 412) | <input checked="" type="checkbox"/> Other (EN – Sec. 423) |

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Planning Commission Motion No. 18979

HEARING DATE: SEPTEMBER 26, 2013

Date: September 19, 2013
Case No.: **2011.0187 X**
Project Address: **1001 17th Street (aka 140 Pennsylvania Avenue)**
Zoning: UMU (Urban Mixed Use) Zoning District
40-48-X Height and Bulk District
Block/Lot: 3987/009 & 010
Project Sponsor: 1001 17th Street Associates, LLC
c/o Bruce Baumann
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ADOPTING FINDINGS RELATING TO THE APPROVAL OF LARGE PROJECT AUTHORIZATION PURSUANT TO PLANNING CODE SECTION 329 TO ALLOW THE DEMOLITION OF THE EXISTING INDUSTRIAL BUILDING AND CONSTRUCT TWO ADJACENT RESIDENTIAL BUILDINGS. THE BUILDING AT 1001 17TH STREET WOULD BE 4-STORIES, 48-FEET TALL, AND CONTAIN 26 DWELLING UNITS AND 9 PARKING SPACES IN A GROUND FLOOR PARKING GARAGE. THE BUILDING AT 140 PENNSYLVANIA AVENUE WOULD BE 4-STORIES, 40-FEET TALL, AND CONTAIN 11 DWELLING UNITS AND 8 PARKING SPACES IN A GROUND FLOOR PARKING GARAGE. THE PROJECT REQUESTS AN EXCEPTION FOR THE REAR YARD REQUIREMENT OF PLANNING CODE SECTION 134, WITHIN A UMU ZONING DISTRICT AND A 40/48-X HEIGHT AND BULK DISTRICT, AND ADOPTING FINDINGS UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.

PREAMBLE

On March 29, 2013, Bruce Baumann, on behalf of 1001 17th Street Associates, LLC (hereinafter “Project Sponsor”), filed an application with the Planning Department (hereinafter “Department”) for a Large Project Authorization under Planning Code Section 329 to allow the demolition of the existing industrial building and construct two adjacent residential buildings. The building at 1001 17th street would be 4-stories, 48-feet tall, and contain 26 dwelling units and 9 parking spaces in a ground floor parking garage.

The building at 140 Pennsylvania Avenue would be 4-stories, 40-feet tall, and contain 11 dwelling units and 8 parking spaces in a ground floor parking garage. The project requests an exception for the rear yard requirement of Planning Code Section 134, within a UMU Zoning District and a 40/48-x Height and Bulk District.

On September 9, 2000, the Draft Mitigated Negative Declaration (MND) for the Project was prepared and published for public review.

On September 19 and September 29, 2000, appeals of the decision to issue a Negative Declaration were timely filed.

On November 16, 2000, the Commission held a duly noticed and advertised public hearing on the appeal of the Negative Declaration, at which testimony on the merits of the appeal, both in favor of and in opposition to, was received.

On November 16, 2000, the Commission found that the proposed Project could not have a significant effect on the environment, as shown in the analysis of the Negative Declaration, and affirmed the decision to issue a Negative Declaration, as prepared by the San Francisco Planning Department.

On September 19, 2013, the Planning Department reviewed and considered an Addendum to the Final Mitigated Negative Declaration (FMND) for a modified project and found that the contents of said report and the procedures through which the Addendum was prepared, publicized, and reviewed complied with the California Environmental Quality Act (California Public Resources Code Sections 21000 et seq.) (CEQA), Title 14 California Code of Regulations Sections 15000 et seq. (the "CEQA Guidelines") and Chapter 31 of the San Francisco Administrative Code ("Chapter 31"): and

The Planning Department/Planning Commission found the FMND and Addendum were adequate, accurate and objective, reflected the independent analysis and judgment of the Department of City Planning and the Planning Commission, [and that the summary of comments and responses contained no significant revisions to the MND,] and approved the Addendum for the Project in compliance with CEQA, the CEQA Guidelines and Chapter 31.

The Planning Commission Secretary is the custodian of records, located in the File for Case No. 2000.474E and 2011.0187E, at 1650 Mission Street, Fourth Floor, San Francisco, California.

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

On September 26, 2013, the San Francisco Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting on Large Project Authorization Application No. 2011.0187X.

