



# SAN FRANCISCO PLANNING DEPARTMENT

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## Executive Summary Large Project Authorization

HEARING DATE: SEPTEMBER 15, 2011

*Date:* September 8, 2011  
*Case No.:* **2010.0094X**  
*Project Address:* **740 Illinois and 2121 3rd Streets**  
*Zoning:* UMU (Urban Mixed Use) Zoning District  
68-X Height and Bulk District  
*Block/Lots:* 4045 / 002 & 006  
*Project Sponsor:* David Sternberg  
Sternberg Benjamin Architects  
1331 Harrison Street  
San Francisco, CA 94103  
*Staff Contact:* Ben Fu – (415) 558-6613  
[ben.fu@sfgov.org](mailto:ben.fu@sfgov.org)  
*Recommendation:* **Approval with Conditions**

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### PROJECT DESCRIPTION

The project proposes the demolition of the existing commercial fueling facility and the construction of a new six-story, 68-foot building consisting of approximately 106 dwelling units and 80 off-street parking spaces, and Planning Code exceptions for rear yard, dwelling unit exposure and ground floor active uses. The horseshoe shaped new building fronts on 3<sup>rd</sup> and Illinois Streets with a podium over at-grade and basement parking and contains residential units with open terraces above. The project is seeking Large Project authorization under the Eastern Neighborhoods Controls.

### SITE DESCRIPTION AND PRESENT USE

The vacant project site consists of Lots 2 and 6 on Assessor's Block 4045. The project is located on a through lot with frontages on Illinois Street to the east and 3rd Street to the west, and between 18th and 19th Streets in San Francisco's Central Waterfront area in an UMU (Urban Mixed Use) Zoning District and within a 68-X Height and Bulk District. The existing commercial fueling facility with accessory one-story storage and office buildings constructed circa 1910 and located on Lot 2 is being proposed for demolition. Lot 2 will merge with Lot 6, which is currently vacant, creating a development lot of approximately 22,300 square feet.

### SURROUNDING PROPERTIES AND NEIGHBORHOOD

The blocks surrounding the project site include a wide range of building types, heights, and uses typically found in an industrial and mixed use zoning district. Residential and live-work uses are also present. The Third Street median contains the new light rail line. The area east of Illinois Street one block from the project site consists of a Port of San Francisco shipyard where 19th and Illinois Streets intersect. A mixture of commercial, mixed residential/commercial, live/work, and industrial buildings on the adjacent

block faces range from one to five stories, and approximately 15 to 65 feet in height. The adjacent property to the north at 700 Illinois is a 20-unit live-work building constructed in 2002. The adjacent property to the south at Lot 7 is vacant.

The topography in the area slopes downwards from Potrero Hill on the west to the San Francisco Bay to the east. 3rd Street is at the bottom of Potrero Hill, although the topography continues to drop approximately 12 feet in elevation across the project site from 3rd Street to Illinois Street.

## **ENVIRONMENTAL REVIEW**

On November 09, 2010, the Project was determined to be exempt from the California Environmental Quality Act ("CEQA") Guidelines per Section 15183 and California Public Resources Code Section 21083.3 as described in the determination contained in the Planning Department files for this Project.

On September 1, 2011, a Community Plan Exemption (CPE) Note to File for the revised project that included two additional dwelling units, two additional parking spaces and 600 additional square feet of area was issued. Land use patterns and other development conditions in the vicinity of the proposed project have not changed materially since 2011 CPE determination and there have been no other substantial changes with respect to the circumstances under which the proposed project is undertaken. Therefore, no supplemental environmental review is required beyond the Note to File.

## **HEARING NOTIFICATION**

<b>TYPE</b>	<b>REQUIRED PERIOD</b>	<b>REQUIRED NOTICE DATE</b>	<b>ACTUAL NOTICE DATE</b>	<b>ACTUAL PERIOD</b>
Classified News Ad	20 days	August 26, 2011	July 15, 2011	62 days
Posted Notice	20 days	August 26, 2011	July 15, 2011	62 days
Mailed Notice	20 days	August 26, 2011	July 15, 2011	62 days

## **PUBLIC COMMENT**

- The Department has received general inquiries and a dozen comments in opposition on the proposed project from members of the public. The opposition is focused on dwelling unit density, lack of parking and the number of exceptions requested.

## **ISSUES AND OTHER CONSIDERATIONS**

- The project proposes rental housing, which qualifies for a 3 percent reduction in the inclusionary housing requirements from 20 percent to 17 percent.
- The Project will consist of approximately 106 dwelling units, including 17 percent of the Project's dwelling units designated as BMR units on-site, or 18 units.
- Off-street parking for approximately 80 vehicles will be provided in a garage where the only façade visible at Illinois Street is designed with landscaping. The garage will include 2 ADA compliant spaces and one car share space.
- Approval is sought under new Eastern Neighborhood controls and the project will provide impact fees relative to new requirements.
- The project seeks exceptions for rear yard, dwelling unit exposure and ground floor active uses to allow maximum number of quality dwelling units.

### REQUIRED COMMISSION ACTION

In order for the project to proceed, the Commission must grant a Large Project Authorization pursuant to Planning Code Section 329 and exceptions for rear yard, dwelling unit exposure and ground floor active uses for the proposed construction of a new six-story, 68-foot building consisting of approximately 106 dwelling units and parking for approximately 80 spaces within the UMU (Urban Mixed Use) District with a 68-X Height and Bulk Designation.

### BASIS FOR RECOMMENDATION

- The project complies with the applicable requirements of the Planning Code.
- The project is consistent with the objectives and policies of the General Plan.
- The project complies with the First Source Hiring Program.
- The project will convert an underused site into a productive residential development that includes significant site upgrades, such as landscaping and private open spaces.
- The project design is consistent with and respects the existing neighborhood character, and is an appropriate in-fill development that compliments transitional development pattern in the area.
- The project will fully utilize the Eastern Neighborhood controls and pay the appropriate impact fees.
- The project is consistent with the Central Waterfront Area Plan.

<b>RECOMMENDATION:</b> <b>Approval with Conditions</b>
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#### Attachments:

- Draft Large Project Authorization Motion
- Parcel Maps
- Sanborn Map
- Aerial Photographs
- Zoning Map
- Environmental Review Documents
- Project Sponsor Submittal:
  - Project Renderings
  - Reduced Plans
  - Site Photographs

#### 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 checked="" type="checkbox"/> Environmental Determination | <input checked="" type="checkbox"/> Check for legibility      |
| <input checked="" type="checkbox"/> Maps                        | Drawings: <u>Proposed Project</u>                             |
| <input checked="" type="checkbox"/> Context Photos              | <input checked="" type="checkbox"/> Check for legibility      |
| <input checked="" type="checkbox"/> Site Photos                 |   |

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

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Planner's Initials



# 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 (EN Impact Fee – Sec. 423)

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## Planning Commission Motion No. XXXXX HEARING DATE: SEPTEMBER 15, 2011

*Date:* September 8, 2011  
*Case No.:* **2010.0094X**  
*Project Address:* **740 Illinois and 2121 3rd Streets**  
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**ADOPTING FINDINGS RELATING TO LARGE PROJECT AUTHORIZATION PURSUANT TO PLANNING CODE SECTION 329 TO ALLOW THE CONSTRUCTION OF A SIX-STORY, APPROXIMATELY 106-UNIT RESIDENTIAL BUILDING WITH OFF-STREET PARKING FOR UP TO 80 SPACES, AND TO ALLOW EXCEPTIONS FOR REAR YARD, GROUND FLOOR ACTIVE USES AND DWELLING UNIT EXPOSURE. THE SUBJECT PROPERTY IS LOCATED WITHIN THE UMU (URBAN MIXED USE) ZONING DISTRICT WITHIN A 68-X HEIGHT AND BULK DESIGNATION.**

### PREAMBLE

On May 20, 2010, Sternberg Benjamin Architects filed an application with the Planning Department (hereinafter “Department”) for Large Project Authorization under Planning Code Section 329 to allow construction of a new six-story, 68-foot buildings consisting of approximately 106 dwelling units, 80 off-street parking spaces and exceptions for rear yard, dwelling unit exposure and ground floor active uses, within the UMU (Urban Mixed Use) Zoning District and a 68-X Height and Bulk District.

On November 09, 2010, the Project was determined to be exempt from the California Environmental Quality Act (“CEQA”) Guidelines per Section 15183 and California Public Resources Code Section 21083.3 as described in the determination contained in the Planning Department files for this Project;

On September 1, 2011, a Community Plan Exemption (CPE) Note to File for the revised project that included two additional dwelling units, two additional parking spaces and 600 additional square feet of area was issued. Land use patterns and other development conditions in the vicinity of the proposed project have not changed materially since 2011 CPE determination and there have been no other substantial changes with respect to the circumstances under which the proposed project is undertaken. Therefore, no supplemental environmental review is required beyond the Note to File.

On September 15, 2011, the Commission conducted a duly noticed public hearing at a regularly scheduled meeting on Conditional Use Application No. 2010.0094X.

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

**MOVED**, that the Commission hereby authorizes the Large Project Authorization requested in Application No. 2010.0094X, 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.

**Site Description and Present Use.** The vacant project site consists of Lots 2 and 6 on Assessor's Block 4045. The project is located on a through lot with frontages on Illinois Street to the east and 3rd Street to the west, and between 18th and 19th Streets in San Francisco's Central Waterfront area in an UMU (Urban Mixed Use) Zoning District and within a 68-X Height and Bulk District. The existing commercial fueling facility with accessory one-story storage and office buildings constructed circa 1910 and located on Lot 2 is being proposed for demolition. Lot 2 will merge with Lot 6, which is currently vacant, creating a development lot of approximately 22,300 square feet.

2. **Surrounding Properties and Neighborhood.** The blocks surrounding the project site include a wide range of building types, heights, and uses typically found in an industrial and mixed use zoning district. Residential and live-work uses are also present. The Third Street median contains the new light rail line. The area east of Illinois Street one block from the project site consists of a Port of San Francisco shipyard where 19th and Illinois Streets intersect. A mixture of commercial, mixed residential/commercial, live/work, and industrial buildings on the adjacent block faces range from one to five stories, and approximately 15 to 65 feet in height. The adjacent property to the north at 700 Illinois is a 20-unit live-work building constructed in 2002. The adjacent property to the south at Lot 7 is vacant.

The topography in the area slopes downwards from Potrero Hill on the west to the San Francisco Bay to the east. 3rd Street is at the bottom of Potrero Hill, although the topography continues to drop approximately 12 feet in elevation across the project site from 3rd Street to Illinois Street.

3. **Project Description.** The project proposes the demolition of the existing commercial fueling facility and the construction of a new six-story, 68-foot building consisting of approximately 106 dwelling units and 80 off-street parking spaces, and Planning Code exceptions for rear yard, dwelling unit exposure and ground floor active uses. The horseshoe shaped new building fronts on 3rd and Illinois Streets with a podium over at-grade and basement parking and contains residential units with open terraces above. The project is seeking Large Project authorization under the Eastern Neighborhoods Controls.

4. **Central Waterfront Area Plan.**

As part of the Eastern Neighborhoods Rezoning, the Central Waterfront was adopted in 2008. The Central Waterfront maintains strong connections to the larger city and region. The area is caught in the current of changes affecting San Francisco. While it is important for San Francisco that existing uses be retained and encouraged in the Central Waterfront and the city, it is also important to determine where new housing can be best accommodated. San Francisco needs to build new housing and the Central Waterfront provides opportunities to do so in a place that will be well-served by transit. The Central Waterfront Neighborhood Plan stresses the importance of making the most of the existing opportunities due to the constrained amount of land available for housing. The proposed project is consistent with the plan in that:

- B. The project is located in an area identified by the Plan as appropriate for mixed-use residential-commercial development.
  - C. The project proposes a development that builds on the Central Waterfront's established character as a mixed use, working neighborhood.
  - D. The project establishes a land use pattern that supports and encourages transit use, walking, and biking.
  - E. The project improves the public realm so that it better supports new development and the residential and working population of the neighborhood.
5. **Public Comment.** The Department has received general inquiries and a dozen comments in opposition on the proposed project from members of the public. The opposition is focused on dwelling unit density, lack of parking and the number of exceptions requested.
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. **Zoning District.** The project site is located within Urban Mixed Use (UMU) District in the Central Waterfront neighborhood. The UMU District is intended to promote a vibrant mix of uses while maintaining the characteristics of this formerly industrially-zoned area. It is also intended to serve as a buffer between residential districts and PDR districts in the Eastern Neighborhoods. Within the UMU, allowed uses include production, distribution, and repair uses such as light manufacturing, home and business services, arts activities, warehouse, and

wholesaling. Additional permitted uses include retail, educational facilities, and nighttime entertainment. Housing is also permitted, but is subject to higher affordability requirements. Family-sized dwelling units are encouraged. The project proposes a mixture of residential uses that include over 40 percent two-bedroom units, or family-sized units in the UMU Zoning District.

- B. **Use.** Planning Code Section 843 identifies residential use and various nonresidential uses as principally permitted uses in the UMU Zoning District. In general, the principally permitted uses are industrial and business service, assembly and social service, retail, recreation and arts, and residential.

The proposed residential use is compatible and consistent with the zoning designation. The exceptions sought after are necessary to allow maximum number of units and to provide a desirable design.

- C. **Rear Yard.** Planning Code Section 134 Planning Code Section 134 requires a minimum rear yard equal to 25 percent of the total lot depth beginning at the lowest story containing a dwelling unit. The subject property is a triangular lot with three frontages and a mid-lot public right of way. Planning Code Section 329(d) allows an exception for the rear yard requirement pursuant to requirements of Planning Code Section 134(f).

*Although it does not meet the minimum dimensional requirements for rear yard, the Project includes a first floor inner court yard that provides approximately 5,570 additional square feet. An exception for this requirement is detailed in item 8 below.*

- D. **Residential Open Space.** Planning Code Section 135 requires that usable open space be located on the same lot as the dwelling units it serves. At least 80 square feet of usable open space per dwelling unit, or 54 square feet per dwelling unit of publicly accessible open space, is required. Up to 50 percent of the publicly accessible open space may be provided off-site. The Project has a residential open space requirement of up to 8,480 square feet of usable open space if private, or 5,724 square feet of publically accessible open space.

*The Project includes a roof terrace that exceeds the minimum open space requirements for a total of approximately 9,000 square feet. While first floor inner court yard provides approximately 5,570 additional square feet, the court does not meet the minimum dimensional requirements for useable open space.*

- E. **Streetscape and Pedestrian Improvements.** Planning Code Section 138.1 requires improvement of the public right-of-way associated with development projects. The owner or developer of a new building in this District must install street trees. Each street tree must be a minimum of 24-inch box for every 20 feet of frontage of the property along each street or public alley with any remaining fraction of 10 feet or more of frontage requiring an additional tree.

*The Project is required to install six street trees along 3<sup>rd</sup> Street and four along Illinois Street, for a total of ten trees. The project exceeds this requirement by providing six street trees along 3<sup>rd</sup> Street and six along Illinois Street, for a total of 12 trees.*

- F. Planning Code Section 140 requires dwelling units to have at least one window facing a street or alley, a Code-complying rear yard. 49 of the 106 proposed dwelling units will would not meet the requirement.

*Although the dwelling units enjoy ample light and air with the proposed open spaces, dimensional requirements prohibit 49 of the units that face a mid-court rear yard with width ranging between 16 feet and 38 feet do not technically comply with the exposure requirement. An exception for this requirement is detailed in item 8 below.*

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

*The project meets the requirements of Section 145.1, except for the Illinois Street frontage, as follows: (1) providing two 10-foot wide garage openings on Illinois Street, which total less than 1/3 the width of the approximately 80-foot wide building; (2) incorporating active uses, including ground floor dwelling units within the first 25 feet of the building depth at the 3<sup>rd</sup> Street façade by providing stoops and raised entries; and (4) providing transparent windows at the ground floor active uses. The required 25-foot off-street parking setback at the ground floor is met for the 3<sup>rd</sup> Street facade. However, the Illinois Street façade is setback only 15 feet where the off-street parking is located in order to permit acceptable vehicular maneuverability within the ground floor parking area. An exception for this area is detailed in item 8 below.*

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

*Based on the proposed dwelling unit mix, the maximum parking rate permitted is .75 spaces per dwelling unit, or 80 spaces. The project proposes a parking rate of .75 spaces per dwelling unit, or 80 spaces.*

- I. **Bicycle parking.** Planning Code Section 155.5 requires projects over 50 dwelling units to provide 25 Class 1 spaces plus one Class 1 space for every 4 dwelling units over 50.

*The proposed total number of 106 dwelling units requires a total of 39 bicycle parking spaces. The project complies with this requirement by providing approximately 40 bicycle parking spaces.*

- J. **Car Share.** Planning Code Section 166 requires one space for a residential project proposing 50 to 200 units.

*The project meets the minimum requirement by providing one-car car share space.*

- K. **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.*

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

*The Project will provide 40 percent of the dwelling units as 2-bedroom units (43 units).*

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

*The Project complies. The height of the roof is no higher than 68 feet.*

- N. **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 five or more units, where the first application (EE or BPA) was applied for on or after July 18, 2006. Pursuant to Planning Code Section 415.5, 415.6 and 419.5(b), the Project is meeting the Inclusionary Affordable Housing Program requirement through the On-site Affordable Housing Alternative for rental housing by providing 17% of the proposed dwelling units as affordable, as this project is located within the Urban Mixed Use District within Eastern Neighborhoods.

*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 or submit to the Department a contract demonstrating that the project's on- or off-site units are not subject to the Costa Hawkins Rental Housing Act, California Civil Code Section 1954.50 because, under Section 1954.52(b), the Project Sponsor has entered into an agreement with a public entity in consideration for a direct financial contribution or any other form of assistance specified in California Government Code Sections 65915 et seq. All such contracts entered into with the City and County of San Francisco must be reviewed and approved by the Mayor's Office Housing and the City Attorney's Office. The Project Sponsor has indicated intent in writing to enter into an agreement with the City to qualify for a waiver from the Costa-Hawkins Rental Housing Act based upon the proposed density bonus and concessions provided by the City and approved herein. The Project Sponsor submitted such Affidavit on August 23, 2011. The EE application was submitted on February 12, 2010. 18 units (8 Studios, 3 one-bedroom and 7 two-bedroom) of the 106 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. The Project must execute the agreement documenting the exception to Costa Hawkins within 60 days of Planning Commission approval or must revert to payment of the Affordable Housing Fee.*

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

- 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 height and bulk requirements. The community in the vicinity of the Project is evolving with development in the Central Waterfront area and the Potrero Hill region and the recent Eastern Neighborhoods Area Plans, and contains a range of building masses and land uses. The proposed residential use will be consistent with the existing and evolving character of the area. The Project massing will be consistent with and improve the character of the neighborhood by providing a second floor terrace at the Illinois Street façade with a width ranging between 17 and 38 feet, breaking up the existing 80-foot continuous lot width. The proposed additional glazing will further fenestrate the façade, providing a composition of modular elements along 3<sup>rd</sup> Street.*

- B. Architectural treatments, facade design and building materials;

*The architecture of this Project responds to the site's location between the industrial nature of Central Waterfront, and the contemporary architecture of the residential and lofts toward the bottom of Potrero Hill. The Project's facades all present fenestration patterns and scale similar to the expressed frame of residential and industrial uses common in the area. The exterior is designed with modern materials including brick/tile, cementitious panels, wood siding, metal windows, and finished concrete. Additionally, the metal punched window openings and balconies with cement plaster recesses and bay projections provide a stimulating and visually interesting form from the public right of way.*

*Variations in fenestration and treatment of the building facades allow the architecture to read as distinct pieces of a whole.*

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

*The ground floor character of the building is active with residential stoops along 3<sup>rd</sup> Street, which interacts with the pedestrian friendly and public transit oriented 3<sup>rd</sup> Street. There are exposed residential entries on the façade as indicated by the architecture of the building via raised entries and landscaping. Curb cuts are minimized to two 10-foot access points for entire project. Street trees along all street frontages are proposed that exceed the Planning Code requirement. An inner court and roof terrace, which are more private and more exposed to sunlight, are provided in lieu of a standard ground level rear yard.*

- 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 on-site. The open spaces are provided in the form of a private terrace and roof deck. The total open spaces provided exceed the total square footage required.*

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

*The Project proposes the installation of street trees along all frontages and open spaces.*

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

*The Project provides two ingress/egress points on Illinois Street, away from the transit oriented 3<sup>rd</sup> Street façade, and is not anticipated to create traffic problems. No ingress/egress is proposed on any other street frontages to prevent possible conflicts and congestion.*

- G. Bulk limits;

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

- H. 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.*

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

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

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

*The Project is occupied by residential uses and a comparable amount of readily accessible open space is proposed. Per the Planning Code, the required rear yard should equal 25 percent of the lot area, which is approximately 5,600 square feet for this property. The proposed roof deck provides approximately 9,000 square feet. A second floor mid-court terrace provides an open area that does not meet the dimensional requirements but provide an additional 5,570 square feet of usable open space. The proposed spaces in lieu of a standard rear yard at grade provide greater access to sunlight. Additionally, no rear yard pattern exists on the subject block.*

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

*The Project will merge two underutilized lots and create a through lot fronting 3<sup>rd</sup> and Illinois Streets. The top floor of the building steps approximately 82 feet back from the property line at Illinois Street. The Project will result in no significant impediment on light and air to adjacent properties.*

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

*There is no established mid-block open space formed by the adjacent rear yards. The adjacent 50-foot tall live-work building has full lot coverage. The project proposes a mid-court rear yard/open space to provide additional open space. The court yard breaks the building mass and also provides visual interests.*

- ii. Planning Code Section 140 requires dwelling units to have at least one window facing a street or alley, a Code-complying rear yard. Seven of the 470 proposed dwelling units would not meet the requirement.

*Although the dwelling units enjoy ample light and air with the proposed open spaces, dimensional requirements prohibit 49 of the units that face a mid-court rear yard with width ranging between 16 feet and 38 feet to technically comply with the exposure requirement.*

- iii. Planning Code Section 145.1 requires that all ground floor parking be set back at least 25 feet from each street frontage. The proposal includes parking along Illinois Street that is only set back 15 feet from the property line.

*This deviation is needed to ensure adequate vehicular maneuverability in the ground floor parking area. This exception will not be visible from the street, and the overall intent of Section 145.1 will still be met.*

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

**HOUSING**  
**Objectives and Policies – 2009 Housing Element**

**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 is a high density mixed-use development in an underutilized, transitioning industrial area. The Project site is a large opportunity site that is currently only used as a commercial fueling facility, which significantly degrades the built and pedestrian environment that surrounds it. The area around the Project site was recently rezoned to UMU as part of a long range planning goal to create a cohesive, high density residential and mixed-use neighborhood. The project includes 18 affordable housing 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 11.2**

Ensure implementation of accepted design standards in project approvals.

**Policy 11.3**

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

**Policy 11.4**

Continue to utilize zoning districts which conform to a generalized residential land use and density plan and the General Plan.

**Policy 11.5**

Ensure densities in established residential areas promote compatibility with prevailing neighborhood character.

**Policy 11.6**

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

**Policy 11.8**

Consider a neighborhood's character when integrating new uses, and minimize disruption caused by expansion of institutions into residential areas.

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

**OBJECTIVE 12**

BALANCE HOUSING GROWTH WITH ADEQUATE INFRASTRUCTURE THAT SERVES THE CITY'S GROWING POPULATION.

**Policy 12.2**

Consider the proximity of quality of life elements, such as open space, child care, and neighborhood services, when developing new housing units.

*The Project provides adequate open space, all on-site. The open spaces are provided in the form of private courts and roof deck.*

**RECREATION AND OPEN SPACE ELEMENT**

**Objectives and Policies**

**OBJECTIVE 4:**

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

**Policy 4.5:**

Require private usable outdoor open space in new residential development.

**Policy 4.6:**

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

*The Project will create private outdoor open space areas in a new residential development through private balconies, roof deck, and mid-court open spaces. It will not cast shadows over any open spaces under the jurisdiction of the Recreation and Park Department.*

**TRANSPORTATION ELEMENT**

**Objectives and Policies**

**OBJECTIVE 24:**

IMPROVE THE AMBIENCE OF THE PEDESTRIAN ENVIRONMENT.

**Policy 24.2:**

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

**Policy 24.3:**

Install pedestrian-serving street furniture where appropriate.

**Policy 24.4:**

Preserve pedestrian-oriented building frontages.

*The Project will install street trees at approximately 20 foot intervals all along the three frontages on 3<sup>rd</sup> and Illinois Streets. 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 40 bicycle parking spaces in a secure, convenient location on the ground floor.*

**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 .75 spaces per unit. The 80 parking spaces are accessed by two ingress/egress points on Illinois Street.*

## **URBAN DESIGN ELEMENT**

### **Objectives and Policies**

#### **OBJECTIVE 1:**

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

#### **Policy 1.7:**

Recognize the natural boundaries of districts, and promote connections between districts.

#### **OBJECTIVE 2:**

CONSERVATION OF RESOURCES WHICH PROVIDE A SENSE OF NATURE, CONTINUITY WITH THE PAST, AND FREEDOM FROM OVERCROWDING.

#### **Policy 2.6:**

Respect the character of older development nearby in the design of new buildings.

*The Project lies within the Central Waterfront/Potrero neighborhood that is transitioning from industrial uses to a mid- to high-density residential mixed-use neighborhood. As such, the proposed building provides more intricate street façades that respond to the existing industrial built environment, while respecting the loft-style design influences of the buildings.*

#### **OBJECTIVE 4:**

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

#### **Policy 4.5:**

Design walkways and parking facilities to minimize danger to pedestrians.

#### **Policy 4.13:**

Improve pedestrian areas by providing human scale and interest.

*While the through lot has a unique two-street frontage, it only provides two vehicular access points for the entire project, limiting conflicts with pedestrians and bicyclists. Numerous street trees will be planted on each façade, ample open spaces and ground floor active uses with units directly accessing the street. The pedestrian experience along the Project site will be improved.*

## CENTRAL WATERFRONT AREA PLAN

### Objectives and Policies

#### Land Use

##### OBJECTIVE 1.2:

IN AREAS OF THE CENTRAL WATERFRONT WHERE HOUSING AND MIXED USE IS ENCOURAGED, MAXIMIZE DEVELOPMENT POTENTIAL IN KEEPING WITH NEIGHBORHOOD CHARACTER.

##### Policy 1.2.1:

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

##### Policy 1.2.4

In general, where residential development is permitted, control residential density through building height and bulk guidelines and bedroom mix requirements Implementation.

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

#### Housing

##### OBJECTIVE 2.3

ENSURE THAT NEW RESIDENTIAL DEVELOPMENTS SATISFY AN ARRAY OF HOUSING NEEDS WITH RESPECT TO TENURE, UNIT MIX AND COMMUNITY SERVICES.

##### Policy 2.3.2

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

##### Policy 2.3.3

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

*The project proposes rental housing with a minimum of 40 percent of its total units containing two-bedrooms.*

#### Built Form

##### OBJECTIVE 3.1

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

**Policy 3.1.9**

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

*There is no prevailing pattern of rear yard or open space; the project proposes an inner court that breaks up the building mass and provide quality and easy access to light and air.*

**OBJECTIVE 3.2**

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

**Policy 3.2.1**

Require high quality design of street-facing building exteriors.

