



SAN FRANCISCO PLANNING DEPARTMENT

Executive Summary Conditional Use

HEARING DATE: AUGUST 1, 2013

Date: July 25, 2013
Case No.: **2011.0119 ECKV**
Project Address: **200 6th Street**
Zoning: SoMa NCT (Neighborhood Commercial Transit)
SoMa Youth and Family Special Use District
85-X Height and Bulk District
Block/Lot: 3731/001
Project Sponsor: Sharon Christen
Mercy Housing California
1360 Mission Street
San Francisco, CA 94103
Staff Contact: Corey Teague – (415) 575-9081
corey.teague@sfgov.org

Recommendation: **Approval with Conditions**

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

PROJECT DESCRIPTION

The proposal is to demolish the existing building and construct a 9-story, 85-foot tall mixed use building containing 67 permanently affordable dwelling units, one manager's unit, and an approximately 2,550 square foot ground floor restaurant space. Fourteen of the 67 dwelling units will be provided for the sole use of developmentally disabled persons. The building will also contain a community room on the ground floor, no off-street parking, and 29 bicycle parking spaces.

SITE DESCRIPTION AND PRESENT USE

The project is located on the southwest corner of 6th and Howard Streets, Block 3731, Lot 001. The property currently contains a four-story residential building with ground floor commercial space that covers the entire property and was constructed in 1909. It is identified as a historic resource as a contributor to the Sixth Street Lodging House District, and is commonly known as the Hugo Hotel, or alternately as the "Defenestration" building because of an art installation of pieces of furniture attached to the exterior of the building. The building contained 23 apartments, but was damaged by fire and earthquake in the late 1980s and has not been occupied since 1987. The former San Francisco Redevelopment Agency purchased the property in 2009 through eminent domain in order to develop affordable housing on the site.

SURROUNDING PROPERTIES AND NEIGHBORHOOD

The project site falls in the East SoMa Plan Area and the South of Market Redevelopment Project Area, which runs along 6th Street from Stevenson Street to Harrison Street. The area includes a variety of small businesses and housing types, and substantial Residential Enclave Districts is nearby along Minna, Natoma, Harriet, Russ, and Moss Streets between 6th and 7th Streets. Additionally, the Gene Friend Recreation Center is on the same block at the corner of 6th and Folsom Streets.

The SoMa NCT is located along a portion of the 6th Street and Folsom Street corridors in the South of Market neighborhood. The commercial area provides a limited selection of convenience goods for the residents of SoMa. A moderate number of eating and drinking establishments contribute to the street's mixed-use character and activity in the evening hours. A number of upper-story professional and business offices are located in the district. In general, residential uses are found above the commercial uses on the ground floor.

ENVIRONMENTAL REVIEW

The Project's Final Environmental Impact Report (FEIR) is proposed to be certified by the Planning Commission prior to the public hearing for the Conditional Use Authorization and Variance on August 1, 2013.

HEARING NOTIFICATION

TYPE	REQUIRED PERIOD	REQUIRED NOTICE DATE	ACTUAL NOTICE DATE	ACTUAL PERIOD
Classified News Ad	20 days	July 12, 2013	July 10, 2013	22 days
Posted Notice	20 days	July 12, 2013	July 12, 2013	20 days
Mailed Notice	20 days	July 12, 2013	July 11, 2013	21 days

PUBLIC COMMENT

- The Department received 14 letters of support for the project neighborhood residents and various community groups and organizations, and no letters of opposition.

ISSUES AND OTHER CONSIDERATIONS

- The existing residential building has been vacant for more than 20 years due to the previous owner's unwillingness to maintain the building and address code violations. The property was purchased by the former San Francisco Redevelopment Agency through eminent domain specifically for the purpose of constructing new affordable housing.
- The project will demolish a building that is identified as a historic resource as a contributor to the Sixth Street Lodging House District. However, the building is in severe disrepair. The proposed CEQA findings include a Statement of Overriding Consideration finding that, after considering the EIR and based on substantial evidence in the administrative record as a whole and as set forth in the CEQA findings, that specific overriding economic, legal, social, and other considerations

outweigh the identified significant effects on demolishing the historic resource. Additionally, mitigation measures are included in the proposed Mitigation Monitoring and Reporting Program (MMRP) to address the loss of the historic resource.

- There is a concern with the potential over-concentration of food-service establishments. The Commerce and Industry Element of the General Plan contains Guidelines for Specific Uses. For eating and drinking establishments, the Guidelines state, “the balance of commercial uses may be threatened when eating and drinking establishments occupy more than 20% of the total occupied commercial frontage.” Planning staff has performed a site survey of the SoMa NCT Zoning District which contains the proposed building. With the proposed restaurant use, approximately 17% of the frontage of the District is attributed to eating and drinking establishments.
- Beyond the required conditional use authorization, the project requires a rear yard modification and variances for open space, dwelling unit exposure, and ground floor ceiling height.

REQUIRED COMMISSION ACTION

In order for the project to be approved, the Commission must grant conditional use authorization to allow the demolition of 23 dwelling units and the construction new mixed use building pursuant to Planning Code Sections 121.1, 249.40A, 303, 317, and 735.38, and the Zoning Administrator must grant variances and a Zoning Administrator Modification, pursuant to Planning Code Sections 134(e), 135, 140, 145.1(c), and 305 to modify the rear yard requirement, to provide a portion of the required useable open space without meeting associated exposure and dimensional requirements, for dwelling unit exposure for 24 dwelling units, and to provide a portion of the ground floor commercial space at a height lower than 14 feet.

BASIS FOR RECOMMENDATION

- The existing residential building is dilapidated, has been vacant for more than 20 years, and the property was purchased by the former San Francisco Redevelopment Agency for the sole purpose of developing new affordable housing.
- The project is appropriate urban infill that will create an active commercial space on 6th Street and provide a significant amount of affordable housing in an area near downtown that is well served by pedestrian, bicycling, and transit infrastructure. Additionally, a significant portion of the units (49%) will be two or three bedroom units.
- The project proposes a high-quality design that was thoroughly vetted by the Historic Preservation Commission to ensure it adequately responds to the Sixth Street Lodging House District.
- The project is consistent with the Planning Code, East SoMa Area Plan, and the General Plan overall.

RECOMMENDATION:	Approval with Conditions
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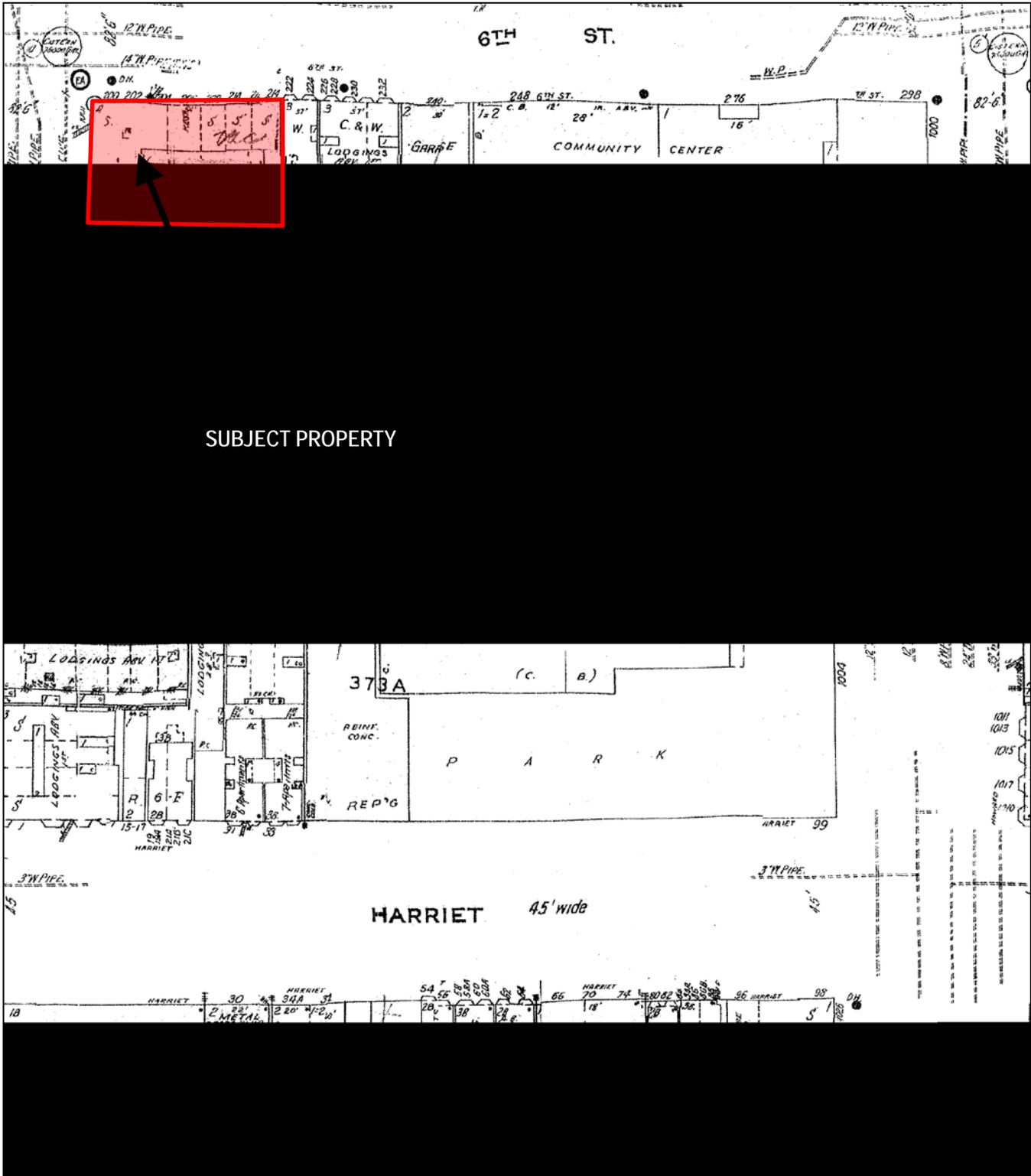
Attachments:

Parcel Map
Sanborn Map
Aerial Photographs
Site Photo
Zoning Map
Affidavit for First Source Hiring
Affidavit for Compliance with the Inclusionary Housing Program
Residential Pipeline Form
Draft CEQA Findings Motion (MMRP as Exhibit A)
Draft Conditional Use Motion
Sponsor Submittal

- Letter to Planning Commission
- Letters of Support
- Plans and Graphics Package

CT: G:\Documents\C\2011\200 6th St\Executive Summary.doc

Sanborn Map*



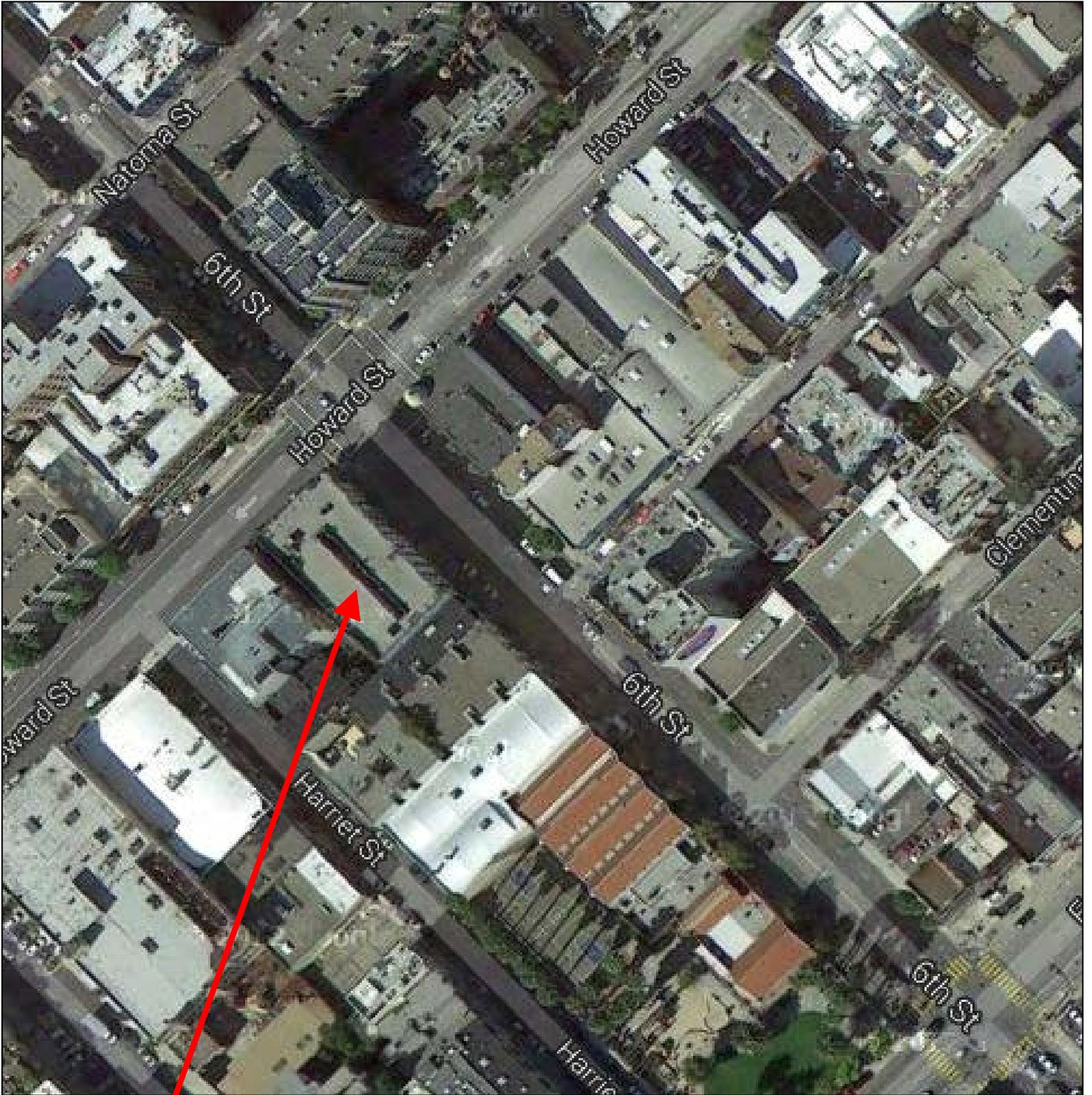
SUBJECT PROPERTY

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



Conditional Use and Variance Hearing
Case Number 2011.0119ECKV
Residential Demolition and Affordable Housing
200 6th Street

Aerial Photo



SUBJECT PROPERTY



Conditional Use and Variance Hearing
Case Number 2011.0119ECKV
Residential Demolition and Affordable Housing
200 6th Street

Aerial Photo



SUBJECT PROPERTY



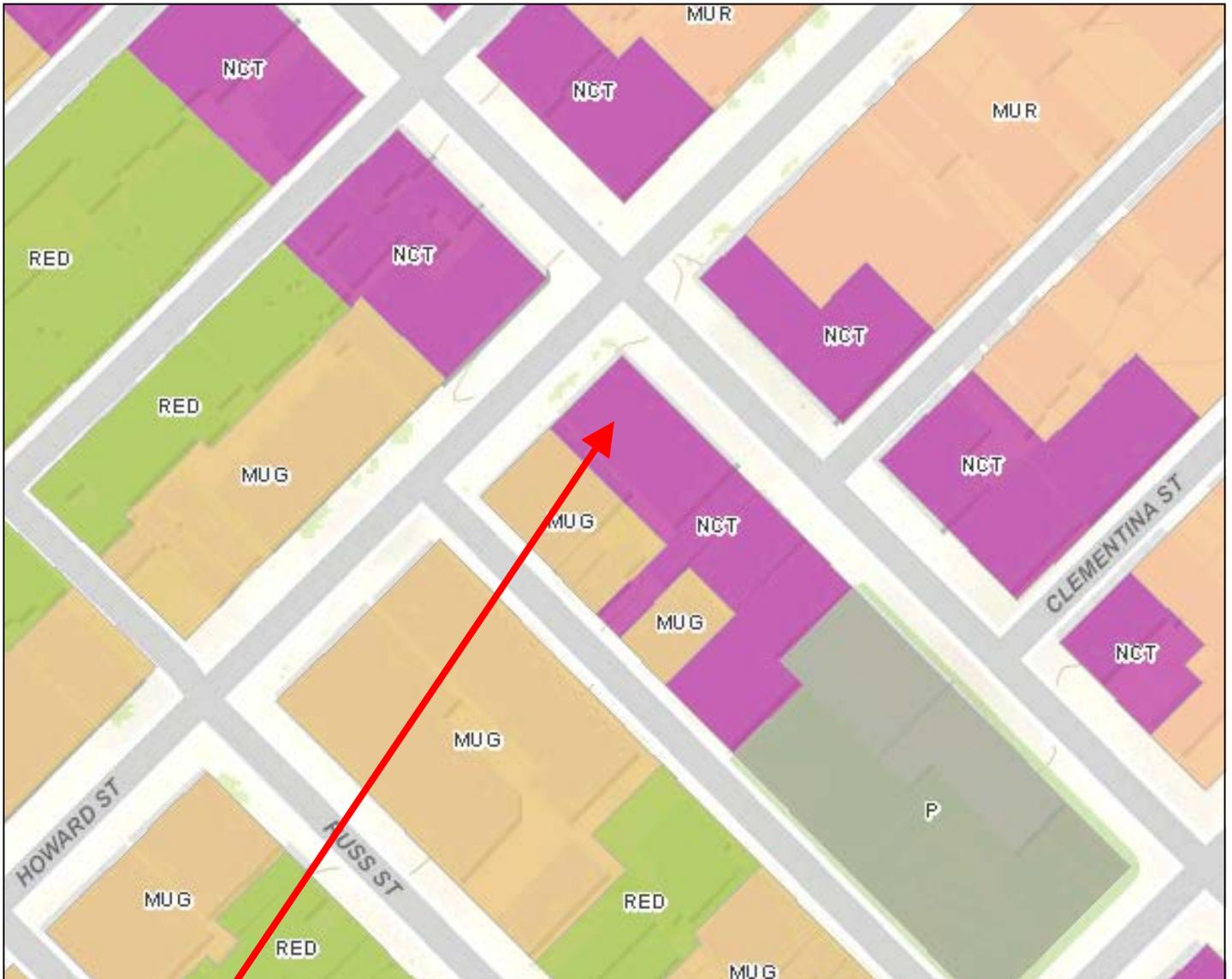
Conditional Use and Variance Hearing
Case Number 2011.0119ECKV
Residential Demolition and Affordable Housing
200 6th Street