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

MOVED, that the Commission hereby authorizes the Large Project Authorization requested in Application No. 2011.0187X, subject to the conditions contained in "EXHIBIT A" of this motion, based on the following findings:

FINDINGS

Having reviewed the materials identified in the preamble above, and having heard all testimony and arguments, this Commission finds, concludes, and determines as follows:

1. The above recitals are accurate and constitute findings of this Commission.
2. **Site Description and Present Use.** The project site consists of two adjacent parcels that are a combined 15,361 square feet. The generally flat site is located at the eastern terminus of 17th Street where it meets Interstate 280. The site has 86 feet of frontage on 17th Street and 178 feet of frontage on Pennsylvania Avenue. The site includes an approximately 11,500 square foot industrial building and associated surface parking lot and storage area that was most recently used by a warehousing company (d.b.a. Dorsett & Jackson, Inc.).
3. **Surrounding Properties and Neighborhood.** The project fronts on the southwest corner of 17th Street and Pennsylvania Avenue, and is within a large cluster of UMU zoning that runs from the Central Waterfront to the east side of Highway 101. The lot directly west of the project site is occupied by an approximately 50-foot tall loft building containing ten Live/Work units that was constructed in 1999. The lot directly south of the project site is a tall one-story metal building occupied by a paint store (d.b.a. Benjamin Moore). The lots directly north of the project site include a surface parking lot and a three to four story loft building containing 19 Live/Work units that was constructed in 2002.

The vicinity generally includes a mix of industrial, retail, and residential uses. Buildings range in age and style, and generally vary from approximately 15 to 50 feet tall. Notable sites nearby include Interstate 280 to the immediate east and the recently approved Daggett Triangle development two blocks to the north.

4. **Project Description.** The proposal is to demolish the existing industrial building and construct two adjacent residential buildings. The building at 1001 17th Street will be 4-stories, 48-feet tall, and will contain 26 dwelling units, 9 vehicle parking spaces, and 28 Class 1 bicycle parking spaces in a ground floor parking garage. The building at 140 Pennsylvania Avenue will be 4-stories, 40 to 48 feet tall, and will contain 11 dwelling units, 8 vehicle parking spaces, and 11 Class 1 bicycle parking spaces in a ground floor parking garage. Both building include ground floor dwelling units and inner courtyards in the rear. The project requests an exception for the rear yard requirement of the Planning Code.

5. **Public Comment.** The Department received one letter of opposition to the project.
6. **Planning Code Compliance:** The Commission finds that the project is consistent with the relevant provisions of the Planning Code in the following manner:

- A. **Land Uses and Density.** Dwelling units are permitted as of right in the UMU Zoning District with no maximum density limit. Density is instead controlled by the physical constraints of the Planning Code like height, bulk, setbacks, open space, and dwelling unit exposure.

The project includes 37 dwelling units. The project requests an exception for rear yard, as detailed in Section 9 below.

- B. **Inclusionary Affordable Housing Program.** Planning Code Section 415 sets forth the requirements and procedures for the Inclusionary Affordable Housing Program. Under Planning Code Section 415.3, these requirements would apply to projects that consist of 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 419 (Tier A), the Inclusionary Affordable Housing Program requirement for the On-site Affordable Housing Alternative is to provide 20% 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 3.6% (20% of 18%) to 14.4%.

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 August 8, 2013 that demonstrates it is eligible for the On-Site Affordable Housing Alternative under Planning Code Section 419. The EE application was submitted on February 24, 2011. Pursuant to San Francisco Charter Section 16.110 (g) the 18% on-site requirement stipulated in Planning Code Section 419 (Tier A), is reduced by 3.6% (20% of 18%) to 14.4%. Five units (2 two-bedroom, 2 one-bedroom, and 1 studio) of the 37 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.

- C. **Rear Yard.** Planning Code Section 134 requires residential developments in the UMU Zoning District to provide a rear yard of at least 25 percent of the depth of the property at the lowest story containing a dwelling unit, and at each succeeding level or story of the building.

The building at 1001 17th Street proposes a 2,357 square foot rear yard, which represents approximately 25 percent of the lot area covered by the building (approximately 9,427 square feet). The

building at 140 Pennsylvania Avenue proposes a 1,490 square foot rear yard, which represents approximately 25 percent of the lot area covered by the building (approximately 5,925 square feet).

Both of the proposed buildings provide a rear yard within a second story interior courtyard that includes building area within the rear 25 percent of the lot. Section 134 requires the rear yard to be provided at the first story containing a dwelling unit. The project includes ground floor dwelling units that front 17th and Pennsylvania Avenues that are consistent with the Draft Ground Floor Residential Design Guidelines. Therefore, the project requests an exception from the rear yard requirement of Section 134 to allow building area within the rear 25 percent of the lot and to allow the rear yard to begin at the second story instead of the ground floor.

- D. Residential Open Space.** Planning Code Section 135 requires at least 80 square feet of private and/or common open space for each dwelling unit in the UMU Zoning District. The proposed building at 1001 17th Street includes 26 dwelling units, resulting in a requirement of at least 2,080 square feet of useable open space. The proposed building at 140 Pennsylvania Avenue includes 11 dwelling units, resulting in a requirement of at least 880 square feet of useable open space.