*The Project provides strong, repeating vertical articulation to achieve the visual interest necessary to sustain pedestrian interest and activity. Massing is differentiated with notches and open court yard. The proposed fenestration represents the uses behind them, in this case, residential, minimizes visual clutter, harmonizes with prevailing conditions, and provides architectural interest. Proposed windows recess and generally oriented vertically with metal frames. The project also uses authentic materials with a substantial appearance, such as wood, tile/brick and concrete.*

**OBJECTIVE 4.1**

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

**Policy 4.1.5**

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

*The proposed curb cuts are located away from the 3<sup>rd</sup> Street façade, a pedestrian and transit streets. Ground floor residential units with stoops/entries are also proposed on the 3<sup>rd</sup> Street façade, where it is important to maintain continuous active ground floor activity, protect pedestrian movement and retail viability, and reduce transit delay and variability.*

**OBJECTIVE 4.8**

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

**Policy 4.8.1**

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

*The project provides the Code required one car share space.*

**Streets and Open Space**

**OBJECTIVE 5.2**

ENSURE THAT NEW DEVELOPMENT INCLUDES HIGH QUALITY PRIVATE OPEN SPACE.

**Policy 5.2.1**

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

**Policy 5.2.2**

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

*The Project includes a roof terrace that exceeds the minimum open space requirements for a total of approximately 9,000 square feet. While first floor inner court yard provides approximately 5,570 additional square feet, the court does not meet the minimum dimensional requirements for useable open space.*

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

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

*There are no existing neighborhood-serving retail uses on the site. The residential project proposes no retail uses.*

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

*No housing currently exists on the project site. The project will provide 106 new dwelling units, significantly increasing the neighborhood housing stock. The design of the Project is compatible with the surrounding neighborhood. For these reasons, the proposed project would protect and preserve the cultural, economic and historic significance of the neighborhood.*

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

*The Project will not displace any affordable housing because there is currently no housing on the site. The Project will comply with the City's Inclusionary Housing Program, therefore increasing the stock of affordable housing units in the City.*

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

*The project site is well-served by public transportation. The 3<sup>rd</sup> Street Light Rail is directly in front of the project site at the 3<sup>rd</sup> Street façade. The majority of future residents are expected to use alternative methods of transportation other than private automobiles, and the small number of vehicle trips generated by this project would not impede MUNI transit service or overburden streets.*

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

*The Project does not include any commercial office development. The proposal, which includes dwelling units, will increase the City's housing supply and provide ownership opportunity, a top priority in the City.*

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

*The project will be designed and will be constructed to conform to the structural and seismic safety requirements of the Building Code. This proposal will not impact the property's ability to withstand an earthquake.*

- G. That landmarks and historic buildings be preserved.

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

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

*The Project will not affect the City's parks or open space or their access to sunlight and vistas. A shadow study was completed and concluded that the Project will not cast shadows on any property under the jurisdiction of, or designated for acquisition by, the Recreation and Park Commission.*

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

The Project Sponsor executed a First Source Hiring Memorandum of Understanding and a First Source Hiring Agreement with the City's First Source Hiring Administration.

11. Mitigation. Pursuant to CEQA, the Commission has considered the mitigation measures as described in the Certificate of Determination for Exemption from Environmental Review and will include these measures and the mitigation monitoring program as conditions of Project approval.
12. The Project is consistent with and would promote the general and specific purposes of the Code provided under Section 101.1(b) in that, as designed, the Project would contribute to the character and stability of the neighborhood and would constitute a beneficial development.
13. The Commission hereby finds that approval of the 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 Large Project Authorization Application No. 2010.0094X** under Planning Code Section 329 to allow the proposed construction of a new six-story, 68-foot buildings consisting of approximately 106 dwelling units and parking for approximately 80 spaces and exceptions for rear yard, dwelling unit exposure and ground floor active uses within the UMU (Urban Mixed Use) District with a 68-X Height and Bulk Designation. The project is subject to the following conditions attached hereto as "EXHIBIT A" in general conformance with plans on file, dated August 17, 2011, and stamped "EXHIBIT B", which is incorporated herein by reference as though fully set forth.

**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. 18419. The effective date of this Motion shall be the date of this Motion if not appealed (After the 15-day period has expired) OR the date of the decision of the Board of Appeals if appealed to the Board of Appeals. For further information, please contact the Board of Appeals at (415) 575-6880, 1650 Mission Street, Room 304, San Francisco, CA 94102.

I hereby certify that the Planning Commission ADOPTED the foregoing Motion on September 15, 2011.

Linda D. Avery  
Commission Secretary

AYES:

NAYS:

ABSENT:

ADOPTED: September 15, 2011

## **EXHIBIT A**

### **AUTHORIZATION**

This authorization is to allow a Large Project Authorization and exceptions for rear yard, dwelling unit exposure and ground floor active uses for the proposed construction of a new six-story, 68-foot building consisting of approximately 106 dwelling units and parking for approximately 80 spaces.; in general conformance with plans, dated August 17, 2011, and stamped "EXHIBIT B" included in the docket for Case No. 2010.0094X and subject to conditions of approval reviewed and approved by the Commission on September 15, 2011, under Motion No XXXXX. This authorization and the conditions contained herein run with the property and not with a particular Project Sponsor, business, or operator.

### **RECORDATION OF CONDITIONS OF APPROVAL**

Prior to the issuance of the building permit or commencement of use for the Project the Zoning Administrator shall approve and order the recordation of a Notice in the Official Records of the Recorder of the City and County of San Francisco for the subject property. This Notice shall state that the project is subject to the conditions of approval contained herein and reviewed and approved by the Planning Commission on September 15, 2011, under Motion No. XXXXX.

### **PRINTING OF CONDITIONS OF APPROVAL ON PLANS**

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

### **SEVERABILITY**

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

### **CHANGES AND MODIFICATIONS**

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

## Conditions of Approval, Compliance, Monitoring, and Reporting

### PERFORMANCE

1. **Validity and Expiration.** The authorization and right vested by virtue of this action is valid for three years from the effective date of the Motion. A building permit from the Department of Building Inspection to construct the project and/or commence the approved use must be issued as this Large Project Authorization is only an approval of the proposed project and conveys no independent right to construct the project or to commence the approved use. The Planning Commission may, in a public hearing, consider the revocation of the approvals granted if a site or building permit has not been obtained within three (3) years of the date of the Motion approving the Project. Once a site or building permit has been issued, construction must commence within the timeframe required by the Department of Building Inspection and be continued diligently to completion. The Commission may also consider revoking the approvals if a permit for the Project has been issued but is allowed to expire and more than three (3) years have passed since the Motion was approved. *For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, [www.sf-planning.org](http://www.sf-planning.org).*
2. **Extension.** This authorization may be extended at the discretion of the Zoning Administrator only where failure to issue a permit by the Department of Building Inspection to perform said tenant improvements is caused by a delay by a local, State or Federal agency or by any appeal of the issuance of such permit(s). *For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, [www.sf-planning.org](http://www.sf-planning.org).*

### DESIGN

3. **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 415-558-6613, [www.sf-planning.org](http://www.sf-planning.org).*
4. **Standards for Bird-Safe Buildings.** The newly adopted guidelines for providing bird-safe buildings identify location and feature related hazards and treatment requirements. Please refer to the published document on the Planning Department website for details and specific requirements:  
  
[http://www.sf-planning.org/ftp/files/publications\\_reports/bird\\_safe\\_bldgs/Standards\\_for\\_Bird\\_Safe\\_Buildings\\_7-5-11.pdf](http://www.sf-planning.org/ftp/files/publications_reports/bird_safe_bldgs/Standards_for_Bird_Safe_Buildings_7-5-11.pdf).
5. **Garbage, composting and recycling storage.** Space for the collection and storage of garbage, composting, and recycling shall be provided within enclosed areas on the property and clearly labeled and illustrated on the building permit plans. Space for the collection and storage of recyclable and compostable materials that meets the size, location, accessibility and other

standards specified by the San Francisco Recycling Program shall be provided at the ground level of the buildings. *For information about compliance, contact the Case Planner, Planning Department at 415-558-6613, [www.sf-planning.org](http://www.sf-planning.org)*

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

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

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

## AFFORDABLE HOUSING

7. **Number of Required Units.** Pursuant to Planning Code Section 415.6 and 419.5(b), the Project as a rental housing project, qualifies for a 3 percent reduction in the inclusionary housing requirements from 20 percent to 17 percent of the proposed dwelling units as affordable to qualifying households. The Project contains 106 units; therefore, 18 affordable units are required. The Project Sponsor will fulfill this requirement by providing the 18 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](http://www.sf-planning.org) or the Mayor's Office of Housing at 415-701-5500, <http://sf-moh.org/index.aspx?page=321>*

8. **Unit Mix.** The Project contains 48 studios, 15 one-bedroom and 43 two-bedroom; therefore, the required affordable unit mix is 8 studios, 3 one-bedrooms and 7 two-bedrooms. 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](http://www.sf-planning.org) or the Mayor's Office of Housing at 415-701-5500, <http://sf-moh.org/index.aspx?page=321>.*

9. **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](http://www.sf-planning.org) or the Mayor's Office of Housing at 415-701-5500, <http://sf-moh.org/index.aspx?page=321>.*

10. **Phasing.** If any building permit is issued for partial phasing of the Project, the Project Sponsor shall have designated not less than twenty percent (20%) of 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](http://www.sf-planning.org) or the Mayor's Office of Housing at 415-701-5500, <http://sf-moh.org/index.aspx?page=321>.*

11. **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](http://www.sf-planning.org) or the Mayor's Office of Housing at 415-701-5500, <http://sf-moh.org/index.aspx?page=321>.*

12. **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](http://www.sf-planning.org) or the Mayor's Office of Housing at 415-701-5500, <http://sf-moh.org/index.aspx?page=321>*

- 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 one hundred (100) percent of the median income for the City and County of San Francisco as defined in the Inclusionary Affordable Housing Program, an amount that translates to ninety (90) percent of Area Median Income under the income table called "Maximum Income by Household Size" derived from the Unadjusted Area Median Income for HUD Metro Fair Market Rent Area that contains San Francisco. The initial sales price of such units shall be calculated according to the Procedures Manual. Limitations on (i) reselling; (ii) renting; (iii) recouping capital improvements; (iv) refinancing; and (v) procedures for inheritance apply and are set forth in the Inclusionary Affordable Housing Program and the Procedures Manual.
- 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 the intention to enter into an agreement with the City to qualify for a waiver from the Costa-

Hawkins Rental Housing Act based upon the proposed density bonus and concessions provided by the City provided herein. The Project must execute the Costa Hawkins agreement within 60 days of Planning Commission approval or must revert to payment of the Affordable Housing Fee.

- 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

13. **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](http://www.sf-planning.org)*

14. **Managing Traffic During Construction.** The Project Sponsor and construction contractor(s) shall coordinate with the Traffic Engineering and Transit Divisions of the San Francisco Municipal Transportation Agency (SFMTA), the Police Department, the Fire Department, the Planning Department, and other construction contractor(s) for any concurrent nearby Projects to manage traffic congestion and pedestrian circulation impacts during construction of the Project.

*For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, [www.sf-planning.org](http://www.sf-planning.org)*

## EASTERN NEIGHBORHOODS INFRASTRUCTURE IMPACT FEE

### 15. Impact Fees

The project shall comply with the provisions of Planning Code Section 423, including payment of the Eastern Neighborhoods Impact Fee, or execution of an In-Kind Agreement with the Planning Department prior to issuance of the first site or building permit. While recognizing that the Commission will review any use of the Eastern Neighborhoods Impact Fee in the future, the Commission urges the Project Sponsor to pursue the execution of an In-Kind Agreement pursuant to Planning Code Section 423.3(d) to authorize the project sponsor to provide in-kind improvements in the form of development of a public park in the Daggett Street Right of Way.

## PROVISIONS

16. **First Source Hiring.** The Project shall adhere to the requirements of the First Source Hiring Construction and Employment Program approved by the First Source Hiring Administrator, pursuant to Section 83.4(m) of the Administrative Code. The Project Sponsor shall comply with the requirements of this Program regarding construction work and on-going employment required for the Project. *For information about compliance, contact the First Source Hiring Manager at 415-401-4960, [www.onestopSF.org](http://www.onestopSF.org)*

## MONITORING

17. **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](http://www.sf-planning.org)*
18. **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](http://www.sf-planning.org)*

## OPERATION

19. **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/>*

20. **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](http://www.sf-planning.org)*

# Parcel Map



Planning Commission Hearing  
Case Number 2010.0094X  
740 Illinois / 3<sup>rd</sup> Streets

# Sanborn Map\*



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



Planning Commission Hearing  
Case Number 2010.0094X  
740 Illinois / 3rd Streets

# Aerial Photo



**SUBJECT PROPERTY**



Planning Commission Hearing  
Case Number 2010.0094X  
740 Illinois / 3rd Streets

# Zoning Map



Planning Commission Hearing  
Case Number 2010.0094X  
740 Illinois / 3rd Streets



# SAN FRANCISCO PLANNING DEPARTMENT

**MEMO**

**DATE:** September 1, 2011  
**TO:** 720 & 740 Illinois Street and 2121 Third Street  
Case File No. 2010.0094  
**CC:** Ben Fu, Current Planning;  
**FROM:** Brett Bollinger, Environmental Planner  
**RE:** Project Revisions

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

Reception:  
**415.558.6378**

Fax:  
**415.558.6409**

Planning  
Information:  
**415.558.6377**

The project site is a through lot located on a block bounded by Third, Illinois, 18th, and 19th Streets in the Potrero Hill neighborhood. The proposed project would include demolition of an existing commercial fueling facility; merging two lots (006 & 021) into a single lot; and, construction of an approximately 65-foot tall, 117,198 square foot residential building containing 104 residential units, 78 off-street parking spaces, and 40 bicycle parking spaces.

The project description was revised on August 17, 2011, to include a total of 106 new units, 80 off-street parking spaces and 117,762 gross square feet and the conclusions of the previous Community Plan Exemption (CPE) remain valid. No important revisions are required to the February 3, 2001 CPE determination, due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects. No new information has come to light that would indicate the potential for new significant impacts not discussed in the 2011 CPE. Land use patterns and other development conditions in the vicinity of the proposed project have not changed materially since 2011 CPE determination and there have been no other substantial changes with respect to the circumstances under which the proposed project is undertaken. Therefore, no supplemental environmental review is required beyond this Note to File.



# SAN FRANCISCO PLANNING DEPARTMENT

## Certificate of Determination EXEMPTION FROM ENVIRONMENTAL REVIEW

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

Reception:  
**415.558.6378**

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**415.558.6409**

Planning  
Information:  
**415.558.6377**

*Case No.:* 2010.0094E  
*Project Title:* 720 & 740 Illinois Street and 2121 Third Street  
*Zoning:* Urban Mixed Use (UMU) District  
68-X Height and Bulk District  
*Block/Lot:* 4045/006 & 021  
*Lot Size:* 22,241 square feet  
*Plan Area:* Potrero Hill/Showplace Square Eastern Neighborhoods Subarea  
*Project Sponsor:* David Sternberg, Sternberg Benjamin Architects, (415) 882-9783  
*Staff Contact:* Brett Bollinger – (415) 575-9024  
brett.bollinger@sfgov.org

### PROJECT DESCRIPTION:

The project site is a through lot located on a block bounded by Third, Illinois, 18th, and 19th Streets in the Potrero Hill neighborhood. The proposed project would include demolition of an existing commercial fueling facility; merging two lots (006 & 021) into a single lot; and, construction of an approximately 65-foot tall, 117,198 square foot residential building containing 104 residential units, 78 off-street parking spaces, and 40 bicycle parking spaces.

The following Certificate of Determination for the 720 & 740 Illinois Street and 2121 Third Street project supersedes the previous determination issued on November 9, 2010 for a project that proposed to construct 62,516 square feet of residential uses that would include 70 residential units and 52 parking spaces on the lot facing Illinois Street and the remaining new lot facing Third Street was proposed to be dedicated to the City to comply with affordable housing requirements under *Planning Code Section 419.5 Alternatives to the Inclusionary Housing Component*.

### EXEMPT STATUS:

Exempt per Section 15183 of the California Environmental Quality Act (CEQA) Guidelines and California Public Resources Code Section 21083.3

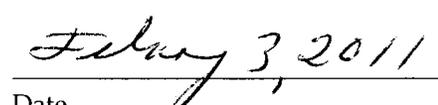
### REMARKS:

(See next page.)

### DETERMINATION:

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

  
\_\_\_\_\_  
BILL WYCKO  
Environmental Review Officer

  
\_\_\_\_\_  
Date

cc: David Sternberg, Project Contact  
Ben Fu, Neighborhood Planning Division  
Virna Byrd, M.D.F.

Supervisor Sophie Maxwell, District 10  
Exemption/Exclusion File

**REMARKS:**

California Environmental Quality Act (CEQA) State Guidelines Section 15183 provides an exemption from environmental review for projects that are consistent with the development density established by existing zoning, community plan or general plan policies for which an Environmental Impact Report (EIR) was certified, except as might be necessary to examine whether there are project-specific effects which are peculiar to the project or its site. Section 15183 specifies that examination of environmental effects shall be limited to those effects that: a) are peculiar to the project or parcel on which the project would be located; b) were not analyzed as significant effects in a prior EIR on the zoning action, general plan or community plan with which the project is consistent; c) are potentially significant off-site and cumulative impacts which were not discussed in the underlying EIR; and d) are previously identified in the EIR, but which are determined to have a more severe adverse impact than that discussed in the underlying EIR. Section 15183(c) specifies that if an impact is not peculiar to the parcel or to the proposed project, then an EIR need not be prepared for that project solely on the basis of that impact.

This determination evaluates the potential project-specific environmental effects peculiar to the 720 & 740 Illinois St. and 2121 Third St. project described above, and incorporates by reference information contained within the Eastern Neighborhoods Rezoning and Area Plans Final EIR (Eastern Neighborhoods EIR) (Case No. 2004.0160E; State Clearinghouse No. 2005032048). Project-specific studies summarized in this determination were prepared for the proposed project at 720 & 740 Illinois St. and 2121 Third St to determine if there would be significant impacts attributable to the proposed project. These studies examined that project's potential environmental effects on shadow and noise.

This determination assesses the proposed project's potential to cause environmental impacts and concludes that the proposed project would not result in new, peculiar environmental effects, or effects of greater severity than were already analyzed and disclosed in the Eastern Neighborhoods EIR. This determination does not identify new or additional information that would alter the conclusions of the Eastern Neighborhoods. This determination also identifies mitigation measures contained in the Eastern Neighborhoods that would be applicable to the proposed project at 720 & 740 Illinois St. and 2121 Third St.. Relevant information pertaining to prior environmental review conducted for the Eastern Neighborhoods is included below, as well as an evaluation of potential environmental effects.

**Background**

After several years of analysis, community outreach, and public review, the Eastern Neighborhoods Plan was adopted in December 2008. The Eastern Neighborhoods was adopted in part to support housing development in some areas previously zoned to allow industrial uses, while preserving an adequate supply of space for existing and future production, distribution, and repair (PDR) employment and businesses. The Eastern Neighborhoods also included changes to existing height and bulk districts in some areas, including the project site at 720 & 740 Illinois St. and 2121 Third St..

During the Eastern Neighborhoods Plan adoption phase, the Planning Commission held public hearings to consider the various aspects of the proposed area plans, and Planning Code and Zoning Map

amendments. On August 7, 2008, the Planning Commission certified the Eastern Neighborhoods EIR by Motion 17659<sup>1</sup> and adopted the Preferred Project for final recommendation to the Board of Supervisors.<sup>2</sup>

In December 2008, after further public hearings, the Board of Supervisors approved and the Mayor signed the Eastern Neighborhoods rezoning and Planning Code amendments. New zoning districts include districts that would permit PDR uses in combination with commercial uses; districts mixing residential and commercial uses and residential and PDR uses; and new residential-only districts. The districts replaced existing industrial, commercial, residential single-use, and mixed-use districts.

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

A major issue in the Eastern Neighborhoods rezoning process was the degree to which existing industrially-zoned land would be rezoned to primarily residential and mixed-use districts, thus reducing the availability of land traditionally used for PDR employment and businesses. Among other topics, the Eastern Neighborhoods EIR assesses the significance of the cumulative land use effects of the rezoning by analyzing its effects on the City's ability to meet its future PDR space needs as well as its ability to meet its housing needs as expressed in the City's General Plan.

As a result of the Eastern Neighborhoods, the project site has been rezoned to Urban Mixed Use (UMU). The proposed project and its relation to PDR land supply and cumulative land use effects is discussed further on page 4, Land Use. The 720 & 740 Illinois St. and 2121 Third St. project site, which is located in the Potrero Hill Area of the Eastern Neighborhoods, was designated and envisioned as a site with a building up to 68 feet in height and containing a mix of uses.

Individual projects that could occur in the future under the Eastern Neighborhoods Rezoning and Area Plans would undergo project-level environmental evaluation to determine if they would result in further impacts specific to the development proposal, the site, and the time of development and to assess whether additional environmental review would be required. This determination concludes that the proposed residential project at 720 & 740 Illinois St. and 2121 Third St. is consistent with and was encompassed within the analysis in the Eastern Neighborhoods Final EIR. Further, this determination finds that the Eastern Neighborhoods Final EIR adequately anticipated and described the impacts of the proposed 720 & 740 Illinois St. and 2121 Third St., and identified the mitigation measures applicable to the proposed project. The proposed project is also consistent with the zoning controls for the project site.

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

2 San Francisco Planning Commission Motion 17659, August 7, 2008.  
[http://www.sfgov.org/site/uploadedfiles/planning/Citywide/Eastern\\_Neighborhoods/Draft\\_Resolution\\_Public%20Parcels\\_FINA\\_L.pdf](http://www.sfgov.org/site/uploadedfiles/planning/Citywide/Eastern_Neighborhoods/Draft_Resolution_Public%20Parcels_FINA_L.pdf)

Therefore, no further CEQA evaluation for the 720 & 740 Illinois St. and 2121 Third St. project is necessary.

### **Potential Environmental Effects**

The Eastern Neighborhoods Final EIR included analyses of environmental issues including: land use; plans and policies; visual quality and urban design; population, housing, business activity, and employment (growth inducement); transportation; noise; air quality; parks, recreation and open space; shadow; archeological resources; historic architectural resources; hazards; and other issues not addressed in the previously issued initial study for the Eastern Neighborhoods project. The proposed 720 & 740 Illinois St. and 2121 Third St. project is in conformance with the height, use and density for the site described in the Eastern Neighborhoods and would represent a small part of the growth that was forecast for the Eastern Neighborhoods. Thus, the project analyzed in the Eastern Neighborhoods EIR considered the incremental impacts of the proposed 720 & 740 Illinois St. and 2121 Third St. project. As a result, the proposed project would not result in any new or substantially more severe impacts than were identified in the Eastern Neighborhoods EIR. The following discussion demonstrates that the 720 & 740 Illinois St. and 2121 Third St. project would not result in significant impacts beyond those analyzed and disclose in the Eastern Neighborhoods, including project-specific impacts related to land use, aesthetics, air quality, archeological resources, historic architectural resources, shadow, transportation, and noise.

### **Land Use**

The Eastern Neighborhoods Rezoning and Area Plans re-zoned much of the city's industrially-zoned land in the Mission, Central Waterfront, East South of Market and Showplace Square/Potrero Hill neighborhoods. The four main goals that guided the Eastern Neighborhood planning process were to reflect local values, increase housing, maintain some industrial land supply, and to improve the quality of all existing areas with future development. The re-zoning applied new residential and mixed-used zoning districts to parts of the Eastern Neighborhoods currently zoned for industrial, warehousing, and commercial service use.

The proposed project would intensify uses in the project vicinity by constructing a new residential building, which would consist of an approximately 65-foot tall, 117,198 square foot residential building containing 104 residential units, 78 off-street parking spaces, and 40 bicycle parking spaces. However, the new land use would not have an effect on the character of the vicinity beyond what was identified in the Eastern Neighborhoods Final EIR. The proposed building is consistent with the height and bulk controls and the proposed uses are permitted within the Urban Mixed Use (UMU) District zoning controls. Further, the project is proposed on an in-fill site, and would not substantially impact upon the existing character of the vicinity and would not physically divide an established community.

The Eastern Neighborhoods identified an unavoidable significant land use impact due to the cumulative loss of PDR under Option C. Option C, which would result in less PDR-only land than Options A or B and would rezone more existing PDR land and displace more existing PDR uses than the other two options, would result in a clear mismatch between the supply of and demand for PDR land and building space, with neither adequate land nor adequate building space available with substantial changes in land use controls on Port land. The analysis also determined that a No-Project scenario would result in an unavoidable significant impact on the cumulative supply of land for PDR uses. As identified in

Appendix D to Planning Commission Resolution 16727,<sup>3</sup> a commercial fueling facility is not considered a PDR use. Since there is no PDR at the project site, the proposed project would not contribute to this impact because there would be no loss of PDR. However, because the UMU zoning designation for the project site allows certain PDR uses, the proposed construction of residential uses on the project site would preclude any future PDR uses.

In addition, Citywide Planning and Neighborhood Planning have determined that the proposed project is consistent with the Eastern Neighborhoods Final EIR and satisfies the requirements of the General Plan and the Planning Code. Therefore, the project is eligible for a Community Plan exemption.<sup>4,5</sup>

## **Cultural Resources**

### **Archeological Resources**

Potential archeological impacts were identified in the Eastern Neighborhoods Rezoning and Area Plans Final EIR. *Mitigation Measure J-2: Properties with No Previous Studies* applies to properties within the project area for which no archeological assessment report has been prepared or for which the archeological documentation is incomplete or inadequate to serve as an evaluation of potential effects on archeological resources under CEQA. The project site is located within the *Properties with No Previous Studies* mitigation zone and would require a Preliminary Archeological Sensitivity Study to be prepared by an archeological consultant with expertise in California prehistoric and urban historical archeology.

The Planning Department conducted an archeological assessment review<sup>6</sup> of the project site and found that there is a possibility that archeological features associated with ship building/repair operations (1870s-1900) could be present within the project site fill matrix. If features and/or deposits associated with the 19<sup>th</sup> Century ship building facilities have research integrity and would be adversely affected by project activities, the project may have a potential adverse effect to an historical resource under CEQA. Therefore, implementation of *Mitigation Measure 1 Archeological Resources - Accidental Discovery* would reduce potential effects of the proposed project to archeological resources to a less-than-significant level.

### **Historic Architectural Resources**

The subject property was surveyed in 2001 by the City of San Francisco as part of the Central Waterfront Cultural Resources Survey and assigned a National Register Status Code of "4D2," or "may become eligible for the National Register as a contributor to a district." The findings of the survey were endorsed by the Planning Commission on June 13, 2002 by Motion No. 16431. In 2007, the subject property was reevaluated to comply with revision to the status codes made by the California Office of Historic

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3 Appendix D to Resolution 16727, Establishing Policies and Procedures for Development Proposals in Sections of the SoMa, Mission, and Showplace Square; February 12, 2004. Available for review at the Planning Department, 1650 Mission Street, Suite 400, in Case File No. 2010.0094E.

4 David Alumbaugh, San Francisco Planning Department, Community Plan Exemption Eligibility Determination, Citywide Planning and Policy Analysis, 2121 3rd St/740 Illinois St. This document is on file and available for review as part of Case File No. 2010.0094E at the San Francisco Planning Department, 1650 Mission Street, Suite 400.

5 Kelley Amdur, San Francisco Planning Department, Community Plan Exemption Eligibility Determination, Neighborhood Analysis, 2121 3rd St/740 Illinois St. This document is on file and available for review as part of Case File No. 2010.0094E at the San Francisco Planning Department, 1650 Mission Street, Suite 400.