Site Photo



Conditional Use and Variance Hearing
Case Number 2011.0119ECKV
Residential Demolition and Affordable Housing
200 6th Street

Zoning Map



SUBJECT PROPERTY



Conditional Use and Variance Hearing
Case Number 2011.0119ECKV
Residential Demolition and Affordable Housing
200 6th Street



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)
200 6th Street		3731/001
BUILDING PERMIT APPLICATION NO.	CASE NO (IF APPLICABLE)	MOTION NO.
	2011.0119E, CV	

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

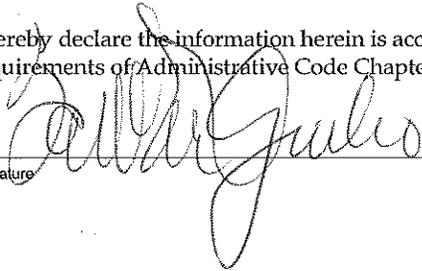
Affidavit for First Source Hiring Program

Contact Information and Declaration of Sponsor of Principal Project

NAME: Barbara Gualco	
ADDRESS: Mercy Housing California 1360 Mission Street, Ste 300 San Francisco, CA 94103	TELEPHONE: (415) 355-7100
	FAX: (415) 355-7101
	EMAIL: Schwisten@Mercyhousing.org

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

7-19-13



SAN FRANCISCO
PLANNING
DEPARTMENT

AFFIDAVIT FOR Compliance with the Inclusionary Affordable Housing Program

Date: January 11, 2013

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

To: Applicants subject to Planning Code Section 415: Inclusionary
Affordable Housing Program

From: San Francisco Planning Department

Re: Compliance with the Inclusionary Affordable Housing Program

T: 415.558.6378
F: 415.558.6409

All projects that involve five or more new dwelling units must participate in the *Inclusionary Affordable Housing Program* contained in Section 415 of the Planning Code. Every project subject to Section 415 must pay an Affordable Housing Fee that is equivalent to the applicable percentage of the number of units in the principal project, which is 20% of the total number of units proposed (or the applicable percentage if subject to different area plan controls or requirements).

A project may be eligible for an Alternative to the Affordable Housing Fee if the developer chooses to commit to sell the new on- or off-residential units rather than offer them as rental units. Second, the project may be eligible for an Alternative to the Affordable Housing Fee if it has demonstrated to the Planning Department that the affordable units are not subject to the Costa Hawkins Rental Housing Act. All projects that can demonstrate that they are eligible for an alternative to the Affordable Housing Fee must provide the necessary documentation to the Planning Department and the Mayor's Office of Housing. Additional material may be required to determine if a project is eligible to fulfill the Program's requirements through an alternative.

Before the Planning Department and/or Planning Commission can act on the project, this *Affidavit for Compliance with the Inclusionary Affordable Housing Program* must be completed.

¹ California Civil Code Section 1951.50 et.al.

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

July 18, 2013
Date

I, Barbara Gualco, do hereby declare as follows:

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

200 69th Street 3731/001
Address Block / Lot

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

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

2011.0119E, CV
Planning Case Number Building Permit Number

This project requires the following approval:

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

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

Covey Teague
Planner Name

Is this project within the Eastern Neighborhoods Plan Area?

- Yes (if yes, please indicate Tier) 2
- No

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

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

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

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

Affidavit for Compliance with the Inclusionary Affordable Housing Program

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

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

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

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

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

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

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

San Francisco, CA
Location

7/19/2013
Date


Signature

Barbara Gualco, Director
Name (Print), Title

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

415-355-7117
Contact Phone Number

Director of Real Estate Development
San Francisco Office

² California Civil Code Section 1954.50 and following.

Unit Mix Tables

NUMBER OF ALL UNITS IN PRINCIPAL PROJECT:					
Total Number of Units	SRO	Studios	One-Bedroom Units	Two-Bedroom Units	Three-Bedroom Units
67		10	24	25	8

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

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

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

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

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

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

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

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

1. Fee _____ % of affordable housing requirement.

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

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

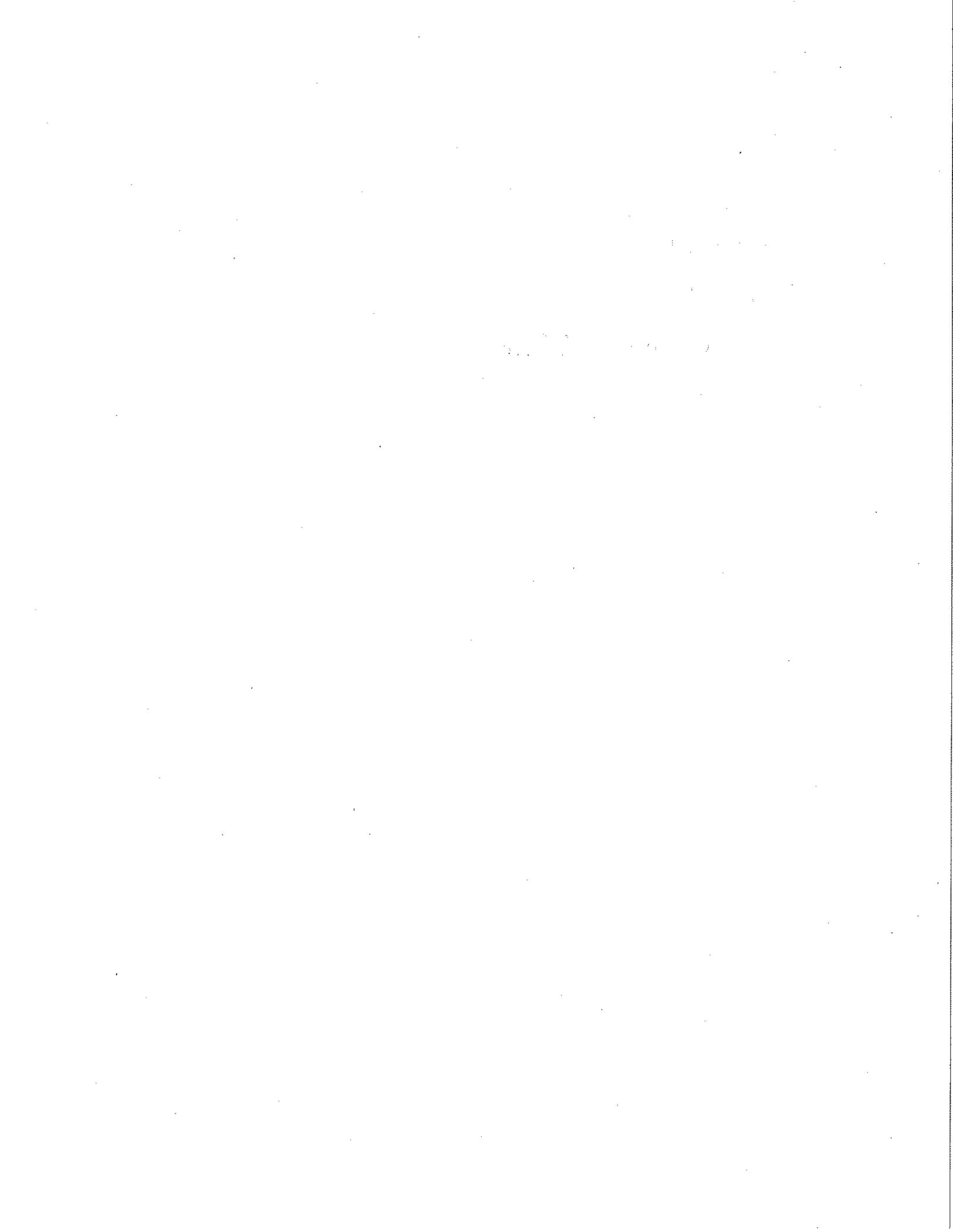
3. Off-Site _____ % of affordable housing requirement.

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

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

Affidavit for Compliance with the Inclusionary Affordable Housing Program

CONTACT INFORMATION AND DECLARATION OF SPONSOR OF PRINCIPAL PROJECT	CONTACT INFORMATION AND DECLARATION OF SPONSOR OF OFF-SITE PROJECT (IF DIFFERENT)
Company Name	Company Name
Mercy Housing California	
Print Name of Contact Person	Print Name of Contact Person
Sharon Christen	
Address	Address
1360 Mission St Ste 300	
City, State, Zip	City, State, Zip
San Francisco CA 94103	
Phone, Fax	Phone, Fax
415-355-7111/415-355-7107	
Email	Email
schristen@mercyhousing.org	
I hereby declare that the information herein is accurate to the best of my knowledge and that I intend to satisfy the requirements of Planning Code Section 415 as indicated above.	I hereby declare that the information herein is accurate to the best of my knowledge and that I intend to satisfy the requirements of Planning Code Section 415 as indicated above.
	
Signature	Signature
Barbara Gualco, Director of Real Estate Development San Francisco	
Name (Print), Title	Name (Print), Title





SAN FRANCISCO PLANNING DEPARTMENT

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Residential Pipeline

ENTITLED HOUSING UNITS 2007 TO Q1 2012

State law requires each city and county to adopt a Housing Element as a part of its general plan. The State Department of Housing and Community Development (HCD) determines a Regional Housing Need Allocation (RHNA) that the Housing Element must address. The need is the minimum number of housing units that a region must plan for in each RHNA period.

This table represents all development projects adding residential units that have been entitled since January 2007. The total number of entitled units is tracked by the San Francisco Planning Department, and is updated quarterly in coordination with the Pipeline Report. Subsidized housing units, including moderate and low income units, are tracked by the Mayor's Office of Housing, and are also updated quarterly.

2012 - QUARTER 1	RHNA Allocation 2007-2014	Units Entitled To Date	Percent Entitled
Total Units Entitled¹	31,193	11,130	35.7%
Above Moderate (> 120% AMI)	12,315	7,457	60.6%
Moderate Income (80-120% AMI)	6,754	360	5.3%
Low Income (< 80% AMI)	12,124	3,313	27.3%

¹ Total does not include entitled major development projects such as Treasure Island,, Candlestick, and Park Merced. While entitled, these projects are not projected to be completed within the current RHNA reporting period (through June 2014).



SAN FRANCISCO PLANNING DEPARTMENT

Subject to: (Select only if applicable)

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

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Planning Commission Draft Motion

HEARING DATE: AUGUST 1, 2013

Date: July 25, 2013
Case No.: **2011.0119 ECKV**
Project Address: **200-214 6th Street**
Zoning: SoMa NCT (Neighborhood Commercial Transit)
SoMa Youth and Family Special Use District
85-X Height and Bulk District
Block/Lot: 3731/001
Project Sponsor: Sharon Christen
Mercy Housing California
1360 Mission Street
San Francisco, CA 94103
Staff Contact: Corey Teague – (415) 575-9081
corey.teague@sfgov.org

ADOPTING CALIFORNIA ENVIRONMENTAL QUALITY ACT FINDINGS OF FACT, EVALUATION OF MITIGATION MEASURES AND ALTERNATIVES, STATEMENT OF OVERRIDING CONSIDERATIONS, AND A MITIGATION MONITORING AND REPORTING PROGRAM RELATING TO THE APPROVAL OF CONDITIONAL USE AUTHORIZATION PURSUANT TO SECTIONS 121.1, 249.40A, 303, 317, AND 735.38 TO DEMOLISH THE EXISTING RESIDENTIAL BUILDING AND CONSTRUCT A 9-STORY, 85-FOOT TALL MIXED USE BUILDING CONTAINING 67 AFFORDABLE DWELLING UNITS AND AN APPROXIMATELY 3,400 GROUND FLOOR RESTAURANT SPACE WITHIN THE SOMA NCT (NEIGHBORHOOD COMMERCIAL TRANSIT) ZONING DISTRICT, THE SOMA YOUTH AND FAMILY SPECIAL USE DISTRICT, AND 85-X HEIGHT AND BULK DISTRICT.

In determining to approve the proposed 200-214 6th Street Project and related approval actions (“Project”), the San Francisco Planning Commission (“Planning Commission” or “Commission”) makes and adopts the following findings of fact and statement of overriding considerations and adopts the following recommendations regarding mitigation measures and alternatives based on substantial evidence in the whole record of this proceeding and under the California Environmental Quality Act, California Public Resources Code Sections 21000 et seq. (“CEQA”), particularly Sections 21081 and 21081.5, the Guidelines for implementation of CEQA, California Code of Regulations, Title 14, Sections

15000 et seq. (“CEQA Guidelines”), particularly Sections 15091 through 15093, and Chapter 31 of the San Francisco Administration Code.

I. Introduction

This document is organized as follows:

Section I provides a description of the proposed Project, the environmental review process for the 200-214 6th Street Project Environmental Impact Report (the “EIR”), the Approval Actions required for Project implementation, and the location of records;

Section II identifies the impacts found not to be significant that do not require mitigation;

Section III identifies potentially significant impacts that can be avoided or reduced to less-than-significant levels through mitigation;

Section IV identifies significant impacts that cannot be avoided or reduced to less-than significant levels;

Section V evaluates the economic, legal, social, technological, and other considerations that support the rejection of the alternatives analyzed in the EIR;

Section VI presents a statement of overriding considerations setting forth specific reasons in support of the Planning Commission's actions in light of the environmental consequences of the project; and

Section VII includes a statement incorporating the Final EIR by reference.

Attached to these findings as **Exhibit 1** is the Mitigation Monitoring and Reporting Program (“MMRP”) for the mitigation and improvement measures that have been proposed for adoption. The Mitigation Monitoring and Reporting Program is required by CEQA Section 21081.6 and CEQA Guidelines Section 15091. It provides a table setting forth each mitigation measure listed in the Final EIR (“FEIR”) that is required to reduce or avoid a significant adverse impact. **Exhibit 1** also specifies the agency responsible for implementation of each measure and establishes monitoring actions and a monitoring schedule.

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

A. Project Description

The 200-214 6th Street Affordable Housing with Ground-Floor Retail project site is on the southwest corner of Howard and 6th Streets in the South of Market (SoMa) neighborhood (Assessor's Block 3731, Lot 001). The rectangular site is on the block bounded by Howard Street (north), 7th Street (west), Folsom Street (south), and 6th Street (east). The project site is located within the SoMa Neighborhood Commercial Transit (NCT) district, the SoMa Youth and Family Special Use district and an 85-X height

and bulk district. The project site is also within the Sixth Street Lodginghouse (6SL) district and is near the SoMa Extended Preservation (SOMEPE) district.

The approximately 9,997- square-foot (0.23 acre) project site contains a vacant four-story hotel, and a 10-foot-wide gated open space along the west side of the building. The building was constructed in 1909. The existing building is a contributor to a National Register-eligible Historic District. A temporary, site-specific art installation project known as “Defenestration” currently adorns the exterior of the vacant building. The art installation—consisting of colorful cartoon-like tables, chairs, a bathtub, and other household furnishings spilling out of windows and down the walls— was intended to be temporary, but has remained in place for 15 years. The installation has no historic significance as it is not associated with the historical context of the building itself and is not eligible for consideration for listing on the California Register.

The proposed project would include demolition of the existing historic building, and construction of a nine-story, 85-foot-tall, 9-story approximately 68,540-square-foot mixed-use building with 67 affordable rental housing units (studio, and one-, two- and three-bedroom units). The residential units would be affordable to very low income households. Of the 67 units proposed, the approximate break-down of unit types would be as follows:

Studios	One-Bedroom	Two-Bedroom	Three-Bedroom	Total Units
8	24	25	10	67
12%	36%	37%	15%	100%

Fourteen of the units--11 1-bedroom and 3 2-bedroom units--would be available to households with developmentally disabled members.

The proposed project would include approximately 47,710 square feet of residential space, 2,845 square feet of ground-floor commercial space, a 1,215-square-foot community room, and 2,589 square feet of private and 3,691 square feet of common open space (respectively), including a rear yard and 2,303 square foot roof terrace. There would be 29 bicycle parking spaces; no vehicle parking spaces are included.

The new steel building would be clad in a mixture of brick veneer, dark patinated metal panels, and dark anodized aluminum windows. The building would be highly articulated by a geometric pattern of projecting rectangular bays on the 6th Street façade, as well as by the larger building massing consisting of a taller vertical element at the front corner/Howard Street façade, and a shorter element extending along 6th Street.

Project construction is estimated to take 20 months, including two months for demolition of the existing building, with a construction cost of approximately \$18.8 million. Construction of the foundation would require excavation of up to 3,800 cubic yards of soil to accommodate the four-foot-thick replacement mat slab. It would require repairing or replacing the retaining walls in the existing building, and drilling 30 to 40 feet below the basement to construct soil cement columns. Construction is anticipated to begin in mid-to late 2014, with occupancy expected in early- to mid-2016.

B. Environmental Review

The Planning Department determined that an Environmental Impact Report was required for the Project. The Planning Department published the Draft EIR (State Clearinghouse No. 2012082052) and provided public notice of the availability of the Draft EIR for public review and comment February 27, 2013.