The building at 1001 17th Street proposes a combination of six private decks and 2,075 square feet of common open space in the rear courtyard to meet the minimum amount of required open space. The rear courtyard meets the dimensional requirements of an "Inner Court" pursuant to Planning Code Section 135(g)(2).

The building at 140 Pennsylvania Avenue proposes a combination of two private decks and 1,490 square feet of common open space in the rear courtyard to meet the minimum amount of required open space. The rear courtyard meets the dimensional requirements of an "Inner Court" pursuant to Planning Code Section 135(g)(2).

- E. Dwelling Unit Exposure.** Planning Code Section 140 requires dwelling units to front a public street, public alley at least 25 feet in width, side yard at least 25 feet in width, a code-complying rear yard, or a sufficient open area.

The building at 1001 17th Street includes six units that only front the rear interior courtyard. However, the rear interior courtyard meets the minimum dimensional requirements of Planning Code Section 140(a)(2) to ensure these units have adequate exposure to light and air. The remaining units front on a public street and therefore meet exposure requirements.

The building at 140 Pennsylvania Avenue includes five units that only front the rear interior courtyard. However, the rear interior courtyard meets the minimum dimensional requirements of Planning Code Section 140(a)(2) to ensure these units have adequate exposure to light and air. The remaining units front on a public street and therefore meet exposure requirements.

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

The 1001 17th Street building will provide 42 percent of the dwelling units as 2-bedroom units or larger (11 units). The 40 Pennsylvania Avenue building will provide 36 percent of the dwelling units as 2-bedroom units or larger (4 units). Combined, the two buildings will provide 40.5 percent of the units as 2-bedroom units or larger (15 of 37 units).

- G. **Height Limit.** Planning Code Section 260 requires that the height of buildings not exceed the limits specified in the Zoning Map and defines rules for the measurement of height. The project site includes two separate properties on Block 3987. Lot 9 is within a 48-X Height and Bulk District. Lot 10 is within a 40-X Height and Bulk District.

The building at 1001 17th Street falls entirely on Lot 9, which has a maximum height of 48 feet. The roof height will be no greater than 48 feet high. The building at 140 Pennsylvania Avenue falls on both Lot 9 and 10. The roof height of the portion of the building located on Lot 9 will be no greater than 48 feet. The roof height of the portion of the building located on Lot 10 will be no greater than 40 feet. Other features of the two buildings, such as stair penthouses, meet the height exemption requirements of Section 260(b).

- H. **Streetscape Plan.** Planning Code Section 138.1(c)(2) requires projects with a collective street frontage of more than 250 feet to provide a streetscape plan that meets the minimum requirements of the Better Streets Plan.

The project includes a combined street frontage of nearly 265 feet. A streetscape plan is included as part of the proposal and it includes the appropriate standard features required by the Better Streets Plan (i.e. sidewalk widening, street trees, planting strips, bicycle parking, etc.).

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

The Shadow Analysis conducted for the project indicates that the project will not cast shadow upon public, publicly accessible or publicly financed or subsidized open space.

- J. **Vehicle Parking.** Planning Section 151.1 does not require any parking for projects in the UMU Zoning District. However, up to .75 parking spaces may be provided per dwelling unit.

The building at 1001 17th Street includes 26 dwelling units and could include up to 21 off-street parking spaces. However, the project only includes up to 9 parking spaces. The building at 140 Pennsylvania Avenue includes 11 dwelling units and could include up to 9 off-street parking spaces. However, the project only includes up to 8 parking spaces.

- K. **Car Share.** Planning Code Section 166 requires newly constructed buildings containing between 50 and 200 dwelling units to provide at least one car share space, at no cost, to a certified car-share organization for purposes of providing car-share services for its car-share service subscribers.

The project includes fewer than 50 dwelling units. Therefore, no car share space is required.

- L. **Bicycle parking.** Planning Code Section 155.2 requires projects with more than three dwelling units, but less than 100, to provide at least one Class 1 bicycle parking space for each dwelling unit, and one Class 2 bicycle parking space for every 20 dwelling units.

The building at 1001 17th Street will provide 28 Class 1 bicycle parking spaces for its 26 dwelling units, and 1 Class 2 bicycle parking space on the sidewalk. The Class 1 spaces are located in two separate rooms within the ground floor garage that are accessible from the lobby. The building at 140 Pennsylvania Avenue will provide 11 Class 1 bicycle parking spaces for its 11 dwelling units, and 1 Class 2 bicycle parking space on the sidewalk. The Class 1 spaces are located in a room just off the lobby.

- M. **Eastern Neighborhoods Infrastructure Impact Fee.** Planning Code Section 423 et seq. establishes specific impact fees that are required for new developments within the Central Waterfront Plan Area.

The project is subject to the Eastern Neighborhoods Infrastructure Impact Fee. The calculation of this fee is based on the approved rates at the time of issuance of the first construction document.