6 Randall Dean, Major Environmental Analysis (MEA) San Francisco Planning Department, 2121 Third Street/740 Illinois Street Archeological Assessment, May 30, 2008. This document is on file and available for review as part of Case File No. 2010.0094E at the San Francisco Planning Department, 1650 Mission Street, Suite 400

Preservation. In the reevaluation, the subject property was assigned a new California Historical Resource Status Code of "5D2," or "contributor to a district that is eligible for local listing." Although the subject property is not included on the National or the California Registers, the previous survey findings for the property make it a "Category A" building (known historic resource) for the purposes of CEQA review by the Planning Department.<sup>7</sup>

Based on previous survey findings, Planning Department staff believes that the subject building would qualify as a contributor to a potential historic district (Central Waterfront Historic District). The subject property was identified as having contextual significance as a small oil plant in the Central Waterfront Survey. Since the completion of the Central Waterfront Survey, the area surrounding the subject property has undergone some redevelopment, however, the site and the identified potential historic district still convey their contextual significance.

As discussed in the Eastern Neighborhoods Area Plans EIR, "[Central Waterfront] rezoning proposals expand residential-permitting zoning along Minnesota, Tennessee, Third and Illinois streets between Mariposa and 25th streets, as well as along 280 between Mariposa and 20th. The vast majority of this land is currently zoned Heavy Industrial (M-2). The rezoning proposals would expand residential-permitting zoning to 43 parcels containing known or potential historical resources, including 34 structures that are known historical resources." Adoption of the Eastern Neighborhoods rezoning proposals resulted in the zoning reclassification of the subject property from M-2 to UMU. The project site was identified in the Eastern Neighborhoods EIR as a potential historical resource in the Central Waterfront Historic District. The Eastern neighborhoods Rezoning Plan height limit increases for the Central Waterfront area were proposed along Third and Illinois streets, and in the southern portion of the plan area, between 22nd and 25th streets. The rezoning increased the height limits 15 feet or more for 53 known or potential historical resources in the Central Waterfront, which includes the 720 & 740 Illinois St. and 2121 Third St. project site.

An analysis of the potential for the Eastern Neighborhoods rezoning to result in potential adverse environmental effects on known and potential resources, indicated height changes would affect properties generally along Third Street as well as the blocks east of Iowa Street south of 23rd Street. Other areas indicated that could be affected by rezoning due to changes in permitted land uses or intensification of use are generally in the area between Mariposa, Indiana, Illinois and 22nd Streets as well as on Pier 70. Figure 36 on page 472 and Table 59 on page 474 of the Eastern Neighborhoods EIR, identifies the 720 & 740 Illinois St. and 2121 Third St. project site, along with surrounding known and potential historic resources, as having the potential to be impacted as a result of the rezoning.

As the demolition of a historical resource generally cannot be fully mitigated to a less-than-significant level, the impact of demolition of buildings that are identified as historical resources would be considered a significant and unavoidable impact of the proposed Eastern Neighborhoods Rezoning Plans project, because such demolition could be anticipated to occur as a result of development secondary to project implementation. Mitigation identified in Chapter V, Mitigation Measures, of the Eastern Neighborhoods EIR could in some cases reduce the nature of the impact, but it is assumed that demolition of historical resources could not be mitigated to a less-than-significant level.

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<sup>7</sup> Memorandum from Pilar La Valley, Preservation Technical Specialist, to Brett Bollinger, Planner, Major Environmental Analysis, October 21, 2010.

The existing commercial fueling facility on the project site has been identified as a contributor to a potential historic district (Central Waterfront Historic District), which was completed prior to the adoption of the Eastern Neighborhoods Rezoning Plan Area. While the immediate building context in the immediate project vicinity has a mixed visual character and variety of building heights, the proposed project is located within the boundary of a potential historic district (Central Waterfront Industrial District). Within the immediate surroundings, however, there are no other potential contributing resources; all the other properties on this block were built after the period of significance for the district and do not contribute to the historic context.

The Eastern Neighborhoods Plan EIR identified an unavoidable significant historical resource impact due to the potential loss of CEQA-defined historical resources. Future development projects that would be facilitated by the proposed changes to use districts and height limits in the Eastern Neighborhoods have the potential to cause substantial adverse changes in either (a) the significance of one or more of the historical resources identified in this analysis, or (b) the significance of one or more of the historic districts in which some of these resources are located. As noted above, substantial adverse changes that may occur include demolition, destruction, relocation or alteration of one or more resources, such that the historical significance or resource and/or the historic district in which it is located is "materially impaired." Such an adverse change to a CEQA-defined historical resource would constitute a significant impact. Under the Eastern Neighborhoods Final EIR it was assumed that demolition of a historical resource could not be mitigated to a less-than-significant level and a Statement of Overriding Considerations related to the significant and unavoidable historical resources impacts was adopted as part of the EIR Certification and project approval on January 19, 2009.

The Statement of Overriding Considerations concluded, "As the demolition of a historical resource generally cannot be fully mitigated to a less-than-significant level, the impact of demolition of buildings that are identified as historical resources would be considered a significant and unavoidable impact of the proposed Eastern Neighborhoods Rezoning and Area Plans project, because such demolition could be anticipated to occur as a result of development secondary to project (Eastern Neighborhoods Rezoning Area Plan) implementation. Mitigation identified in Chapter V, Mitigation Measures (in the Eastern Neighborhoods Final EIR), could in some cases reduce the nature of the impact, but it is assumed that demolition of historical resources could not be mitigated to a less-than-significant level."

"Demolition of individual structures secondary to project (Eastern Neighborhoods Rezoning Area Plan) implementation would not necessarily result in a significant adverse effect on a historic district within which buildings are located. However, for purposes of a conservative assessment, it is presumed that the demolition of one or more contributing resources to any of the existing or potential historic districts identified in the Eastern Neighborhoods Final EIR would constitute a significant impact that could not be mitigated to a less-than-significant level."

As to the effects of the proposed new structure, given the surrounding context, the proposed massing is generally appropriate. Although the overall design of the new buildings lack references to either the industrial character of the potential historic district or to design elements from historic buildings within the district, it does not appear that the proposed project would result in a significant adverse impact to off-site historic resources due to its physical and visual separation from other contributing resources within the potential district. The loss of a single contributing building to the potential historic district

would represent a relatively small effect, in terms of the overall number of potential district contributors in the project vicinity. However, the effect on the potential district of demolition of a single contributing resource, not identified as important enough to be individually eligible for the California Register, would not be of a sufficient degree to disqualify the Central Waterfront Historic District, or any sub-area project site vicinity, from consideration for listing as a National or California Register-eligible historic district. With the loss of the project site commercial fueling facility building, the potential historic district would have an incrementally, but not substantially, diminished capacity to convey the sense of an industrial neighborhood.

As previously noted above, the building is not identified as individually eligible for the California Register, as it was not determined to be associated with events or persons of sufficient historic significance or to sufficiently embody distinctive characteristics of style, type, or period to warrant individual listing. As such, the proposed project's demolition of a contributing resource would not have a significant impact on the Central Waterfront historic district. The project block does not contain any other buildings which are listed in the National or California Registers or designated as a San Francisco Historical Landmark. For this reason, the proposed project would not affect the historic setting of any property listed in either of the Registers in the project vicinity. Other potential historical resources may be present in the general project area. However, the project would be situated far enough away from any potential individual historical resource so as not to visually compete with the distinctive characteristics of these buildings.

The proposed demolition of the commercial fueling facility would contribute to the significant historical resource impact identified in the Eastern Neighborhoods EIR. However, the California Environmental Quality Act (CEQA) State Guidelines Section 15183 provides an exemption from environmental review for projects that are consistent with the development density established by existing zoning, community plan or general plan policies for which an Environmental Impact Report (EIR) was certified, except as might be necessary to examine whether there are project-specific effects which are peculiar to the project or its site. Since the existing building on the project site was determined ineligible for individual listing in either the National Register, the California Register, or local listing the proposed demolition of a contributor to a Central Waterfront Historic District would not result in any new significant or peculiar historical resource effects on the environment not previously identified in the Final EIR for the Eastern Neighborhoods Rezoning and Area Plans, nor would any environmental impacts be substantially greater than described in the Eastern Neighborhoods Final EIR.

Eastern Neighborhoods Final EIR *Mitigation Measure K-1: Interim Procedures for Permit Review in the Eastern Neighborhoods Plan Area* is not relevant to the project since the Central Waterfront Historical Resource Survey was completed prior to the adoption of the Eastern Neighborhoods Plan Area.

Mitigation Measures K-2 and K-3 are not relevant to the 720 & 740 Illinois St. and 2121 Third St. project since the project site is not located in either the South End Historic District (East SoMa) or Dogpatch Historic District (Central Waterfront).

In light of the above historical resources discussion, the proposed demolition of the commercial fueling facility would contribute to the significant historical resource impact identified in the Eastern Neighborhoods.

## Transportation

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

### **Trip Generation**

Proposed Project Trip Generation: Trip generation of the proposed project was calculated using information in the 2002 Transportation Impacts Analysis Guidelines for Environmental Review (SF Guidelines) developed by the San Francisco Planning Department.<sup>8</sup> The proposed project would generate about 898 person trips (inbound and outbound) on a weekday daily basis, consisting of 650 person trips by auto, 145 transit trips, 45 walk trips and 57 by other modes. During the p.m. peak hour, the proposed project would generate an estimated 105 vehicle trips (accounting for vehicle occupancy data for this Census Tract). Due to the project's location near major transit routes, this is likely a conservative estimate of vehicle trips.

The estimated 105 new p.m. peak hour vehicle trips would travel through the intersections surrounding the project block. Intersection operating conditions are characterized by the concept of Level of Service (LOS), which ranges from A to F and provides a description of an intersection's performance based on traffic volumes, intersection capacity, and vehicle delays. LOS A represents free flow conditions, with little or no delay, while LOS F represents congested conditions, with extremely long delays; LOS D (moderately high delays) is considered the lowest acceptable level in San Francisco. Given that the proposed project would add approximately 105 new p.m. peak hour vehicle trips to surrounding intersections, it is not anticipated to substantially increase traffic volumes at these or other nearby intersections, nor substantially increases average delay that would cause these intersections to deteriorate to unacceptable levels of service.

The Eastern Neighborhoods Final EIR evaluated three land use options. The proposed project is located in the Potrero Hill/Showplace Square Subarea of the Eastern Neighborhoods, which included the analysis (existing and 2025 operating conditions) of the above and other intersections in the area based on proposed development plan options of the Eastern Neighborhoods. The Third St./Mariposa St. intersection (one block away) would change from LOS B to LOS C under 2025 weekday p.m. peak hour conditions under all Plan options; the Third St./16<sup>th</sup> St. intersection (three blocks away) is anticipated to continue to operate at LOS D under 2025 weekday p.m. peak hour conditions under all Plan options; the Mariposa St./I-280 NB off-ramp intersection (four blocks away) is anticipated to change from LOS C to LOS D under all Plan options; and the Mariposa St./I-280 SB off-ramp intersection (four blocks away) would change from LOS F to LOS B under all Plan options.<sup>9</sup>

The nearest Potrero Hill/Showplace Square Plan Subarea intersection in which the Eastern Neighborhoods Final EIR identified a significant impact under 2025 weekday p.m. peak hour was at 25<sup>th</sup> St./Indiana St. intersection (approximately 13 blocks to the south of the project site) which operated at LOS B under existing (baseline) conditions and would deteriorate to LOS F under 2025 weekday p.m. peak

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<sup>8</sup> Brett Bollinger, San Francisco Planning Department, *Transportation Calculations*, June 16, 2010. These calculations are available for review as part of Case File No. 2010.0094E at the San Francisco Planning Department, 1650 Mission Street, Suite 400.

<sup>9</sup> San Francisco Planning Department, *Eastern Neighborhoods Rezoning and Area Plans Final Environmental Impact Report*, certified January 19, 2009. File No. 2004.0160E.

hour operating conditions under all Plan options. The other nearby Subarea intersection in which the Eastern Neighborhoods Final EIR identified a significant impact under 2025 weekday p.m. peak hour was at Potrero Ave./16<sup>th</sup> Street (approximately 15 blocks to the west of the project site) which operated at LOS B under existing (baseline) conditions and would deteriorate to LOS F under 2025 weekday p.m. peak hour operating conditions under all Plan options. It is likely these conditions would occur with or without the project, and the proposed project's contribution of 105 p.m. peak hour vehicle trips would not be a substantial proportion of the overall traffic volume or the new vehicle trips generated by Eastern Neighborhoods' projects, should they be approved. Under the Eastern Neighborhoods Final EIR, a specific mitigation measure to add a new traffic signal was identified for the 25<sup>th</sup> St./Indiana St. intersection. Under the Eastern Neighborhoods Final EIR, a specific mitigation measure was not proposed for the Potrero Ave./16<sup>th</sup> St. intersection and a Statement of Overriding Considerations related to the significant and unavoidable cumulative (2025) traffic impacts was adopted as part of the EIR Certification and project approval on January 19, 2009. As a result, the proposed project would have the potential to contribute to a significant impact to 2025 Cumulative conditions identified in the Eastern Neighborhoods EIR. However, the proposed project would not result in a project-specific traffic impact, therefore, requiring no further project specific analysis.

### Transit

As indicated above, the proposed project is estimated to add 145 daily transit person trips, of which 15 are estimated to occur in the p.m. peak hour. The project site is served by several local and regional transit lines including Muni lines T-Third, 22-Filmore, and 48-Quintara, and therefore, the additional P.M. peak hour trips would likely be accommodated on existing routes, and would result in a less-than-significant effect to transit services.

The Eastern Neighborhoods Final EIR identified significant and unavoidable cumulative impacts relating to increases in transit ridership due to the change from 2025 No-Project operating conditions for Muni lines 9, 10, 12, 14, 14L, 22, 27, 47, 49 and 67 under all Eastern Neighborhoods rezoning options. Mitigation measures proposed to address these impacts related to pursuing enhanced transit funding; conducting transit corridor and service improvements; and increasing transit accessibility, service information and storage/maintenance capabilities for Muni lines in Eastern Neighborhoods. Even with mitigation, however, cumulative impacts on the above lines were found to be significant and unavoidable and a Statement of Overriding Considerations with findings was adopted as part of the Eastern Neighborhoods Rezoning and Area Plans approval on January 19, 2009. The proposed project would not conflict with the implementation of these mitigation measures, and it is likely the significant and unavoidable cumulative transit conditions would occur with or without the proposed project. The proposed project's contribution of 25 p.m. peak hour transit trips would not be a substantial proportion of the overall transit volume generated by Eastern Neighborhood projects, should the project be approved. As a result, the proposed project would have the potential to contribute to a significant impact to 2025 Cumulative conditions identified in the Eastern Neighborhoods EIR. However, the proposed project would not result in a project-specific transit impact, therefore, requiring no further project specific analysis.

**Parking**

Under Planning Code Section 843.08, the proposed project would not be required to provide off-street parking spaces. Pursuant to *Planning Code* Sections 151.1, residential units are permitted up to 0.75 parking spaces per dwelling unit. Therefore, the proposed project includes 78 parking spaces in a basement floor garage. Based on the methodology presented in the 2002 *Transportation Guidelines*, on an average weekday, the demand for parking would be 133 spaces for the proposed project. Thus, the project would have an unmet parking demand of 55 spaces. The resulting parking deficit is considered to be a less-than-significant impact, regardless of the availability of on-street parking under existing conditions.

San Francisco does not consider parking supply as part of the permanent physical environment and therefore, does not consider changes in parking conditions to be environmental impacts as defined by CEQA. However, this report presents a parking analysis to inform the public and the decision makers as to the parking conditions that could occur as a result of implementing the proposed project.

Parking conditions are not static, as parking supply and demand varies from day to day, from day to night, from month to month, etc. Hence, the availability of parking spaces (or lack thereof) is not a permanent physical condition, but changes over time as people change their modes and patterns of travel.

Parking deficits are considered to be social effects, rather than impacts on the physical environment as defined by CEQA. Under CEQA, a project's social impacts need not be treated as significant impacts on the environment. Environmental documents should, however, address the secondary physical impacts that could be triggered by a social impact. (CEQA Guidelines § 15131(a).) The social inconvenience of parking deficits, such as having to hunt for scarce parking spaces, is not an environmental impact, but there may be secondary physical environmental impacts, such as increased traffic congestion at intersections, air quality impacts, safety impacts, or noise impacts caused by congestion. In the experience of San Francisco transportation planners, however, the absence of a ready supply of parking spaces, combined with available alternatives to auto travel (e.g., transit service, taxis, bicycles or travel by foot) and a relatively dense pattern of urban development, induces many drivers to seek and find alternative parking facilities, shift to other modes of travel, or change their overall travel habits. Any such resulting shifts to transit service in particular, would be in keeping with the City's "Transit First" policy. The City's Transit First Policy, established in the City's Charter Section 16.102 provides that "parking policies for areas well served by public transit shall be designed to encourage travel by public transportation and alternative transportation." The project area is well-served by local public transit (Muni lines T-Third, 22-Fillmore, and 48-Quintara) and bike lanes (40, 23, 7, and 5), which provide alternatives to auto travel.

The transportation analysis accounts for potential secondary effects, such as cars circling and looking for a parking space in areas of limited parking supply, by assuming that all drivers would attempt to find parking at or near the project site and then seek parking farther away if convenient parking is unavailable. Moreover, the secondary effects of drivers searching for parking is typically offset by a reduction in vehicle trips due to others who are aware of constrained parking conditions in a given area. Hence, any secondary environmental impacts which may result from a shortfall in parking in the vicinity of the proposed project would be minor, and the traffic assignments used in the transportation analysis,

as well as in the associated air quality, noise and pedestrian safety analyses, reasonably addresses potential secondary effects.

### **Loading**

Based on the SF Guidelines, the proposed project would generate an average loading demand of 0.16 truck-trips per hour. Planning Code Section 152.1 does not require off-street loading for residential development less than 100,000 square feet. Therefore, off-street loading spaces are not required for the proposed project, which would include 95,461 square feet of residential uses (117,198 total gross sq.ft. – 21,737 gross sq.ft. accessory off-street parking = 95,461 sq.ft. gross residential). The proposed project would avoid the potential for impacts to adjacent roadways due to loading activities by limiting all long-term and construction loading/staging operations to the existing on-street parking area along Illinois Street or Third Street. Vehicles performing move in/move out activities would be able to obtain temporary parking permits for loading and unloading operations on Illinois Street and Third Street.

### **Pedestrian and Bicycle Conditions**

The proposed project would generate approximately eight (8) p.m. peak-hour pedestrian trips. The proposed project would not cause a substantial amount of pedestrian and vehicle conflict, as there are adequate sidewalk and crosswalk widths. Pedestrian activity would increase as a result of the proposed project and future affordable housing project, but not to a degree that could not be accommodated on local sidewalks or would result in safety concerns.

There are no existing or proposed bike lanes on or adjacent to the project site, and no new curb cuts are proposed. In the vicinity of the project site, there are four major Citywide Bicycle Routes. Illinois Street, from 16<sup>th</sup> Street to Cesar Chavez includes the entirety of bicycle route #5, Indiana Street comprises a portion of bicycle route #7, Mariposa Street a portion of route #23, and 16<sup>th</sup> Street a portion of route #40. Although the proposed project and future affordable housing project would result in an increase in the number of vehicles in the project vicinity, this increase would not substantially affect bicycle travel in the area.

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

### **Noise**

Ambient noise levels in the vicinity of the project site are typical of noise levels in neighborhoods in San Francisco, which are dominated by vehicular traffic, including trucks, cars, Muni vehicles, emergency vehicles, and land use activities, such as commercial businesses and periodic temporary construction-related noise from nearby development, or street maintenance. Noises generated by residential uses are common and generally accepted in urban areas. The noise generated by the occupants of the proposed project would not be considered a significant impact of the proposed project. An approximate doubling of traffic volumes in the area would be necessary to produce an increase in ambient noise levels noticeable to most people. The project would not cause a doubling in traffic volumes and therefore would not cause a noticeable increase in the ambient noise level in the project vicinity.

The *San Francisco General Plan* noise guidelines indicate that any new residential development in areas with noise levels above 60 dBA should be undertaken only after a detailed analysis of noise reduction requirements is made and needed noise insulation features are included in the design. In areas where

noise levels exceed 65 dBA, a detailed analysis of noise reduction requirements must be done and needed noise insulation features included in the design. According to the Eastern Neighborhoods Final EIR, noise levels on Illinois Street are between 65.1 and 70.0 dBA. Title 24 of the California Code of Regulations establishes uniform noise insulation standards for multi-unit residential projects (including hotels, motels, and live/work developments). This state regulation requires meeting an interior standard of 45 dBA in any habitable room. The Department of Building Inspections (DBI) would review the final building plans to ensure that the building wall and floor/ceiling assemblies for the residential development meet State standards regarding sound transmission for residents. Since the proposed project is subject to Title 24, *Mitigation Measure F-3: Interior Noise Levels* from the Eastern Neighborhoods is not applicable.

The Eastern Neighborhoods Final EIR identified a significant impact related to new development including noise-sensitive uses located along streets with noise levels above 60 dBA (Ldn), where such development is not already subject to the California Noise Insulation Standards in Title 24 of the California Code of Regulations. Since the proposed project is subject to Title 24, *Mitigation Measure F-3: Interior Noise Levels* from the Eastern Neighborhoods Final EIR is not applicable.

The Eastern Neighborhoods Final EIR identified a significant impact related to potential conflicts between existing noise-generating uses and new sensitive receptors, for new development including noise-sensitive uses. Since the proposed project includes noise-sensitive uses with sensitive receptors, *Mitigation Measure F-4: Siting of Noise-Sensitive Uses* applies to the proposed project. Pursuant to this measure, Charles M. Salter Associates Inc. were hired by the project sponsor to conduct a noise study that included a 24-hour noise measurement and site survey of noise-generating uses within two blocks of the project site.<sup>10</sup> The 24-hour noise measurement for the 720 & 740 Illinois St. and 2121 Third St. project site was conducted on Thursday and Friday, April 1<sup>st</sup> and 2<sup>nd</sup> 2010.

The 24-hour noise measurement recorded a day-night noise average of 70 dBA (Ldn) on Illinois Street and 73 dBA (Ldn) on Third Street. These measurements are slightly higher than forecasted by noise modeling undertaken by the Department of Public Health, which predicts a traffic noise level of between 65.1 dBA and 70 dBA (Ldn) for the project block of Illinois and Third Streets (and surrounding blocks). The noise analysis site survey did not identify any land uses that generate unusual noise within two blocks of the project site.

Given the noise environment at the project site, the noise analysis concluded that it would appear that conventional residential construction, which would include double-paned windows (which typically offer 25 to 30 dBA noise reduction), would be sufficient to ensure an interior noise environment in habitable rooms of 45 dBA (Ldn) as required by the San Francisco Building Code. The noise analysis for the project site recommends that the project sponsor use windows with a minimum Sound Transmission Class (STC) rating of at least 35, which would ensure an interior noise environment of 45 dBA (Ldn) at the most exposed locations of the proposed residential building. The noise analysis has demonstrated that acceptable interior noise levels consistent with those in the Title 24 standards can be attained by the proposed project because double-paned windows would be included; therefore, no further acoustical analysis or engineering is required.

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<sup>10</sup> Ethan C. Salter, Charles M. Salter Associates Inc., 720-740 Illinois Street and 2121 Third Street- Environmental Noise Study, April 13<sup>th</sup>, 2010. This document is on file and is available for review as part of Case File No. 2010.0094E at the San Francisco Planning Department, 1650 Mission Street, Suite 450, San Francisco, CA.

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

Construction noise is regulated by the San Francisco Noise Ordinance (Article 29 of the San Francisco Police Code). The Noise Ordinance requires that construction work be conducted in the following manner: 1) noise levels of construction equipment, other than impact tools, must not exceed 80 dBA at a distance of 100 feet from the source (the equipment generating the noise); 2) impact tools must have intake and exhaust mufflers that are approved by the Director of the Department of Public Works (DPW) to best accomplish maximum noise reduction; and 3) if the noise from the construction work would exceed the ambient noise levels at the site property line by 5 dBA, the work must not be conducted between 8:00 p.m. and 7:00 a.m., unless the Director of DPW authorizes a special permit for conducting the work during that period.

DBI is responsible for enforcing the Noise Ordinance for private construction projects during normal business hours (8:00 a.m. to 5:00 p.m.). The Police Department is responsible for enforcing the Noise Ordinance during all other hours. Nonetheless, during the construction period for the proposed project of approximately 14 months, occupants of the nearby properties could be disturbed by construction noise and possibly vibration. There may be times when noise could interfere with indoor activities in nearby residences and other businesses near the project site and may be considered an annoyance by occupants of nearby properties. The increase in noise in the project area during project construction would not be considered a significant impact of the proposed project because the construction noise would be temporary, intermittent, and restricted in occurrence and level, as the contractor would be obliged to comply with the City's Noise Ordinance.

The Eastern Neighborhoods identified a significant impact related to construction noise that would include pile driving and determined that *Mitigation Measure F-1: Construction Noise* would reduce effects to a less-than-significant level. Since construction of the proposed project does not require pile driving, *Mitigation Measure F-1* is not applicable to the proposed project.

### **Air Quality**

Project-related demolition, excavation, grading and other construction activities may cause wind-blown dust that could contribute particulate matter into the local atmosphere. The Eastern Neighborhoods Final EIR identified a significant impact related to construction air quality and determined that *Mitigation Measure G-1: Construction Air Quality* would reduce effects to a less-than-significant level. Subsequently, the San Francisco Board of Supervisors approved a series of amendments to the San Francisco Building and Health Codes generally referred hereto as the Construction Dust Control Ordinance (Ordinance 176-08, effective July 30, 2008) with the intent of reducing the quantity of dust generated during site preparation, demolition, and construction work in order to protect the health of the general public and of onsite workers, minimize public nuisance complaints, and to avoid orders to stop work by the Department of Building Inspection (DBI). These regulations and procedures set forth by the San Francisco Building Code ensure that potential dust-related air quality impacts would be reduced less than

significant. Since the project is required to comply with the Construction Dust Control Ordinance, the project would not result in a significant impact related to construction air quality and Mitigation Measure G-1 is not applicable.

The Eastern Neighborhoods Final EIR identified a significant impact related to air quality for sensitive land uses and determined that *Mitigation Measure G-2: Air Quality for Sensitive Land Uses* would reduce effects to a less-than-significant level. In response to this concern, Article 38 of the San Francisco Health Code was amended to require that all newly constructed buildings containing ten or more units within the Potential Roadway Exposure Zone perform an Air Quality Assessment to determine whether the PM 2.5<sup>11</sup> concentration at the project site is greater than 0.2 micrograms per cubic meter (0.2 ug/m<sup>3</sup>).<sup>12</sup> Sponsors of projects on sites where the PM 2.5 concentration exceeds the 0.2 ug/m<sup>3</sup> threshold are required to install ventilation systems or otherwise redesign the project to reduce the PM 2.5 concentration for the habitable areas for the dwelling units to below the threshold. Since the 720 & 740 Illinois St. and 2121 Third St. project proposes to locate sensitive residential receptors within an area identified by the Department of Public Health (DPH) as potentially exceeding roadway particulate matter thresholds, an analysis of annual exposure to roadway related particulate matter was conducted. Results of the air quality modeling indicate that the maximum average annual exposure for sensitive receptors at the 720 & 740 Illinois St. and 2121 Third St. project site would be approximately 0.16 micrograms per cubic meter for PM 2.5 concentrations.<sup>13</sup> This level is below the action threshold for mitigation recommended by DPH. Therefore, the project would have no significant air quality impacts on residents due to roadway emissions.