On February 27, 2013, a Notice of Completion and copies of the Draft EIR were distributed to the State Clearinghouse. Notices of availability for the Draft EIR of the date and time of the public hearings were posted on the Planning Department's website on February 27, 2013.

The Planning Commission held a duly noticed public hearing on the Draft EIR on April 4, 2013. At this hearing, opportunity for public comment was given, and public comment was received on the Draft EIR. The Planning Department accepted public comments on the Draft EIR from February 27, 2013, to April 15, 2013.

The Planning Department published the Responses to Comments on the Draft EIR on July 17, 2013. This document includes responses to environmental comments on the Draft EIR made at the public hearing on April 4, 2013, as well as written comments submitted on the Draft EIR during the public review period from February 27, 2013 to April 15, 2013. The comments and responses document also contains text changes to the Draft EIR to correct or clarify information presented in the Draft EIR, including changes to the Draft EIR text made in response to comments.

C. Approval Actions to be taken furtherance of the Project

1. Required Planning Commission Approvals

The Planning Commission will be responsible for:

- a) Certification of the Final EIR;
- b) Adoption of these CEQA Findings, mitigation measures, and a mitigation monitoring and reporting program ("MMRP");
- c) Making findings of General Plan and Priority Policies (Planning Code Section 101.1) consistency; and
- d) Conducting a Discretionary Review if requested under Planning Code Section 312 for demolition of a residential building.
- e) Conditional Use Approval for:
 - 1. Construction of a building on a site equal to or exceeding 10,000 square feet pursuant to Planning Code Section 121.1;
 - 2. Establishment of a possible full service restaurant pursuant to Planning Code Section 249.40A; and
 - 3. Demolition of existing dwelling units in the NCT pursuant to Planning Code Sections 207.7 and 317.

2. Required Zoning Administrator Approvals

- a) A rear yard variance or Zoning Administrator modification pursuant to Planning Code Section 134(e) because the proposed rear yard does not meet the 25 percent of lot area required for a compliant rear-yard;
- b) An open space variance under Planning Code Section 135 because the open space will not be located in one area on the site; and,
- c) A dwelling unit exposure variance because not all units will face onto the required unobstructed depth required by Planning Code Section 140.

3. **Other City Agency Approvals**

Municipal Transportation Agency (MTA)

- a) Approval of a white passenger loading zone in front of the building's lobby on Howard Street; and
- b) Approval of a yellow commercial loading zone along 6th Street.

Department of Building Inspection (DBI)

Approval of demolition and building permits

D. Location of Records

The record upon which all findings and determinations related to the Project are based includes the following:

- The EIR, and all documents referenced in or relied upon by the EIR.
- All information (including written evidence and testimony) provided by City staff to the Planning Commission relating to the EIR, the proposed approvals and entitlements, the Project, and the alternatives set forth in the EIR.
- All information (including written evidence and testimony) presented to the Planning Commission by the environmental consultant and subconsultants who prepared the EIR, or incorporated into reports presented to the Planning Commission.
- All information (including written evidence and testimony) presented to the City from other public agencies relating to the Project or the EIR.
- All applications, letters, testimony and presentations presented to the City by Mercy Housing, the project sponsor for the Project.
- All information (including written evidence and testimony) presented at any public hearing or workshop related to the Project and the EIR.
- For documentary and information purposes, all locally-adopted land use plans and ordinances, including, without limitation, general plans, specific plans and ordinances, together with environmental review documents, findings, mitigation monitoring programs and other documentation relevant to planned growth in the area.
- The Mitigation Monitoring and Reporting Program (MMRP).

- All other documents comprising the record pursuant to Public Resources Code Section 2116.76(e)

The public hearing transcript, a copy of all letters regarding the Final EIR received during the public review period from February 27, 2013 to April 15, 2013, the administrative record, and background documentation for the Final EIR are located at the Planning Department, 1650 Mission Street, Suite 400, San Francisco. Jonas Ionin, Acting Commission Secretary, is the custodian of these documents and materials.

These findings are based upon substantial evidence in the entire record before the Planning Commission.

II. Impacts Found Not To Be Significant, Thus Requiring No Mitigation

Finding: Based on substantial evidence in the whole record of this proceeding, the Planning Commission finds that the implementation of the Project would not result in any significant environmental impacts in the following areas: Land Use and Land Use Planning; Aesthetics; Population and Housing; Transportation and Circulation; Greenhouse Gas Emissions; Wind and Shadow; Recreation; Utilities and Service Systems; Public Services; Biological Resources; Geology and Soils; Hydrology and Water Quality; Mineral/Energy Resources; and Agriculture and Forest Resources. Each of these topics is analyzed and discussed in detail in the Initial Study, attached as Appendix A to the Draft EIR.

III. Findings of Potentially Significant Impacts That Can Be Avoided Or Reduced To A Less Than Significant Level

Finding: CEQA requires agencies to adopt mitigation measures that would avoid or substantially lessen a project's identified significant impacts or potential significant impacts if such measures are feasible.

The findings in this Section III and in Section IV concern impacts identified in the EIR and mitigation measures set forth in the EIR. These findings discuss mitigation measures as proposed in the EIR and recommended for adoption by this Commission and other City entities that can be implemented by the City agencies or departments. The mitigation measures proposed for adoption in this section are identical to the mitigation measures identified in the attached MMRP. The Draft EIR and Response to Comments document provides additional evidence as to how these measures would avoid or reduce the identified impacts as described herein. Such analysis, as stated in Section VII, is incorporated herein by reference.

As explained previously, **Exhibit 1**, attached, contains the MMRP required by CEQA Section 21081.6 and CEQA Guidelines Section 15091. It provides a table setting forth each mitigation measure listed in the FEIR that is required to reduce or avoid a significant adverse impact. **Exhibit 1** also specifies the party responsible for implementation of each measure, establishes monitoring actions and a monitoring schedule.

The Planning Commission finds, based on the record before it, that the mitigation measures proposed for adoption in the MMRP are feasible, and that they can and should be carried out by the Project Sponsor and the identified agencies at the designated time. The Planning Commission urges other agencies to adopt and implement applicable mitigation measures set forth in the MMRP that are within the jurisdiction and responsibility of such entities. The Planning Commission acknowledges that if such

measures are not adopted and implemented, the Project may result in additional significant unavoidable impacts. For this reason, and as discussed in Section I, the Planning Commission is adopting a Statement of Overriding Considerations as set forth in Section VI.

All mitigation measures identified in the FEIR that are applicable to the Project and would reduce or avoid significant adverse environmental impacts of the Project are proposed for adoption and are set forth in **Exhibit 1**, in the MMRP. The Planning Commission agrees to and adopts all mitigation measures set forth in the MMRP.

A. Air Quality

1. Impact – Minimization of Construction Air Emissions and Toxic Air Contaminants

a) Potentially Significant Impact

The EIR finds implementation of the Project could result in exposure of sensitive receptors to construction emissions and toxic air contaminants.

b) Mitigation Measures M-AQ-2 and M-AQ-4 and Conclusion

The Planning Commission finds the potentially significant impacts listed above would be reduced to a less-than-significant level with incorporation into the Project of Mitigation Measures M-AQ-2 and M-AQ-4 as set forth the Initial Study (Appendix A to the Draft EIR) at p. 154-157, as follows:

Mitigation Measure M-AQ-2

Prior to issuance of a construction permit, the project sponsor shall submit a Construction Emissions Minimization Plan (Plan) to the Environmental Review Officer (ERO) for review and approval by an Environmental Planning Air Quality Specialist. The Plan shall detail project compliance with the following requirements:

1. All off-road equipment greater than 25 hp and operating for more than 20 total hours over the entire duration of construction activities shall meet the following requirements:

a) Where access to alternative sources of power are available, portable diesel engines shall be prohibited;

b) All off-road equipment shall have:

- i. Engines that meet or exceed either USEPA or ARB Tier 2 off-road emission standards, and
- ii. Engines that are retrofitted with an ARB Level 3 Verified Diesel Emissions Control Strategy (VDECS).

c) Exceptions:

- i. Exceptions to A(1)(a) may be granted if the project sponsor has submitted information providing evidence to the satisfaction of the ERO that an alternative source of power is limited or

infeasible at the project site and that the requirements of this exception provision apply. Under this circumstance, the sponsor shall submit documentation of compliance with A(1)(b) for onsite power generation.

ii. Exceptions to A(1)(b)(ii) may be granted if the project sponsor has submitted information providing evidence to the satisfaction of the ERO that a particular piece of off-road equipment with an ARB Level 3 VDECS is:

- (1) technically not feasible,
- (2) would not produce desired emissions reductions due to expected operating modes, (3) installing the control device would create a safety hazard or impaired visibility for the operator, or
- (4) there is a compelling emergency need to use off-road equipment that are not retrofitted with an ARB Level 3 VDECS and the sponsor has submitted documentation to the ERO that the requirements of this exception provision apply. If granted an exception to (A)(1)(b)(ii), the project sponsor must comply with the requirements of (A)(1)(c)(iii).

iii. If an exception is granted pursuant to (A)(1)(c)(ii), the project sponsor shall provide the next cleanest piece of off-road equipment as provided by the step down schedule below.

TABLE M-AQ-2
OFF-ROAD EQUIPMENT COMPLIANCE
STEP DOWN SCHEDULE*

Compliance Alternative	Engine Emission Standard	Emissions Control
1	Tier 2	ARB Level 2 VDECS
2	Tier 2	ARB Level 1 VDECS
3	Tier 2	Alternative Fuel*

* How to use the table. If the requirements of (A)(1)(b) cannot be met, then the project sponsor would need to meet Compliance Alternative 1. Should the project sponsor not be able to supply off-road equipment meeting Compliance Alternative 1, then Compliance Alternative 2 would need to be met. Should the project sponsor not be able to supply off-road equipment meeting Compliance Alternative 2, then Compliance Alternative 3 would need to be met.

** Alternative fuels are not a VDECS

* Alternative fuels are not a VDECS.

2. The project sponsor shall require the idling time for off-road and on-road equipment be limited to no more than two minutes, except as provided in exceptions to the applicable state regulations regarding idling for off-road and on-road equipment. Legible and visible signs shall be posted in multiple languages (English, Spanish, Chinese) in designated queuing areas and at the construction site to remind operators of the two minute idling limit.

3. The project sponsor shall require that construction operators properly maintain and tune equipment in accordance with manufacturer specifications.

4. The Plan shall include estimates of the construction timeline by phase with a description of each piece of off-road equipment required for every construction phase. Off-road equipment descriptions and information may include, but is not limited to: equipment type, equipment manufacturer, equipment identification number, engine model year, engine certification (Tier

rating), horsepower, engine serial number, and expected fuel usage and hours of operation. For VDECS installed: technology type, serial number, make, model, manufacturer, ARB verification number level, and installation date and hour meter reading on installation date. For off-road equipment using alternative fuels, reporting shall indicate the type of alternative fuel being used. 5. The Plan shall be kept on-site and available for review by any persons requesting it and a legible sign shall be posted at the perimeter of the construction site indicating to the public the basic requirements of the Plan and a way to request a copy of the Plan. The project sponsor shall provide copies of Plan to members of the public as requested.

B. Reporting. Monthly reports shall be submitted to the ERO indicating the construction phase and off-road equipment information used during each phase including the information required in A(4). In addition, for off-road equipment using alternative fuels, reporting shall include the actual amount of alternative fuel used.

Within six months of the completion of construction activities, the project sponsor shall submit to the ERO a final report summarizing construction activities. The final report shall indicate the start and end dates and duration of each construction phase. For each phase, the report shall include detailed information required in A(4). In addition, for off-road equipment using alternative fuels, reporting shall include the actual amount of alternative fuel used.

C. Certification Statement and On-site Requirements. Prior to the commencement of construction activities, the project sponsor must certify (1) compliance with the Plan, and (2) all applicable requirements of the Plan have been incorporated into contract specifications.

Mitigation Measure M-AQ-4

Air Filtration and Ventilation Requirements for Sensitive Land Uses. Prior to receipt of any building permit, the project sponsor shall submit a ventilation plan for the proposed building(s). The ventilation plan shall show that the building ventilation system removes at least 80 percent of the outdoor PM2.5 concentrations from habitable areas and be designed by an engineer certified by ASHRAE, who shall provide a written report documenting that the system meets the 80 percent performance standard identified in this measure and offers the best available technology to minimize outdoor to indoor transmission of air pollution.

Maintenance Plan. Prior to receipt of any building permit, the project sponsor shall present a plan that ensures ongoing maintenance for the ventilation and filtration systems.

Disclosure to buyers and renters. The project sponsor shall also ensure the disclosure to buyers (and renters) that the building is located in an area with existing sources of air pollution and as such, the building includes an air filtration and ventilation system designed to remove 80 percent of outdoor particulate matter and shall inform occupants of the proper use of the installed air filtration system.

B. Cultural and Paleontological Resources

1. Impact – Substantial Damage to Archeological Resources from Excavation (CP-2)

a) Potentially Significant Impact CP:2

The EIR finds that excavation for the proposed project could result in an adverse effect to archeological deposits that may be present beneath the surface of the project site.

b) Mitigation Measure M-CP-2 and Conclusion

Although the EIR finds that the Project would not cause a substantial adverse change in the significance of an archeological resource pursuant to Section 15064.5, because of the amount of Project excavation, the Project could have a significant impact on human remains. The Planning Commission therefore finds the potentially significant impacts listed above would be reduced to a less-than-significant level with implementation of Mitigation Measure M-CP-2, pp. 89–92 of Draft EIR, which would require the implementation of an Archeological Testing Plan, as follows:

Mitigation Measure M-CP-2

The Project Sponsor shall retain the services of an archeological consultant from the pool of qualified archeological consultants maintained by the Planning Department archeologist. The archeological consultant shall undertake an archeological testing program as specified herein. In addition, the consultant shall be available to conduct an archeological monitoring and/or data recovery program if required pursuant to this measure. The archeological consultant's work shall be conducted in accordance with this measure and with the requirements of the project archeological research design and treatment plan (William Self Associates, *Final Archaeological Research Design and Treatment Plan for the 200-214 6th Street Project*, September 2011) at the direction of the Environmental Review Officer (ERO). In instances of inconsistency between the requirements of the project archeological research design and treatment plan and requirements of this archeological mitigation measure, the requirements of this archeological mitigation measure shall prevail. All plans and reports prepared by the consultant as specified herein shall be submitted first and directly to the ERO for review and comment, and shall be considered draft reports subject to revision until final approval by the ERO. Archeological monitoring and/or data recovery programs required by this measure could suspend construction of the project for up to a maximum of four weeks. At the direction of the ERO, the suspension of construction can be extended beyond four weeks only if such a suspension is the only feasible means to reduce to less-than-significant levels potential effects on a significant archeological resource as defined in CEQA *Guidelines* Section 15064.5 (a) through (c).

Consultation with Descendant Communities. On discovery of an archeological site¹ associated with descendant Native Americans or the Overseas Chinese, the ERO and an appropriate representative² of the descendant group shall be contacted. The representative of the descendant group shall be given the opportunity to monitor archeological field investigations of the site and to consult with the ERO regarding appropriate archeological treatment of the site and recovered data from the site, and, if applicable, any interpretative treatment of the associated archeological site. A copy of the

¹ The term "archeological site" is intended here to minimally include any archeological deposit, feature, burial, or evidence of burial.

² An "appropriate representative" of the descendant group is here defined to mean, in the case of Native Americans, any individual listed in the current Native American Contact List for the City and County of San Francisco maintained by the California Native American Heritage Commission and, in the case of the Overseas Chinese, the Chinese Historical Society of America.

Final Archeological Resources Report shall be provided to the representative of the descendant group.

Archeological Testing Program. The archeological consultant shall prepare and submit to the ERO for review and approval an archeological testing plan (ATP). The archeological testing program shall be conducted in accordance with the approved ATP. The ATP shall identify the property types of the expected archeological resource(s) that potentially could be adversely affected by the proposed project, the testing method to be used, and the locations recommended for testing. The purpose of the archeological testing program will be to determine to the extent possible the presence or absence of archeological resources and to identify and to evaluate whether any archeological resource encountered on the site constitutes a historical resource under CEQA.

At the completion of the archeological testing program, the archeological consultant shall submit a written report of the findings to the ERO. If based on the archeological testing program the archeological consultant finds that significant archeological resources may be present, the ERO in consultation with the archeological consultant shall determine if additional measures are warranted. Additional measures that may be undertaken include additional archeological testing, archeological monitoring, and/or an archeological data recovery program. If the ERO determines that a significant archeological resource is present and that the resource could be adversely affected by the proposed project, at the discretion of the project sponsor either:

- A) The proposed project shall be re-designed so as to avoid any adverse effect on the significant archeological resource; or
- B) A data recovery program shall be implemented, unless the ERO determines that the archeological resource is of greater interpretive than research significance and that interpretive use of the resource is feasible.

Archeological Monitoring Program. If the ERO in consultation with the archeological consultant determines that an archeological monitoring program (AMP) shall be implemented, the archeological monitoring program shall minimally include the following provisions:

- The archeological consultant, project sponsor, and ERO shall meet and consult on the scope of the AMP reasonably prior to any project-related soils-disturbing activities commencing. The ERO in consultation with the archeological consultant shall determine what project activities shall be archeologically monitored. In most cases, any soils-disturbing activities, such as demolition, foundation removal, excavation, grading, utilities installation, foundation work, driving of piles (foundation, shoring, etc.), and site remediation, shall require archeological monitoring because of the risk these activities pose to potential archaeological resources and to their depositional context.
- The archeological consultant shall advise all project contractors of the need to be on the alert for evidence of the presence of the expected resource(s), ways to identify the evidence of the expected resource(s), and the appropriate protocol in the event of apparent discovery of an archeological resource.
- The archeological monitor(s) shall be present on the project site according to a schedule agreed upon by the archeological consultant and the ERO until the ERO has, in

consultation with project archeological consultant, determined that project construction activities could have no effects on significant archeological deposits.