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

- A. Overall building massing and scale;

The project conforms to the applicable 40/48-X height and bulk requirements, which are low compared to other areas zoned UMU. The surrounding neighborhood includes a wide variety of building heights and massing, ranging from single-story industrial buildings to five-story live-work, warehouse, and office buildings. Additionally, the project site is located between the Interstate 280 elevated freeway, which rises to a similar height as that proposed for the project, and the adjacent building to the west, which is a five story live work building.

The 1001 17th Street will rise to the height limit of 48 feet. The building at 140 Pennsylvania Avenue will rise to that height at its northern edge, and then step down to 40 feet to meet the height limit for that property. The entrances to both buildings are marked by taller, tower-like elements for emphasis and to accommodate the fire-code required stair to the roof.

A defining trend in the area is the redevelopment and adaptive reuse of underutilized parcels to meet the increased demand for housing. This site is one block from the new UCSF hospital currently under construction and only one and two blocks from the UCSF Medical Campus across 16th Street. This project is very near to the rapidly developing 16th Street corridor, and the building massing and scale is consistent with new residential buildings being developed in the area including Daggett Place. The project falls within this trend and will be compatible with this evolving neighborhood.

B. Architectural treatments, facade design and building materials;

The building form is rectilinear and mostly set at the property line to define the street wall on this corner. The façade is modulated with a rhythm of smaller elements of twin, three-story high bays, with each floor differentiated into one-story units. A pattern of projecting planer elements further breaks down the mass into smaller vertical units of approximately 30 feet. The ground floor of the building is set back in varying amounts to provide stoops and porches with open space for the residential units and to further break down the massing horizontally.

The building materials are a mix of concrete and glass at the ground floor and stucco and stained wood siding on the upper floors. The scale on the upper floors is more residential with a pattern of square windows and bays which are designed to appear to be a one-story element. Each bay window features a screen of horizontal fins to create a more fine-grained texture at the oversized windows.

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

The entire ground floor of the two buildings is setback from the property line, varying between 3 feet 6 inches and 9 feet. The setback area is filled with planters, raised porches for the four residential units and raised areas at the building lobbies creating a transitional space between the public and private realm. With a ceiling height of 14'-6" at the corner, the entire mass of the building above is lifted on a series of concrete columns. A significant portion of the setback area is tall window wall with an infill of concrete walls to keep this ground floor visually lightweight.

As per the Draft Ground Floor Residential Design Guidelines, the porches are raised above the sidewalk by an average of three steps and are separated from the sidewalk with either planters or a low horizontal wood screen. With living space and the building lobbies along almost 70 percent of the street facades, there is good transparency and there will always be active uses on the street in this rapidly changing neighborhood.

The parking is completely hidden from the street behind the residential units and building lobbies. The garage doors are located at the far ends of the building and are setback so that they are visually shaded and considered a secondary element on the facades.

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

The project provides adequate open space, all of which is on site. The open spaces are provided in the form of private porches and decks and large common courtyards. The majority of this space is located

in the rear courtyards, which are shielded from the noise of the elevated portion of Interstate 280 immediately to the east.

- E. The provision of mid-block alleys and pathways on frontages as required by the criteria set forth in Section 270.1, and the design of mid-block alleys and pathways as required by and pursuant to the criteria set forth in Section 270.2;

The project is not subject to the mid-block controls of Sections 270.1 and 270.2.

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

The project proposes the installation of new sidewalk, 11 street trees where none now exist, 3 feet by 12 feet planting strips at each tree, and Class 2 bicycle parking along both frontages in accordance with the Better Streets Plan.

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

This site currently has no sidewalks or defined pedestrian paths. The project provides 178 feet of sidewalk and curb on Pennsylvania Avenue and 86 feet on 17th Street. There will be one 10-foot curb cut on 17th Street and one on Pennsylvania Avenue, each located at the extremity of the building furthest from the corner. This allows for uninterrupted sidewalk space along the majority of the street frontages of the building. There is no public transit along either of these streets, but the garage doors are setback 6 feet from the property line allowing one car to queue while waiting to enter the garage completely out of the traffic circulation.

- H. Bulk limits;

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

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

The project generally meets the Objectives and Policies of the General Plan and is compliant with the Showplace Square/Potrero Area Plan.

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

- A. Planning Code Section 134 requires a minimum rear yard equal to 25 percent of the total lot depth beginning at the lowest story containing a dwelling unit. Planning Code Section 329(d) allows an exception for the rear yard requirement pursuant to requirements of Planning Code Section 134(f).