The Eastern Neighborhoods Final EIR identified a significant impact related to siting of uses that emit diesel particulate matter (DPM) and determined that *Mitigation Measure G-3: Siting of Uses that Emit DPM* would reduce these effects to a less-than-significant level. As stated in the Eastern Neighborhoods Final EIR, to minimize potential exposure of sensitive receptors to DPM, for new development including warehousing and distribution centers, commercial, industrial, or other uses that would be expected to be served by at least 100 trucks per day or 45 refrigerated trucks per day, the Planning Department shall require that such uses be located no less than 1,000 feet from residential units and other sensitive receptors. Since the proposed project would not be expected to be served by at least 100 trucks per day or 45 refrigerator trucks per day, the proposed project would not be expected to expose sensitive receptors to DPM and Mitigation Measure G-3 is not applicable.

The Eastern Neighborhoods Final EIR identified a significant impact related to siting of uses that emit toxic air contaminants (TACs) as part of everyday operations and determined that *Mitigation Measure G-4: Siting of Uses that Emit Other TACs* would reduce these effects to a less-than-significant level. Since the proposed project (construction of 104 residential units with 78 off-street parking spaces accessed from Illinois Street) residential vehicle trips would not contribute to the exceedance of TACs above the

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<sup>11</sup>PM 2.5 is a measure of smaller particles in the air. PM 10 has been the pollutant particulate level standard against which EPA has been measuring Clean Air Act compliance. On the basis of newer scientific findings, the Agency is considering regulations that will make PM 2.5 the new "standard".

<sup>12</sup>See Board of Supervisors Ordinance No. 281-08, effective January 5, 2009.

<sup>13</sup>Department of Public Health, Michael J. Harris, MS., 720 & 740 Illinois Street and 2121 Third Street- Roadway Exposure Assessment, April 6<sup>th</sup>, 2010. This document is on file and is available for review as part of Case File No. 2010.0094E at the San Francisco Planning Department, 1650 Mission Street, Suite 450, San Francisco, CA.

threshold of "10,000 total vehicles per day" along Illinois Street, the 720 & 740 Illinois St. and 2121 Third St. project would not contribute to this significant impact and *Mitigation Measure G-4* is not applicable.

### **Greenhouse Gas Emissions**

Gases that trap heat in the atmosphere are referred to as greenhouse gases (GHGs) because they capture heat radiated from the sun as it is reflected back into the atmosphere, much like a greenhouse does. The accumulation of GHG's has been implicated as the driving force for global climate change. The primary GHGs are carbon dioxide, methane, nitrous oxide, ozone, and water vapor.

While the presence of the primary GHGs in the atmosphere are naturally occurring, carbon dioxide (CO<sub>2</sub>), methane (CH<sub>4</sub>), and nitrous oxide (N<sub>2</sub>O) are largely emitted from human activities, accelerating the rate at which these compounds occur within earth's atmosphere. Emissions of carbon dioxide are largely by-products of fossil fuel combustion, whereas methane results from off-gassing associated with agricultural practices and landfills. Other GHGs include hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride, and are generated in certain industrial processes. Greenhouse gases are typically reported in "carbon dioxide-equivalent" measures (CO<sub>2</sub>E).<sup>14</sup>

There is international scientific consensus that human-caused increases in GHGs have and will continue to contribute to global warming. Potential global warming impacts in California may include, but are not limited to, loss in snow pack, sea level rise, more extreme heat days per year, more high ozone days, more large forest fires, and more drought years. Secondary effects are likely to include a global rise in sea level, impacts to agriculture, changes in disease vectors, and changes in habitat and biodiversity.<sup>15</sup>

The Air Resources Board (ARB) estimated that in 2006 California produced about 484 million gross metric tons of CO<sub>2</sub>E (MMTCO<sub>2</sub>E), or about 535 million U.S. tons.<sup>16</sup> The ARB found that transportation is the source of 38 percent of the State's GHG emissions, followed by electricity generation (both in-state and out-of-state) at 22 percent and industrial sources at 20 percent. Commercial and residential fuel use (primarily for heating) accounted for 9 percent of GHG emissions.<sup>17</sup> In the Bay Area, fossil fuel consumption in the transportation sector (on-road motor vehicles, off-highway mobile sources, and aircraft) and the industrial and commercial sectors are the two largest sources of GHG emissions, each accounting for approximately 36% of the Bay Area's 95.8 MMTCO<sub>2</sub>E emitted in 2007.<sup>18</sup> Electricity generation accounts for approximately 16% of the Bay Area's GHG emissions followed by residential fuel usage at 7%, off-road equipment at 3% and agriculture at 1%.<sup>19</sup>

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14 Because of the differential heat absorption potential of various GHGs, GHG emissions are frequently measured in "carbon dioxide-equivalents," which present a weighted average based on each gas's heat absorption (or "global warming") potential.

15 California Climate Change Portal. Frequently Asked Questions About Global Climate Change. Available online at: <http://www.climatechange.ca.gov/publications/faqs.html>. Accessed November 8, 2010.

16 California Air Resources Board (ARB), "California Greenhouse Gas Inventory for 2000-2006 – by Category as Defined in the Scoping Plan." [http://www.arb.ca.gov/cc/inventory/data/tables/ghg\\_inventory\\_scopingplan\\_2009-03-13.pdf](http://www.arb.ca.gov/cc/inventory/data/tables/ghg_inventory_scopingplan_2009-03-13.pdf). Accessed March 2, 2010.

17 Ibid.

18 Bay Area Air Quality Management District, Source Inventory of Bay Area Greenhouse Gas Emissions: Base Year 2007, Updated: February 2010. Available online at: [http://www.baaqmd.gov/~media/Files/Planning%20and%20Research/Emission%20Inventory/regionalinventory2007\\_2\\_10.ashx](http://www.baaqmd.gov/~media/Files/Planning%20and%20Research/Emission%20Inventory/regionalinventory2007_2_10.ashx). Accessed March 2, 2010.

19 Ibid.

**REGULATORY SETTING**

In 2006, the California legislature passed Assembly Bill No. 32 (California Health and Safety Code Division 25.5, Sections 38500, et seq., or AB 32), also known as the Global Warming Solutions Act. AB 32 requires ARB to design and implement emission limits, regulations, and other measures, such that feasible and cost-effective statewide GHG emissions are reduced to 1990 levels by 2020 (representing a 25 percent reduction in emissions).

Pursuant to AB 32, ARB adopted a Scoping Plan in December 2008, outlining measures to meet the 2020 GHG reduction limits. In order to meet these goals, California must reduce its GHG emissions by 30 percent below projected 2020 business as usual emissions levels, or about 15 percent from today’s levels.<sup>20</sup> The Scoping Plan estimates a reduction of 174 million metric tons of CO<sub>2</sub>E (MMT<sub>CO<sub>2</sub>E</sub>) (about 191 million U.S. tons) from the transportation, energy, agriculture, forestry, and high global warming potential sectors, see Table 1, below. ARB has identified an implementation timeline for the GHG reduction strategies in the Scoping Plan.<sup>21</sup> Some measures may require new legislation to implement, some will require subsidies, some have already been developed, and some will require additional effort to evaluate and quantify. Additionally, some emissions reductions strategies may require their own environmental review under CEQA or the National Environmental Policy Act (NEPA).

**Table 1. GHG Reductions from the AB 32 Scoping Plan Sectors<sup>22</sup>**

GHG Reduction Measures By Sector	GHG Reductions (MMT CO <sub>2</sub> E)
Transportation Sector	62.3
Electricity and Natural Gas	49.7
Industry	1.4
Landfill Methane Control Measure (Discrete Early Action)	1
Forestry	5
High Global Warming Potential GHGs	20.2
Additional Reductions Needed to Achieve the GHG Cap	34.4
<b>Total</b>	<b>174</b>
<b>Other Recommended Measures</b>	
Government Operations	1-2
Agriculture- Methane Capture at Large Dairies	1
Methane Capture at Large Dairies	1
Additional GHG Reduction Measures	
Water	4.8
Green Buildings	26
High Recycling/ Zero Waste	
• Commercial Recycling	
• Composting	
• Anaerobic Digestion	
• Extended Producer Responsibility	
• Environmentally Preferable Purchasing	9
<b>Total</b>	<b>42.8-43.8</b>

20 California Air Resources Board, California’s Climate Plan: Fact Sheet. Available online at:

[http://www.arb.ca.gov/cc/facts/scoping\\_plan\\_fs.pdf](http://www.arb.ca.gov/cc/facts/scoping_plan_fs.pdf). Accessed March 4, 2010.

21 California Air Resources Board. AB 32 Scoping Plan. Available Online at:

[http://www.arb.ca.gov/cc/scopingplan/sp\\_measures\\_implementation\\_timeline.pdf](http://www.arb.ca.gov/cc/scopingplan/sp_measures_implementation_timeline.pdf). Accessed March 2, 2010.

22 Ibid.

AB 32 also anticipates that local government actions will result in reduced GHG emissions. ARB has identified a GHG reduction target of 15 percent from current levels for local governments themselves and notes that successful implementation of the plan relies on local governments' land use planning and urban growth decisions because local governments have primary authority to plan, zone, approve, and permit land development to accommodate population growth and the changing needs of their jurisdictions.

The Scoping Plan relies on the requirements of Senate Bill 375 (SB 375) to implement the carbon emission reductions anticipated from land use decisions. SB 375 was enacted to align local land use and transportation planning to further achieve the State's GHG reduction goals. SB 375 requires regional transportation plans, developed by Metropolitan Planning Organizations (MPOs), to incorporate a "sustainable communities strategy" in their regional transportation plans (RTPs) that would achieve GHG emission reduction targets set by ARB. SB 375 also includes provisions for streamlined CEQA review for some infill projects such as transit-oriented development. SB 375 would be implemented over the next several years and the Metropolitan Transportation Commission's 2013 RTP would be its first plan subject to SB 375.

Senate Bill 97 (SB 97) required the Office of Planning and Research (OPR) to amend the state CEQA guidelines to address the feasible mitigation of GHG emissions or the effects of GHGs. In response, OPR amended the CEQA guidelines to provide guidance for analyzing GHG emissions. Among other changes to the CEQA Guidelines, the amendments add a new section to the CEQA Checklist (CEQA Guidelines Appendix G) to address questions regarding the project's potential to emit GHGs.

The Bay Area Air Quality Management District (BAAQMD) is the primary agency responsible for air quality regulation in the nine county San Francisco Bay Area Air Basin (SFBAAB). As part of their role in air quality regulation, BAAQMD has prepared the CEQA air quality guidelines to assist lead agencies in evaluating air quality impacts of projects and plans proposed in the SFBAAB. The guidelines provide procedures for evaluating potential air quality impacts during the environmental review process consistent with CEQA requirements. On June 2, 2010, the BAAQMD adopted new and revised CEQA air quality thresholds of significance and issued revised guidelines that supersede the 1999 air quality guidelines. The 2010 CEQA Air Quality Guidelines provide for the first time CEQA thresholds of significance for greenhouse gas emissions. OPR's amendments to the CEQA Guidelines as well as BAAQMD's 2010 CEQA Air Quality Guidelines and thresholds of significance have been incorporated into this analysis accordingly.

The most common GHGs resulting from human activity are CO<sub>2</sub>, CH<sub>4</sub>, and N<sub>2</sub>O.<sup>23</sup> State law defines GHGs to also include hydrofluorocarbons, perfluorocarbons and sulfur hexafluoride. These latter GHG compounds are usually emitted in industrial processes, and therefore not applicable to the proposed project. Individual projects contribute to the cumulative effects of climate change by directly or indirectly emitting GHGs during construction and operational phases. Direct operational emissions include GHG emissions from new vehicle trips and area sources (natural gas combustion). Indirect emissions include emissions from electricity providers, energy required to pump, treat, and convey water, and emissions associated with landfill operations.

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<sup>23</sup> Governor's Office of Planning and Research. *Technical Advisory- CEQA and Climate Change: Addressing Climate Change through California Environmental Quality Act (CEQA) Review*. June 19, 2008. Available at the Office of Planning and Research's website at: <http://www.opr.ca.gov/ceqa/pdfs/june08-ceqa.pdf>. Accessed March 3, 2010.

The proposed project would increase the activity by replacing a vacant lot with a mixed-use development which would result in additional vehicle trips and an increase in energy use. The development could also result in an increase in overall water usage which generates indirect emissions from the energy required to pump, treat and convey water. The development could also result in an increase in discarded landfill materials. Therefore, the proposed project would contribute to annual long-term increases in GHGs as a result of increased vehicle trips (mobile sources) and operations associated with energy use, water use and wastewater treatment, and solid waste disposal.

As discussed above, the BAAQMD has adopted CEQA thresholds of significance for projects that emit GHGs, one of which is a determination of whether the proposed project is consistent with a Qualified Greenhouse Gas Reduction Strategy, as defined in the 2010 CEQA Air Quality Guidelines. On August 12, 2010, the San Francisco Planning Department submitted a draft of the City and County of San Francisco's Strategies to Address Greenhouse Gas Emissions to the BAAQMD.<sup>24</sup> This document presents a comprehensive assessment of policies, programs and ordinances that collectively represent San Francisco's Qualified Greenhouse Gas Reduction Strategy in compliance with the BAAQMD's 2010 CEQA Air Quality Guidelines and thresholds of significance.

San Francisco's GHG reduction strategy identifies a number of mandatory requirements and incentives that have measurably reduced greenhouse gas emissions including, but not limited to, increasing the energy efficiency of new and existing buildings, installation of solar panels on building roofs, implementation of a green building strategy, adoption of a zero waste strategy, a construction and demolition debris recovery ordinance, a solar energy generation subsidy, incorporation of alternative fuel vehicles in the City's transportation fleet (including buses and taxis), and a mandatory composting ordinance. The strategy also identifies 42 specific regulations for new development that would reduce a project's GHG emissions.

San Francisco's climate change goals as are identified in the 2008 Greenhouse Gas Reduction Ordinance as follows:

- By 2008, determine the City's 1990 GHG emissions, the baseline level with reference to which target reductions are set;
- Reduce GHG emissions by 25 percent below 1990 levels by 2017;
- Reduce GHG emissions by 40 percent below 1990 levels by 2025; and
- Reduce GHG emissions by 80 percent below 1990 levels by 2050.

The City's 2017 and 2025 GHG reduction goals are more aggressive than the State's GHG reduction goals as outlined in AB 32, and consistent with the State's long-term (2050) GHG reduction goals. San Francisco's Strategies to Address Greenhouse Gas Emissions identifies the City's actions to pursue cleaner energy, energy conservation, alternative transportation and solid waste policies, and concludes that San Francisco's policies have resulted in a reduction in greenhouse gas emissions below 1990 levels, meeting statewide AB 32 GHG reduction goals. As reported, San Francisco's 1990 GHG emissions were approximately 8.26 million metric tons (MMT) CO<sub>2</sub>E and 2005 GHG emissions are estimated at 7.82 MMTCO<sub>2</sub>E, representing an approximately 5.3 percent reduction in GHG emissions below 1990 levels.

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<sup>24</sup> San Francisco Planning Department. *Strategies to Address Greenhouse Gas Emissions in San Francisco*. 2010. The final document is available online at: <http://www.sfplanning.org/index.aspx?page=1570>.

The BAAQMD reviewed San Francisco’s Strategies to Address Greenhouse Gas Emissions and concluded that the strategy meets the criteria for a Qualified GHG Reduction Strategy as outlined in BAAQMD’s CEQA Guidelines (2010) and stated that San Francisco’s “aggressive GHG reduction targets and comprehensive strategies help the Bay Area move toward reaching the State’s AB 32 goals, and also serve as a model from which other communities can learn.”<sup>25</sup>

Based on the BAAQMD’s 2010 CEQA Air Quality Guidelines, projects that are consistent with San Francisco’s Strategies to Address Greenhouse Gas Emissions would result in a less than significant impact with respect to GHG emissions. Furthermore, because San Francisco’s strategy is consistent with AB 32 goals, projects that are consistent with San Francisco’s strategy would also not conflict with the State’s plan for reducing GHG emissions. As discussed in San Francisco’s Strategies to Address Greenhouse Gas Emissions, new development and renovations/alterations for private projects and municipal projects are required to comply with San Francisco’s ordinances that reduce greenhouse gas emissions. Applicable requirements are shown below in Table 2.

**Table 2. Regulations Applicable to the Proposed Project**

Regulation	Requirements	Project Compliance	Discussion
<b>Transportation Sector</b>			
Commuter Benefits Ordinance (Environment Code, Section 421)	All employers must provide at least one of the following benefit programs:  (1) A Pre-Tax Election consistent with 26 U.S.C. § 132(f), allowing employees to elect to exclude from taxable wages and compensation, employee commuting costs incurred for transit passes or vanpool charges, or  (2) Employer Paid Benefit whereby the employer supplies a transit pass for the public transit system requested by each Covered Employee or reimbursement for equivalent vanpool charges at least equal in value to the purchase price of the appropriate benefit, or  (3) Employer Provided Transit furnished by the employer at no cost to the employee in a vanpool or bus, or similar multi-passenger vehicle operated by or for the employer.	<input type="checkbox"/> Project Complies <input checked="" type="checkbox"/> Not Applicable <input type="checkbox"/> Project Does Not Comply	It is anticipated that the proposed project would not employ more than 20 persons and therefore does not need to comply with the commuter benefits ordinance.
Emergency Ride Home Program	All persons employed in San Francisco are eligible for the emergency ride home program.	<input type="checkbox"/> Project Complies <input type="checkbox"/> Not Applicable <input checked="" type="checkbox"/> Project Does Not Comply	Although the proposed project would not participate in the City’s emergency ride home program, it does provide commuter benefits in accordance with the Environment Code Section 421.

<sup>25</sup> Letter from Jean Roggenkamp, BAAQMD, to Bill Wycko, San Francisco Planning Department. October 28, 2010. This letter is available online at: <http://www.sfplanning.org/index.aspx?page=1570>. Accessed November 12, 2010.

Regulation	Requirements	Project Compliance	Discussion
Transportation Management Programs (Planning Code, Section 163)	Requires new buildings or additions over a specified size (buildings >25,000 sf or 100,000 sf depending on the use and zoning district) within certain zoning districts (including downtown and mixed-use districts in the City's eastern neighborhoods and south of market) to implement a Transportation Management Program and provide on-site transportation management brokerage services for the life of the building.	<input checked="" type="checkbox"/> Project Complies <input type="checkbox"/> Not Applicable <input type="checkbox"/> Project Does Not Comply	Planning Code Section 163 applies to the proposed project since the building is 117,198 square feet in size and is located in the Eastern Neighborhoods.
Transit Impact Development Fee (Administrative Code, Chapter 38)	Establishes the following fees for all commercial developments. Fees are paid to the SFMTA to improve local transit services.	<input checked="" type="checkbox"/> Project Complies <input type="checkbox"/> Not Applicable <input type="checkbox"/> Project Does Not Comply	The proposed project would be required to comply with Chapter 38 of the Administrative Code.
Jobs-Housing Linkage Program (Planning Code Section 413)	<p>The Jobs-Housing Program found that new large scale development attract new employees to the City who require housing. The program is designed to provide housing for those new uses within San Francisco, thereby allowing employees to live close to their place of employment.</p> <p>The program requires a developer to pay a fee or contribute land suitable for housing to a housing developer or pay an in-lieu fee.</p>	<input checked="" type="checkbox"/> Project Complies <input type="checkbox"/> Not Applicable <input type="checkbox"/> Project Does Not Comply	The project would be required to comply with Section 413 of the Planning Code.
Bicycle parking in Residential Buildings (Planning Code, Section 155.5)	<p>(A) For projects up to 50 dwelling units, one Class 1 space for every 2 dwelling units.</p> <p>(B) For projects over 50 dwelling units, 25 Class 1 spaces plus one Class 1 space for every 4 dwelling units over 50.</p>	<input checked="" type="checkbox"/> Project Complies <input type="checkbox"/> Not Applicable <input type="checkbox"/> Project Does Not Comply	The project proposes 104 residential units and would provide 40 bicycles spaces.
Car Sharing Requirements (Planning Code, Section 166)	New residential projects or renovation of buildings being converted to residential uses within most of the City's mixed-use and transit-oriented residential districts are required to provide car share parking spaces.	<input checked="" type="checkbox"/> Project Complies <input type="checkbox"/> Not Applicable <input type="checkbox"/> Project Does Not Comply	The project would be required to comply with Section 166 of the Planning Code.
Parking	The Planning Code has established	<input checked="" type="checkbox"/> Project	The project would be required to

Regulation	Requirements	Project Compliance	Discussion
requirements for San Francisco's Mixed-Use zoning districts (Planning Code Section 151.1)	parking maximums for many of San Francisco's Mixed-Use districts.	Complies <input type="checkbox"/> Not Applicable <input type="checkbox"/> Project Does Not Comply	comply with Section 151.1 of the Planning Code.
<b>Energy Efficiency Sector</b>			
San Francisco Green Building Requirements for Energy Efficiency (SF Building Code, Chapter 13C)	Commercial buildings greater than 5,000 sf will be required to be at a minimum 14% more energy efficient than Title 24 energy efficiency requirements. By 2008 large commercial buildings will be required to have their energy systems commissioned, and by 2010, these large buildings will be required to provide enhanced commissioning in compliance with LEED® Energy and Atmosphere Credit 3. Mid-sized commercial buildings will be required to have their systems commissioned by 2009, with enhanced commissioning by 2011.	<input type="checkbox"/> Project Complies <input checked="" type="checkbox"/> Not Applicable <input type="checkbox"/> Project Does Not Comply	The project does not propose any commercial space and would not be required to comply with the Green Building Requirements for Energy Efficiency.
San Francisco Green Building Requirements for Energy Efficiency (SF Building Code, Chapter 13C)	Under the Green Point Rated system and in compliance with the Green Building Ordinance, all new residential buildings will be required to be at a minimum 15% more energy efficient than Title 24 energy efficiency requirements.	<input checked="" type="checkbox"/> Project Complies <input type="checkbox"/> Not Applicable <input type="checkbox"/> Project Does Not Comply	The project would be required to comply with the Green Building Requirements for Energy Efficiency.
San Francisco Green Building Requirements for Stormwater Management (SF Building Code, Chapter 13C) Or San Francisco Stormwater Management Ordinance (Public Works Code Article 4.2)	Requires all new development or redevelopment disturbing more than 5,000 square feet of ground surface to manage stormwater on-site using low impact design. Projects subject to the Green Building Ordinance Requirements must comply with either LEED® Sustainable Sites Credits 6.1 and 6.2, or with the City's Stormwater ordinance and stormwater design guidelines.	<input checked="" type="checkbox"/> Project Complies <input type="checkbox"/> Not Applicable <input type="checkbox"/> Project Does Not Comply	The proposed project will be disturbing more than 5,000 square feet and will therefore be required to comply with the City's Stormwater Management Ordinance.
San Francisco Green Building Requirements for water efficient landscaping (SF Building Code,	All new commercial buildings greater than 5,000 square feet are required to reduce the amount of potable water used for landscaping by 50%.	<input type="checkbox"/> Project Complies <input checked="" type="checkbox"/> Not Applicable <input type="checkbox"/> Project Does	The project does not propose any commercial space and would not be required to comply with the Green Building Requirements.

Regulation	Requirements	Project Compliance	Discussion
Chapter 13C)		Not Comply	
San Francisco Green Building Requirements for water use reduction (SF Building Code, Chapter 13C)	All new commercial buildings greater than 5,000 sf are required to reduce the amount of potable water used by 20%.	<input type="checkbox"/> Project Complies <input checked="" type="checkbox"/> Not Applicable <input type="checkbox"/> Project Does Not Comply	The project does not propose any commercial space and would not be required to comply with the Green Building Requirements for water use reduction.
Residential Water Conservation Ordinance (SF Building Code, Housing Code, Chapter 12A)	Requires all residential properties (existing and new), prior to sale, to upgrade to the following minimum standards: 1. All showerheads have a maximum flow of 2.5 gallons per minute (gpm) 2. All showers have no more than one showerhead per valve 3. All faucets and faucet aerators have a maximum flow rate of 2.2 gpm 4. All Water Closets (toilets) have a maximum rated water consumption of 1.6 gallons per flush (gpf) 5. All urinals have a maximum flow rate of 1.0 gpf 6. All water leaks have been repaired.  Although these requirement apply to existing buildings, compliance must be completed through the Department of Building Inspection, for which a discretionary permit (subject to CEQA) would be issued.	<input checked="" type="checkbox"/> Project Complies <input type="checkbox"/> Not Applicable <input type="checkbox"/> Project Does Not Comply	The proposed project would be required to comply with the Residential Water Conservation Ordinance.
Residential Energy Conservation Ordinance (SF Building Code, Housing Code, Chapter 12)	Requires all residential properties to provide, prior to sale of property, certain energy and water conservation measures for their buildings: attic insulation; weather-stripping all doors leading from heated to unheated areas; insulating hot water heaters and insulating hot water pipes; installing low-flow showerheads; caulking and sealing any openings or cracks in the building's exterior; insulating accessible heating and cooling ducts; installing low-flow water-tap aerators; and installing or retrofitting toilets to make them low-flush. Apartment buildings and hotels are also required to insulate steam and hot water pipes and tanks, clean and tune their boilers, repair boiler leaks, and install a time-clock on the burner.	<input checked="" type="checkbox"/> Project Complies <input type="checkbox"/> Not Applicable <input type="checkbox"/> Project Does Not Comply	The project would be required to comply with the Residential Energy Conservation Ordinance.

Regulation	Requirements	Project Compliance	Discussion
	Although these requirements apply to existing buildings, compliance must be completed through the Department of Building Inspection, for which a discretionary permit (subject to CEQA) would be issued.		
<b>Waste Reduction Sector</b>			
San Francisco Green Building Requirements for solid waste (SF Building Code, Chapter 13C)	Pursuant to Section 1304C.0.4 of the Green Building Ordinance, all new construction, renovation and alterations subject to the ordinance are required to provide recycling, composting and trash storage, collection, and loading that is convenient for all users of the building.	<input checked="" type="checkbox"/> Project Complies <input type="checkbox"/> Not Applicable <input type="checkbox"/> Project Does Not Comply	The proposed project would be required to comply with the Green Building Requirements for solid waste.
Mandatory Recycling and Composting Ordinance (Environment Code, Chapter 19)	The mandatory recycling and composting ordinance requires all persons in San Francisco to separate their refuse into recyclables, compostables and trash, and place each type of refuse in a separate container designated for disposal of that type of refuse.	<input checked="" type="checkbox"/> Project Complies <input type="checkbox"/> Not Applicable <input type="checkbox"/> Project Does Not Comply	The proposed project would be required to comply with the Mandatory Recycling and Composting Ordinance.
<b>Environment/Conservation Sector</b>			
Street Tree Planting Requirements for New Construction (Planning Code Section 428)	Planning Code Section 143 requires new construction, significant alterations or relocation of buildings within many of San Francisco's zoning districts to plant on 24-inch box tree for every 20 feet along the property street frontage.	<input checked="" type="checkbox"/> Project Complies <input type="checkbox"/> Not Applicable <input type="checkbox"/> Project Does Not Comply	The proposed project would be required to comply with Section 428.
Wood Burning Fireplace Ordinance (San Francisco Building Code, Chapter 31, Section 3102.8)	Bans the installation of wood burning fire places except for the following: <ul style="list-style-type: none"> <li>• Pellet-fueled wood heater</li> <li>• EPA approved wood heater</li> <li>• Wood heater approved by the Northern Sonoma Air Pollution Control District</li> </ul>	<input checked="" type="checkbox"/> Project Complies <input type="checkbox"/> Not Applicable <input type="checkbox"/> Project Does Not Comply	The proposed project would be required to comply with the Wood Burning Fireplace Ordinance.
Regulation of Diesel Backup Generators (San Francisco Health Code, Article 30)	Requires (among other things): <ul style="list-style-type: none"> <li>• All diesel generators to be registered with the Department of Public Health</li> <li>• All new diesel generators must be equipped with the best available air emissions control technology.</li> </ul>	<input checked="" type="checkbox"/> Project Complies <input type="checkbox"/> Not Applicable <input type="checkbox"/> Project Does Not Comply	The proposed project would be required to comply with Article 30 of the San Francisco Health Code.