- The archeological monitor shall record and be authorized to collect soil samples and artifactual/ecofactual material as warranted for analysis.
- If an intact archeological deposit is encountered, all soils-disturbing activities in the vicinity of the deposit shall cease. The archeological monitor shall be empowered to temporarily redirect demolition/excavation/pile driving/construction activities and equipment until the deposit is evaluated. If, in the case of pile-driving activity (foundation, shoring, etc.), the archeological monitor has cause to believe that the pile-driving activity may affect an archeological resource, the pile-driving activity shall be terminated until an appropriate evaluation of the resource has been made in consultation with the ERO. The archeological consultant shall immediately notify the ERO of the encountered archeological deposit. The archeological consultant shall make a reasonable effort to assess the identity, integrity, and significance of the encountered archeological deposit and present the findings of this assessment to the ERO.

Whether or not significant archeological resources are encountered, the archeological consultant shall submit a written report of the findings of the monitoring program to the ERO.

Archeological Data Recovery Program. The archeological data recovery program shall be conducted in accord with an archeological data recovery plan (ADRP). The archeological consultant, project sponsor, and ERO shall meet and consult on the scope of the ADRP prior to preparation of a draft ADRP. The archeological consultant shall submit a draft ADRP to the ERO. The ADRP shall identify how the proposed data recovery program will preserve the significant information the archeological resource is expected to contain. That is, the ADRP shall identify what scientific/historical research questions are applicable to the expected resource, what data classes the resource is expected to possess, and how the expected data classes would address the applicable research questions. Data recovery, in general, shall be limited to the portions of the historical property that could be adversely affected by the proposed project. Destructive data recovery methods shall not be applied to portions of the archeological resources if non-destructive methods are practical.

The scope of the ADRP shall include the following elements:

- *Field Methods and Procedures.* Descriptions of proposed field strategies, procedures, and operations.
- *Cataloguing and Laboratory Analysis.* Description of selected cataloguing system and artifact analysis procedures.
- *Discard and Deaccession Policy.* Description of and rationale for field and post-field discard and deaccession policies.

- *Interpretive Program.* Consideration of an on-site/off-site public interpretive program during the course of the archeological data recovery program
 -
- *Security Measures.* Recommended security measures to protect the archeological resource from vandalism, looting, and non-intentionally damaging activities.
 -
- *Final Report.* Description of proposed report format and distribution of results.
 -
- *Curation.* Description of the procedures and recommendations for the curation of any recovered data having potential research value, identification of appropriate curation facilities, and a summary of the accession policies of the curation facilities.

Human Remains and Associated or Unassociated Funerary Objects. The treatment of human remains and of associated or unassociated funerary objects discovered during any soils disturbing activity shall comply with applicable state and federal laws. This shall include immediate notification of the coroner of the City and County of San Francisco and in the event of the coroner's determination that the human remains are Native American remains, notification of the California State Native American Heritage Commission (NAHC) who shall appoint a Most Likely Descendant (MLD) (Public Resources Code Section 5097.98). The archeological consultant, project sponsor, and MLD shall make all reasonable efforts to develop an agreement for the treatment of, with appropriate dignity, human remains and associated or unassociated funerary objects (CEQA Guidelines Section 15064.5(d)). The agreement should take into consideration the appropriate excavation, removal, recordation, analysis, custodianship, curation, and final disposition of the human remains and associated or unassociated funerary objects.

Final Archeological Resources Report. The archeological consultant shall submit a Draft Final Archeological Resources Report (FARR) to the ERO. The FARR shall evaluate the historical significance of any discovered archeological resource and describes the archeological and historical research methods employed in the archeological testing/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.

Once approved by the ERO, copies of the FARR shall be distributed as follows: the California Archaeological Site Survey Northwest Information Center (NWIC) shall receive one copy; the ERO shall receive a copy of the transmittal of the FARR to the NWIC; and the Environmental Planning Division of the Planning Department shall receive one bound copy, one unbound copy, and one unlocked, searchable PDF copy on CD, along with copies of any formal site recordation forms (CA DPR 523 series) and/or documentation for nomination to the National Register of Historic Places/California Register of Historical Resources. In instances of high public interest in or high interpretive value of the resource, the ERO may require a different final report content, format, and distribution from that presented above.

2. Impact –Impacts to Human Remains (CP-3)

b) Potentially Significant Impact

The EIR finds that excavation of the project site could result in the disturbance or removal of human remains.

b) Mitigation Measure M-CP-2 and Conclusion

The Planning Commission finds the potentially significant impacts listed above would be reduced to a less-than-significant level with implementation of Mitigation Measure M-CP-2, Archeological Testing Plan, p. 89-92 of the Draft EIR, and discussed above.

C. Hazards and Hazardous Materials

1. Impact – Potential Creation of Significant Public Hazard from Release of Hazardous Materials (Impact HZ-2)

b) Potentially Significant Impact

The EIR finds demolition and/or excavation may result in the unexpected or accidental release of mercury or PCBs as well as other materials on site such that implementation of the project could create a significant hazard to the public or environment.

b) Mitigation Measures M-HZ-2(a) and M-HZ-2(b) and Conclusion

The Planning Commission finds the potentially significant impacts listed above would be reduced to a less-than-significant level with implementation of Mitigation Measures M-HZ-2(a) and M-HZ-2(b), as set forth Appendix A to the Draft EIR at p. 157, as follows:

Mitigation Measure M-HZ-2(a)

Hazardous Materials Contingency Plan and Health and Safety Plan

A Contingency Plan that describes the procedures for controlling, containing, remediating, testing and disposing of any unexpected contaminated soil, water, or other material is required by the San Francisco Department of Public Health (SFDPH) Contaminated Sites Assessment and Mitigation Program (SAM).

The Contingency Plan shall include collection of two or three confirmation soil samples to verify earlier soil data.

Construction-related documents to address dust control, run off, noise control, and worker health and safety shall also be prepared and submitted to the Planning Department with copies to SFDPH SAM at least two weeks prior to beginning construction work.

Should an Underground Storage Tank (UST) be encountered, work will be suspended and the owner notified. The site owner will notify the SFDPH of the situation and the proposed response actions. The UST shall be removed under permit with the SFDPH Hazardous Materials and Waste Program (HMWP) and the San Francisco Fire Department.

The project sponsor is required to submit the Contingency Plan at least 4 weeks prior to beginning construction or basement demolition work.

In addition to the Contingency Plan, SFDPH and the California Occupational Safety and Health Administration (CAL OSHA) require the preparation of a Health and Safety Plan for this project. The project sponsor is required to submit the Health and Safety Plan to the SFDPH not less than two weeks prior to the beginning of construction field work.

The project sponsor shall submit a final project report describing project activities and implementation of the Contingency Plan, Health and Safety Plan, etc. Report appendices should include copies of project permits, manifests or bills of lading for soil or groundwater disposed or discharged, copies of laboratory reports for any soil or water samples analyzed. Two confirmation samples from the basement are requested by SFDPH to complete the project report and verify earlier data.

Mitigation Measure M-HZ-2(b)

Other Hazardous Building Materials (PCBs, Mercury, Lead, and others)

The project sponsor shall ensure that pre-construction building surveys for PCB- and mercury-containing equipment, hydraulic oils, fluorescent lights, mercury and other potentially toxic building materials are performed prior to the start of any demolition or renovation activities. A survey for lead has been conducted and identified the presence of lead in the existing building. Any hazardous building materials discovered during surveys would be abated according to federal, state, and local laws and regulations.

D. Noise and Vibration

1. Impact-Interior and Exterior Noise (Impact NO-1)

a) Potentially Significant Impact

The EIR finds that construction of the Project could expose persons to noise levels in excess of established standards and could result in a substantial permanent increase in ambient noise levels.

b) Mitigation Measures M-NO-1(a), M-NO-1(b), and M-NO-1(c) and Conclusion

The Planning Commission finds the potentially significant impacts listed above would be reduced to a less-than-significant level with incorporation of Mitigation Measures M-NO-1(a), M-NO-1(b), and M-NO-1(c) into the project, as set forth in Appendix A of the Draft EIR, at pp. 152-153 as follows:

Mitigation Measure M-NO-1(a)

For new residential development located along streets with noise levels above 75dBA Ldn, the Planning Department requires the following:

1. 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 at least one 24-hour noise measurement (with maximum noise level readings taken at least every 15 minutes), prior to completion of the environmental review. The analysis should 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. Should such concerns be present, the Department may require the completion of a detailed noise assessment by person(s) qualified in acoustical analysis and/or engineering prior to the first project approval action, in order to demonstrate that acceptable interior noise levels consistent with those in the Title 24 standards can be attained; and
2. To minimize effects on development in noisy areas, the Planning Department shall, through its building permit review process, in conjunction with the noise analysis required above, require that open space required under the Planning Code for such uses be protected, to the maximum feasible extent, from existing ambient noise levels that could prove annoying or disruptive to users of the open space. One way that this might be accomplished is through a site design that uses the building itself to shield on-site open space from the greatest noise sources, construction of noise barriers between noise sources and open space, and appropriate use of both common and private open space in multi-family dwellings, and implementation would also be undertaken consistent with other principles of urban design (see Mitigation Measure M-NO-1: Interior and Exterior Noise, San Francisco 2004 and 2009 Housing Element EIR).

Mitigation Measure M-NO-1(b)

The project sponsor shall construct the proposed residential units with the following window and wall assemblies: Windows shall be Torrance 2500 or similar windows with one-inch dual-glazed frames with 7/16-inch laminated glazing, 5/16-inch air space, and ¼-inch glazing; exterior walls shall consist of 3/8-inch plywood; 2x6-inch wood stud or 16-gauge steel stud, 16 inches on center with fiberglass sheets in stud cavities; resilient channels; and ½-inch gypsum board.

Mitigation Measure M-NO-1(c)

If deviations from these assemblies are proposed, the alternative window and/or wall assemblies shall be evaluated by a qualified acoustical consultant to ensure that Title 24 standards are met.

2. Impact – Construction Noise Levels (Impact NO-2)

b) Potentially Significant Impact

The EIR finds that construction of the Project could expose persons to temporary or periodic increases in noise and vibration levels substantially in excess of ambient levels.

b) Mitigation Measure M-NO-2 and Conclusion

The Planning Commission finds the potentially significant impacts listed above would be reduced to a less-than-significant level with incorporation of Mitigation Measures M-NO-2 into the project, as set forth in Appendix A of the Draft EIR, at pp. 153-154 as follows:

Mitigation Measure M-NO-2

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

- The project sponsor shall require the general contractor to ensure that equipment and trucks used for project construction use the best available noise control techniques (e.g., improved mufflers, equipment redesign, use of intake silencers, ducts, engine enclosures and acoustically attenuating shields or shrouds, wherever feasible).
- The project sponsor shall require the general contractor to locate stationary noise sources (such as compressors) as far from adjacent or nearby sensitive receptors as possible, to muffle such noise sources, and to construct barriers around such sources and/or the construction site, which could reduce construction noise by as much as 5.0 dBA. To further reduce noise, the contractor shall locate stationary equipment in pit areas or excavated areas, if feasible.
- The project sponsor shall require the general contractor to use impact tools (e.g., jack hammers, pavement breakers, and rock drills) that are hydraulically or electrically powered wherever possible to avoid noise associated with compressed air exhaust from pneumatically powered tools. Where use of pneumatic tools is unavoidable, an exhaust muffler on the compressed air exhaust shall be used, along with external noise jackets on the tools, which could reduce noise levels by as much as 10 dBA.
- The project sponsor shall include noise control requirements in specifications provided to construction contractors. Such requirements could include, but not be limited to, performing all work in a manner that minimizes noise to the extent feasible; undertaking the most noisy activities during times of least disturbance to surrounding residents and occupants, as feasible; and selecting haul routes that avoid residential buildings inasmuch as such routes are otherwise feasible.
- Prior to the issuance of each building permit, along with the submission of construction documents, the project sponsor shall submit to DBI a list of measures to respond to and track complaints pertaining to construction noise. These measures shall include: (1) a procedure and phone numbers for notifying DBI, the SFDPH, and the Police Department (during regular construction hours and off-hours); (2) a sign posted on-site describing noise complaint procedures and a complaint hotline number that shall be answered at all times during construction; (3) designation of an on-site construction complaint and enforcement manager for the project; and (4) notification of neighboring residents and non-residential building managers within 300 feet of the project construction area at least

30 days in advance of extreme noise-generating activities (defined as activities generating noise levels of 90 dBA or greater) about the estimated duration of the activity.

IV. Significant Impacts That Cannot Be Avoided or Reduced to a Less Than Significant Level

Finding: Based on substantial evidence in the whole record of these proceedings, the Planning Commission finds that, where feasible, changes or alterations can and should be incorporated into the Project to reduce the significant environmental impacts listed below as identified in the FEIR. The Planning Commission determines that the following significant impacts on the environment, as reflected in the FEIR, are unavoidable, but under Public Resources Code Section 21081(a)(3) and (b), and CEQA Guidelines 15091(a)(3), 15092(b)(2)(B), and 15093, the Commission determines that the impacts are acceptable due to the overriding considerations described in Section VI below. This finding is supported by substantial evidence in the record of this proceeding.

A. Cultural and Paleontological Resources

1. Impact –Project-Specific and Cumulative Impacts to Historical Architectural Resources (CP-4)

a) Potentially Significant Impact

The EIR finds that the proposed demolition of the 200-214 6th Street building, a contributor to a National Register-eligible Historic District, would result in a significant project-specific and, in combination with past, present, and reasonably foreseeable future projects in the vicinity, would contribute considerably to cumulatively significant impacts to historic architectural resources.

b) Mitigation Measures M-CP-4 and M-CP-4(b) and Conclusion

The Planning Commission finds the potentially significant impacts listed above would not be reduced to less-than-significant levels by implementation of Mitigation Measures M-CP-4 and M-CP-4(b), at pp. 93-94 of the Draft EIR, as follows.

Mitigation Measure M-CP-4 (HABS Documentation)

To offset partially the loss of the building, the project sponsor shall at a minimum, ensure that a complete survey meeting the standards of the Historic American Building Survey (HABS) is undertaken prior to demolition, as follows:

- Prior to approval of the demolition permit, the Project Sponsor shall undertake HABS (Historic American Building Survey) documentation of the subject property. The documentation shall be undertaken by a qualified professional who meets the standards for history, architectural history, or architecture (as appropriate), as set forth by the Secretary of the Interior's Professional Qualification Standards (36 CFR, Part 61). The documentation shall consist of the following:
 - HABS-Level Photography: Archival photographs of the interior and the exterior of subject property. Large format negatives are not required. The scope of the archival photographs should be reviewed by Planning Department Preservation staff for concurrence, and all photography

shall be conducted according to the latest National Park Service Standards. The photography shall be undertaken by a qualified professional with demonstrated experience in HABS Photography, and shall be labeled according to HABS Photography Standards; and

- HABS Historical Report: A written historical narrative and report, per HABS Historical Report Guidelines. The professional shall prepare the documentation and submit it for review and approval by the San Francisco Planning Department's Preservation Technical Specialist. The final documentation shall be disseminated to the San Francisco Planning Department, San Francisco Library History Room, Northwest Information Center-California Historical Resource Information System, and San Francisco Architectural Heritage.

Mitigation Measure CP-4(b) Interpretive Display

Completing a historical resources survey to HABS documentation standards would reduce the Impact CP-4, but not to a less-than-significant level. (Significant, Unavoidable) Implementation of this mitigation measure would reduce Impact CP-4 (historic architectural resources), but not to a less-than-significant level. Therefore, impacts related to the demolition of the 200-214 6th Street building would remain significant and unavoidable. However, to partially offset the loss of the resource, the project sponsor shall incorporate an exhibit/interpretative display on the history of the building, the Defenestration art installation, and the surrounding historic district prior to approval of the demolition permit. It should be noted that the Defenestration art installation is included in the exhibit/interpretive display although the art installation, itself, is not an historic resource. The documentation and interpretive display shall be designed by a qualified professional who meets the standards for history or architectural history (as appropriate), as set forth by the Secretary of the Interior's Professional Qualification Standards (36 CFR, Part 61). Planning Department Preservation staff shall review and approve the scope, content, design and location of the new exhibit/interpretative display. The new exhibit/interpretative display shall be located within a publicly-accessible or publicly viewable area within the new buildings, as determined by Planning Department Preservation staff and the ERO.

V. Evaluation of Project Alternatives

This Section describes the alternatives analyzed in the EIR and the reasons for rejecting the alternatives. This Section also outlines the proposed Project's (for purposes of this section, "Preferred Project") purposes (the "Project objectives"), describes the components of the alternatives, and explains the rationale for selecting or rejecting alternatives.

CEQA mandates that an EIR evaluate a reasonable range of alternatives to the project, which would "feasibly attain most of the basic objectives of the project, but would avoid or substantially lessen effects of the project, and evaluate the comparative merits of the project." (CEQA Guidelines, Section 15126.6(a)).

CEQA requires that every EIR evaluate a "No Project" alternative as part of the range of alternatives analyzed in the EIR. The 200-214 6th Street Project EIR's No Project Alternative analysis was prepared in accordance with CEQA Guidelines Sections 15126.6(e)(3)(A) and (C).

Alternatives provide a basis of comparison to the Preferred Project in terms of beneficial, significant, and unavoidable impacts. This comparative analysis is used to consider reasonable feasible ways to avoid or substantially lessen the significant environmental consequences of the Preferred Project.