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

The project includes two residential buildings. Both of the proposed buildings provide a rear yard within a second story interior courtyard that includes building area within the rear 25 percent of the lot. Section 134 requires the rear yard to be provided at the first story containing a dwelling unit. The project includes ground floor dwelling units that front 17th and Pennsylvania Avenues that are consistent with the Draft Ground Floor Residential Design Guidelines. Therefore, the project requests an exception from the rear yard requirement of Section 134 to allow building area within the rear 25 percent of the lot and to allow the rear yard to begin at the second story instead of the ground floor. The open space provided for this project is through private decks, a small roof deck, and rear interior courtyards that meet all Planning Code requirements.

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

At less than 50 feet, the heights of the proposed buildings are relatively low for mixed-use districts, and the project site is on the northeastern corner of the block. Therefore, there will be minimal impact on any adjacent properties' access to light and air. Both proposed buildings include interior rear courtyards that will also allow additional light and air to flow to the adjacent properties to the west.

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

The existing block is primarily commercial and industrial, and the existing mid-block open space is small and mostly used for parking. The proposal will not reduce the size of, or be inconsistent with the existing mid-block open space.

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

HOUSING

Objectives and Policies

OBJECTIVE 1:

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

Policy 1.1:

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

Policy 1.8:

Promote mixed use development, and include housing, particularly permanently affordable housing, in new commercial, institutional or other single use development projects.

The project will develop an underused parcel and provide much needed housing, including five on-site affordable housing units. The area around the project site was recently rezoned to UMU as part of a long range planning goal to create a cohesive, higher density residential and mixed-use neighborhood. The project includes five on-site affordable housing units, which complies with the UMU Zoning District's goal to provide a higher level of affordability.

TRANSPORTATION

Objectives and Policies

OBJECTIVE 24:

IMPROVE THE AMBIENCE OF THE PEDESTRIAN ENVIRONMENT.

Policy 24.2:

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

Policy 24.3:

Install pedestrian-serving street furniture where appropriate.

The project site currently has no public sidewalks. The project will install new sidewalks and street trees at approximately 20-foot intervals along frontages on 17th Street and Pennsylvania Avenue. Other street features, including planting strips and Class 2 bicycle parking spaces, will be provided pursuant to the Better Streets Plan. Both frontages are designed with active spaces oriented at the pedestrian level.

OBJECTIVE 28:

PROVIDE SECURE AND CONVENIENT PARKING FACILITIES FOR BICYCLES.

Policy 28.1:

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

Policy 28.3:

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

The project includes one Class 1 bicycle parking spaces for each dwelling unit, which will be located in secure rooms located near the residential lobbies.

OBJECTIVE 34:

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

Policy 34.1:

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

Policy 34.3:

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

Policy 34.5:

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

The project has a parking to dwelling unit ratio of .46 space per unit, which is less than the permitted maximum of .75 space per unit (or up to 1 space per unit for two-bedroom units greater than 1,000 square feet). The project will provide only one curb cut per building, and both curb cuts will be located as far from the intersection as possible.

SHOWPLACE SQUARE/POTRERO AREA PLAN

Objectives and Policies

Land Use

OBJECTIVE 1.2:

IN AREAS OF SHOWPLACE/POTRERO WHERE HOUSING AND MIXED USE IS ENCOURAGED, MAXIMIZE DEVELOPMENT POTENTIAL IN KEEPING WITH NEIGHBORHOOD CHARACTER.

Policy 1.2.1:

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

The project responds to its surrounding context, continues the transition of the area into a mixed-use character, and provides active uses at the street level.

Built Form

OBJECTIVE 3.1:

PROMOTE AN URBAN FORM THAT REFLECTS SHOWPLACE SQUARE AND POTRERO HILL'S DISTINCTIVE PLACE IN THE CITY'S LARGER FORM AND STRENGTHENS ITS PHYSICAL FABRIC AND CHARACTER.

Policy 3.1.6:

New buildings should epitomize the best in contemporary architecture, but should do so with full awareness of, and respect for, the height, mass, articulation and materials of the best of the older buildings that surrounds them.

Policy 3.1.8:

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

The project provides contemporary architecture with heights and materials that respect the surrounding context. It also provides a rear yard open space pattern that is compatible with the subject block.

OBJECTIVE 3.2:

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

Policy 3.2.1:

Require high quality design of street-facing building exteriors.

Policy 3.2.3:

Minimize the visual impact of parking.

Policy 3.2.4:

Strengthen the relationship between a building and its fronting sidewalk.

Policy 3.2.5:

Building form should celebrate corner locations.

The project will provide new sidewalks where none currently exist, and other streetscape elements as required by the Better Streets Plan. Parking access is inset to reduce its visibility. The ground floor dwelling units are raised and set back in accordance with the Draft Ground Floor Residential Design Guidelines.

Transportation

OBJECTIVE 4.6:

SUPPORT WALKING AS A KEY TRANSPORTATION MODE BY IMPROVING PEDESTRIAN CIRCULATION WITHIN SHOWPLACE SQUARE/POTRERO HILL AND TO OTHER PARTS OF THE CITY.