Depending on a proposed project's size, use, and location, a variety of controls are in place to ensure that a proposed project would not impair the State's ability to meet statewide GHG reduction targets outlined in AB 32, nor impact the City's ability to meet San Francisco's local GHG reduction targets. Given that: (1) San Francisco has implemented regulations to reduce greenhouse gas emissions specific to new construction and renovations of private developments and municipal projects; (2) San Francisco's sustainable policies have resulted in the measured success of reduced greenhouse gas emissions levels; (3) San Francisco has met and exceeded AB 32 greenhouse gas reduction goals for the year 2020; (4) current and probable future state and local greenhouse gas reduction measures will continue to reduce a project's contribution to climate change; and (5) San Francisco's Strategies to Address Greenhouse Gas Emissions meet BAAQMD's requirements for a Qualified GHG Reduction Strategy, projects that are consistent with San Francisco's regulations would not contribute significantly to global climate change. The proposed project would be required to comply with these requirements, and was determined to be consistent with San Francisco's Strategies to Address Greenhouse Gas Emissions.<sup>26</sup>

In addition, the project site is located within the Potrero Hill/Showplace Square area plan analyzed under the Eastern Neighborhoods Rezoning EIR. The Eastern Neighborhoods Rezoning EIR assessed the GHG emissions that could result from rezoning of the Potrero Hill/Showplace Square area plan under the three rezoning options. The Eastern Neighborhoods Rezoning Options A, B and C are anticipated to result in GHG emissions on the order of 4.2, 4.3 and 4.5 metric tons of carbon dioxide equivalents (CO<sub>2</sub>E)<sup>27</sup> per service population<sup>28</sup>, respectively.<sup>29</sup> The Eastern Neighborhoods EIR concluded that the resulting GHG emissions from the three options analyzed in the Eastern Neighborhoods Area Plans would be less than significant. The Eastern Neighborhoods EIR adequately addressed greenhouse gas emissions and the resulting emissions were determined to be less than significant. Therefore, the project would not result in any significant impacts related to GHG emissions.

As such, the proposed project would result in a less than significant impact with respect to GHG emissions.

### **Shadow**

Planning Code Section 295 generally prohibits new buildings that would cast new shadow on open space that is under the jurisdiction of the San Francisco Recreation and Park Commission between one hour after sunrise and one hour before sunset, at any time of the year, unless that shadow would not result in a significant adverse effect on the use of the open space. To determine whether the proposed project would conform to Section 295, a shadow fan analysis was prepared by Planning Department staff. This analysis concluded that the proposed project would not have the potential to cast new shadow on any property

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<sup>26</sup> Greenhouse Gas Analysis: Compliance Checklist for 1501 15<sup>th</sup> Street. January 21, 2011. This document is on file in Case No. 2008.1395E and available for public review at the Planning Department, 1650 Mission Street, Suite 400.

<sup>27</sup> Greenhouse gas emissions are typically measured in CO<sub>2</sub>E, or carbon dioxide equivalents. This common metric allows for the inclusion of the global warming potential of other greenhouse gases. Land use project's, such as this, may also include emissions from methane (CH<sub>4</sub>) and nitrous oxide (N<sub>2</sub>O), therefore greenhouse gas emissions are typically reported at CO<sub>2</sub>E.

<sup>28</sup> SP= Service Population. Service population is the equivalent of total number of residents + employees.

<sup>29</sup> *Greenhouse Gas Analyses for Community Plan Exemptions in Eastern Neighborhoods*. April 20, 2010. Memorandum from Jessica Range, MEA to MEA staff. This memorandum provides an overview of the GHG analysis conducted for the Eastern Neighborhoods Rezoning EIR and provides an analysis of the emissions using a service population metric.

under the jurisdiction of the Recreation and Park Department.<sup>30</sup> The proposed project would shade portions of nearby streets and sidewalks at times within the project block. These new shadows would not exceed levels commonly expected in urban areas, and would be considered a less-than-significant effect under CEQA.

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

### **Hazardous Materials**

The project site currently consists of an existing commercial fueling facility. No underground storage tanks (UST) exist on the project site. A site mitigation plan (SMP) has been prepared and presents measures recommended in mitigating risks to the environment and risks to workers' and project site users' health and safety from the presence of metal and petroleum related contamination in the soil. The SMP has been prepared in accordance with the request of the San Francisco Department of Public Health, Environmental Health-Hazardous Waste Unit (EHS-HWU). John Carver Consulting (JCC) carried out a soil sampling and analytical program to characterize the site and to provide information for the preparation of the SMP.<sup>31</sup>

A subsurface investigation was conducted at the project site to determine any potential health risks with development of the site for residential uses. The investigation found elevated levels of lead and petroleum hydrocarbons resulting from the historic fill placed at the project site and possible historic site activities (commercial fueling operations). There were no volatile organic compounds (VOCs), including Benzene in any of the soil samples tested.

Based on these results, EHS-HWU<sup>32</sup> concluded:

1. The site is within the San Francisco Health Code, Article 22A (Maher Area). At any time 50 cubic yards or more of soil is disturbed on the site, the project proponent shall comply with Article 22A prior to applying or gaining a building permit from the City and County of San Francisco Department of Building Inspections.
2. Prior to business closure, San Francisco Petroleum Company shall comply with the San Francisco Health Code, Article 21 (Hazardous Materials) for closure.
3. Further discussion regarding the elevated TEPH and TPH-d in groundwater may be needed.

The SMP prepared by JCC and reviewed by EHS-HWU as received from the San Francisco Planning Department, anticipated the excavation of 600 tons of soil for the proposed project. Soils would be stockpiled and characterized for disposal. Dust control for excavation includes moisture conditioning the

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30 San Francisco Planning Department, letter dated October 7, 2010 (Case No. 2010.0094K), Shadow Analysis for 2121 Third St/740 Illinois St. A copy of this document is available for public review at the Planning Department, 1650 Mission Street, Suite 400, San Francisco, California, as a part of Case File No. 2010.0094E.

31 John Carver Consulting, *Site Mitigation Plan for Commercial Property 2121 3<sup>rd</sup> Street & 740 Illinois Street, San Francisco, CA, November 10, 2006*. This document is available for review at the Planning Department, 1650 Mission Street, Suite 400, San Francisco, CA in File No. 2010.0094E.

32 San Francisco Department of Public Health, *Commercial Property 2121 03<sup>rd</sup> Street and 740 Illinois Street San Francisco, California, EHS-HWU Case Number: 657*. October 7, 2010. This document is available for review at the Planning Department, 1650 Mission Street, Suite 400, in File No. 2010.0094E.

soil, using dust suppressants and covering the exposed soil and stockpiles with secured plastic sheeting to prevent any generation of dust particles. Any soil removed from the site would be disposed at an appropriate licensed land fill. Excavated material that is loaded into trucks would be subject to all dust control measures. Loose soil from the truck body and tires would be removed prior to leaving the site. Any soil spilled during truck loading will be removed from all areas outside of the site. Upon completion of excavation, confirmation sampling and analysis would take place to determine if elevated levels of contaminants remain in the soil. Hot spots will be removed and disposed of if identified following review of confirmation sample analyses review. Should the project proponent decide to cap the site with the foundation to prevent human health exposure, a cap maintenance plan and a deed restriction would be required for the site.

The potential health risk to on-site construction workers and the public would be minimized by developing a health and safety plan (HSP). Prior to planned grading at the site and after a closure plan is prepared for the commercial fueling facility has been accepted, a HSP would be developed and forwarded to the EHS-HWU for review and comment. A construction health and safety (HSO) is required to be on site during excavation activities to ensure that all health and safety measures are maintained. The HSO would have authority to direct and stop all construction activities in order to ensure compliance with the HSP.

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

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

**Mitigation Measures**

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

**Project Mitigation Measure 1 – Archeological Resources (Accidental Discovery)**

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 measures should be undertaken.

If the ERO determines that an archeological resource may be present within the project site, the project sponsor shall retain the services of a qualified archeological consultant. The archeological consultant shall advise the ERO as to whether the discovery is an archeological resource, retains sufficient integrity, and is of potential scientific/historical/cultural significance. If an archeological resource is present, the archeological consultant shall identify and evaluate the archeological resource. The archeological consultant shall make a recommendation as to what action, if any, is warranted. Based on this information, the ERO may require, if warranted, specific additional measures to be implemented by the project sponsor.

Measures might include: preservation in situ of the archeological resource; an archaeological monitoring program; or an archeological testing program. If an archeological monitoring program or archeological testing program is required, it shall be consistent with the Major Environmental Analysis (MEA) division guidelines for such programs. The ERO may also require that the project sponsor immediately implement a site security program if the archeological resource is at risk from vandalism, looting, or other damaging actions.

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.

Copies of the Draft FARR shall be sent to the ERO for review and approval. Once approved by the ERO, copies of the FARR shall be distributed as follows: California Archaeological Site Survey Northwest Information Center (NWIC) shall receive one (1) copy and the ERO shall receive a copy of the transmittal of the FARR to the NWIC. The Major Environmental Analysis division of the Planning Department shall

receive three copies of the FARR along with copies of any formal site recordation forms (CA DPR 523 series) and/or documentation for nomination to the National Register of Historic Places/California Register of Historical Resources. In instances of high public interest or interpretive value, the ERO may require a different final report content, format, and distribution than that presented above.

**Project Mitigation Measure 2 – Noise (Mitigation Measure F-4: Siting of Noise-Sensitive Uses in the Eastern Neighborhoods Area Plans EIR)**

New development with noise-sensitive uses require the preparation of an analysis that includes, at a minimum, a site survey to identify potential noise-generating uses within two blocks of the project site, and including at least one 24-hour noise measurement (with maximum noise level readings taken at least every 15 minutes), prior to the first project approval action. The analysis shall demonstrate with reasonable certainty that Title 24 standards, where applicable, can be met, and that there are no particular circumstances about the proposed project site that appear to warrant heightened concern about noise levels in the vicinity.

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

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

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

The City shall condition future development approvals to require that the subsequent project sponsors ensure that any equipment containing PCBs or DEPH, such as fluorescent light ballasts, are removed and properly disposed of according to applicable federal, state, and local laws prior to the start of renovation, and that any fluorescent light tubes, which could contain mercury, are similarly removed and properly disposed of. Any other hazardous materials identified, either before or during work, shall be abated according to applicable federal, state, and local laws.

**Public Notice and Comment**

A "Notification of Project Receiving Environmental Review" was mailed on July 2, 2010 to adjacent occupants and owners of properties within 300 feet of the project site regarding the previously proposed project that included construction of 62,516 square feet of residential uses with 70 residential units and 52 parking spaces on the lot facing Illinois Street and the remaining new lot facing Third Street was proposed to be dedicated to the City to comply with affordable housing requirements under *Planning Code Section 419.5 Alternatives to the Inclusionary Housing Component*. Seven members of the public expressed their concerns related to inclusionary housing, contaminated soils, crime, neighborhood character, and building massing.

Since issuance of the "Notification of Project Receiving Environmental Review" and as discussed in this Certificate of Determination, the project proposal has been revised to consist of demolition of an existing commercial fueling facility; merging two lots (006 & 021) into a single lot; and, construction of an approximately 65-foot tall, 117,198 square foot residential building containing 104 residential units, 78 off-street parking spaces, and 40 bicycle parking spaces. The concerns expressed by the public regarding the previously proposed project were also addressed in the Certificate of Determination above.

### **Conclusion**

The Eastern Neighborhoods EIR incorporated and adequately addressed all potential impacts of the proposed 720 & 740 Illinois St. and 2121 Third St. project. As described above, the 720 & 740 Illinois St. and 2121 Third St. project would not have any additional or peculiar significant adverse effects not examined in the Eastern Neighborhoods EIR, nor has any new or additional information come to light that would alter the conclusions of the Eastern Neighborhoods EIR. Thus, the proposed 720 & 740 Illinois St. and 2121 Third St. project would not have any new significant or peculiar effects on the environment not previously identified in the Final EIR for the Eastern Neighborhoods Rezoning and Area Plans, nor would any environmental impacts be substantially greater than described in the Eastern Neighborhoods EIR. No mitigation measures previously found infeasible have been determined to be feasible, nor have any new mitigation measures or alternatives been identified but rejected by the project sponsor. Therefore, the proposed project is exempt from environmental review under Section 15183 and Section 21083.3 of the California Public Resources Code.

## Community Plan Exemption Checklist

*Date:* January 24, 2010  
*Case No.:* **2010.0094E**  
*Project Title:* **720 & 740 Illinois Street and 2121 Third Street**  
*Zoning:* Urban Mixed Use (UMU) District  
68-X Height and Bulk District  
*Block/Lot:* 4045/006 & 021  
*Lot Size:* 22,241 square feet  
*Plan Area:* Potrero Hill/Showplace Square Eastern Neighborhoods Subarea  
*Project Sponsor:* David Sternberg, Sternberg Benjamin Architects, (415) 882-9783  
*Staff Contact:* Brett Bollinger – (415) 575-9024  
brett.bollinger@sfgov.org

### A. PROJECT DESCRIPTION

The project site is a through lot located at on a block bounded by Third, Illinois, 18th, and 19th Streets in the Potrero Hill neighborhood. The proposed project would include demolition of an existing commercial fueling facility; merging two lots (006 & 021) into a single lot; and, construction of an approximately 65-foot tall, 117,198 square foot residential building containing 104 residential units, 78 off-street parking spaces, and 40 bicycle parking spaces.

The following analysis for the proposed 720 & 740 Illinois Street and 2121 Third Street project supersedes the previous determination issued on November 9, 2010 for a project that proposed to construct 62,516 square feet of residential uses that would include 70 residential units and 52 parking spaces on the lot facing Illinois Street and the remaining new lot facing Third Street was proposed to be dedicated to the City to comply with affordable housing requirements under *Planning Code Section 419.5 Alternatives to the Inclusionary Housing Component*.

### B. EVALUATION OF ENVIRONMENTAL EFFECTS

The following checklist identifies the potential environmental impacts of the proposed project and indicates whether any such impacts are addressed in the applicable Programmatic EIR (PEIR) for the plan area.

This Community Plan Exemption Checklist examines the potential environmental impacts that would result from implementation of the proposed project and indicates whether any such impacts are addressed in the applicable Programmatic EIR (PEIR) for the plan area (i.e., the Eastern Neighborhoods Rezoning and Area Plans Final EIR).<sup>1</sup> Items checked "Sig. Impact Identified in PEIR" identify topics for which a significant impact is identified in the PEIR. In such cases, the analysis considers whether the proposed project would result in impacts that would contribute to the impact identified in the PEIR. If the analysis concludes that the proposed project would contribute to a significant impact identified in the PEIR, the item is checked "Project

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<sup>1</sup> San Francisco Planning Department, *Eastern Neighborhoods Rezoning and Area Plans Final Environmental Impact Report*, certified January 19, 2009. File No. 2004.0160E.

Contributes to Sig. Impact Identified in PEIR." Mitigation measures identified in the PEIR applicable to the proposed project are identified in the text for each topic area.

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

All items for which the PEIR identified as not a significant impact or the project would not have a significant peculiar impact are also checked "Addressed Below," and are discussed.

<i>Topics:</i>	<i>Sig. Impact Identified in PEIR</i>	<i>Project Contributes to Sig. Impact Identified in PEIR</i>	<i>Project Has Sig. Peculiar Impact</i>	<i>Addressed Below</i>
<b>1. LAND USE AND LAND USE PLANNING— Would the project:</b>				
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Have a substantial impact upon the existing character of the vicinity?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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<b>2. AESTHETICS—Would the project:</b>				
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and other features of the built or natural environment which contribute to a scenic public setting?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area or which would substantially impact other people or properties?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

The Eastern Neighborhoods Final EIR evaluated three land use options “alternatives” and under each of these options, it was not anticipated that the proposed project would substantially damage scenic resources that contribute to a scenic public setting. As a proposed rezoning and planning process the project would not directly result in any physical damage. Rather, any changes in urban form and visual quality would be the secondary result of individual development projects that would occur subsequent to the adoption of changes in zoning and community plans.

With respect to views, the Eastern Neighborhoods Final EIR found that while development pursuant to the Plan would result in height increases and use district changes, the rezoning would not substantially degrade the views and new development up to the proposed height limits may even help define the street edge and better frame urban views. The Plan would not be considered to result in a significant adverse impact with regard to views. New construction in the Project area would generate additional night lighting but not in amounts unusual in residential and commercial zones and within developed urban areas in general. Thus, the Final EIR concluded that light and glare impacts would be less than significant.

The proposed project would replace an existing commercial fueling facility with an approximately 65-foot tall, 117,198 square foot residential building containing 104 residential units, 78 off-street parking spaces, and 40 bicycle parking spaces. While the new building would change the visual appearance of the site, it would not substantially degrade its visual character or quality. Furthermore, the proposed building would not be substantially taller than the existing development in the project vicinity and thus, would not obstruct longer-range views from various locations in the Plan Area and the City as a whole.

Design and aesthetics are by definition subjective, and open to interpretation by decision-makers and members of the public. A proposed project would, therefore, be considered to have a significant adverse effect on visual quality only if it would cause a substantial and demonstrable negative change. The proposed project would not have such change. As described above, the proposed building envelope meets Planning Code requirements for the Urban Mixed Use (UMU) zoning district.

The proposed project would be visible from some residential, commercial, and industrial buildings within the project site vicinity. Some reduced private views on private property would be an unavoidable consequence of the proposed project and would be an undesirable change for those individuals affected. Nonetheless, the change in views would not exceed that commonly expected in an urban setting, and the loss of those private views would not constitute a significant impact under CEQA.

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<b>3. POPULATION AND HOUSING— Would the project:</b>				
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Displace substantial numbers of existing housing units or create demand for additional housing, necessitating the construction of replacement housing?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

One of the objectives of the Eastern Neighborhoods Rezoning and Area Plans Final EIR (FEIR) was to identify appropriate locations for housing in the City's industrially zoned land to meet a citywide need for more housing. According to the FEIR, the rezoning would not create a substantial demand for additional housing in San Francisco, or substantially reduce the housing supply. The proposed project would increase the population on site by constructing an approximately 65-foot tall, 117,198 square foot residential building containing 104 residential units, 78 off-street parking spaces, and 40 bicycle parking spaces. This increase in population would not be expected to have an adverse physical environmental impact.

The proposed project is not anticipated to create a substantial demand for increased housing because it does not proposed to provide retail space on the project site. Additionally, the proposed project would not displace substantial numbers of people because the project site is currently occupied by a commercial fueling facility. As such, construction of replacement housing would not be necessary.

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<b>4. CULTURAL AND PALEONTOLOGICAL RESOURCES—Would the project:</b>				
a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5, including those resources listed in Article 10 or Article 11 of the San Francisco Planning Code?	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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d) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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<b>5. TRANSPORTATION AND CIRCULATION— Would the project:</b>				
a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume-to-capacity ratio on roads, or congestion at intersections)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways (unless it is practical to achieve the standard through increased use of alternative transportation modes)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a change in air traffic patterns, including either an increase in traffic levels, obstructions to flight, or a change in location, that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Result in inadequate parking capacity that could not be accommodated by alternative solutions?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., conflict with policies promoting bus turnouts, bicycle racks, etc.), or cause a substantial increase in transit demand which cannot be accommodated by existing or proposed transit capacity or alternative travel modes?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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<b>6. NOISE—Would the project:</b>				
a) Result in exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan area, or, where such a plan has not been adopted, in an area within two miles of a public airport or public use airport, would the project expose people residing or working in the area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f) For a project located in the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
g) Be substantially affected by existing noise levels?	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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<b>7. AIR QUALITY</b>				
Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. <b>Would the project:</b>				
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal, state, or regional ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Expose sensitive receptors to substantial pollutant concentrations?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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e) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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<b>8. GREENHOUSE GAS EMISSIONS—</b> Would the project:				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with any applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Although the PEIR did not identify a significant impact for this topic, please see the Certificate of Determination for the discussion.

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<b>9. WIND AND SHADOW—Would the project:</b>				
a) Alter wind in a manner that substantially affects public areas?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Create new shadow in a manner that substantially affects outdoor recreation facilities or other public areas?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

### Wind

Based on consideration of the height and location of the proposed 65-foot-tall building, the proposed project does not have the potential to cause significant changes to the wind environment in pedestrian areas adjacent or near the project site. As a result, the proposed project would not have any significant wind impacts.

### Shadow

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

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<b>10. RECREATION—Would the project:</b>				
a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facilities would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Physically degrade existing recreational resources?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The proposed project would provide on-site open space for passive recreational use for project residents through a combination of private decks and common roof decks. The project location is served by the following existing parks: Jackson Park, Potrero Hill Recreation Center, and McKinley Square. With the projected addition of 104 residential units, the proposed project would be expected to generate minimal additional demand for recreational facilities. The increase in demand would not be in excess of amounts expected and provided for in the area and the City as a whole. The additional use of the recreational facilities would be relatively minor compared with the existing use and therefore, the proposed project would not result in substantial physical deterioration of existing recreational resources. Thus, the proposed project would not result in significant impacts, either individually or cumulatively, in regard to recreation facilities, nor require the construction or expansion of public recreation facilities.

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<b>11. UTILITIES AND SERVICE SYSTEMS—Would the project:</b>				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Have sufficient water supply available to serve the project from existing entitlements and resources, or require new or expanded water supply resources or entitlements?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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e) Result in a determination by the wastewater treatment provider that would serve the project that it has inadequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

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<b>12. PUBLIC SERVICES— Would the project:</b>				
a) Result in substantial adverse physical impacts associated with the provision of, or the need for, new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any public services such as fire protection, police protection, schools, parks, or other services?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The proposed project would not substantially increase demand for police or fire protection services and would not necessitate new school facilities in San Francisco. The proposed project would not result in a significant impact to public services.

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<b>13. BIOLOGICAL RESOURCES— Would the project:</b>				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 454 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

The project site is covered by a commercial fueling facility with impervious surfaces and is located in a developed urban area which does not support or provide habitat for any rare or endangered wildlife species, animal, or plant life or habitat, and would not interfere with any resident or migratory species. Accordingly, the proposed project would result in no impact on sensitive species, special status species, native or migratory fish species, or wildlife species. The project would not result in any significant effect with regard to biology, nor would the project contribute to any potential cumulative effects on biological resources.

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<b>14. GEOLOGY AND SOILS— Would the project:</b>				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				

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i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? (Refer to Division of Mines and Geology Special Publication 42.)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Be located on geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code, creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f) Change substantially the topography or any unique geologic or physical features of the site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Soil disturbing activities would be required for the foundation system for the proposed residential project. It is anticipated that the building would be constructed on a reinforced concrete mat foundation and would require excavation to a depth of approximately 5-7 feet below existing grade. The completed project would not substantially alter the overall topography of the site.

A geotechnical investigation has been performed for the proposed project.<sup>2</sup> The project site is underlain by three feet of clayey sand with rock fragments, where the fill transitioned to more rock and gravel fragments with less clay and sand to a depth of eight feet where rocky fill was encountered.

The final building plans would be reviewed by the Department of Building Inspection (DBI). In reviewing building plans, the DBI refers to a variety of information sources to determine existing hazards and assess requirements for mitigation. Sources reviewed include maps of Special Geologic Study Areas and known landslide areas in San Francisco as well as the building inspectors' working knowledge of areas of special geologic concern. Potential geologic hazards

<sup>2</sup> Earth Mechanics Consulting, *Geotechnical Investigation for Planned Development at 2121 Third Street, San Francisco, California*, March 7, 2007. This report is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, in Project File No. 2010.0094E.

would be mitigated during the permit review process through these measures. To ensure compliance with all Building Code provisions regarding structure safety, when DBI reviews the geotechnical report and building plans for a proposed project, they will determine the adequacy of necessary engineering and design features. The above-referenced geotechnical investigation would be available for use by the DBI during its review of building permits for the site. Also, DBI could require that additional site-specific soils report(s) be prepared in conjunction with permit applications, as needed. Therefore, potential damage to structures from geologic hazards on the project site would be mitigated through the DBI requirement for a geotechnical report and review of the building permit application pursuant to DBI implementation of the Building Code.

The proposed project would not result in a significant effect related to geology, either individually or cumulatively.

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<b>15. HYDROLOGY AND WATER QUALITY— Would the project:</b>				
a) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner that would result in substantial erosion of siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other authoritative flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
h) Place within a 100-year flood hazard area structures that would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
j) Expose people or structures to a significant risk of loss, injury or death involving inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

The project site is completely covered by an existing commercial fueling facility and impervious services and would be completely covered by the proposed mixed-use building. The proposed project would not change the amount of impervious surface area on the site and runoff and drainage would not be adversely affected. Effects related to water resources would not be significant, either individually or cumulatively.

<i>Topics:</i>	<i>Sig. Impact Identified in PEIR</i>	<i>Project Contributes to Sig. Impact Identified in PEIR</i>	<i>Project Has Sig. Peculiar Impact</i>	<i>Addressed Below</i>
<b>16. HAZARDS AND HAZARDOUS MATERIALS</b> <b>Would the project:</b>				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

<i>Topics:</i>	<i>Sig. Impact Identified in PEIR</i>	<i>Project Contributes to Sig. Impact Identified in PEIR</i>	<i>Project Has Sig. Peculiar Impact</i>	<i>Addressed Below</i>
h) Expose people or structures to a significant risk of loss, injury or death involving fires?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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

<i>Topics:</i>	<i>Sig. Impact Identified in PEIR</i>	<i>Project Contributes to Sig. Impact Identified in PEIR</i>	<i>Project Has Sig. Peculiar Impact</i>	<i>Addressed Below</i>
<b>17. MINERAL AND ENERGY RESOURCES—</b>				
<b>Would the project:</b>				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Encourage activities which result in the use of large amounts of fuel, water, or energy, or use these in a wasteful manner?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

The proposed project would not result in a significant physical environmental effect with respect to mineral and energy resources.

<i>Topics:</i>	<i>Sig. Impact Identified in PEIR</i>	<i>Project Contributes to Sig. Impact Identified in PEIR</i>	<i>Project Has Sig. Peculiar Impact</i>	<i>Addressed Below</i>
<b>18. AGRICULTURE AND FOREST RESOURCES:</b> In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board.				
<b>— Would the project</b>				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

<i>Topics:</i>	<i>Sig. Impact Identified in PEIR</i>	<i>Project Contributes to Sig. Impact Identified in PEIR</i>	<i>Project Has Sig. Peculiar Impact</i>	<i>Addressed Below</i>
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)) or timberland (as defined by Public Resources Code Section 4526)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

The project site does not contain agricultural uses and is not zoned for such uses. Therefore, the proposed project would not result in any significant impacts related to agricultural resources.