A. Project Objectives

As stated on EIR p. 29, the following are the Project Sponsors' objectives for the Preferred Project:

1. Increase the supply of affordable housing in San Francisco.
2. Develop a project with minimal environmental disruption.
3. Increase the supply of affordable housing with ground floor retail opportunities to help activate the Sixth Street corridor.
4. Develop affordable housing that complements the existing urban character of the area.
5. Complete the project on schedule and within budget..

B. Reasons for Selection of the Preferred Project

The EIR analyzes the following alternatives:

- No Project Alternative (Alternative A); and
- Preservation Alternative (Alternative B)
- Partial Preservation Alternative (Alternative C)

These alternatives are discussed in greater detail in Chapter VII, Alternatives, of the EIR.

C. Alternatives Considered but not Analyzed in Detail

CEQA Guidelines Section 15126.6(c) provides that alternatives can be eliminated from detailed consideration in an EIR if they fail to meet most basic project objectives, are infeasible or are unable to avoid significant environmental impacts. The FEIR did not analyze alternatives other than those assessed because none could be identified that could substantially reduce the significant environmental impacts of the Project. An alternative location pursuant to CEQA Guidelines Section 15126.6(f)(2) was not analyzed because the project sponsor does not own any alternative sites in San Francisco, and no viable alternative sites were identified within San Francisco where the Project could be constructed that would meet most of the project sponsor's objectives and where the Project's environmental impacts would be substantially lessened or avoided.

D. Alternatives Rejected and Reasons for Rejection

The Planning Commission recommends rejection of the alternatives set forth in the Final EIR and listed below because the Planning Commission finds that there is substantial evidence, including evidence of economic, legal, social, technological, and other considerations described in this Section in addition to

those described in Section VI below under CEQA Guidelines 15091(a)(3), that make such alternatives infeasible .

1. No Project Alternative (Alternative A)

The No Project Alternative, with respect to the 200-214 6th Street Project, would involve no development at the 200-214 6th Street Project Site. The existing vacant building would remain in its current condition; the only change would be removal of the “Defenestration” installation which would not result in any environmental impacts.

The No Project Alternative would have no environmental impacts as no physical change would occur to the building or the Project Site.

The No Project Alternative does not meet most of the Preferred Project objectives for the following reasons.

1. Increase the supply of affordable housing in San Francisco.

The No Project Alternative would not meet this objective because no affordable housing would be built at the Project Site.

2. Develop a project with minimal environmental disruption.

The No Project Alternative would partially meet this objective. Since no project will be built at the Project site, there is no possibility that this Alternative would result in any environmental disruption at the Project Site.

3. Increase the supply of affordable housing with ground floor retail opportunities to help activate the Sixth Street corridor.

The No Project Alternative would not meet this objective because it will not result in the construction of affordable housing at the Project Site which also provides ground floor retail opportunities.

4. Develop affordable housing that complements the existing urban character of the area.

The No Project Alternative would not meet this objective because it will not result in the construction of affordable housing at the Project Site.

5. Complete the project on schedule and within budget.

The No Project Alternative would not meet this objective since there will be no project constructed.

For the reasons listed above and in Section VI, Statement of Overriding Considerations, the Planning Commission hereby rejects as infeasible the No Project Alternative.

2. Preservation Alternative (Alternative B)

The Preservation Alternative would be retain and restore the building to the Secretary of Interior's Standards, including the retention of all character-defining features of the existing building, such as all exterior elevations and rooflines visible from the public right of way. It would add a fifth-story addition set back up to 8 feet from the existing fourth story. The approximately 61-foot-tall building would have a footprint similar to the Preferred Project. The Preservation Alternative would provide a total of 32 dwelling units (six three-bedroom, 11 two-bedroom, 13 one-bedroom and 2 studios) and 2,265 square feet of ground-floor retail space, a 905-square-foot community room, 400 square feet of private open space, and 3,380 square feet of common open space. Like the Preferred Project, the Preservation Alternative would not include on-site parking.

The Preservation Alternative's impacts would be similar to the Preferred Project, except that its impact to historic resources would be less than significant because this Alternative retains the existing building's historic character-defining features.

In comparison to the Project, the Preservation Alternative's impacts are as follows:

Historic Resources: The Preservation Alternative does not in result in a significant and unmitigable impact because it retains the historic features of the existing building whereas the Project results in demolition of the historic building. As a result, the Preservation Alternative's impact to historic resources is less than significant.

Archeological Resources/Human Remains: Similar to the potentially significant impacts to archeological resources and human remains from Project excavation and grading of the Project Site, this Alternative could result in potentially significant impacts to archeological resources and human remains. These potentially significant impacts would be mitigated to less than significant levels by the mitigation measures adopted in the FEIR and imposed through the MMRP.

Interior and Exterior Noise: Similar to the potentially significant noise impacts resulting from Project construction activity, construction of the Preservation Alternative could result in potentially significant impacts to interior and exterior noise levels. These potentially significant impacts would be mitigated to less than significant levels by the mitigation measures adopted in the FEIR and imposed through the MMRP.

Construction Noise: Similar to the potentially significant noise impacts resulting from Project construction activity, the construction of the Preservation Alternative could result in potentially significant impacts from construction noise. These potentially significant impacts would be mitigated to less than significant levels by the mitigation measures adopted in the FEIR and imposed through the MMRP.

Construction Air Quality/Toxic Air Contaminants: Similar to the potentially significant air quality impacts resulting from Project construction and grading activity, construction and grading for the Preservation Alternative could result in potentially significant impacts to air quality. These potentially significant impacts would be mitigated to less than significant levels by the mitigation measures adopted in the FEIR and imposed through the MMRP.

Hazardous Building Materials/Contaminated Soils: Similar to the potentially significant hazardous impacts resulting from Project construction and grading activity, construction and grading of the Preservation Alternative could result in potentially significant impacts from hazardous materials disturbed during construction. These potentially significant impacts would be mitigated to less than significant levels by the mitigation measures adopted in the FEIR and imposed through the MMRP.

Impacts identified by the Initial Study as less than significant: Like the Project, the Preservation Alternative will have no or less than significant impacts without mitigation to the following resources: Land Use and Land Use Planning; Aesthetics; Population and Housing; Transportation and Circulation; Greenhouse Gas Emissions; Wind and Shadow; Recreation; Utilities and Service Systems; Public Services; Biological Resources; Geology and Soils; Hydrology and Water Quality; Mineral/Energy Resources; and Agriculture and Forest Resources.

The Preservation Alternative would meet all of the Preferred Project objectives for the following reasons:

1. Increase the supply of affordable housing in San Francisco.

The Preservation Alternative would meet this objective by providing 32 units of affordable housing. However, it would only provide 47% of the number of units provided by the Project.

2. Develop a project with minimal environmental disruption.

The Preservation Alternative would meet this objective because all of its potentially significant impacts would be mitigated to less than significant levels by its retention of the character defining features of the building and imposition of the mitigation measures adopted in the FEIR.

3. Increase the supply of affordable housing with ground floor retail opportunities to help activate the Sixth Street corridor.

The Preservation Alternative would meet this objective because it will result in the construction of affordable housing at the site and will provide ground floor retail opportunities.

4. Develop affordable housing that complements the existing urban character of the area.

The Preservation Alternative would meet this objective because it will result in the construction of affordable housing at the site that will complement the existing urban character of the area.

5. Complete the project on schedule and within budget.

The Preservation Alternative would meet this objective since it can complete the project on schedule and within budget.

For the reasons listed above and in Section VI, Statement of Overriding Considerations, the Planning Commission hereby rejects as infeasible the Preservation Alternative.

3. **Partial Preservation Alternative (Alternative C)**

The Partial Preservation Alternative will retain a portion of the existing building's exterior shell while accommodating as much of the Preferred Project's program as possible. Generally, it will create building additions that fill out the maximum allowable zoning envelope up to 85 feet high at the roof and built out to both street fronting property lines without setbacks. It proposes 52 dwelling units: 8 three-bedroom units, 18 two-bedroom units, 22 one-bedroom units, and 4 studio units.

The Partial Preservation Alternative would provide 1,810 square feet of ground-floor retail space, a 1,250-square-foot community room, 400 square feet of private open space, and 5,250 square feet of common open space. Like the Preferred Project, the Preservation Alternative would not include on-site parking.

The Partial Preservation Alternative's impacts would be similar to those caused by the Preferred Project, including significant and unavoidable impacts to the historic resource since this Alternative is retaining only a portion of the existing building's shell, resulting in the loss of the building's historic character-defining features.

In comparison to the Project, the Partial Preservation Alternative's impacts are as follows:

Historic Resources: Similar to the Project, the Partial Preservation Alternative results in a significant and unmitigable impact to historic resources because this Alternative retains only a portion of the building's historic features.

Archeological Resources/Human Remains: Similar to the potentially significant impacts to archeological resources and human remains from Project excavation and grading of the Project Site, the excavation and grading of the Partial Preservation Alternative could result in potentially significant impacts to archeological resources and human remains. These potentially significant impacts would be mitigated to less than significant levels by the mitigation measures adopted in the FEIR and imposed through the MMRP.

Interior and Exterior Noise: Similar to the potentially significant noise impacts resulting from Project construction activity, construction of the Partial Preservation Alternative could result in potentially significant impacts to interior and exterior noise levels. These potentially significant impacts would be mitigated to less than significant levels by the mitigation measures adopted in the FEIR and imposed through the MMRP.

Construction Noise: Similar to the potentially significant noise impacts resulting from Project construction activity, construction of the Partial Preservation Alternative could result in potentially significant impacts from construction noise. These potentially significant impacts would be mitigated to less than significant levels by the mitigation measures adopted in the FEIR and imposed through the MMRP.

Construction Air Quality/Toxic Air Contaminants: Similar to the potentially significant air quality impacts resulting from Project construction and grading activity, construction and grading of the Partial Preservation Alternative could result in potentially significant impacts to air quality. These potentially significant impacts would be mitigated to less than significant levels by the mitigation measures adopted in the FEIR and imposed through the MMRP.

Hazardous Building Materials/Contaminated Soils: Similar to the potentially significant hazardous impacts resulting from Project construction and grading activity, construction and grading of the Partial

Preservation Alternative could result in potentially significant impacts from hazardous materials disturbed during construction. These potentially significant impacts would be mitigated to less than significant levels by the mitigation measures adopted in the FEIR and imposed through the MMRP.

Impacts identified by the Initial Study as less than significant: Like the Project, the Partial Preservation Alternative will have no or less than significant impacts without mitigation to the following resources: Land Use and Land Use Planning; Aesthetics; Population and Housing; Transportation and Circulation; Greenhouse Gas Emissions; Wind and Shadow; Recreation; Utilities and Service Systems; Public Services; Biological Resources; Geology and Soils; Hydrology and Water Quality; Mineral/Energy Resources; and Agriculture and Forest Resources.

The Partial Preservation Alternative would meet or partially meet the Preferred Project objectives for the following reasons:

1. Increase the supply of affordable housing in San Francisco.

The Partial Preservation Alternative would partially meet this objective by providing 52 units of affordable housing. Accordingly, the City's supply of housing would be increased as a result of this Alternative but by providing less than 78% of the number of affordable units that would be provided by the Project.

2. Develop a project with minimal environmental disruption.

The Partial Preservation Alternative would partially meet this objective because it would still cause a significant and unmitigable impact to historic resources. Like the Project, the potentially significant impacts that would result from Project construction would be mitigated to less than significant levels by the mitigation measures adopted in the FEIR and imposed through the MMRP.

3. Increase the supply of affordable housing with ground floor retail opportunities to help activate the Sixth Street corridor.

The Partial Preservation Alternative would meet this objective because it will result in the construction of affordable housing at the site and will provide ground floor retail opportunities.

4. Develop affordable housing that complements the existing urban character of the area.

The Partial Preservation Alternative would meet this objective because it will result in the construction of affordable housing at the site that will complement the existing urban character of the area.

5. Complete the project on schedule and within budget.

The Partial Preservation Alternative would meet this objective since it can complete the project on schedule and within budget.

For the reasons listed above and in Section VI, Statement of Overriding Considerations, the Planning Commission hereby rejects as infeasible the Preservation Alternative.

Based on the reasons set forth in this Section V and in Section VI, Statement of Overriding Considerations, the Planning Commission hereby rejects as infeasible the No Project Alternative, the Preservation Alternative and the Partial Preservation Alternative.

VI. STATEMENT OF OVERRIDING CONSIDERATIONS

Notwithstanding the significant effects noted above, pursuant to CEQA Section 21081(b) and the CEQA Guidelines Section 15093, the Planning Commission finds, after considering the EIR and based on substantial evidence in the administrative record as a whole and as set forth herein, that specific overriding economic, legal, social, and other considerations outweigh the identified significant effects on the environment. Moreover, in addition to the specific reasons discussed in Section V above, the Planning Commission finds that the alternatives rejected above are also rejected for the following specific economic, social, or other considerations resulting from Project approval and implementation:

A. The Project Site currently contains a long-vacant and poorly maintained building that does not contribute to the economic, social and aesthetic qualities of the surrounding SoMa neighborhood. The Project will redevelop this underutilized site with an infill residential project that includes a mix of land uses, including 35 family sized rental units, that would respect the surrounding neighborhood and bring activity to that portion of the neighborhood.

B. The Project will increase affordable housing opportunities to very low income households and families with a developmentally disabled member at a density that is suitable for an intensely-developed urban context served by ample public transit and retail services. By providing infill residential development at the Project Site, residents of the Project will be able to walk, bicycle, or take transit to commute, shop and meet other needs without relying on private automobiles. The Project encourages such non-auto transportation by providing 29 bicycle parking spaces and not offering any on-site parking spaces. The Project's infill location and close proximity to public transit will also help reduce regional urban sprawl and its substantial negative regional environmental, economic, and health impacts, including air and water pollution, greenhouse gas emissions, congestion, and loss of open space and habitat.

C. The Project's proposed ground floor retail uses will help activate the streetscape and create visual interest for pedestrians. This use will also provide employment opportunities for residents in and around the 6th Street corridor and for those living in the Project. The Project will also create an attractive and pedestrian-oriented neighborhood scale of development at the site through incorporation of superior design and architectural standards.

D. The Project's retail/commercial and residential uses will be typical of the surrounding neighborhood and will not introduce operational noises or odors that are detrimental, excessive or atypical for the area. While some temporary increase in noise can be expected during construction, this noise is limited in duration and will be regulated by the San Francisco Noise Ordinance and mitigation measures which will regulate excessive noise levels from construction activity and limit the permitted hours of work.

E. The Project will include ample amounts of private open space. The SoMa community in general and the 6th Street Corridor in particular, lacks the open space amenities and features that most other neighborhoods take for granted. Thus the introduction of 3,691 square feet of common open space,

including a rear yard and a 2,303 square foot roof terrace provides a direct benefit to Project residents and enhances the character of the neighborhood.

F. The Project will introduce an architecturally superior building at a prominent location along the 6th Street Corridor. Constructed in a contemporary style intended to embrace and reflect the existing aesthetic of the surrounding buildings, the building would be clad in a mixture of brick veneer, dark patinated metal panels, and dark anodized aluminum windows. The building would be highly articulated by a geometric pattern of projecting rectangular bays. This creative design retains the panache at this corner that was achieved by the Defenestration installation. However, unlike that artwork, this design is permanent.

G. The Project will provide 67 affordable housing units to very low income households, a demographic whose housing needs are not frequently met at this scale. Thirty five of those units will be family sized units, with 14 of those targeted to households with a developmentally disabled family member. By providing new, well designed housing in a transit rich neighborhood to two (2) largely underserved populations, the Project is promoting many objectives and policies of the Housing Element, including: promoting mixed use development, developing new housing, particularly affordable housing, providing a range of unit types, providing special needs housing, and promoting the construction of well-designed housing.

H. The Project conforms to the neighborhood character. The existing development in the area surrounding the Project Site is varied in scale and intensity. At 85 feet in height, the Project will be an appropriate transition from the smaller scale of buildings north of Howard to the larger scale buildings south of Howard in and around the 6th Street Corridor.

I. The Project would further and be consistent with numerous General Plan objectives and policies, including but not limited to numerous Housing Element, Transportation Element and Urban Design Element policies such as providing adequate sites to meet the City's housing needs, developing special needs housing, such as for families with developmentally disabled members and providing family size units available to low and very low income households. Both the Housing and Transportation Elements encourage locating housing in transit-rich locations to minimize reliance on the car and to maximize use of a building for housing rather than parking spaces. Lastly, the Housing and Urban Design Elements encourage development that is architecturally compatible with surroundings.

Having considered these benefits of the proposed Project, including the benefits and considerations discussed above, the Planning Commission finds that the Project's benefits outweigh its unavoidable adverse environmental effects, and that the adverse environmental effects are therefore considered acceptable. The Planning Commission further finds that each of the Project benefits discussed above is a separate and independent basis for these findings.

VII. INCORPORATION BY REFERENCE

The Final EIR is hereby incorporated into these Findings in its entirety. Without limitation, this incorporation is intended to elaborate on the scope and nature of the mitigation measures, the basis for determining the significance of impacts, the comparative analysis of alternatives, and the reasons for

approving the Project in spite of the potential for associated significant and unavoidable adverse environmental effects.

DECISION

The Planning Commission hereby adopts these California Environmental Quality Act Findings of Fact, evaluation of mitigation measures and alternatives, Statement of Overriding Considerations, and the Mitigation Monitoring and Reporting Program (MMRP).

I hereby certify that the Planning Commission ADOPTED the foregoing Motion on August 1, 2013.