Policy 4.6.1:

Use established street design standards and guidelines to make the pedestrian environment safer and more comfortable for walk trips.

Policy 4.6.5:

Facilitate completion of the sidewalk network in Showplace Square / Potrero Hill, especially where new development is planned to occur.

The project will provide new sidewalks where none currently exist, and other streetscape elements as required by the Better Streets Plan.

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

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

No neighborhood-serving retail uses will be removed or added by the proposed project. The project will replace the approximately 11,500 square foot industrial building that provides no transparency with a residential building with ground floor residential units and a community room.

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

The subject property currently contains an approximately 11,500 square-foot building and surface parking lot. The proposed project will provide much needed housing, including five on-site affordable housing units in a building of high quality modern design and materials that also relates to the surrounding context of the existing neighborhood.

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

The subject property currently contains no housing. The project will include 37 dwelling units, five of which will be on-site affordable units.

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

The Planning Code does not require parking or loading for the project, but it is providing a total of 17 off-street parking spaces and 39 Class 1 bicycle parking spaces. No MUNI lines directly serve the subject block. However, the project site is approximately 1,000 feet away from stops on the 10 and 22 MUNI bus lines, and approximately 1,700 feet away from the T-Third light rail line station at the intersection of Mariposa and 3rd Streets. Additionally, the existing neighborhood and typical commuting areas towards downtown are relatively flat, and the project site is close to bike lanes on Mississippi, 16th, 7th, and 4th Streets, making bicycling a more viable option.

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

The project will not displace any service or industry establishment with commercial office. The project will increase the mixed use nature of the vicinity by converting an underused industrial site into a completely residential development.

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

The project will comply with all seismic requirements of the San Francisco Building Code.

- G. That landmarks and historic buildings be preserved.

The subject building was determined to not be a historic resource by the Showplace Square/Northeast Mission Historic Survey.

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

The project will have no impact on existing parks and open spaces.

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

DECISION

That based upon the Record, the submissions by the Applicant, the staff of the Department and other interested parties, the oral testimony presented to this Commission at the public hearings, and all other written materials submitted by all parties, the Commission hereby **APPROVES Large Project Authorization Application No. 2011.0187X** subject to the following conditions attached hereto as "EXHIBIT A" in general conformance with plans on file, dated August 1, 2013, and stamped "EXHIBIT B", which is incorporated herein by reference as though fully set forth.

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

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

The Planning Commission further finds that the proposed revisions to the project since adoption of the FMND would not cause new significant impacts not identified in the FMND, and no new mitigation measures would be necessary to reduce significant impacts. No changes have occurred with respect to circumstances surrounding the proposed project that would cause significant environmental impacts to which the project would contribute considerably, and no new information has become available that shows that the project would cause significant impacts. Therefore, no supplemental environmental review is required beyond the Addendum.

APPEAL AND EFFECTIVE DATE OF MOTION: Any aggrieved person may appeal this Large Project Authorization to the Board of Appeals within fifteen (15) days after the date of this Motion No. 18979. The effective date of this Motion shall be the date of this Motion if not appealed (after the 15-day period has expired) OR the date of the decision of the Board of Appeals if appealed to the Board of Appeals. For further information, please contact the Board of Appeals at 1650 Mission Street, 3rd Floor (Room 304), San Francisco, CA 94103, or call 575-6880.

I hereby certify that the Planning Commission ADOPTED the foregoing Motion on September 26, 2013.

Jonas P. Ionin
Acting Commission Secretary

AYES: Commissioners Antonini, Border, Fong, Hillis, Moore, Sugaya, and Wu

NAYES: None

ABSENT: None

ADOPTED: September 26, 2013

EXHIBIT A

AUTHORIZATION

This authorization is for a Large Project Authorization to allow the demolition of the existing industrial building and construct two adjacent residential buildings. The building at 1001 17th street would be 4-stories, 48-feet tall, and contain 26 dwelling units and 9 parking spaces in a ground floor parking garage. The building at 140 Pennsylvania Avenue would be 4-stories, 40-feet tall, and contain 11 dwelling units and 8 parking spaces in a ground floor parking garage. The project requests an exception for the rear yard requirement of Planning Code Section 134, on Block 3987, Lots 009 and 010, pursuant to Planning Code **Sections 134(f) and 329** within the **UMU** District and a 40/48-X Height and Bulk District; in general conformance with plans, dated **August 1, 2013**, and stamped "EXHIBIT B" included in the docket for Case No. **2011.0187X** and subject to conditions of approval reviewed and approved by the Commission on **September 26, 2013** under Motion No. **18979**. 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 **September 26, 2013** under Motion No. **18979**.