<i>Topics:</i>	<i>Sig. Impact Identified in PEIR</i>	<i>Project Contributes to Sig. Impact Identified in PEIR</i>	<i>Project Has Sig. Peculiar Impact</i>	<i>Addressed Below</i>
<b>19. MANDATORY FINDINGS OF SIGNIFICANCE—</b> <b>Would the project:</b>				
a) Have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Have impacts that would be individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Have environmental effects that would cause substantial adverse effects on human beings, either directly or indirectly?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

The proposed project would include demolition of an existing commercial fueling facility, lot merger, and construction of an approximately 65-foot tall, 117,198 square foot residential building containing 104 residential units, 78 off-street parking spaces, and 40 bicycle parking spaces.

As discussed in this document, the proposed project would not result in new, peculiar environmental effects, or effects of greater severity than were already and disclosed in the Eastern Neighborhoods Final EIR.

**C. DETERMINATION**

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

- The proposed project qualifies for consideration of a Community Plan exemption based on the applicable General Plan and zoning requirements; **AND**
- All potentially significant individual or cumulative impacts of the proposed project were identified in the applicable programmatic EIR (PEIR) for the Plan Area, and all applicable mitigation measures have been or incorporated into the proposed project or will be required in approval of the project.
- The proposed project may have a potentially significant impact not identified in the PEIR for the topic area(s) identified above, but that this impact can be reduced to a less-than-significant level in this case because revisions in the project have been made by or agreed to by the project proponent. A focused Initial Study and **MITIGATED NEGATIVE DECLARATION** is required, analyzing the effects that remain to be addressed.
- The proposed project may have a potentially significant impact not identified in the PEIR for the topic area(s) identified above. An **ENVIRONMENTAL IMPACT REPORT** is required, analyzing the effects that remain to be addressed.



Bill Wycko  
Environmental Review Officer  
for  
John Rahaim, Planning Director

DATE

February 3, 2011

# City and County of San Francisco



*Edwin M. Lee, Mayor*

## First Source Hiring Program

Office of Economic & Workforce Development  
Workforce Division

### MEMORANDUM OF UNDERSTANDING

**This Memorandum of Understanding ("MOU") is entered into as of August 30, 2011, by and between the City and County of San Francisco (the "City") through its First Source Hiring Administration ("FSHA") and David Sternberg ("Project Sponsor").**

WHEREAS, Project Sponsor, as developer, proposes to construct 106 new dwelling units, with up to 0 square feet of commercial space and 78 accessory, off-street parking spaces ("Project") at 720 & 740 Illinois Street and 2121 3rd Street, Lots 2 & 6 in Assessor's Block 4045, San Francisco California ("Site"); and

WHEREAS, the Administrative Code of the City provides at Chapter 83 for a "First Source Hiring Program" which has as its purpose the creation of employment opportunities for qualified Economically Disadvantaged Individuals (as defined in Exhibit A); and

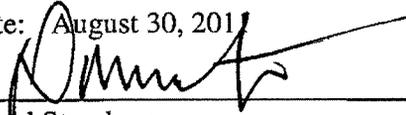
WHEREAS, the Project requires a building permit for a commercial activity of greater than 25,000 square feet and/or is a residential project greater than ten (10) units and therefore falls within the scope of the Chapter 83 of the Administrative Code; and

WHEREAS, Project Sponsor wishes to make a good faith effort to comply with the City's First Source Hiring Program.

Therefore, the parties to this Memorandum of Understanding agree as follows:

- A. Project Sponsor, upon entering into a contract for the construction of the Project with Prime Contractor after the date of this MOU, will include in that contract a provision in the form attached hereto as Exhibit A and Exhibit B. It is the Project Sponsor's responsibility to provide a signed copy of Exhibit A to First Source Hiring program and CityBuild within 10 business days of execution.
- B. Project Sponsor, as the developer of the Project, will comply with the requirements of Chapter 83 and upon entering into leases for the commercial space at the Project that are subject to Chapter 83, will include in that contract a provision in the form attached hereto as Exhibit C and Exhibit D. Project Sponsor will inform the FSHA when leases or occupancy contracts have been negotiated and provide a signed copy of Exhibit C and Exhibit D.
- C. Any lessee(s) or operator(s) of commercial space within the Project shall have the same obligations under this MOU as the Project Sponsor.

- D. CityBuild shall represent the First Source Hiring Administration and will provide referrals of Qualified economically disadvantaged individuals for employment on the construction phase of the Project as required under Chapter 83. The First Source Hiring Program will provide referrals of Qualified economically disadvantaged individuals for the permanent jobs located within the commercial space of the Project.
- E. The owners or residents of the residential units within the Project shall have no obligations under this MOU, or the attached First Source Hiring Agreement.
- F. FSHA shall advise Project Sponsor, in writing, of any alleged breach on the part of the Project's contractor and/or tenant(s) with regard to participation in the First Source Hiring Program at the Project prior to seeking an assessment of liquidated damages pursuant to Section 83.12 of the Administrative Code.
- G. As stated in Section 83.10(d) of the Administrative Code, if Project Sponsor fulfills its obligations as set forth in Chapter 83, it shall not be held responsible for the failure of a contractor or commercial tenant to comply with the requirements of Chapter 83.
- H. This MOU is an approved "First Source Hiring Agreement" as referenced in Section 83.11 of the Administrative Code. The parties agree that this MOU shall be recorded and that it may be executed in counterparts, each of which shall be considered an original and all of which taken together shall constitute one and the same instrument.
- J. Except as set forth in Section E, above: (1) this MOU shall be binding on and inure to the benefit of all successors and assigns of Project Sponsor having an interest in the Project and (2) Project Sponsor shall require that its obligations under this MOU shall be assumed in writing by its successors and assigns. Upon Project Sponsor's sale, assignment or transfer of title to the Project, it shall be relieved of all further obligations or liabilities under this MOU.

Date: August 30, 2011  
By:   
David Sternberg  
Its: Project Sponsor

Date: 8/31/11  
  
First Source Hiring Administration

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

I, DAVID STERNBERG, do hereby declare as follows:

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

720 & 740 ILLINOIS ST AND 221 320 ST  
Address

4045 / 246  
Block / Lot

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

The Planning Case No./Building Permit No. is 2010.0094X.

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

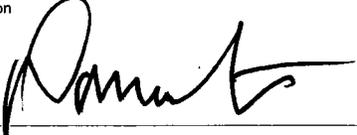
<sup>2</sup> California Civil Code Section 1954.50 and following.

Affidavit for Compliance with the Inclusionary Affordable Housing Program

- e. The Project Sponsor acknowledges that failure to sell the affordable units as ownership units or to eliminate the on-site or off-site affordable ownership-only units at any time will require the Project Sponsor to:
- (1) Inform the Planning Department and the Mayor's Office of Housing and, if applicable, fill out a new affidavit;
  - (2) Record a new Notice of Special Restrictions; and
  - (3) Pay the Affordable Housing Fee plus applicable interest (using the fee schedule in place at the time that the units are converted from ownership to rental units) and any applicable penalties by law.
- f. The Project Sponsor must pay the Affordable Housing Fee in full sum to the Development Fee Collection Unit at the Department of Building Inspection for use by the Mayor's Office of Housing prior to the issuance of the first construction document, with an option for the Project Sponsor to defer a portion of the payment to prior to issuance of the first certificate of occupancy upon agreeing to pay a deferral surcharge that would be deposited into the Citywide Affordable Housing Fund in accordance with Section 107A.13.3 of the San Francisco Building Code.
- g. I am a duly authorized officer or owner of the subject property.

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

SAN FRANCISCO  
Location

  
Signature

DAVID STERNBERG,  
Name (Print), Title

415-882-9783 EXT. 11  
Contact Phone Number

8/23/11  
Date

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

# Unit Mix Tables

NUMBER OF ALL UNITS IN PRINCIPAL PROJECT:				
Total Affordable Units	Studios	One-Bedroom Units	Two-Bedroom Units	Three-Bedroom Units

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

- On-site Affordable Housing Alternative (Planning Code Section 415.6): <sup>419,576(1) 1770</sup> calculated at 15% of the unit total.

NUMBER OF AFFORDABLE UNITS TO BE LOCATED ON-SITE				
Total Affordable Units	Studios	One-Bedroom Units	Two-Bedroom Units	Three-Bedroom Units
18	8	3	7	0

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

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

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

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

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

1. Fee \_\_\_\_\_ % of affordable housing requirement.
2. On-Site \_\_\_\_\_ % of affordable housing requirement.

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

3. Off-Site \_\_\_\_\_ % of affordable housing requirement.

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

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



SAN FRANCISCO  
PLANNING  
DEPARTMENT

# AFFIDAVIT FOR First Source Hiring Program Administrative Code Chapter 83

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

T: 415.558.6378  
F: 415.558.6409

For all projects subject to Administrative Code Chapter 83, this completed form must be filed with the Planning Department prior to any Planning Commission hearing or, if principally permitted, Planning Department approval of the site permit.

PROJECT ADDRESS		BLOCK/LOT(S)
720 & 740 Illinois Street and 2121 3rd Street		4045/ 2 & 6
BUILDING PERMIT APPLICATION NO.	CASE NO (IF APPLICABLE)	MOTION NO.
	2010.0094X	

Please check the boxes below that are applicable to this project. Select all that apply.

- 1A. The project is wholly residential.
- 1B. The project is wholly commercial. (For the purposes of Administrative Code Chapter 83, any project that is not residential is considered to be a commercial activity.)
- 1C. The project is a mixed use.
- 2A. The project will create ten (10) or more new residential units.
- 2B. The project will create 25,000 square feet or more of new or additional gross floor area.
- 3A. The project will create less than ten (10) new residential units.
- 3B. The project will create less than 25,000 square feet of new or additional gross floor area.

If you checked either 2A or 2B, your project is subject to the First Source Hiring Program. Please contact the First Source Hiring Program Manager with the San Francisco Human Services Agency's Workforce Development Division to develop a contract to satisfy this requirement.

Please be aware that if the subject property is located in the Bayview Hunters Point Redevelopment Area B and you checked 2A or 2B, your project is considered a "Significant Project" and is subject to the San Francisco Redevelopment Agency's Employment and Contracting Policy and Affordable Housing Policy. Please contact the Bayview Hunters Point Project Manager at the San Francisco Redevelopment Agency at (415) 749-2504 to obtain additional information about these requirements.

If you checked 3A and 3B, your project is not subject to the First Source Hiring Program.

For questions, please contact the First Source Hiring Manager at (415) 401-4960. For frequently asked questions, you may access First Source information at [www.onestopsf.org](http://www.onestopsf.org)

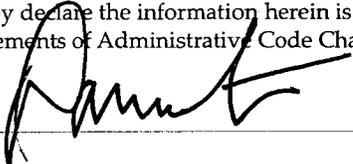
# Affidavit for First Source Hiring Program

## Contact Information and Declaration of Sponsor of Principal Project

NAME: David Sternberg	
ADDRESS:  Sternberg Benjamin Architects 1331 Harrison Street San Francisco, CA 94103	TELEPHONE: (415 ) 882-9783 Ext. 11
	FAX: (415 ) 882-9786
	EMAIL: dsternberg@sternbergbenjamin.com

I hereby declare the information herein is accurate to the best of my knowledge and that I intend to satisfy the requirements of Administrative Code Chapter 83.

Signature



Date

8/23/11

**UNIT AREAS AND PLUMBING FIXTURES**

Unit	Sq Ft	Kitch								Total Plumbg Fixtures
		Bdrms	Bathrms	Sink	DW	Toilet	Lav	Tub	Laundry	
101	598	0	1	1	1	1	1	1	1	6
102	725	1	1	1	1	1	1	1	1	6
103	475	0	1	1	1	1	1	1	1	6
104	625	0	1	1	1	1	1	1	1	6
105	625	0	1	1	1	1	1	1	1	6
106	702	1	1	1	1	1	1	1	1	6
107	493	0	1	1	1	1	1	1	1	6
108	498	0	1	1	1	1	1	1	1	6
109	456	0	1	1	1	1	1	1	1	6
110	456	0	1	1	1	1	1	1	1	6
111	861	2	2	1	1	2	2	2	1	9
112	864	2	2	1	1	2	2	2	1	9
113	861	2	2	1	1	2	2	2	1	9
114	975	2	2	1	1	2	2	2	1	9
115	625	0	1	1	1	1	1	1	1	6
116	625	0	1	1	1	1	1	1	1	6
117	475	0	1	1	1	1	1	1	1	6
118	725	1	1	1	1	1	1	1	1	6
119	599	0	1	1	1	1	1	1	1	6
201	609	0	1	1	1	1	1	1	1	6
202	751	1	1	1	1	1	1	1	1	6
203	475	0	1	1	1	1	1	1	1	6
204	625	0	1	1	1	1	1	1	1	6
205	625	0	1	1	1	1	1	1	1	6
206	975	2	2	1	1	2	2	2	1	9
207	883	1	2	1	1	2	2	2	1	9
208	493	0	1	1	1	1	1	1	1	6
209	498	0	1	1	1	1	1	1	1	6
210	861	2	2	1	1	2	2	2	1	9
211	456	0	1	1	1	1	1	1	1	6
212	456	0	1	1	1	1	1	1	1	6
213	861	2	2	1	1	2	2	2	1	9
214	864	2	2	1	1	2	2	2	1	9
215	942	2	2	1	1	2	2	2	1	9
216	975	2	2	1	1	2	2	2	1	9
217	625	0	1	1	1	1	1	1	1	6
218	625	0	1	1	1	1	1	1	1	6
219	475	0	1	1	1	1	1	1	1	6
220	751	1	1	1	1	1	1	1	1	6
221	609	0	1	1	1	1	1	1	1	6
301	609	0	1	1	1	1	1	1	1	6
302	725	1	1	1	1	1	1	1	1	6
303	475	0	1	1	1	1	1	1	1	6
304	625	0	1	1	1	1	1	1	1	6
305	625	0	1	1	1	1	1	1	1	6
306	975	2	2	1	1	2	2	2	1	9
307	852	1	2	1	1	2	2	2	1	9
308	920	2	2	1	1	2	2	2	1	9
309	861	2	2	1	1	2	2	2	1	9
310	963	2	2	1	1	2	2	2	1	9
311	861	2	2	1	1	2	2	2	1	9
312	864	2	2	1	1	2	2	2	1	9
313	920	2	2	1	1	2	2	2	1	9
314	975	2	2	1	1	2	2	2	1	9
315	625	0	1	1	1	1	1	1	1	6
316	625	0	1	1	1	1	1	1	1	6
317	475	0	1	1	1	1	1	1	1	6
318	725	1	1	1	1	1	1	1	1	6
319	609	0	1	1	1	1	1	1	1	6
401	609	0	1	1	1	1	1	1	1	6
402	751	1	1	1	1	1	1	1	1	6
403	475	0	1	1	1	1	1	1	1	6
404	625	0	1	1	1	1	1	1	1	6
405	625	0	1	1	1	1	1	1	1	6
406	975	2	2	1	1	2	2	2	1	9
407	879	1	2	1	1	2	2	2	1	9
408	920	2	2	1	1	2	2	2	1	9
409	861	2	2	1	1	2	2	2	1	9
410	936	2	2	1	1	2	2	2	1	9
411	861	2	2	1	1	2	2	2	1	9
412	864	2	2	1	1	2	2	2	1	9
413	912	2	2	1	1	2	2	2	1	9
414	975	2	2	1	1	2	2	2	1	9
415	625	0	1	1	1	1	1	1	1	6
416	625	0	1	1	1	1	1	1	1	6
417	475	0	1	1	1	1	1	1	1	6
418	751	1	1	1	1	1	1	1	1	6
419	609	0	1	1	1	1	1	1	1	6
501	609	0	1	1	1	1	1	1	1	6
502	751	1	1	1	1	1	1	1	1	6
503	475	0	1	1	1	1	1	1	1	6
504	625	0	1	1	1	1	1	1	1	6
505	625	0	1	1	1	1	1	1	1	6
506	975	2	2	1	1	2	2	2	1	9
507	852	1	2	1	1	2	2	2	1	9
508	920	2	2	1	1	2	2	2	1	9
509	861	2	2	1	1	2	2	2	1	9
510	963	2	2	1	1	2	2	2	1	9
511	861	2	2	1	1	2	2	2	1	9
512	864	2	2	1	1	2	2	2	1	9
513	890	2	2	1	1	2	2	2	1	9
514	975	2	2	1	1	2	2	2	1	9
515	625	0	1	1	1	1	1	1	1	6
516	625	0	1	1	1	1	1	1	1	6
517	475	0	1	1	1	1	1	1	1	6
518	751	1	1	1	1	1	1	1	1	6
519	609	0	1	1	1	1	1	1	1	6
601	975	2	2	1	1	2	2	2	1	9
602	814	1	2	1	1	2	2	2	1	9
603	920	2	2	1	1	2	2	2	1	9
604	861	2	2	1	1	2	2	2	1	9
605	904	2	2	1	1	2	2	2	1	9
606	861	2	2	1	1	2	2	2	1	9
607	864	2	2	1	1	2	2	2	1	9
608	888	2	2	1	1	2	2	2	1	9
609	975	2	2	1	1	2	2	2	1	9
Totals:	106 Units	77752	100	153	106	106	153	153	106	444

**FLOOR AREAS & UNIT MIX**

PLEASE NOTE THAT THE FLOOR AREAS INDICATED BELOW WERE TAKEN ACCORDING TO THE CBC DEFINITION OF "FLOOR AREA". THESE AREAS WILL MOST LIKELY NOT AGREE WITH OTHER METHODS OF MEASUREMENT SUCH AS BOMA STANDARDS, CONDOMINIUM DOCUMENTS, OR OTHERS.

**2121 THIRD STREET**

	Comml Salable Area	Comml Common Area	Residental Salable Area	Residental Common Area	Building Common Area	Subtotal Comml Gross Area	Subtotal Resid Gross Area	Total Gross Area	Studio Units	1BR Units	2BR Units	Total Units
1st	0	0	0	0	21,737	0	0	21,737	0	0	0	0
2nd	0	0	12,810	4,442	0	0	17,252	17,252	12	3	4	19
3rd	0	0	14,520	2,732	0	0	17,252	17,252	12	3	6	21
4th	0	0	14,238	2,732	0	0	16,970	16,970	8	3	8	19
5th	0	0	14,238	2,732	0	0	16,970	16,970	8	3	8	19
6th	0	0	14,238	2,732	0	0	16,970	16,970	8	3	8	19
7th	0	0	8,209	2,402	0	0	10,611	10,611	0	1	8	9
Total:	0	0	78,253	17,772	21,737	0	96,025	117,762	48	16	42	106

Affordable for Sales: 20% Required  
 Affordable for Rental: 17% Required  
 40% 2-BR units required: 106 x .40 = 42.4 Required. 42 Provided.

**PLANNING DEPARTMENT NOTES**

**Project Location:** 2121 Third Street (currently 740 Illinois Street and 2121 Third Street), San Francisco CA, Block 4045, Lots 2 (19,841 sq. ft.) and 6 (2,400 sq. ft.). Total lot area = 22,241 sq. ft.

**Height Limit:** 68-X: Proposed: 64'-9" at 3rd Street and 63'-6" at Illinois Street Building.

**Zoning District:** UMU, Urban Mixed Use in the Eastern Neighborhoods Plan.

**Site Open Area:** 25% Required: 22,241 X .25 = 5,560 sq. ft. required. 5,574 Provided.

**Usable Open Space Required:**  
 80 sq.ft. per Unit.  
 Total number of private decks w/ 80 sq.ft. or greater = 2  
 Total number of units w/o a private deck: 104 x 80 sq. ft. required = 8,320 sq.ft. total required.  
 9,019 sq. ft. provided on common roof terrace.

**Residential Automobile Parking and Freight Loading Required:**  
**PARKING:** .75 space per unit: 106 x .75 = 79.5: 80 parking stalls allowed. 80 stalls provided. 2 accessible, 52 stacking and 28 surface.  
**LOADING:** 1 space required for residential use over 100,000 sf. Residential salable area is 78,253 sf and residential gross area is 96,025 sf + 21,737 sf (accessory parking) = 117,762. Two Service Vehicle Spaces allowed for each required Off-Street Freight Loading Space in UMU District. Two Service Vehicle Spaces provided.

**Residential Bicycle Parking Required:**  
 1 space per two units, up to 50 units and 1 space per 4 units over 50 units: 50/2 + 56/4 = 25 + 14 = 39 Bicycle Spaces Required: 40 Provided.

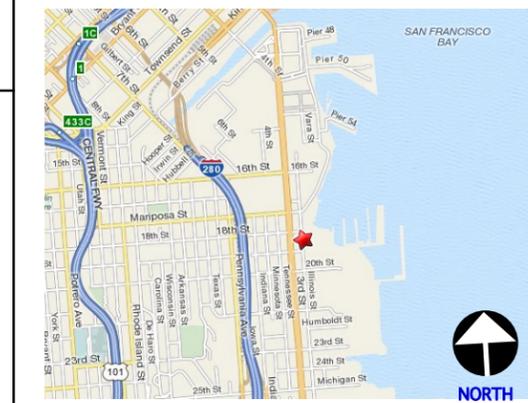
**DRAWING INDEX**

	08/19/10	12/10/10	12/23/10	02/18/11	05/02/11	07/08/11	07/15/11	08/17/11	09/07/11
A0.01 COVER SHEET	X	X	X	X	X	X	X	X	X
A0.01A EXISTING CONDITIONS	X	X	X	X	X	X	X	X	X
A0.02 SITE / ROOF PLAN				X	X	X	X	X	X
A1.01 1ST FLOOR PLAN	X	X	X	X	X	X	X	X	X
A1.02 2ND FLOOR PLAN	X	X	X	X	X	X	X	X	X
A1.03 3RD FLOOR PLAN	X	X	X	X	X	X	X	X	X
A1.04 4TH FLOOR PLAN	X	X	X	X	X	X	X	X	X
A1.05 5TH FLOOR PLAN	X	X	X	X	X	X	X	X	X
A1.06 6TH FLOOR PLAN	X	X	X	X	X	X	X	X	X
A1.07 7TH FLOOR PLAN				X	X	X	X	X	X
A1.08 ROOF PLAN				X	X	X	X	X	X
A2.01 3RD STREET ELEVATION	X	X	X	X	X	X	X	X	X
A2.02 ILLINOIS STREET ELEVATION	X	X	X	X	X	X	X	X	X
A2.03 NORTH ELEVATION									X
A2.04 SOUTH ELEVATION									X
A3.01 SECTION/COURT ELEVATION	X	X	X	X	X	X	X	X	X
A4.01 NORTH ELEVATION									X
A4.02 SOUTH ELEVATION									X

**SCOPE OF WORK**

New construction of 106 unit Residential Building facing Third Street and Illinois Street. The building shall be 7 stories for a portion of the building, and 6 stories, containing a common terrace at the second story outer court and a common roof terrace. Residential units on the six upper floors, and parking, stairs and utility rooms on the basement floor.

**VICINITY MAP**



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**BENJAMIN**  
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**COVER SHEET**  
**2121 THIRD ST.**  
**BLOCK 4045, EXISTING LOTS 2 AND 6**  
**SAN FRANCISCO, CA**

Revision	Date
REV.	12/10/10
REV.	

**\* FLOOR AREAS & UNIT MIX**

PLEASE NOTE THAT THE FLOOR AREAS INDICATED BELOW WERE TAKEN ACCORDING TO THE CBC DEFINITION OF "FLOOR AREA". THESE AREAS WILL MOST LIKELY NOT AGREE WITH OTHER METHODS OF MEASUREMENT SUCH AS BOMA STANDARDS, CONDOMINIUM DOCUMENTS, OR OTHERS.

**2121 THIRD STREET**

	Comm'l Salable Area	Comm'l Common Area	Residental Salable Area	Residental Common Area	Building Common Area	Subtotal Comm'l Gross Area	Subtotal Resid Gross Area	Total Gross Area	Studio Units	1BR Units	2BR Units	Total Units
1st	0	0	0	0	21,737	0	0	21,737	0	0	0	0
2nd	0	0	12,810	4,442	0	0	17,252	17,252	12	3	4	19
3rd	0	0	14,520	2,732	0	0	17,252	17,252	12	3	6	21
4th	0	0	14,238	2,732	0	0	16,970	16,970	8	3	8	19
5th	0	0	14,238	2,732	0	0	16,970	16,970	8	3	8	19
6th	0	0	14,238	2,732	0	0	16,970	16,970	8	3	8	19
7th	0	0	8,209	2,402	0	0	10,611	10,611	0	1	8	9
Total:	0	0	78,253	17,772	21,737	0	96,025	117,762	48	16	42	106

Affordable for Sales: 20% Required  
 Affordable for Rental: 17% Required  
 40% 2-BR units required: 106 x .40 = 42.4 Required. 42 Provided.

8 3 8 21  
 8 3 7 18

**UNIT COUNT WITH AREAS**

Unit	Sq Ft	Bdrms	Unit	Sq Ft	Bdrms	Unit	Sq Ft	Bdrms
<b>Second Floor:</b>			<b>Fourth Floor:</b>			<b>Sixth Floor:</b>		
101	598	0	301	609	0	501	609	0
102	725	1	302	725	1	502	751	1
103	475	0	303	475	0	503	475	0
104	625	0	304	625	0	504	625	0
105	625	0	305	625	0	505	625	0
106	702	1	306	975	2	506	975	2
107	493	0	307	852	1	507	852	1
108	498	0	308	920	2	508	920	2
109	456	0	309	861	2	509	861	2
110	456	0	310	963	2	510	963	2
111	861	2	311	861	2	511	861	2
112	864	2	312	864	2	512	864	2
113	861	2	313	920	2	513	890	2
114	975	2	314	975	2	514	975	2
115	625	0	315	625	0	515	625	0
116	625	0	316	625	0	516	625	0
117	475	0	317	475	0	517	475	0
118	725	1	318	725	1	518	751	1
119	599	0	319	609	0	519	609	0
<b>Third Floor:</b>			<b>Fifth Floor:</b>			<b>Seventh Floor:</b>		
201	609	0	401	609	0	601	975	2
202	751	1	402	751	1	602	814	1
203	475	0	403	475	0	603	920	2
204	625	0	404	625	0	604	861	2
205	625	0	405	625	0	605	904	2
206	975	2	406	975	2	606	861	2
207	883	1	407	879	1	607	864	2
208	493	0	408	920	2	608	898	2
209	498	0	409	861	2	609	975	2
210	861	2	410	936	2			
211	456	0	411	861	2			
212	456	0	412	864	2			
213	861	2	413	912	2			
214	864	2	414	975	2			
215	942	2	415	625	0			
216	975	2	416	625	0			
217	625	0	417	475	0			
218	625	0	418	751	1			
219	475	0	419	609	0			
220	751	1						
221	609	0						

Totals: 106 Units 78,253 sf Total 100 BR's Total

**PROJECT DESCRIPTION**

NEW CONSTRUCTION OF 106 UNIT RESIDENTIAL BUILDING FACING THIRD STREET AND ILLINOIS STREET. THE BUILDING SHALL BE 7 STORIES FOR THE PORTION OF THE BUILDING FACING THIRD STREET, AND 6 STORIES FOR THE PORTION OF THE BUILDING FACING ILLINOIS STREET. THE PROJECT CONTAINS A COMMON TERRACE AT THE SECOND STORY OUTER COURT AND A COMMON ROOF TERRACE. RESIDENTIAL UNITS ON THE SIX UPPER FLOORS, AND PARKING, STAIRS AND UTILITY ROOMS ON THE BASEMENT FLOOR.

**PLANNING DEPARTMENT NOTES**

**PROJECT LOCATION:** 2121 THIRD STREET (CURRENTLY 740 ILLINOIS STREET AND 2121 THIRD STREET), SAN FRANCISCO CA, BLOCK 4045, LOTS 2 (19,841 SQ. FT.) AND 6 (2,400 SQ. FT.). TOTAL LOT AREA = 22,241 SQ. FT.