Jonas P. Ionin
Acting Commission Secretary

AYES:

NAYS:

ABSENT:

ADOPTED: August 1, 2013

Adopted Mitigation Measures	Responsibility for Implementation	Mitigation Schedule	Mitigation Action	Monitoring / Reporting Responsibility	Monitoring Schedule
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MITIGATION MEASURES AGREED TO BY PROJECT SPONSOR

From the Environmental Impact Report:

CULTURAL AND PALEONTOLOGICAL RESOURCES

Mitigation Measure M-CP-2: Archeology Resources – Testing

Based on a reasonable presumption that archeological resources may be present within the project site, the following measures shall be undertaken to avoid any potentially significant adverse effect from the proposed project on buried or submerged historical resources. The project sponsor shall retain the services of an archaeological consultant from the pool of qualified archaeological consultants maintained by the Planning Department archaeologist. The archeological consultant shall undertake an archeological testing program as specified herein. In addition, the consultant shall be available to conduct an archeological monitoring and/or data recovery program if required pursuant to this measure. The archeological consultant’s work shall be conducted in accordance with this measure at the direction of the Environmental Review Officer (ERO). All plans and reports prepared by the consultant as specified herein shall be submitted first and directly to the ERO for review and comment, and shall be considered draft reports subject to revision until final approval by the ERO. Archeological monitoring and/or data recovery programs required by this measure could suspend construction of the project for up to a maximum of four weeks. At the direction of the ERO, the suspension of construction can be extended beyond four weeks only if such a suspension is the only feasible means to reduce to a less-than-significant level potential effects on a significant archeological resource as defined in *CEQA Guidelines* Sect. 15064.5 (a)(c).

Project sponsor/ archeological consultant at the direction of the Environmental Review Officer (ERO).	Prior to soil-disturbing activities.	Retain a qualified Archeological Consultant.	Project Sponsor, Archeological consultant and the ERO.	Complete when Project Sponsor retains qualified archaeological consultant.
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EXHIBIT A – MONITORING AND REPORTING PROGRAM

Adopted Mitigation Measures	Responsibility for Implementation	Mitigation Schedule	Mitigation Action	Monitoring / Reporting Responsibility	Monitoring Schedule
<p><i>Consultation with Descendant Communities</i></p> <p>On discovery of an archeological site¹ associated with descendant Native Americans or the Overseas Chinese an appropriate representative² of the descendant group and the ERO shall be contacted. The representative of the descendant group shall be given the opportunity to monitor archeological field investigations of the site and to consult with ERO regarding appropriate archeological treatment of the site, of recovered data from the site, and, if applicable, any interpretative treatment of the associated archeological site. A copy of the Final Archaeological Resources Report shall be provided to the representative of the descendant group.</p>	Project sponsor/ archeological consultant at the direction of the Environmental Review Officer (ERO).	Upon discovery of an archeological site associated with descendant Native Americans or the Overseas Chinese.	Archeological consultant shall report to an appropriate representative of the descendent group and the ERO, and a copy of the FARR shall be provided to the representative of the descendent group.	Project Sponsor, Archeological consultant and the ERO.	During excavation, demolition and construction. Considered complete upon receipt of final monitoring report at completion of construction.
<p><i>Archeological Testing Program</i></p> <p>The archeological consultant shall prepare and submit to the ERO for review and approval an archeological testing plan (ATP). The archeological testing program shall be conducted in accordance with the approved ATP. The ATP shall identify the property types of the expected archeological resource(s) that potentially could be adversely affected by the proposed project, the testing method to be used, and the locations recommended for testing. The purpose of the archeological testing program will be to determine to the extent possible the presence or absence of archeological resources and to identify and to evaluate whether any archeological resource encountered on the site constitutes a historical resource under CEQA.</p>	Project sponsor/ archeological consultant at the direction of the ERO.	Prior to soil-disturbing activities.	Prepare and submit draft Archeological Testing Plan (ATP)	Archaeological consultant and the ERO.	After consultation with and approval by ERO of AMP.
<p>At the completion of the archeological testing program, the archeological consultant shall submit a written report of the findings to the ERO. If based on the archeological testing program the archeological consultant finds that significant archeological resources may be present, the ERO in consultation with the archeological consultant</p>	Project sponsor/ archeological consultant at the direction of the	After completion of the Archeological	Archeological consultant shall submit report of the findings of	Archaeological consultant and the ERO.	Considered complete on submittal to ERO of report

¹ The term “archeological site” is intended here to minimally include any archeological deposit, feature, burial, or evidence of burial.

² An “appropriate representative” of the descendant group is here defined to mean, in the case of Native Americans, any individual listed in the current Native American Contact List for the City and County of San Francisco maintained by the California Native American Heritage Commission and in the case of the Overseas Chinese, the Chinese Historical Society of America.

EXHIBIT A – MONITORING AND REPORTING PROGRAM

Adopted Mitigation Measures	Responsibility for Implementation	Mitigation Schedule	Mitigation Action	Monitoring / Reporting Responsibility	Monitoring Schedule
<p>shall determine if additional measures are warranted. Additional measures that may be undertaken include additional archeological testing, archeological monitoring, and/or an archeological data recovery program. If the ERO determines that a significant archeological resource is present and that the resource could be adversely affected by the proposed project, at the discretion of the project sponsor either:</p> <p>A) The proposed project shall be re-designed so as to avoid any adverse effect on the significant archeological resource; or</p> <p>B) A data recovery program shall be implemented, unless the ERO determines that the archeological resource is of greater interpretive than research significance and that interpretive use of the resource is feasible.</p>	ERO.	Testing Program.	the Archeological Testing Program to the ERO.		on ATP findings.
Archeological Monitoring Program	Project sponsor/ archeological consultant / archeological monitor/ construction contractor(s), at the direction of the ERO.	ERO & archeological consultant shall meet prior to commencement of soil-disturbing activity. If the ERO determines that an Archeological Monitoring Program is necessary, monitor throughout all soil-disturbing activities.	Implement Archeological Monitoring Program (AMP) Monitor throughout all soils-disturbing activities.	Archaeological consultant and the ERO.	Considered complete on finding by ERO that AMP implemented.
<p>If the ERO in consultation with the archeological consultant determines that an archeological monitoring program shall be implemented the archeological monitoring program shall minimally include the following provisions:</p> <ul style="list-style-type: none"> The archeological consultant, project sponsor, and ERO shall meet and consult on the scope of the AMP reasonably prior to any project-related soils disturbing activities commencing. The ERO in consultation with the archeological consultant shall determine what project activities shall be archeologically monitored. In most cases, any soils- disturbing activities, such as demolition, foundation removal, excavation, grading, utilities installation, foundation work, driving of piles (foundation, shoring, etc.), site remediation, etc., shall require archeological monitoring because of the risk these activities pose to potential archaeological resources and to their depositional context; The archeological consultant shall advise all project contractors to be on the alert for evidence of the presence of the expected resource(s), of how to identify the evidence of the expected resource(s), and of the appropriate protocol in the event of apparent discovery of an archeological resource; The archeological monitor(s) shall be present on the project site according to a schedule agreed upon by the archeological consultant and the ERO until the ERO has, in consultation with project archeological consultant, determined that project 	Archeological Consultant.	Advises project contractor(s).	Notify ERO if intact archeological deposit is encountered.	Archaeological consultant and the ERO.	Considered complete on finding by ERO that AMP implemented.

EXHIBIT A – MONITORING AND REPORTING PROGRAM

Adopted Mitigation Measures	Responsibility for Implementation	Mitigation Schedule	Mitigation Action	Monitoring / Reporting Responsibility	Monitoring Schedule
<p>construction activities could have no effects on significant archeological deposits;</p> <ul style="list-style-type: none"> The archeological monitor shall record and be authorized to collect soil samples and artifactual/ecofactual material as warranted for analysis; If an intact archeological deposit is encountered, all soils-disturbing activities in the vicinity of the deposit shall cease. The archeological monitor shall be empowered to temporarily redirect demolition/excavation/pile driving/construction activities and equipment until the deposit is evaluated. If in the case of pile driving activity (foundation, shoring, etc.), the archeological monitor has cause to believe that the pile driving activity may affect an archeological resource, the pile driving activity shall be terminated until an appropriate evaluation of the resource has been made in consultation with the ERO. The archeological consultant shall immediately notify the ERO of the encountered archeological deposit. The archeological consultant shall make a reasonable effort to assess the identity, integrity, and significance of the encountered archeological deposit, and present the findings of this assessment to the ERO. <p>Whether or not significant archeological resources are encountered, the archeological consultant shall submit a written report of the findings of the monitoring program to the ERO.</p>	Archeological Consultant.	Advises project contractor(s).	If intact archeological deposit is discovered, cease soils-disturbing activities, notify ERO of archeological deposit, and present assessment to ERO. Submit AMP.	Archaeological consultant and the ERO.	Considered complete on finding by ERO that AMP implemented.
<p><i>Archeological Data Recovery Program</i></p> <p>The archeological data recovery program shall be conducted in accord with an archeological data recovery plan (ADRP). The archeological consultant, project sponsor, and ERO shall meet and consult on the scope of the ADRP prior to preparation of a draft ADRP. The archeological consultant shall submit a draft ADRP to the ERO. The ADRP shall identify how the proposed data recovery program will preserve the significant information the archeological resource is expected to contain. That is, the ADRP will identify what scientific/historical research questions are applicable to the expected resource, what data classes the resource is expected to possess, and how the expected data classes would address the applicable research questions. Data recovery, in general, should be limited to the portions of the historical property that could be adversely affected by the proposed project. Destructive data recovery methods shall not be applied to portions of the archeological resources if nondestructive methods are practical.</p> <p>The scope of the ADRP shall include the following elements:</p>	Archeological consultant at the direction of the ERO.	If there is a determination that an ADRP program is required.	Prepare an Archeological Data Recovery Plan (ADRP). Scope determined in consultation with the ERO.	Archeological consultant and the ERO.	Complete upon review and approval of a final ADRP.

EXHIBIT A – MONITORING AND REPORTING PROGRAM

Adopted Mitigation Measures	Responsibility for Implementation	Mitigation Schedule	Mitigation Action	Monitoring / Reporting Responsibility	Monitoring Schedule
<ul style="list-style-type: none"> • <i>Field Methods and Procedures.</i> Descriptions of proposed field strategies, procedures, and operations. • <i>Cataloguing and Laboratory Analysis.</i> Description of selected cataloguing system and artifact analysis procedures. • <i>Discard and Deaccession Policy.</i> Description of and rationale for field and post-field discard and deaccession policies. • <i>Interpretive Program.</i> Consideration of an on-site/off-site public interpretive program during the course of the archeological data recovery program. • <i>Security Measures.</i> Recommended security measures to protect the archeological resource from vandalism, looting, and non-intentionally damaging activities. • <i>Final Report.</i> Description of proposed report format and distribution of results. • <i>Curation.</i> Description of the procedures and recommendations for the curation of any recovered data having potential research value, identification of appropriate curation facilities, and a summary of the accession policies of the curation facilities. 					
<p><i>Human Remains and Associated or Unassociated Funerary Objects</i></p>					
<p>The treatment of human remains and of associated or unassociated funerary objects discovered during any soils disturbing activity shall comply with applicable State and Federal laws. This shall include immediate notification of the Coroner of the City and County of San Francisco and in the event of the Coroner’s determination that the human remains are Native American remains, notification of the California State Native American Heritage Commission (NAHC) who shall appoint a Most Likely Descendant (MLD) (Pub. Res. Code Sec. 5097.98). The archeological consultant, project sponsor, and MLD shall make all reasonable efforts to develop an agreement for the treatment of, with appropriate dignity, human remains and associated or unassociated funerary objects (CEQA Guidelines. Sec. 15064.5(d)). The agreement should take into consideration the appropriate excavation, removal, recordation, analysis, custodianship, curation, and final disposition of the human remains and associated or unassociated funerary objects.</p>	<p>Project sponsor / archeological consultant in consultation with the San Francisco Coroner, NAHC, and MLD.</p>	<p>In the event human remains and/or funerary objects are found.</p>	<p>Contact San Francisco County Coroner. Implement regulatory requirements, if applicable, regarding discovery of Native American human remains and associated/unassociated funerary objects.</p> <p>Monitor throughout all soils-disturbing activities.</p>	<p>Archaeological consultant and the ERO.</p>	<p>Considered complete on notification of the San Francisco County Coroner. and NAHC/MLD, if necessary.</p>

EXHIBIT A – MONITORING AND REPORTING PROGRAM

Adopted Mitigation Measures	Responsibility for Implementation	Mitigation Schedule	Mitigation Action	Monitoring / Reporting Responsibility	Monitoring Schedule
<p><i>Final Archeological Resources Report</i></p> <p>The archeological consultant shall submit a Draft Final Archeological Resources Report (FARR) to the ERO that evaluates the historical significance of any discovered archeological resource and describes the archeological and historical research methods employed in the archeological testing/monitoring/data recovery program(s) undertaken. Information that may put at risk any archeological resource shall be provided in a separate removable insert within the final report.</p> <p>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 Environmental Planning division of the Planning Department shall receive one bound, one unbound and one unlocked, searchable PDF copy on CD 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 in or the high interpretive value of the resource, the ERO may require a different final report content, format, and distribution than that presented above.</p>	Project sponsor/ archeological consultant at the direction of the ERO.	After completion of the archeological data recovery, inventorying, analysis and interpretation.	Submit a Draft Final Archeological Resources Report (FARR).	Archaeological consultant and the ERO.	Considered complete on submittal of FARR.
<p>Mitigation Measure M-CP-4a: Historic Architectural Resources – HABS Documentation</p> <p>Implementation of this mitigation measure would reduce Impact CP-4 (historic architectural resources), but not to a less-than-significant level. Therefore, impacts related to the demolition of the 200-214 6th Street building would remain significant and unavoidable. However, to partially offset the loss of the resource, the project sponsor shall at a minimum, ensure that a complete survey meeting the standards of the Historic American Building Survey (HABS) is undertaken prior to demolition, as follows:</p> <ul style="list-style-type: none"> • Prior to approval of the demolition permit, the Project Sponsor shall undertake HABS (Historic American Building Survey) documentation of the subject property. The documentation shall be undertaken by a qualified professional who meets the standards for history, architectural history, or architecture (as appropriate), as set forth by the Secretary of the Interior’s Professional Qualification Standards (36 CFR, Part 61). <p>The documentation shall consist of the following:</p> <ul style="list-style-type: none"> – <i>HABS-Level Photography</i>: Archival photographs of the interior and the exterior 	Project sponsor and qualified professional with experience with HABS photography.	Prior to issuance of a demolition permit.	Project sponsor to retain qualified professional to document historical resource. Qualified professional to photograph resource and prepare a historical report. Project sponsor or qualified professional to	Planning Department to approve documentation submitted by project sponsor.	Considered complete upon Planning Department receipt of approved documentation / issuance of demolition permit.

EXHIBIT A – MONITORING AND REPORTING PROGRAM

Adopted Mitigation Measures	Responsibility for Implementation	Mitigation Schedule	Mitigation Action	Monitoring / Reporting Responsibility	Monitoring Schedule
<p>of subject property. Large format negatives are not required. Digital photography may be taken, as guided by HABS/HAER/HALS Photography Guidelines. Generally, the following requirements shall apply: the digital sensor size should be at least full frame (35mm) with a minimum of 24 megapixels taken with a perspective correction or other lens resulting in photographs that do not require post-processing. Photographic prints should be accompanied by a data sheet from the printer noting the paper used, printer model, type of ink, and estimated longevity. The scope and number of the archival photographs shall be reviewed and approved by Planning Department Preservation staff, and all photography shall be conducted according to the latest National Park Service standards and guidelines. The photography shall be undertaken by a qualified professional with demonstrated experience in HABS Photography, and shall be labeled according to HABS Photography Guidelines; and,</p> <ul style="list-style-type: none"> - <i>HABS Historical Report</i>: A written historical narrative and report, per HABS Historical Report Guidelines. • The professional shall prepare the documentation and submit it for review and approval by the San Francisco Planning Department’s Preservation Technical Specialist. The final documentation shall be disseminated to the San Francisco Planning Department, San Francisco Library History Room, Northwest Information Center-California Historical Resource Information System, and San Francisco Architectural Heritage. 			<p>disseminate documentation as specified.</p>		

Mitigation Measure M-CP-4b: Historic Architectural Resources – Interpretive Display

<p>Implementation of this mitigation measure would reduce Impact CP-4 (historic architectural resources), but not to a less-than-significant level. Therefore, impacts related to the demolition of the 200-214 6th Street building would remain significant and unavoidable. However, to partially offset the loss of the resource, the project sponsor shall incorporate an exhibit/interpretative display on the history of the building, the Defenestration art installation, and the surrounding historic district prior to approval of the demolition permit. It should be noted that the Defenestration art installation is included in the exhibit/interpretive display although the art installation, itself, is not an historic resource. The documentation and interpretive display shall be designed by a qualified professional who meets the standards for history or architectural history (as appropriate), as set forth by the Secretary of the Interior’s Professional Qualification Standards (36 CFR, Part 61). Planning Department</p>	<p>Project sponsor/ qualified professional.</p>	<p>Prior to issuance of a demolition permit.</p>	<p>Project sponsor to retain qualified professional to design interpretive display, subject to approval by Planning Department Preservation staff.</p>	<p>Planning Department to approve scope of work for on-site display to be submitted by project sponsor/qualified historic preservation professional.</p>	<p>Considered complete upon issuance of Certificate of Occupancy.</p>
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EXHIBIT A – MONITORING AND REPORTING PROGRAM

Adopted Mitigation Measures	Responsibility for Implementation	Mitigation Schedule	Mitigation Action	Monitoring / Reporting Responsibility	Monitoring Schedule
<p>Preservation staff shall review and approve the scope, content, design and location of the new exhibit/interpretative display. The new exhibit/interpretative display shall be located within a publicly-accessible or publicly viewable area within the new buildings, as determined by Planning Department Preservation staff and the Environmental Review Officer.</p>					
<p>From the Initial Study:</p>					
<p><i>NOISE</i></p>					
<p>Mitigation Measure M-NO-1a: Interior and Exterior Noise</p>					
<p>For new residential development located along streets with noise levels above 75 dBA Ldn, the Planning Department requires the following:</p>	Project sponsor.	Prior to issuance of building permit and certificate of occupancy.	Design measures to be incorporated into project design and evaluated in environmental / building permit review.	Planning Department and Department of Building Inspection.	Considered complete upon approval of final building drawing set.
<p>1. The Planning Department requires 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 at least one 24-hour noise measurement (with maximum noise level readings taken at least every 15 minutes), prior to completion of the environmental review. The analysis should 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. Should such concerns be present, the Department may require the completion of a detailed noise assessment by person(s) qualified in acoustical analysis and/or engineering prior to the first project approval action, in order to demonstrate that acceptable interior noise levels consistent with those in the Title 24 standards can be attained; and</p>					
<p>2. To minimize effects on development in noisy areas, for new residential uses, the Planning Department shall, through its building permit review process, in conjunction with the noise analysis required above, require that open space required under the Planning Code for such uses be protected, to the maximum feasible extent, from existing ambient noise levels that could prove annoying or disruptive to users of the open space. One way that this might be accomplished is through a site design that uses the building itself to shield on-site open space from the greatest noise sources, construction of noise barriers between noise sources</p>	Project sponsor.	Prior to issuance of building permit and certificate of occupancy.	Design measures to be incorporated into project design and evaluated in environmental / building permit	Planning Department and Department of Building Inspection.	Considered complete upon approval of final building drawing set.