PRINTING OF CONDITIONS OF APPROVAL ON PLANS

The conditions of approval under the 'Exhibit A' of this Planning Commission Motion No. **18979** shall be reproduced on the Index Sheet of construction plans submitted with the Site or Building permit application for the Project. The Index Sheet of the construction plans shall reference to the Large Project Authorization and any subsequent amendments or modifications.

SEVERABILITY

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

CHANGES AND MODIFICATIONS

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

Conditions of Approval, Compliance, Monitoring, and Reporting PERFORMANCE

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. **Final Materials.** The project Sponsor shall continue to work with Planning Department on the building design. Final materials, glazing, color, texture, landscaping, and detailing shall be

subject to Department staff review and approval. The architectural addenda shall be reviewed and approved by the Planning Department prior to issuance.

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

7. **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.

DESIGN – COMPLIANCE AT PLAN STAGE

8. **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:
 - a. On-site, in a basement area accessed via a garage or other access point without use of separate doors on a ground floor façade facing a public right-of-way;
 - b. On-site, in a driveway, underground;
 - c. On-site, above ground, screened from view, other than a ground floor façade facing a public right-of-way;
 - d. Public right-of-way, underground, under sidewalks with a minimum width of 12 feet, avoiding effects on streetscape elements, such as street trees; and based on Better Streets Plan guidelines;
 - e. Public right-of-way, underground; and based on Better Streets Plan guidelines;
 - f. Public right-of-way, above ground, screened from view; and based on Better Streets Plan guidelines;
 - g. On-site, in a ground floor façade (the least desirable location).

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

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

9. **Design – Dwelling Units.** The Project Sponsor shall work with Planning Department staff and the Department of Public Works on the final design of the project to create more privacy for ground floor dwelling units and any dwelling units adjacent to walkways fronting rear courtyards.

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

PARKING AND TRAFFIC

10. **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.

11. **Bicycle Parking.** The project shall provide no fewer than 26 Class 1 bicycle parking spaces and 1 Class 2 bicycle parking space at the 1001 17th Street building as required by Planning Code Sections 155.1 and 155.2. The project shall provide no fewer than 11 Class 1 bicycle parking spaces and 1 Class 2 bicycle parking space at the 140 Pennsylvania Avenue building as required by Planning Code Sections 155.1 and 155.2.

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

PROVISIONS

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

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

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

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

Affordable Units

14. **Number of Required Units.** Pursuant to Planning Code Section 419 (Tier A), the project is required to provide 18% of the proposed dwelling units as affordable to qualifying households. Pursuant San Francisco Charter Section 16.110(g) the 18% on-site requirement stipulated in Planning Code Section 419 (Tier A) is reduced by 3.6% (20% of 18%) to 14.4%. The project contains 37 total units; therefore, 5 affordable units are required. The project Sponsor will fulfill this requirement by providing the 5 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.

15. **Unit Mix.** The project contains 4 studios, 18 one-bedroom, and 15 two-bedroom units; therefore, the required affordable unit mix is 1 studio, 2 one-bedroom, and 2 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.

16. **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.

17. **Phasing.** If any building permit is issued for partial phasing of the Project, the project Sponsor shall have designated not less than 14.4% percent 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.

18. **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.

19. **Other Conditions.** The project is subject to the requirements of the Inclusionary Affordable Housing Program under Sections 415 et seq. and 419 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. The units shall be priced to be affordable to households whose gross annual income, adjusted for household size, does not exceed 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.

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. 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.

MONITORING

- 20. **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.*
- 21. **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

22. **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>.

23. **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.

MONITORING AND REPORTING PROGRAM					
Adopted Mitigation Measures	Responsibility for Implementation	Mitigation Schedule	Mitigation Action	Monitoring / Reporting Responsibility	Monitoring Schedule
MITIGATION MEASURES AGREED TO BY PROJECT SPONSOR					
From the Initial Study and FMND issued November 17, 2000 (as amended September 19, 2013):					
<i>HAZARDS AND HAZARDOUS MATERIALS</i>					
Mitigation Measure No. 2 Hazardous Materials - Asbestos:					
As discussed above, the Construction Dust Control Ordinance, requires that the project sponsor require the contractor(s) to spray the site with water during demolition, excavation, grading and site preparation activities to limit dust as an air pollutant. Mitigation Measure No. 2 expands on that requirement beyond the minimum spraying for “at least twice a day” to include spraying water to prevent dust more frequently, if necessary, to prohibit visible dust emissions (which might indicate emission of non-visible dust), and take other steps to minimize dust generation during excavation, storage, and transport.	Project sponsor team/contractor.	Ongoing during construction.	Spray the site with water at least twice a day and take other dust control measures as needed during demolition, excavation, grading and site preparation, as well as storage and transport activities to prohibit visible dust emissions.	Project sponsor team/contractor.	Considered complete at completion of building construction.
Excavated materials containing over one percent friable asbestos would be treated as hazardous waste, and would be transported and disposed of in accordance with applicable State and Federal regulations. These procedures are intended to mitigate	Project sponsor team/contractor.	As needed during	Treat materials containing over	Project sponsor team/contractor.	Considered complete at completion of