**HEIGHT LIMIT:** 68-X: PROPOSED: 64'-9" AT 3RD STREET AND 63'-6" AT ILLINOIS STREET BUILDING.

**ZONING DISTRICT:** UMU, URBAN MIXED USE IN THE EASTERN NEIGHBORHOODS PLAN.

**SITE OPEN AREA:** 25% REQUIRED: 22,241 X .25 = 5,560 SQ. FT. REQUIRED. 5,574 PROVIDED.

**USABLE OPEN SPACE REQUIRED:** 80 SQ.FT. PER UNIT.

TOTAL NUMBER OF PRIVATE DECKS W/ 80 SQ.FT. OR GREATER = 2  
 TOTAL NUMBER OF UNITS W/O A PRIVATE DECK: 104 X 80 SQ. FT. REQUIRED = 8,320 SQ.FT. TOTAL REQUIRED. 9,019 SQ. FT. PROVIDED ON COMMON ROOF TERRACE.

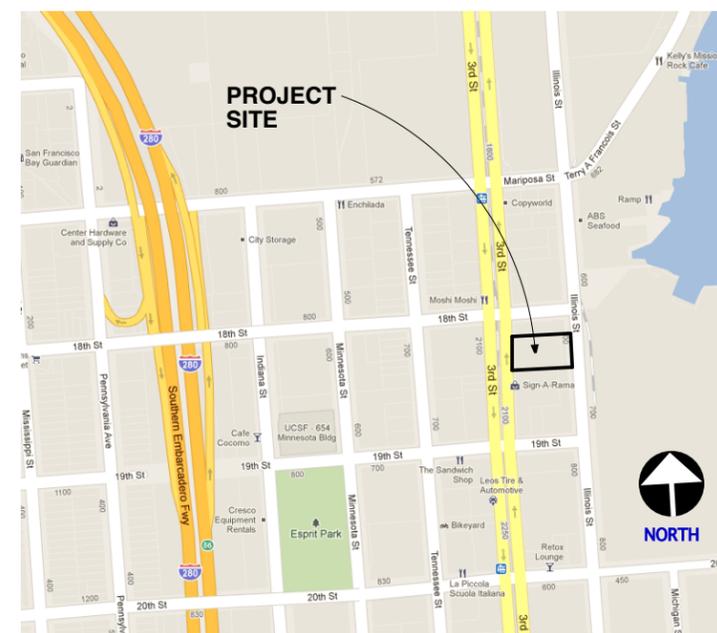
**RESIDENTIAL AUTOMOBILE PARKING AND FREIGHT LOADING REQUIRED:**

**PARKING:** .75 SPACE PER UNIT: 106 X .75 = 79.5: 80 PARKING STALLS ALLOWED. 80 STALLS PROVIDED. 2 ACCESSIBLE, 52 STACKING AND 28 SURFACE.

**FREIGHT LOADING:** 1 SPACE REQUIRED FOR RESIDENTIAL USE OVER 100,000 SF. RESIDENTIAL SALABLE AREA IS 78,253 SF AND RESIDENTIAL GROSS AREA IS 96,025 SF + 21,737 SF (ACCESSORY PARKING) = 117,762. TWO SERVICE VEHICLE SPACES ALLOWED FOR EACH REQUIRED OFF-STREET FREIGHT LOADING SPACE IN UMU DISTRICT. TWO SERVICE VEHICLE SPACES PROVIDED.

**RESIDENTIAL BICYCLE PARKING REQUIRED:** 1 SPACE PER TWO UNITS, UP TO 50 UNITS AND 1 SPACE PER 4 UNITS OVER 50 UNITS: 50/2 + 56/4 = 25 + 14 = 39 BICYCLE SPACES REQUIRED: 40 PROVIDED.

**VICINITY MAP**



**PROJECT DIRECTORY**

**OWNER**

GARY COHEN  
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 TEL. 415 337 5824 FAX. 415 337 5828  
 TIM@TIMKELLEYCONSULTING.COM

**DRAWING INDEX**

- A0.0A COVER SHEET
- A0.0B ARIAL NEIGHBORHOOD VIEW
- A0.0C EXISTING PETROLEUM FACILITY
- A0.0D SITE PHOTOS
- A0.0E THIRD ST. PERSPECTIVE PHOTO MONTAGE
- A0.0F ILLINOIS ST. PERSPECTIVE PHOTO MONTAGE

- A0.1 COVER SHEET
- A0.2 SITE / ROOF PLAN

- A1.01 1ST FLOOR PLAN
- A1.02 2ND FLOOR PLAN
- A1.03 3RD FLOOR PLAN
- A1.04 4TH FLOOR PLAN
- A1.05 5TH FLOOR PLAN
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- A2.01 3RD STREET ELEVATION
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- A2.03 NORTH ELEVATION
- A2.04 SOUTH ELEVATION

- A3.01 SECTION/COURT ELEVATION

- A4.01 THIRD ST. RENDERED ELEVATION
- A4.02 ILLINOIS ST. RENDERED ELEVATION
- A4.03 MATERIAL PALETTE

ENVIRONMENTAL EVALUATION CASE # 2010.0094E EASTERN NEIGHBORHOODS LARGE PROJECT REVIEW CASE # 2010.0094X  
 2121 THIRD ST. BLOCK 4045, EXISTING LOTS 2 AND 6 SAN FRANCISCO, CA  
 COVER SHEET  
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 P. COMMISH. 09/07/11  
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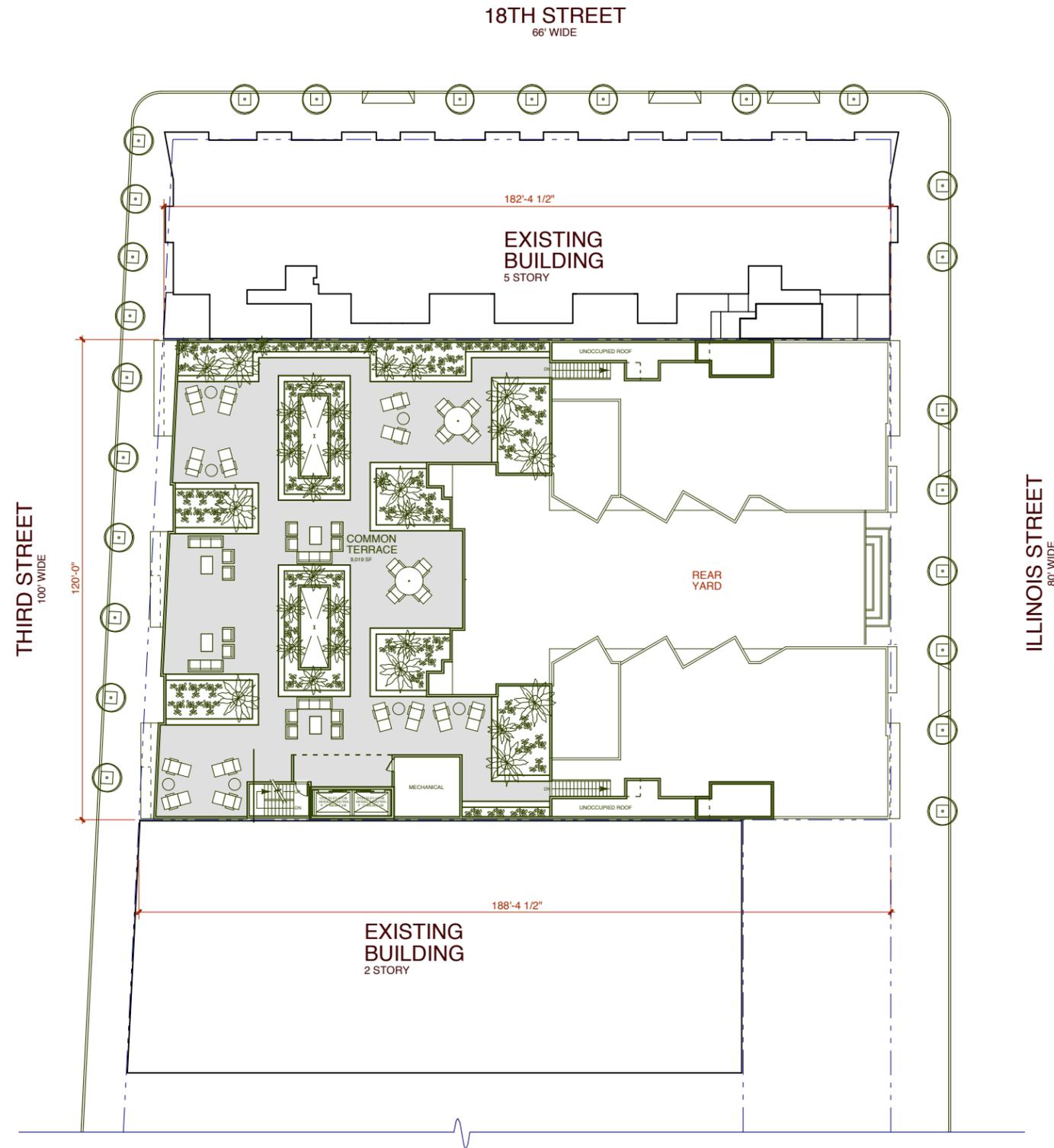








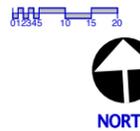




SITE / ROOF PLAN

1

SCALE 1/16" = 1'-0"



SITE / ROOF PLAN

2121 THIRD ST.  
BLOCK 4045, EXISTING LOTS 2 AND 6  
SAN FRANCISCO, CA

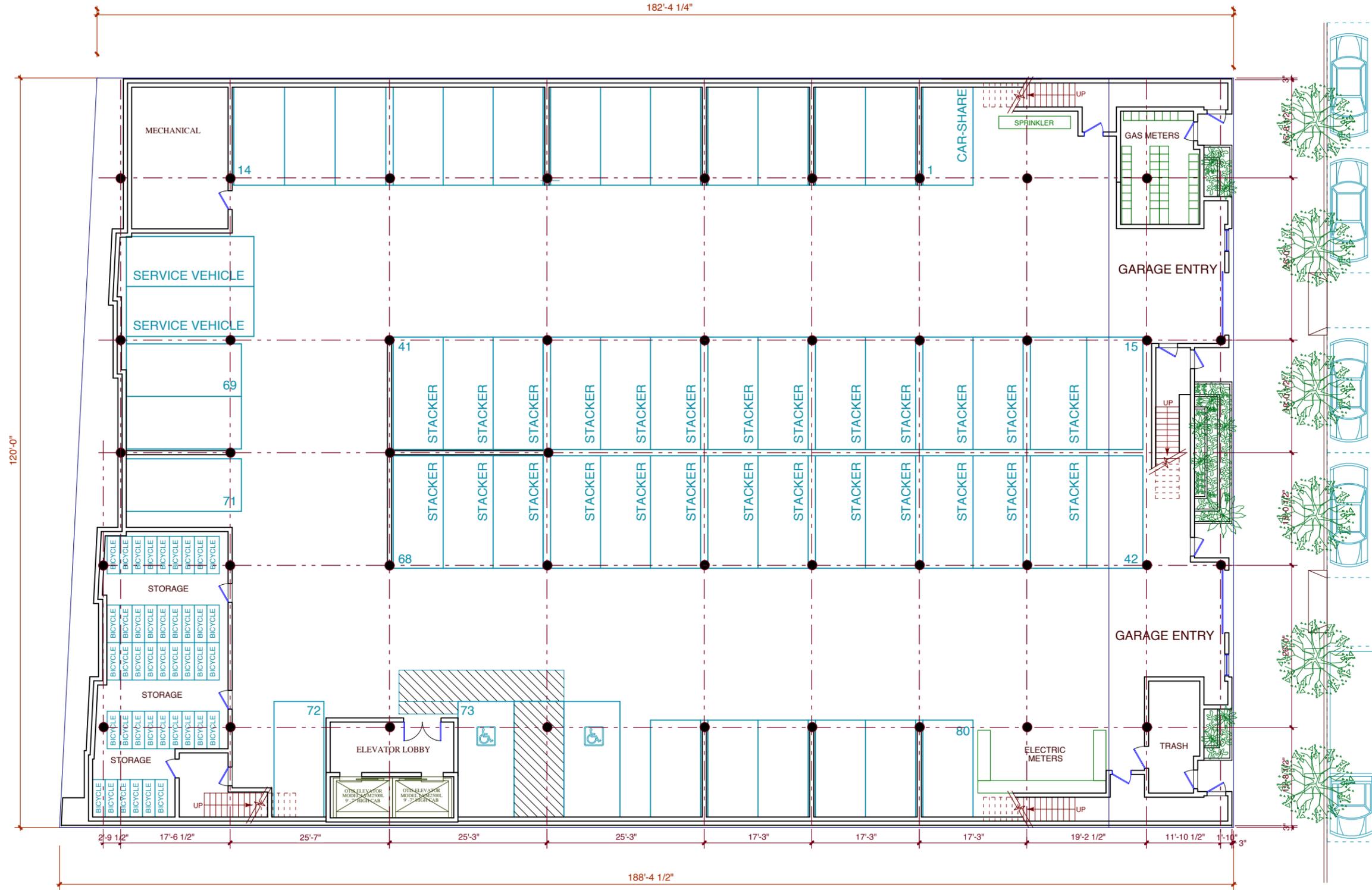
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PLANG REV.	07/15/11
PLANG REV.	08/17/11
PLANG REV.	09/01/11
P. COMMISH.	09/07/11

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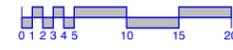
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ENVIRONMENTAL EVALUATION CASE # 2010.0094E EASTERN NEIGHBORHOODS LARGE PROJECT REVIEW CASE # 2010.0094X

THIRD STREET



ILLINOIS STREET



FIRST FLOOR GARAGE PLAN 1

SCALE 1/8" = 1'-0"

ENVIRONMENTAL EVALUATION CASE # 2010.0094E EASTERN NEIGHBORHOODS LARGE PROJECT REVIEW CASE # 2010.0094X

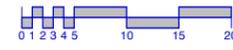
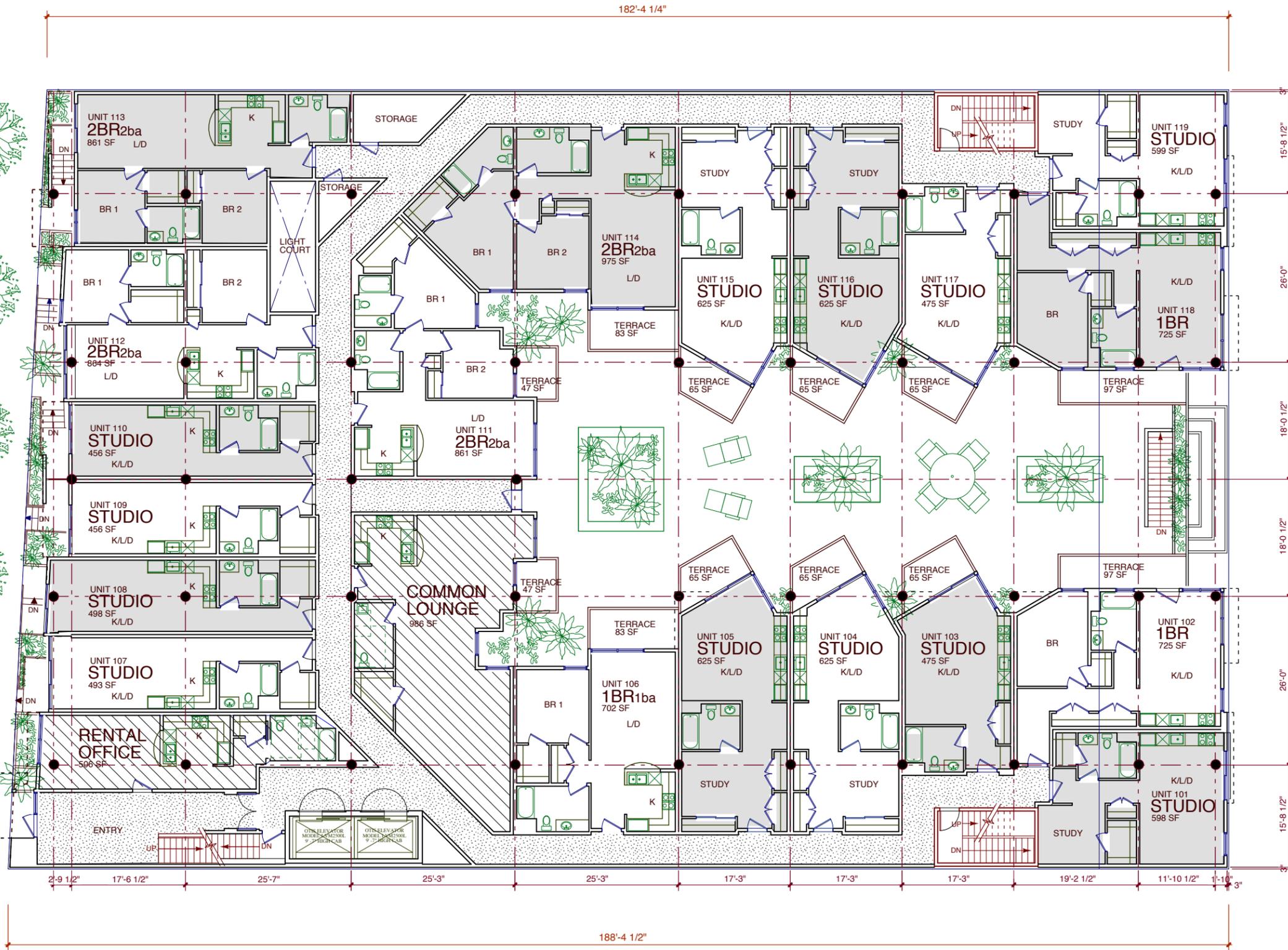
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PLANG REV.	05/02/11
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PLANG REV.	07/15/11
NEIGH. REV.	07/26/11
PLANG REV.	08/17/11
PLANG REV.	09/01/11
P. COMMISH.	09/07/11

Date: 08/19/10  
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**A1.01**

THIRD STREET

ILLINOIS STREET



2ND FLOOR PLAN

1

SCALE 1/8" = 1'-0"

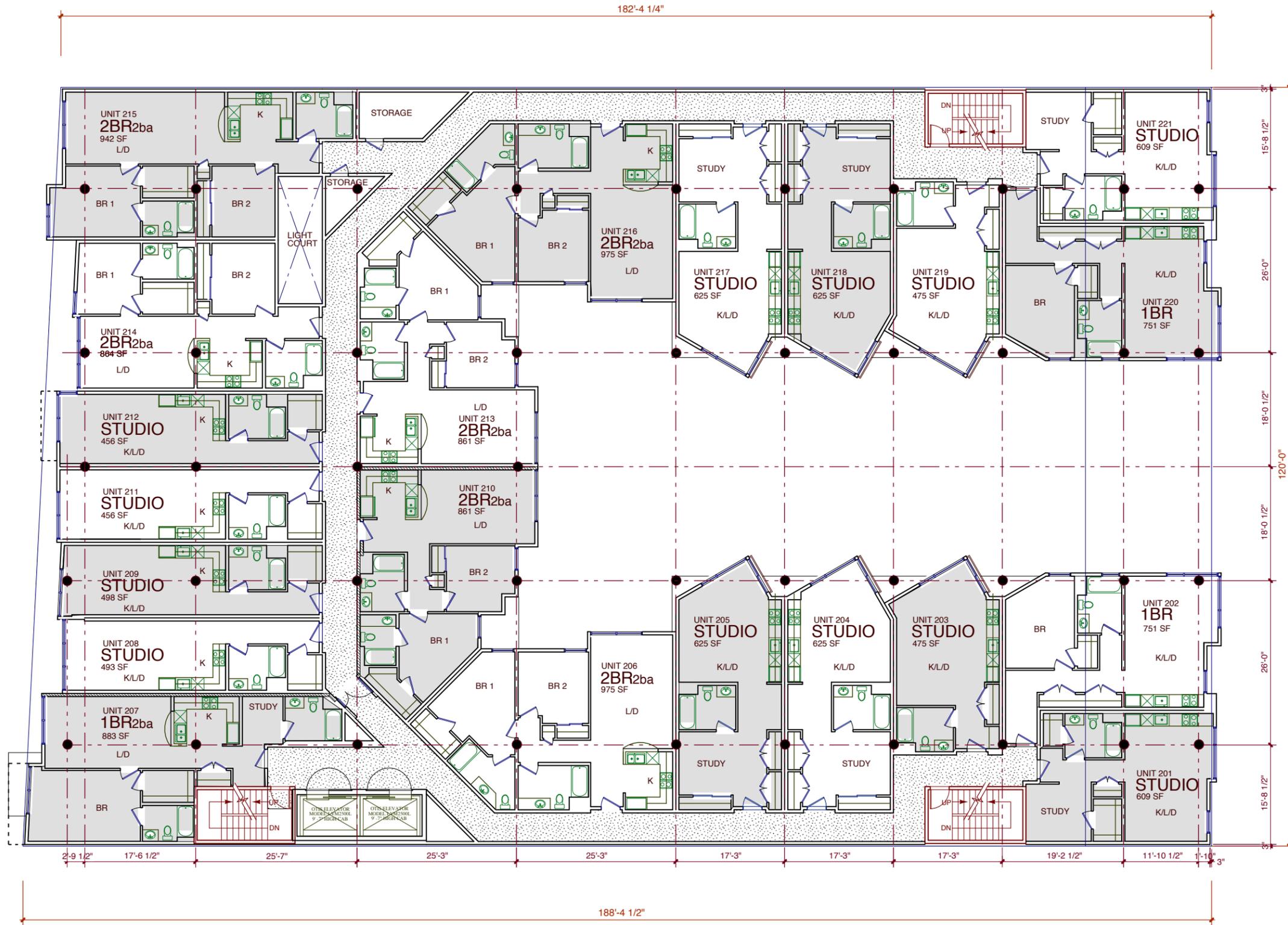
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REV.	12/23/10
PLANNING	02/18/11
PLANNING REV.	05/02/11
PRE-APPLIC.	07/08/11
PLANNING REV.	07/15/11
NEIGH. REV.	07/26/11
PLANNING REV.	08/17/11
P. COMMISH.	09/07/11

Date: 08/19/10  
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THIRD STREET

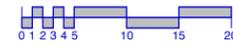


ILLINOIS STREET

3RD FLOOR PLAN

1

SCALE 1/8" = 1'-0"



ENVIRONMENTAL EVALUATION CASE # 2010.0094E EASTERN NEIGHBORHOODS LARGE PROJECT REVIEW CASE # 2010.0094X

Revision	Date
REV.	12/10/10
REV.	12/23/10
PLANNING	02/18/11
PLANG REV.	05/02/11
PRE-APPLIC.	07/08/11
PLANG REV.	07/15/11
PLANG REV.	08/17/11
P. COMMISH.	09/07/11

2121 THIRD ST.  
BLOCK 4045, EXISTING LOTS 2 AND 6  
SAN FRANCISCO, CA

THIRD FLOOR PLAN

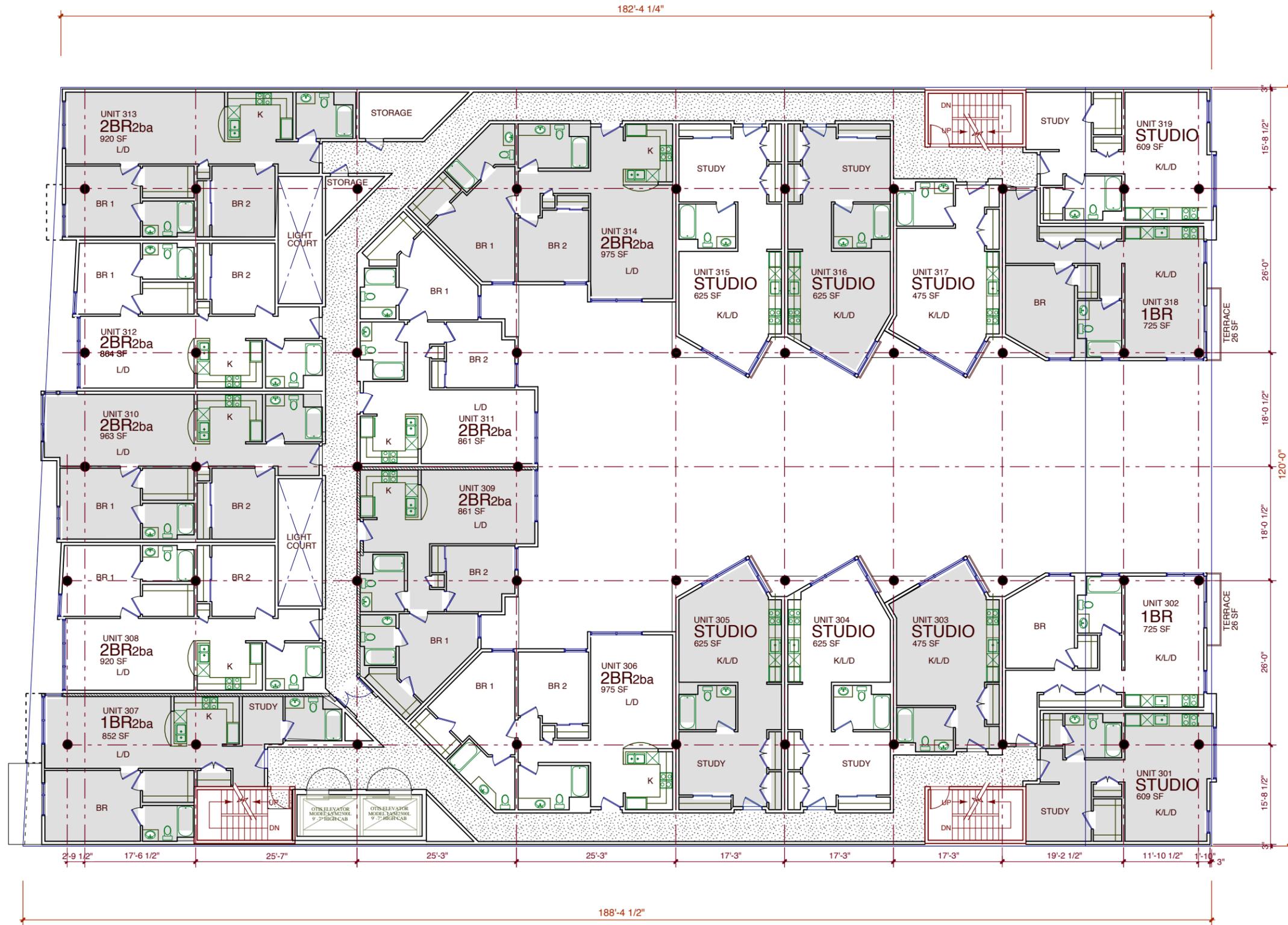


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A1.03

Date: 08/19/10  
Scale: 1/8"=1'-0"  
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THIRD STREET



ILLINOIS STREET

4TH FLOOR PLAN

1

SCALE 1/8" = 1'-0"