EXHIBIT A – MONITORING AND REPORTING PROGRAM

Adopted Mitigation Measures	Responsibility for Implementation	Mitigation Schedule	Mitigation Action	Monitoring / Reporting Responsibility	Monitoring Schedule
and open space, and appropriate use of both common and private open space in multi-family dwellings, and implementation would also be undertaken consistent with other principles of urban design (see Mitigation Measure M-NO-1: Interior and Exterior Noise, San Francisco 2004 and 2009 Housing Element EIR).			review.		
Mitigation Measure M-NO-1b: Window and Wall Assemblies					
The project sponsor shall construct the proposed residential units with the following window and wall assemblies: Windows shall be Torrance 2500 windows or approved equal with one-inch dual-glazed frames with 7/16-inch laminated glazing, 5/16-inch air space, and ¼-inch glazing; exterior walls shall consist of 3/8-inch plywood; 2x6-inch wood stud or 16-gauge steel stud, 16 inches on center with fiberglass sheets in stud cavities; resilient channels ³ ; and ½-inch gypsum board.	Project sponsor.	Prior to issuance of building permit and certificate of occupancy.	Design measures to be incorporated into project design and evaluated in environmental / building permit review.	Planning Department and Department of Building Inspection.	Considered complete upon approval of final building drawing set.
Mitigation Measure M-NO-1c: Window and Wall Assemblies (2)					
If deviations from these assemblies are proposed, the alternative window and/or wall assemblies shall be evaluated by a qualified acoustical consultant to ensure that Title 24 standards are met.	Project sponsor.	Prior to issuance of building permit and certificate of occupancy.	Design measures to be incorporated into project design and evaluated in environmental / building permit review.	Planning Department and Department of Building Inspection.	Considered complete upon approval of final building drawing set.
Mitigation Measure M-NO-2: General Construction Noise Measures					
To ensure that project noise from construction activities is minimized to the maximum extent feasible, the project sponsor shall undertake the following: <ul style="list-style-type: none"> The project sponsor shall require the general contractor to ensure that equipment 	Project sponsor.	During construction.	Project sponsor to provide Planning Department	Planning Department.	Considered complete upon receipt of final monitoring

³ Sound vibration-absorbing strips for attaching sheetrock.

EXHIBIT A – MONITORING AND REPORTING PROGRAM

Adopted Mitigation Measures	Responsibility for Implementation	Mitigation Schedule	Mitigation Action	Monitoring / Reporting Responsibility	Monitoring Schedule
<p>and trucks used for project construction utilize the best available noise control techniques (e.g., improved mufflers, equipment redesign, use of intake silencers, ducts, engine enclosures and acoustically attenuating shields or shrouds, wherever feasible).</p>			<p>with monthly reports during construction period.</p>		<p>report at completion of construction.</p>
<ul style="list-style-type: none"> The project sponsor shall require the general contractor to locate stationary noise sources (such as compressors) as far from adjacent or nearby sensitive receptors as possible, to muffle such noise sources, and to construct barriers around such sources and/or the construction site, which could reduce construction noise by as much as 5.0 dBA. To further reduce noise, the contractor shall locate stationary equipment in pit areas or excavated areas, if feasible. 					
<ul style="list-style-type: none"> The project sponsor shall require the general contractor to use impact tools (e.g., jack hammers, pavement breakers, and rock drills) that are hydraulically or electrically powered wherever possible to avoid noise associated with compressed air exhaust from pneumatically powered tools. Where use of pneumatic tools is unavoidable, an exhaust muffler on the compressed air exhaust shall be used, along with external noise jackets on the tools, which could reduce noise levels by as much as 10 dBA. 					
<ul style="list-style-type: none"> The project sponsor shall include noise control requirements in specifications provided to construction contractors. Such requirements could include, but not be limited to, performing all work in a manner that minimizes noise to the extent feasible; use of equipment with effective mufflers; undertaking the most noisy activities during times of least disturbance to surrounding residents and occupants, as feasible; and selecting haul routes that avoid residential buildings inasmuch as such routes are otherwise feasible. 					
<ul style="list-style-type: none"> Prior to the issuance of building permits, along with the submission of construction documents, the project sponsor shall submit to the Planning Department and Department of Building Inspection (DBI) a list of measures to respond to and track complaints pertaining to construction noise. These measures shall include (1) a procedure and phone numbers for notifying DBI, the Department of Public Health, and the Police Department (during regular construction hours and off-hours); (2) a sign posted on-site describing noise complaint procedures and a complaint hotline number that shall be answered at all times during construction; (3) designation of an on-site construction complaint and enforcement manager for the project; and (4) notification of neighboring residents and non-residential building managers within 300 feet of the project construction area at least 30 days in advance of extreme noise-generating activities (defined as activities generating noise levels of 90 dBA 	Project sponsor.	Prior to issuance of building permit.	Project sponsor to provide Planning Department list of measures to respond to complaints.	Planning Department.	Considered complete upon receipt of final monitoring report at completion of construction.

EXHIBIT A – MONITORING AND REPORTING PROGRAM

Adopted Mitigation Measures	Responsibility for Implementation	Mitigation Schedule	Mitigation Action	Monitoring / Reporting Responsibility	Monitoring Schedule
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or greater) about the estimated duration of the activity.

AIR QUALITY

Mitigation Measure M-AQ-2: Construction Air Emissions

<p>A. <i>Construction Emissions Minimization Plan.</i> Prior to issuance of a construction permit, the project sponsor shall submit a Construction Emissions Minimization Plan (Plan) to the ERO for review and approval by an Environmental Planning Air Quality Specialist. The Plan shall detail project compliance with the following requirements:</p>	Project sponsor.	Prior to issuance of a building permit.	Project sponsor to submit a Construction Emissions Minimization Plan to the ERO for approval.	Planning Department ERO.	Considered complete at completion of building construction.
<p>1. All off-road equipment greater than 25 hp and operating for more than 20 total hours over the entire duration of construction activities shall meet the following requirements:</p> <p>a) Where access to alternative sources of power are available, portable diesel engines shall be prohibited;</p> <p>b) All off-road equipment shall have:</p> <p>i. Engines that meet or exceed either USEPA or ARB Tier 2 off-road emission standards, and</p> <p>ii. Engines that are retrofitted with an ARB Level 3 Verified Diesel Emissions Control Strategy (VDECS).⁴</p> <p>c) Exceptions:</p> <p>i. Exceptions to A(1)(a) may be granted if the project sponsor has submitted information providing evidence to the satisfaction of the ERO that an alternative source of power is limited or infeasible at the project site and that the requirements of this exception provision apply. Under this circumstance, the sponsor shall submit documentation of compliance with A(1)(b) for onsite power generation.</p> <p>ii. Exceptions to A(1)(b)(ii) may be granted if the project sponsor has submitted information providing evidence to the satisfaction of the ERO that a particular piece of off-road equipment with an ARB Level 3 VDECS is: (1) technically not feasible, (2) would not produce</p>					

⁴ Equipment with engines meeting Tier 4 Interim or Tier 4 Final emission standards automatically meet this requirement, therefore a VDECS would not be required.

EXHIBIT A – MONITORING AND REPORTING PROGRAM

Adopted Mitigation Measures	Responsibility for Implementation	Mitigation Schedule	Mitigation Action	Monitoring / Reporting Responsibility	Monitoring Schedule
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desired emissions reductions due to expected operating modes, (3) installing the control device would create a safety hazard or impaired visibility for the operator, or (4) there is a compelling emergency need to use off-road equipment that are not retrofitted with an ARB Level 3 VDECS and the sponsor has submitted documentation to the ERO that the requirements of this exception provision apply. If granted an exception to (A)(1)(b)(ii), the project sponsor must comply with the requirements of (A)(1)(c)(iii).

- iii. If an exception is granted pursuant to (A)(1)(c)(ii), the project sponsor shall provide the next cleanest piece of off-road equipment as provided by the step down schedule below.

Off-Road Equipment Compliance Step-down Schedule

Compliance Alternative	Engine Emission Standard	Emissions Control
1	Tier 2	ARB Level 2 VDECS
2	Tier 2	ARB Level 1 VDECS
3	Tier 2	Alternative Fuel*

How to use the schedule: If the requirements of (A)(1)(b) cannot be met, then the project sponsor would need to meet Compliance Alternative 1. Should the project sponsor not be able to supply off-road equipment meeting Compliance Alternative 1, then Compliance Alternative 2 would need to be met. Should the project sponsor not be able to supply off-road equipment meeting Compliance Alternative 2, then Compliance Alternative 3 would need to be met.

* Alternative fuels are not a VDECS.

- 2. The project sponsor shall require the idling time for off-road and on-road equipment be limited to no more than two minutes, except as provided in exceptions to the applicable state regulations regarding idling for off-road and on-road equipment. Legible and visible signs shall be posted in multiple languages (English, Spanish, Chinese) in designated queuing areas and at the construction site to remind operators of the two minute idling limit.
- 3. The project sponsor shall require that construction operators properly

EXHIBIT A – MONITORING AND REPORTING PROGRAM

Adopted Mitigation Measures	Responsibility for Implementation	Mitigation Schedule	Mitigation Action	Monitoring / Reporting Responsibility	Monitoring Schedule
maintain and tune equipment in accordance with manufacturer specifications.					
4. The Plan shall include estimates of the construction timeline by phase with a description of each piece of off-road equipment required for every construction phase. Off-road equipment descriptions and information may include, but is not limited to: equipment type, equipment manufacturer, equipment identification number, engine model year, engine certification (Tier rating), horsepower, engine serial number, and expected fuel usage and hours of operation. For VDECS installed: technology type, serial number, make, model, manufacturer, ARB verification number level, and installation date and hour meter reading on installation date. For off-road equipment using alternative fuels, reporting shall indicate the type of alternative fuel being used.					
5. The Plan shall be kept on-site and available for review by any persons requesting it and a legible sign shall be posted at the perimeter of the construction site indicating to the public the basic requirements of the Plan and a way to request a copy of the Plan. The project sponsor shall provide copies of Plan to members of the public as requested.					
B. <i>Reporting.</i> Monthly reports shall be submitted to the ERO indicating the construction phase and off-road equipment information used during each phase including the information required in A(4). In addition, for off-road equipment using alternative fuels, reporting shall include the actual amount of alternative fuel used. Within six months of the completion of construction activities, the project sponsor shall submit to the ERO a final report summarizing construction activities. The final report shall indicate the start and end dates and duration of each construction phase. For each phase, the report shall include detailed information required in A(4). In addition, for off-road equipment using alternative fuels, reporting shall include the actual amount of alternative fuel used.	Project sponsor.	During construction.	Project sponsor to provide Planning Department ERO with monthly reports during construction period.	Planning Department ERO.	Considered complete upon receipt of final monitoring report at completion of construction.
C. <i>Certification Statement and On-site Requirements.</i> Prior to the commencement of construction activities, the project sponsor must certify (1) compliance with the Plan, and (2) all applicable requirements of the Plan have been incorporated into contract specifications.	Project sponsor.	Prior to commencement of construction activities.	Project sponsor to certify compliance with Construction Emissions Minimization	Planning Department ERO.	Considered complete at completion of building construction.

EXHIBIT A – MONITORING AND REPORTING PROGRAM

Adopted Mitigation Measures	Responsibility for Implementation	Mitigation Schedule	Mitigation Action	Monitoring / Reporting Responsibility	Monitoring Schedule
			Plan.		
Mitigation Measure M-AQ-4: Air Filtration Measures					
<p>Prior to receipt of any building permit, the project sponsor shall submit a ventilation plan for the proposed building(s). The ventilation plan shall show that the building ventilation system removes at least 80 percent of the outdoor PM_{2.5} concentrations from habitable areas and be designed by an engineer certified by ASHRAE, who shall provide a written report documenting that the system meets the 80 percent performance standard identified in this measure and offers the best available technology to minimize outdoor to indoor transmission of air pollution.</p> <p><i>Maintenance Plan.</i> Prior to receipt of any building permit, the project sponsor shall present a plan that ensures ongoing maintenance for the ventilation and filtration systems.</p> <p><i>Disclosure to buyers and renters.</i> The project sponsor shall also ensure the disclosure to buyers (and renters) that the building is located in an area with existing sources of air pollution and as such, the building includes an air filtration and ventilation system designed to remove 80 percent of outdoor particulate matter and shall inform occupants of the proper use of the installed air filtration system.</p>	Project sponsor.	Prior to issuance of building permit.	Project sponsor to submit ventilation plan to the Planning Department.	Planning Department.	Considered complete upon issuance of building permit.
HAZARDS AND HAZARDOUS MATERIALS					
Mitigation Measure M-HZ-2a: Hazardous Materials Contingency Plan and Health and Safety Plan					
<p>A Contingency Plan that describes the procedures for controlling, containing, remediating, testing and disposing of any unexpected contaminated soil, water, or other material is required by the San Francisco Department of Public Health (SFDPH) Contaminated Sites Assessment and Mitigation Program (SAM).</p> <p>The Contingency Plan shall include collection of two or three confirmation soil samples to verify earlier soil data.</p> <p>Construction-related documents to address dust control, run off, noise control, and worker health and safety shall also be prepared and submitted to the Planning Department with copies to the SFDPH SAM at least two weeks prior to beginning construction work.</p> <p>Should an UST be encountered, work will be suspended and the owner notified. The</p>	Project sponsor.	At least 4 weeks prior to commencement of any construction or basement demolition activities, and throughout construction and demolition activities.	Project sponsor to submit a Contingency Plan to the San Francisco Department of Public Health (SFDPH) Contaminated Sites Assessment and Mitigation Program (SAM).	DPH to review. Project Sponsor to provide a copy to the Planning Department.	Considered complete at completion of building construction.

EXHIBIT A – MONITORING AND REPORTING PROGRAM

Adopted Mitigation Measures	Responsibility for Implementation	Mitigation Schedule	Mitigation Action	Monitoring / Reporting Responsibility	Monitoring Schedule
<p>site owner will notify the SFDPH of the situation and the proposed response actions. The UST shall be removed under permit with the SFDPH, Hazardous Materials and Waste Program (HMWP) and the San Francisco Fire Department.</p> <p>The project sponsor is required to submit the Contingency Plan at least 4 weeks prior to beginning construction or basement demolition work.</p>			Should a UST be encountered, all soils-disturbing activity to cease for DPH assessment.		
<p>In addition to the Contingency Plan, SFDPH and the California Occupational Safety and Health Administration (CAL OSHA) require the preparation of a Health and Safety Plan for this project. The project sponsor is required to submit the Health and Safety Plan to the Department of Public Health not less than two weeks prior to the beginning of construction field work.</p> <p>The project sponsor shall submit a final project report describing project activities and implementation of the Contingency Plan, Health and Safety Plan, etc. Report appendices should include copies of project permits, manifests or bills of lading for soil or groundwater disposed or discharged, copies of laboratory reports for any soil or water samples analyzed. Two confirmation samples from the basement are requested by SFDPH to complete the project report and verify earlier data.</p>	Project sponsor.	At least 2 weeks prior to commencement of any construction field work, and throughout construction activities.	Project sponsor to submit a Health and Safety Plan to the DPH prior to construction activities, and a final report at the end of construction activities.	DPH to review.	Considered complete at completion of building construction.
Mitigation Measure M-HZ-2b: Other Hazardous Building Materials (PCBs, Mercury, Lead, and others)					
<p>The project sponsor shall ensure that pre-construction building surveys for polychlorinated biphenyl- (PCB-) and mercury-containing equipment, hydraulic oils, fluorescent lights, mercury and other potentially toxic building materials are performed prior to the start of any demolition or renovation activities. A survey for lead has been conducted and identified the presence of lead in the existing building. Any hazardous building materials discovered during surveys would be abated according to federal, state, and local laws and regulations.</p>	Project sponsor.	Prior to demolition and construction activities.	Project sponsor and contractor to comply with local, state, and federal regulations related to handling of hazardous materials and to conduct building materials surveys and comply with proper abatement	Planning Department to review building surveys and abatement report.	Considered complete upon receipt by the Planning Department of final abatement compliance report.

EXHIBIT A – MONITORING AND REPORTING PROGRAM

Adopted Mitigation Measures	Responsibility for Implementation	Mitigation Schedule	Mitigation Action	Monitoring / Reporting Responsibility	Monitoring Schedule
			procedures for any such materials identified.		