MONITORING AND REPORTING PROGRAM

Adopted Mitigation Measures	Responsibility for Implementation	Mitigation Schedule	Mitigation Action	Monitoring / Reporting Responsibility	Monitoring Schedule
any potential health risks related to chrysotile asbestos, which may or may not be located on the site.		construction.	one percent friable asbestos as hazardous waste, and transport and dispose of in accordance with applicable State and Federal regulations.		building construction.

CULTURAL AND PALEONTOLOGICAL RESOURCES

Mitigation Measure No. 3: Cultural Resources - Archeology

The following mitigation measure is required to avoid any potential adverse effect from the proposed project on accidentally discovered buried or submerged historical resources as defined in CEQA Guidelines Section 15064.5(a)(c). The project sponsor shall distribute the Planning Department archeological resource "ALERT" sheet to the project prime contractor; to any project subcontractor (including demolition, excavation, grading, foundation, pile driving, etc. firms); or utilities firm involved in soils disturbing activities within the project site. Prior to any soils disturbing activities being undertaken each contractor is responsible for ensuring that the "ALERT" sheet is circulated to all field personnel including, machine operators, field crew, pile drivers, supervisory personnel, etc. The project sponsor shall provide the Environmental Review Officer (ERO) with a signed affidavit from the responsible parties (prime contractor, subcontractor(s), and utilities firm) to the ERO confirming that all field personnel have received copies of the Alert Sheet.

Should any indication of an archeological resource be encountered during any soils disturbing activity of the project, the project Head Foreman and/or project sponsor shall immediately notify the ERO and shall immediately suspend any soils disturbing activities in the vicinity of the discovery until the ERO has determined what additional

Project sponsor team/contractor.	Prior to soil-disturbing activities.	Distribute the Planning Department archeological resource "ALERT" sheet to the project prime contractor, circulate to all field personnel.	Project sponsor team, contractor and the ERO.	Complete when project sponsor provides the ERO with a signed affidavit from the responsible parties.
Project sponsor team/contractor.	As needed during construction.	Suspend work and notify ERO.	Project sponsor team/contractor.	Complete when ERO is notified.

MONITORING AND REPORTING PROGRAM

Adopted Mitigation Measures	Responsibility for Implementation	Mitigation Schedule	Mitigation Action	Monitoring / Reporting Responsibility	Monitoring Schedule
<p>measures should be undertaken.</p> <p>If the ERO determines that an archeological resource may be present within the project site, the project sponsor shall retain the services of an archeological consultant from the pool of qualified archeological consultants maintained by the Planning Department archaeologist. The archeological consultant shall advise the ERO as to whether the discovery is an archeological resource, retains sufficient integrity, and is of potential scientific/historical/cultural significance. If an archeological resource is present, the archeological consultant shall identify and evaluate the archeological resource. The archeological consultant shall make a recommendation as to what action, if any, is warranted. Based on this information, the ERO may require, if warranted, specific additional measures to be implemented by the project sponsor.</p>	Project sponsor/ archeological consultant at the direction of the Environmental Review Officer (ERO).	Upon discovery, if needed.	Retain a qualified Archeological Consultant.	Project sponsor, Archeological consultant and the ERO.	Complete when project sponsor retains qualified archeological consultant.
<p>Measures might include: preservation in situ of the archeological resource; an archeological monitoring program; or an archeological testing program. If an archeological monitoring program or archeological testing program is required, it shall be consistent with the Environmental Planning division guidelines for such programs. The ERO may also require that the project sponsor immediately implement a site security program if the archeological resource is at risk from vandalism, looting, or other damaging actions.</p>	Project sponsor/ archeological consultant at the direction of the Environmental Review Officer (ERO).	Upon discovery, if needed.	Develop monitoring or testing program.	Project sponsor, Archeological consultant and the ERO.	Complete when project sponsor implements Archeological consultant and ERO recommendations.
<p>The project archeological consultant shall submit a Final Archeological Resources Report (FARR) to the ERO that evaluates the historical significance of any discovered archeological resource and describing the archeological and historical research methods employed in the archeological monitoring/data recovery program(s) undertaken. Information that may put at risk any archeological resource shall be provided in a separate removable insert within the final report.</p>	Project sponsor/ archeological consultant at the direction of the Environmental Review Officer (ERO).	As needed, upon discovery.	Submit a Final Archeological Resources Report (FARR).	Project sponsor, Archeological consultant and the ERO.	Complete when ERO receives and approves FARR.