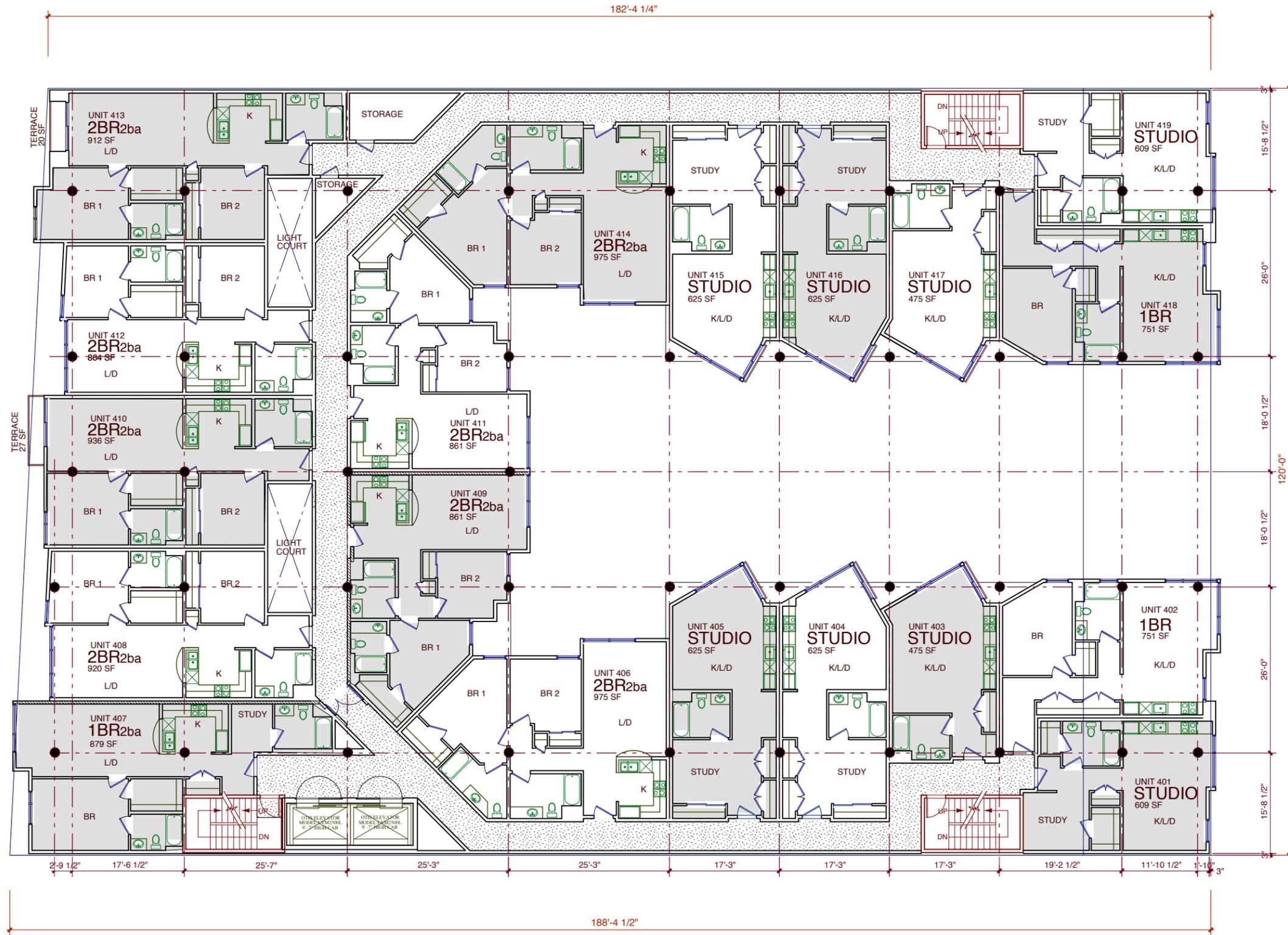


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PLANG REV.	08/17/11
P. COMMISH.	09/07/11

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ENVIRONMENTAL EVALUATION CASE # 2010.0094E EASTERN NEIGHBORHOODS LARGE PROJECT REVIEW CASE # 2010.0094X

THIRD STREET

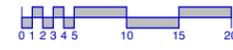


ILLINOIS STREET

5TH FLOOR PLAN

1

SCALE 1/8" = 1'-0"



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**STERNBERG BENJAMIN**  
ARCHITECTS

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**FIFTH FLOOR PLAN**

2121 THIRD ST.  
BLOCK 4045, EXISTING LOTS 2 AND 6  
SAN FRANCISCO, CA

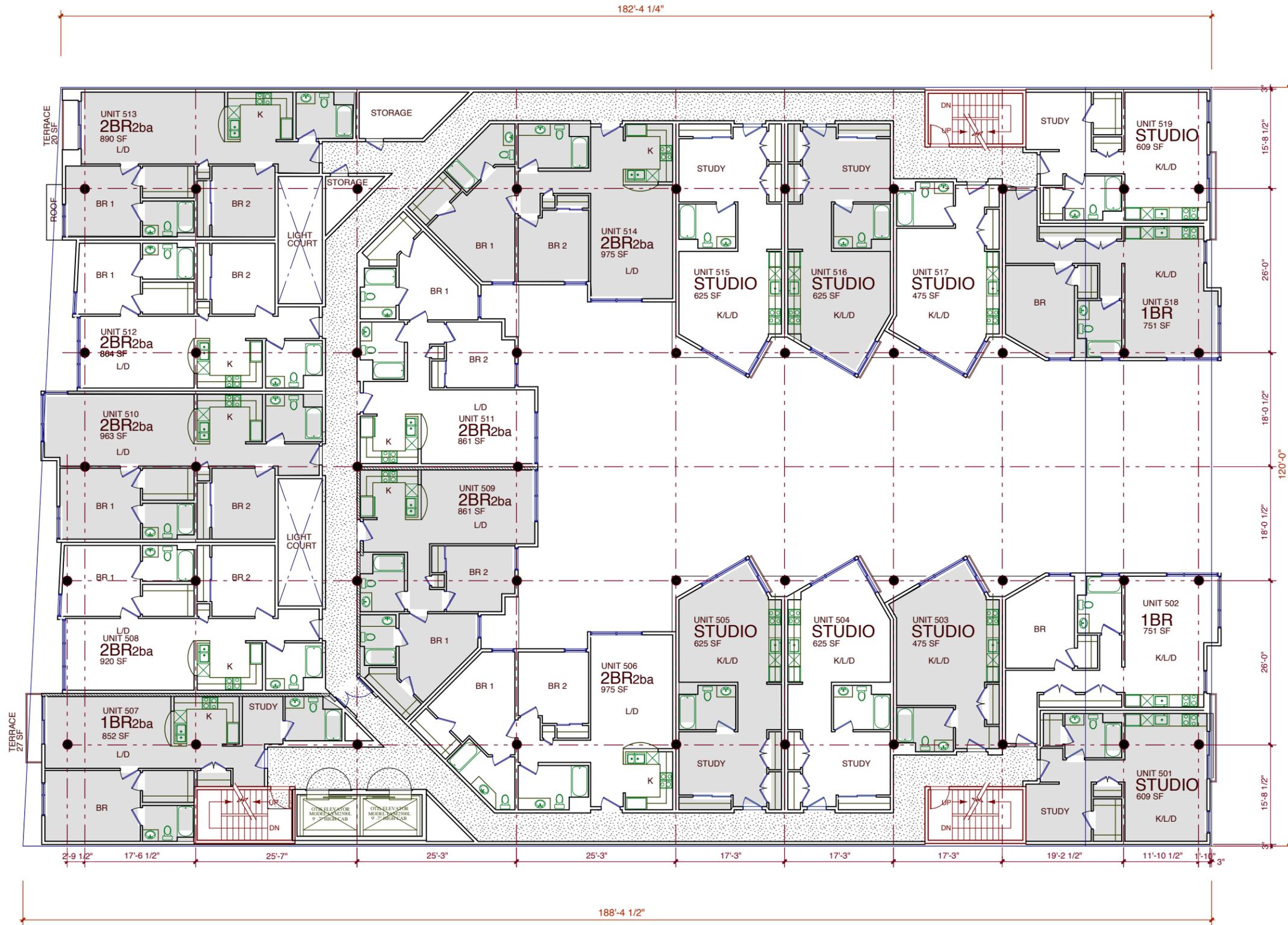
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REV.	12/23/10
PLANNING	02/18/11
PLANG REV.	05/02/11
PRE-APPLIC.	07/08/11
PLANG REV.	07/15/11
PLANG REV.	08/17/11
P. COMMISH.	09/07/11

ENVIRONMENTAL EVALUATION CASE # 2010.0094E EASTERN NEIGHBORHOODS LARGE PROJECT REVIEW CASE # 2010.0094X

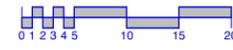
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**A1.05**

THIRD STREET



ILLINOIS STREET



6TH FLOOR PLAN

1

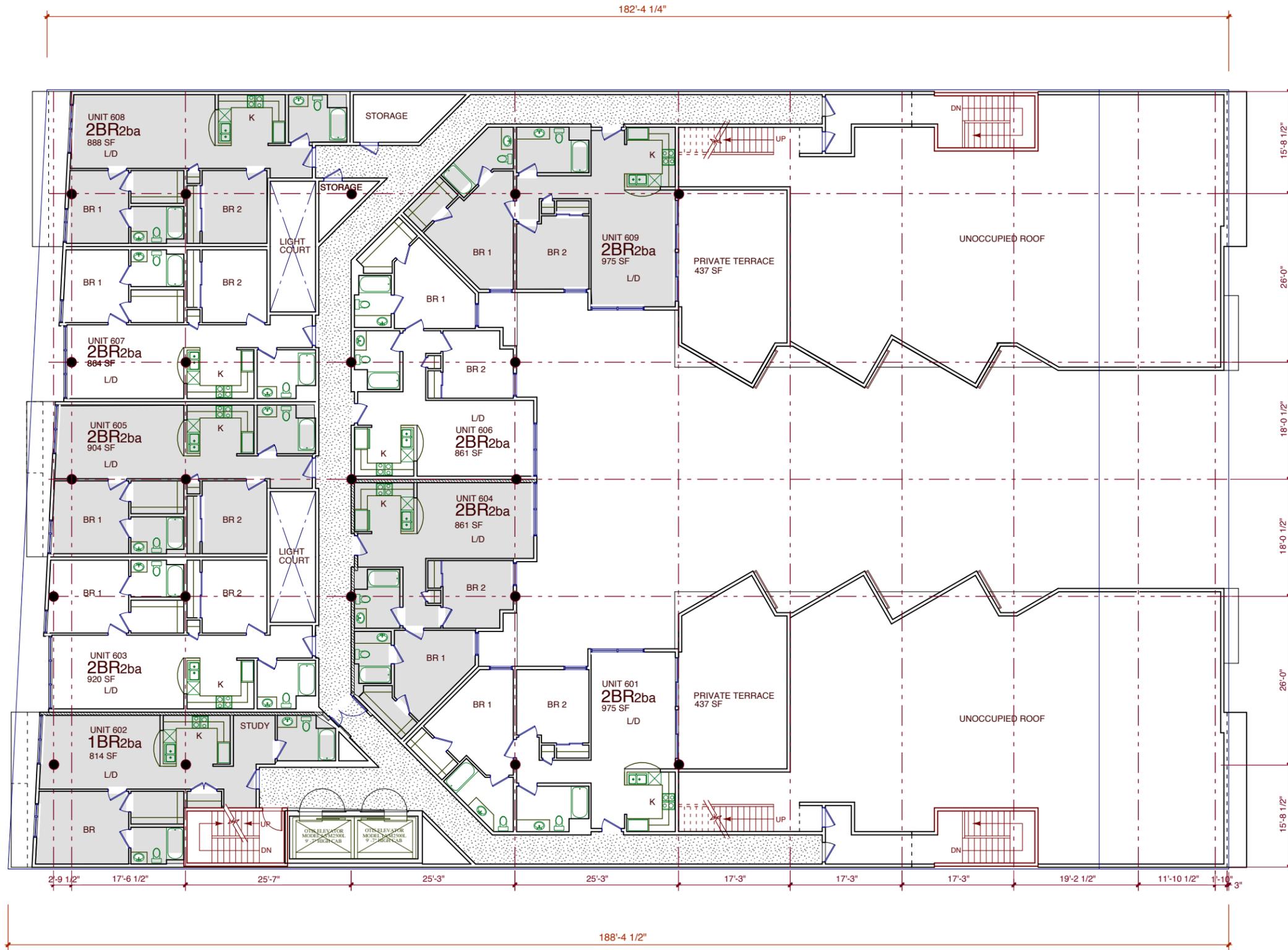
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Revision	Date
REV.	12/10/10
REV.	12/23/10
PLANNING	02/18/11
PLANG REV.	05/02/11
PRE-APPLIC.	07/08/11
PLANG REV.	07/15/11
PLANG REV.	08/17/11
P. COMMISH.	09/07/11

Date: 08/19/10  
Scale: 1/8"=1'-0"  
Drawn: DS  
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**A1.06**

THIRD STREET

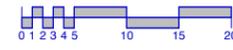


ILLINOIS STREET

7TH FLOOR PLAN

1

SCALE 1/8" = 1'-0"

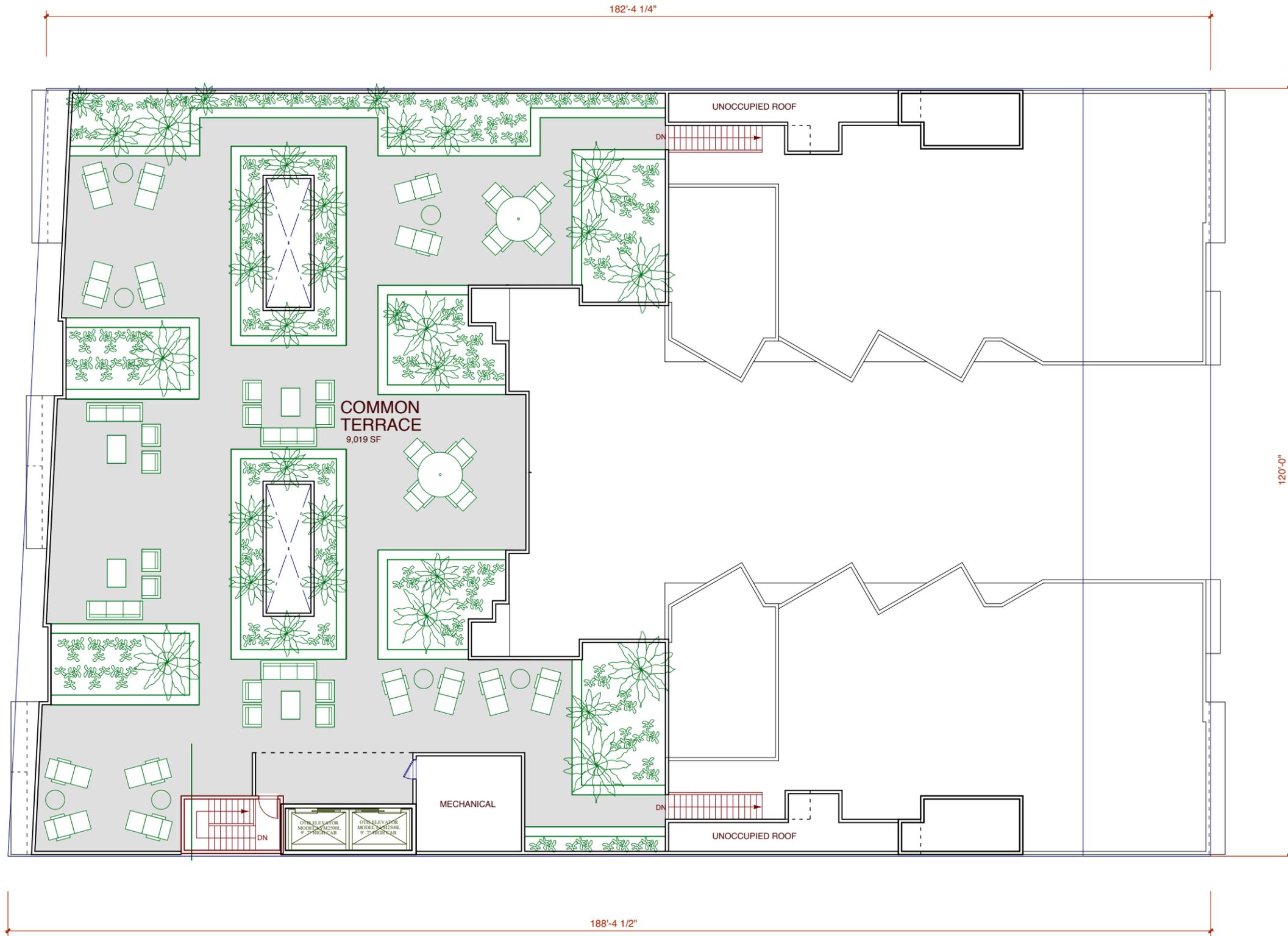


Revision	Date
REV.	12/10/10
REV.	12/23/10
PLANNING	02/18/11
PLANG REV.	05/02/11
PRE-APPLIC.	07/08/11
PLANG REV.	07/15/11
PLANG REV.	08/17/11
P. COMMISH.	09/07/11

Date: 08/19/10  
Scale: 1/8"=1'-0"  
Drawn: DS  
Sheet:

ENVIRONMENTAL EVALUATION CASE # 2010.0094E EASTERN NEIGHBORHOODS LARGE PROJECT REVIEW CASE # 2010.0094X

THIRD STREET



ILLINOIS STREET



ROOF PLAN

1

SCALE 1/8" = 1'-0"

ENVIRONMENTAL EVALUATION CASE # 2010.0094E EASTERN NEIGHBORHOODS LARGE PROJECT REVIEW CASE # 2010.0094X

Revision	Date
REV.	12/10/10
REV.	12/23/10
PLANNING	02/18/11
PLANG REV.	05/02/11
PRE-APPLIC.	07/08/11
PLANG REV.	07/15/11
PLANG REV.	08/17/11
P. COMMISH.	09/07/11

Date: 08/19/10  
 Scale: 1/8"=1'-0"  
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**A1.08**

2121 THIRD ST.  
 BLOCK 4045, EXISTING LOTS 2 AND 6  
 SAN FRANCISCO, CA

ROOF PLAN



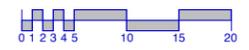
1331 HARRISON STREET  
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 www.sternbergbenjamin.com



LINE OF 68' HEIGHT  
LIMIT AT CL OF SITE  
FOR PLANNING CODE

- BRICK OR TILE (TYP.)
- GALVANIZED METAL GUARDRAILS (TYP.)
- CEMENTIOUS PANELS (TYP.)
- WOOD SIDING AT BAYS (TYP.)
- METAL WINDOWS (TYP.)
- BRICK OR TILE (TYP.)
- FINISHED CONCRETE (TYP.)

THIRD STREET (WEST) ELEVATION



2121 THIRD ST.  
STREET (WEST)  
ELEVATION

2121 THIRD ST.  
BLOCK 4045, EXISTING LOTS 2 AND 6  
SAN FRANCISCO, CA

ENVIRONMENTAL EVALUATION CASE # 2010.0094E EASTERN NEIGHBORHOODS LARGE PROJECT REVIEW CASE # 2010.0094X

Revision	Date
E. E.	12/21/09
E. E. REV.	03/17/10
E. E. REV.	10/07/10
REV.	12/10/10
PLANNING	02/18/11
PLANG REV.	05/02/11
MATERIALS	06/30/11
PLANG REV.	07/15/11
PLANG REV.	08/17/11
P. COMMISH.	09/07/11

Date: 12/07/09  
Scale: 1/8"=1'-0"  
Drawn: DS  
Sheet:

**A2.01**



ILLINOIS STREET (EAST) ELEVATION SCALE 1/8" = 1'-0"

1

ILLINOIS STREET  
 (EAST) ELEVATION

2121 THIRD ST.  
 BLOCK 4045, EXISTING LOTS 2 AND 6  
 SAN FRANCISCO, CA

Revision	Date
E. E.	12/21/09
E. E. REV.	03/17/10
REV.	12/10/10
PLANNING	02/18/11
PLANG REV.	05/02/11
MATERIALS	06/30/11
PRE-APPLIC.	07/08/11
PLANG REV.	07/15/11
PLANG REV.	08/17/11
P. COMMISH.	09/07/11

Date: 12/07/09  
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 Drawn: DS  
 Sheet:

**A2.02**

ENVIRONMENTAL EVALUATION CASE # 2010.0094E EASTERN NEIGHBORHOODS LARGE PROJECT REVIEW CASE # 2010.0094X







BUILDING SECTION LOOKING NORTH 1

SCALE 1/8" = 1'-0"



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SECTION / COURT  
ELEVATION

2121 THIRD ST.  
BLOCK 4045, EXISTING LOTS 2 AND 6  
SAN FRANCISCO, CA

ENVIRONMENTAL EVALUATION CASE # 2010.0094E EASTERN NEIGHBORHOODS LARGE PROJECT REVIEW CASE # 2010.0094X

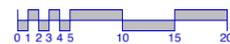
Revision	Date
REV.	12/10/10
REV.	12/23/10
PLANNING	02/18/11
PLANG REV.	05/02/11
MATERIALS	06/30/11
PRE-APPLIC.	07/08/11
PLANG REV.	07/15/11
NEIGH. REV.	07/26/11
PLANG REV.	08/17/11
P.COMMISH.	09/07/11

Date: 08/19/10  
Scale: 1/8"=1'-0"  
Drawn: DS  
Sheet:

**A3.01**



THIRD STREET (WEST) ELEVATION



ENVIRONMENTAL EVALUATION CASE # 2010.0094E EASTERN NEIGHBORHOODS LARGE PROJECT REVIEW CASE # 2010.0094X

Revision	Date
E. E.	12/21/09
E. E. REV.	03/17/10
E. E. REV.	10/07/10
REV.	12/10/10
PLANNING	02/18/11
PLANNING REV.	05/02/11
MATERIALS	06/30/11
PLANNING REV.	07/15/11
NEIGH. REV.	07/26/11
P. COMMISH.	08/17/11

Date: 12/07/09  
 Scale: 1/8"=1'-0"  
 Drawn: DS  
 Sheet:

**A4.01**

2121 THIRD ST.  
 BLOCK 4045, EXISTING LOTS 2 AND 6  
 SAN FRANCISCO, CA

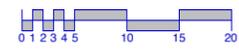
2121 THIRD ST.  
 STREET (WEST)  
 ELEVATION



ILLINOIS STREET (EAST) ELEVATION

SCALE 1/8" = 1'-0"

1



ENVIRONMENTAL EVALUATION CASE # 2010.0094E EASTERN NEIGHBORHOODS LARGE PROJECT REVIEW CASE # 2010.0094X

Revision	Date
E. E.	12/21/09
E. E. REV.	03/17/10
REV.	12/10/10
PLANNING	02/18/11
PLANG REV.	05/02/11
MATERIALS	06/30/11
PRE-APPLIC.	07/08/11
PLANG REV.	07/15/11
NEIGH. REV.	07/26/11
NEIGH. REV.	08/17/11
P. COMMISH.	09/07/11

Date:  
Scale: 1/8"=1'-0"  
Drawn: DS  
Sheet:

**A4.02**

ILLINOIS STREET  
(EAST) ELEVATION

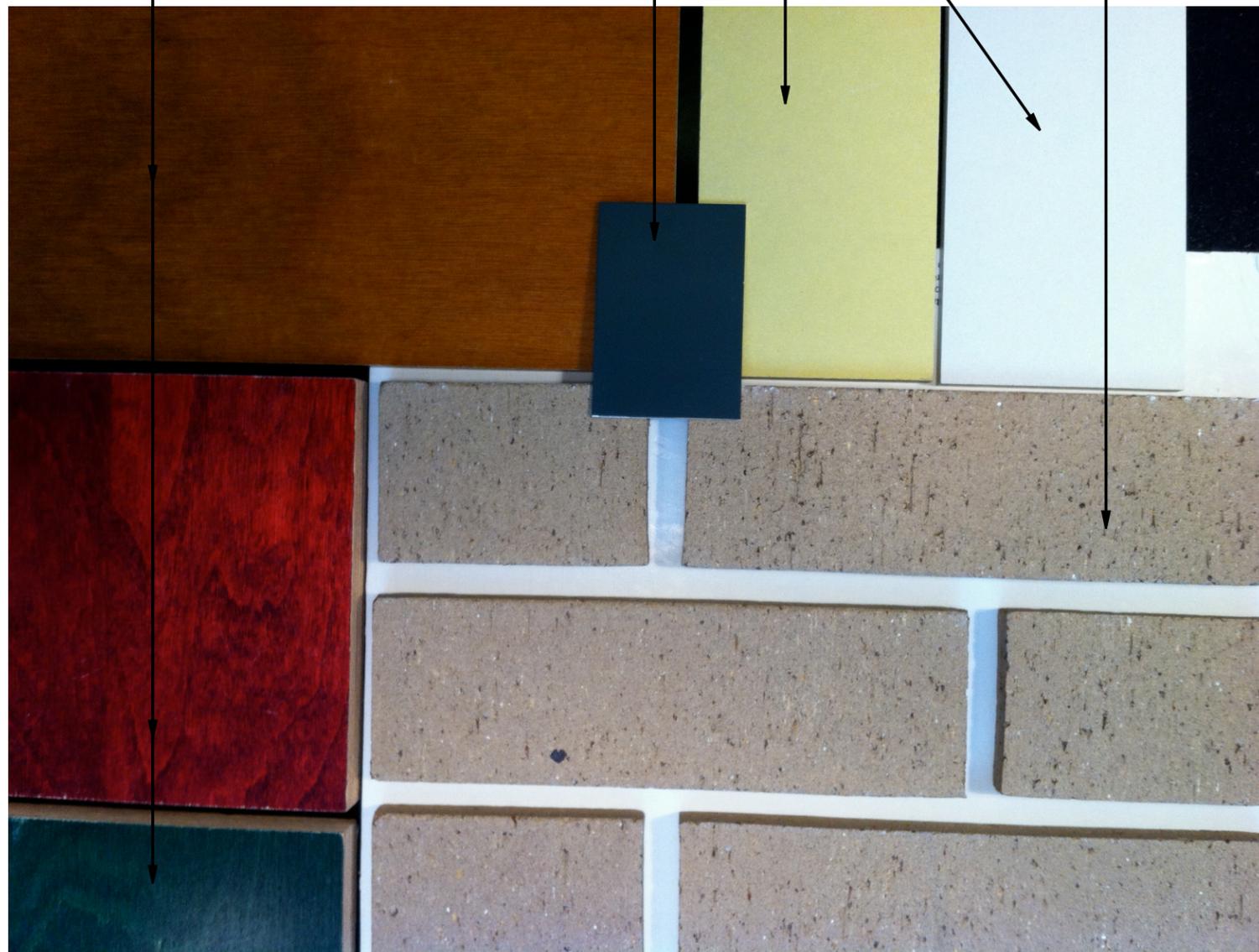
2121 THIRD ST.  
BLOCK 4045, EXISTING LOTS 2 AND 6  
SAN FRANCISCO, CA

CLAY BRICK FACING

FIBER-CEMENT INTEGRAL COLOR PANELS

THERMO-SETTING ACRYLIC FINISH @ ALUMINUM WINDOWS - FLASHING - CORNICE

PARKLEX WOOD PANELS @ BAYS



MATERIALS PALETTE

1



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MATERIALS PALETTE

2121 THIRD ST.  
BLOCK 4045, EXISTING LOTS 2 AND 6  
SAN FRANCISCO, CA

ENVIRONMENTAL EVALUATION CASE # 2010.0094E EASTERN NEIGHBORHOODS LARGE PROJECT REVIEW CASE # 2010.0094X

Revision	Date
P. COMMISH.	09/07/11

Date:	
Scale:	No Scale
Drawn:	DS
Sheet:	

A5.01



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2121 Third Street, San Francisco, CA  
Sternberg Benjamin Architects