SAN FRANCISCO PLANNING DEPARTMENT

Subject to: (Select only if applicable)

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

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Information:
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Planning Commission Draft Motion

HEARING DATE: AUGUST 1, 2013

Date: July 25, 2013
Case No.: **2011.0119 ECKV**
Project Address: **200 6th Street**
Zoning: SoMa NCT (Neighborhood Commercial Transit)
SoMa Youth and Family Special Use District
85-X Height and Bulk District
Block/Lot: 3731/001
Project Sponsor: Sharon Christen
Mercy Housing California
1360 Mission Street
San Francisco, CA 94103
Staff Contact: Corey Teague – (415) 575-9081
corey.teague@sfgov.org

ADOPTING FINDINGS RELATING TO THE APPROVAL OF CONDITIONAL USE AUTHORIZATION PURSUANT TO SECTIONS 121.1, 249.40A, 303, 317, AND 735.38 TO DEMOLISH THE EXISTING RESIDENTIAL BUILDING AND CONSTRUCT A 9-STORY, 85-FOOT TALL MIXED USE BUILDING CONTAINING 67 AFFORDABLE DWELLING UNITS AND AN APPROXIMATELY 2,550 GROUND FLOOR RESTAURANT SPACE WITHIN THE SOMA NCT (NEIGHBORHOOD COMMERCIAL TRANSIT) ZONING DISTRICT, THE SOMA YOUTH AND FAMILY SPECIAL USE DISTRICT, AND 85-X HEIGHT AND BULK DISTRICT.

PREAMBLE

On November 10, 2011 Sharon Christen, representing Mercy Housing California (hereinafter “Project Sponsor”) filed an application with the Planning Department (hereinafter “Department”) for Conditional Use Authorization under Planning Code Section(s) 121.1, 249.40A, 303, 317, and 735.38 to demolish the existing residential building and construct a 9-story, 85-foot tall mixed use building containing 67 permanently affordable dwelling units and an approximately 2,550 ground floor restaurant space within the SoMa NCT (Neighborhood Commercial Transit) Zoning District, the SoMa Youth and Family Special Use District, and 85-X Height and Bulk District.

On April 29, 2011, the Project Sponsor filed a Review of Shadow Impacts on Public Parks (Case No. 2011.0119K).

The Department determined that an Environmental Impact Report ("EIR") was required and the Department printed and circulated a Notice of Preparation on August 15, 2012, that solicited comments regarding the content of the proposed EIR for the Project. The Department accepted comments on the EIR content through September 14, 2012. Subsequently, the Department published the Draft EIR on February 27, 2013, on which comments were accepted until April 15, 2013. A public hearing on the Draft EIR was held on April 4, 2013. Following the close of the public review and comment period, the Department prepared written responses that addressed all of the substantive written and oral comments on the Draft EIR, and the EIR was revised accordingly.

On March 6, 2013 and March 20, 2013, the San Francisco Historic Preservation Commission (hereinafter "Preservation Commission") conducted a duly noticed public hearing at a regularly scheduled meeting to review the Draft EIR and provide comment.

Several comments on the Draft EIR were made both in writing and at a public hearing in front of the Planning Commission (hereinafter "Commission") on April 4, 2013, and those comments were incorporated in the Final EIR with a response. The Comments and Responses added a new alternative in response to the comments provided by the Preservation Commission, but did not substantially revise the analysis and conclusions regarding significant impacts of the Draft EIR and therefore no recirculation was required under the State CEQA Guidelines Section 15073.3.

On August 1, 2013, the Commission certified the final EIR (hereinafter "FEIR") for the Project. The Project's FEIR identifies a Project specific unavoidable significant impact on the existing building resulting from its demolition. Mitigation measures that are recommended for implementation by the Project Sponsor would reduce but not eliminate this impact.

On August 1, 2013, the Commission conducted a duly noticed public hearing at a regularly scheduled meeting and adopted Motion No. ~~XXXXX~~ that included the necessary CEQA findings, including a statement of overriding considerations, and a Mitigation Monitoring and Reporting Program (hereinafter "MMRP"), which is hereby incorporated in this Motion by reference as if set forth in full. The MMRP was made available to the public and this Commission for this Commission's review, consideration and action.

On August 1, 2013, the Zoning Administrator conducted a duly noticed public hearing at a regularly scheduled meeting on Variance Application No. 2011.0119V.

On August 1, 2013, the San Francisco Planning Commission conducted a duly noticed public hearing at a regularly scheduled meeting on Conditional Use Application No. 2011.0119C.

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

MOVED, that the Commission hereby authorizes the Conditional Use requested in Application No. 2011.0119C, subject to the conditions contained in “EXHIBIT A” of this motion, based on the following findings:

FINDINGS

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

1. The above recitals are accurate and constitute findings of this Commission.
2. **Site Description and Present Use.** The project is located on the southwest corner of 6th and Howard Streets, Block 3731, Lot 001. The property currently contains a four-story residential building with ground floor commercial space that covers the entire property and was constructed in 1909. It is identified as a historic resource as a contributor to the Sixth Street Lodging House District, and is commonly known as the Hugo Hotel, or alternately as the “Defenestration” building because of an art installation of pieces of furniture attached to the exterior of the building. The building contained 23 apartments, but was damaged by fire and earthquake in the late 1980s and has not been occupied since 1987. The former San Francisco Redevelopment Agency purchased the property in 2009 through eminent domain in order to develop affordable housing on the site.
3. **Surrounding Properties and Neighborhood.** The project site falls in the East SoMa Plan Area and the South of Market Redevelopment Project Area, which runs along 6th Street from Stevenson Street to Harrison Street. The area includes a variety of small businesses and housing types, and substantial Residential Enclave Districts is nearby along Minna, Natoma, Harriet, Russ, and Moss Streets between 6th and 7th Streets. Additionally, the Gene Friend Recreation Center is on the same block at the corner of 6th and Folsom Streets.

The SoMa NCT is located along a portion of the 6th Street and Folsom Street corridors in the South of Market neighborhood. The commercial area provides a limited selection of convenience goods for the residents of SoMa. A moderate number of eating and drinking establishments contribute to the street's mixed-use character and activity in the evening hours. A number of upper-story professional and business offices are located in the district. In general, residential uses are found above the commercial uses on the ground floor.

4. **Project Description.** The proposal is to demolish the existing building and construct a 9-story, 85-foot tall mixed use building containing 67 permanently affordable dwelling units, one manager's unit, and an approximately 2,550 square foot ground floor restaurant space. Fourteen of the 67 dwelling units will be provided for the sole use of developmentally disabled persons. The building will also contain a community room on the ground floor, no off-street parking, and 29 bicycle parking spaces.

5. **Public Comment.** The Department received 14 letters of support for the project neighborhood residents and various community groups and organizations, and no letters of opposition.
6. **Planning Code Compliance:** The Commission finds that the Project is consistent with the relevant provisions of the Planning Code in the following manner:

- A. **Land Uses.** Planning Code Section 735.1 permits residential uses and restaurants as of right. However, Section 249.40A (SoMa Youth and Family Special Use District) requires a conditional use authorization for new restaurants.

The project is seeking a conditional use authorization for the ground floor restaurant space pursuant to Section 249.40A.

- B. **Inclusionary Affordable Housing Program.** Planning Code Section 415 sets forth the requirements and procedures for the Inclusionary Affordable Housing Program. Under Planning Code Section 415.3, these requirements would apply to projects that consist of 10 or more units, where the first application (EE or BPA) was applied for on or after July 18, 2006.

As currently proposed, the Project will be 100 percent affordable, with 67 dwelling units. In the event that the Project changes and some or all of the units become market-rate, the Project shall comply with the inclusionary housing requirements set forth in Section 415 of the Code.

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

Planning Code Section 406 grants a waiver to the Eastern Neighborhood Infrastructure Impact Fee for affordable dwelling units that 1) are affordable to a household at or below 80% of the Area Median Income (as published by HUD), including units that qualify as replacement Section 8 units under the HOPE SF program, 2) are subsidized by MOH, the San Francisco Housing Authority, and/or the San Francisco Redevelopment Agency, and 3) are subsidized in a manner which maintains its affordability for a term no less than 55 years, whether it is a rental or ownership opportunity. Project sponsors must demonstrate to the Planning Department staff that a governmental agency will be enforcing the term of affordability and reviewing performance and service plans as necessary. All dwelling units within the project will be affordable to a household at or below 80% of the Area Median Income, and therefore will not be subject to the Eastern Neighborhoods Infrastructure Impact Fee.

- D. **Shadow.** Planning Code Section 295 allows no building permit authorizing the construction of any structure that will cast any shade or shadow upon any property under the jurisdiction of, or designated for acquisition by, the Recreation and Park Commission to be issued except upon appropriate action of the City Planning and, if needed, the Recreation and Park Commission.

A shadow analysis was conducted that determined no net new shadow from the project would be cast onto any property under the jurisdiction of, or designated for acquisition for, the Recreation and Park Commission.

- E. **Rear Yard.** Planning Code Section 134 requires residential developments in the SoMa NCT Zoning District to provide a rear yard of at least 25 percent of the depth of the property at the lowest story containing a dwelling unit, and at each succeeding level or story of the building. However, Section 134(e)(1) allows the Zoning Administrator to modify the required rear yard in NC Zoning Districts through typical variance procedures, but under different criteria.

The project proposes a rear yard beginning at grade level in the interior corner of the parcel that equals approximately 14 percent of the lot area. The project is requesting that the Zoning Administrator grant a rear yard modification pursuant to Planning Code Section 134(e)(1).

- F. **Open Space.** Planning Code Section 135 requires each dwelling unit in the SoMa NCT Zoning District to have access to at least 80 square feet of private open space, 106 square feet of common open space, or some combination of the two.

The project provides a combination of private decks, a nearly 1,400 square foot common rear yard, and a common roof deck of nearly 2,300 square feet, which combine to meet the minimum square feet of open space required for the project. However, because the rear yard is not code-compliant and not of a sufficient size to qualify as an interior court, the private decks fronting the rear yard are not considered useable open space pursuant to Section 135(f). Therefore, the project is seeking an open space variance from the Zoning Administrator.

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

The project includes 24 dwelling units that only front the proposed rear yard, which is not code-complying and does otherwise constitute a sufficient open area pursuant to Section 140(a)(2). Therefore, the project is seeking an exposure variance from the Zoning Administrator.

- H. **Vehicle and Bicycle Parking.** Planning Section 151.1 provides a maximum amount of off-street vehicle parking that may be provided for residential and commercial uses, but does not require a minimum amount. Planning Code Section 155.5 requires one Class 1 bicycle parking space for every two dwelling units in projects greater than 50 units.

The project includes no off-street parking. The project meets the requirements of Planning Code Section 155.5 for bicycle parking for 53 dwelling units and 14 dwelling units for developmentally disabled persons by providing 29 Class 1 bicycle parking spaces.

- I. **Street Frontage in Neighborhood Commercial Districts.** 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 the SoMa NCT Zoning District shall have a floor-to-floor height of 14-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 as follows: (1) and (2) the project includes no off-street parking; (3) the project includes a restaurant space, a community room, residential entries and exits, and building operation space on the ground floor; (4) the project includes a floor-to-floor ground floor height of nearly twenty feet at the corner, but only provides a height of approximately 11 feet for the remainder of the space, resulting in a request for a ground floor height variance from the Zoning Administrator; (5) the project includes transparent windows at the ground floor active use; and, (6) the project includes no decorative railings or grillwork.

- J. **Ground Floor Commercial Space.** Planning Code Section 145.4 requires that all ground floor spaces along 6th Street for the entirety of the SoMa NCT Zoning District include active commercial uses.

Other than required egress and building mechanical space, the entirety of the 6th Street ground floor frontage of the proposed building is occupied by active commercial space (i.e. restaurant space).

- K. **Street Trees.** Planning Code Section 138.1 requires properties proposing new construction to provide one street tree for every 20 feet of frontage.

The project will provide the required number of street trees and/or pay the associated in-lieu fee as outlined in Section 138.1 if applicable.

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

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

The project is necessary and desirable because it will contribute to the urban revitalization of the neighborhood and 6th Street commercial corridor by adding 67 units of affordable housing and ground floor commercial space. The proposed project will be compatible with the surrounding community as the orientation and street frontage of the new building will be similar to the existing building (i.e. with the residential entry on Howard Street), while the height and massing are similar to the structure immediately across 6th Street (The Plaza Apartments). The project will incorporate architectural features that relate to neighboring structures.

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

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

The subject property is a prominent corner lot on 6th Street that was up-zoned to 85 feet through the Eastern Neighborhoods planning process. The parcel is flat and has an area of 10,000 square feet, which is larger than typical lots in NC Zoning Districts. The project appropriately takes full advantage of the 85 foot height district and lot size and is designed to emphasize the corner, which is encouraged by the East SoMa Area Plan. The design also arranges the heights to respond appropriately to the adjacent buildings along 6th and Howard Streets. Additionally, the project was reviewed several times by the Historic Preservation Commission (HPC) and adequately responded to their comments regarding the proposed building's design.

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

The Planning Code does not require parking or loading for this project, and no existing off-street parking spaces will be removed by the project. The anticipated occupants of the project are low-income residents that are less likely to own cars than higher income tenants. The anticipated occupants are expected to primarily use walking, bicycling, and transit for transportation.

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

The project will not be a source of significant noise, glare, dust, or odor. The project will comply with any and all applicable regulation and provision of the Building Code, Health Code, and Planning Code regarding noise, glare, dust, and odor. Demolition and construction activities will comply with the provisions of the Municipal Code to provide safeguards minimizing noise, dust, and odor that may be offensive to nearby businesses, residents, and visitors.

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

The project will provide no off-street parking, loading areas, or setback areas for landscaping. All signs will meet the standards of Article 6 of the Planning Code. The open spaces in the rear yard and on the roof will be appropriately programmed and landscaped.

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

The Project requires a variance for open space, exposure, and ground floor commercial ceiling height, and a rear yard modification from the Zoning Administrator. It otherwise complies with all relevant requirements and standards of the Planning Code and is consistent with objectives and policies of the General Plan as detailed below.

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

The SoMa NCT Zoning District is located along the 6th Street and Folsom Street corridors and is intended to be a corridor that provides a limited selection of convenience goods for the residents of the South of Market. Eating and drinking establishments contribute to the street's mixed-use character and activity in the evening hours. The SoMa NCT has a pattern of ground floor commercial and upper story residential units. Controls are designed to permit moderate-scale buildings and uses, protecting rear yards above the ground story and at residential levels. Active, neighborhood-serving commercial development is required at the ground story, curb cuts are prohibited and ground floor transparency and fenestration adds to the activation of the ground story. Continuous retail frontage is promoted by prohibiting drive-up facilities, some automobile uses, and new non-retail commercial uses. Above-ground parking is required to be setback or below ground. Active, pedestrian-oriented ground floor uses are required. Housing development in new buildings is encouraged above the ground story. Housing density is not controlled by the size of the lot or by density controls, but by bedroom counts. Given the area's central location and accessibility to the City's transit network, parking for residential and commercial uses is not required.

The proposal is consistent with the intent of the SoMa NCT Zoning District because it is a mid-rise building with a mix of active uses on the ground floor and residential uses above. Additionally, the project will provide no parking, which is consistent with the District's proximity to Market Street and downtown, and its prohibition of new curb cuts on 6th Street.

8. **Development of Large Lot in NC Zoning Districts.** In order to promote, protect, and maintain a scale of development which is appropriate to each district and compatible with adjacent buildings, new construction or significant enlargement of existing buildings on lots of the same size or larger than 10,000 square feet in the SoMa NCT Zoning District shall be permitted only as conditional uses subject to the provisions listed below:

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

The mass and façade of the proposed building are similar to several buildings in the near vicinity, including 1) the Plaza Apartments (988 Howard Street), which is a 9-story building on a large lot of 8,400 square feet, 2) the Knox SRO (241 6th Street), which is an 8-story building on a large lot of 8,000 square feet, and 3) the Dudley Apartments (172 6th Street) which is a 6-story building on a large lot of nearly 8,800 square feet. Additionally, the façade of the proposed building is compatible with the scale of the district because it will include higher floor-to-ceiling heights in the ground floor retail space

and in the upper residential floors. Finally, the project was reviewed several times by the HPC and adequately responded to HPC comments regarding the proposed building's design, including issues of mass and façade design.

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

The design of the proposed building was reviewed several times by the HPC and adequately responds to the Sixth Street Lodging House District. The design includes simple rectangular massing that is differentiated, with a taller element on Howard Street and one floor less on 6th Street relating to the adjacent structures on those streets. Both streets' façade include relatively symmetrical design with deep window reveals incorporated into the façade on Howard Street.

9. **Demolition of Dwelling Units.** The demolition of residential units in the SoMa NCT Zoning District requires a conditional use authorization pursuant to Planning Code Section 735.38. Additionally, pursuant to Section 317(e), the Planning Commission shall consider the following additional criteria in the review of applications to demolish Residential Buildings:

- A. Whether the property is free of a history of serious, continuing Code violations;

The property is not free of a history of serious, continuing Code violations. The existing building has been vacant for more than 20 years due to the previous owner's unwillingness to address code violations. The building was purchased by the former San Francisco Redevelopment Agency through eminent domain due in part to the previous owner's unwillingness to address code violations.

- B. Whether the housing has been maintained in a decent, safe, and sanitary condition;

The dwelling units have not been habitable since approximately 1987.

- C. Whether the property is an "historical resource" under CEQA;

The existing building is a historical resource under CEQA as a contributor to the proposed Sixth Street Lodging House District.

- D. Whether the removal of the resource will have a substantial adverse impact under CEQA;

Removing the existing building will have a substantial adverse impact under CEQA. The Planning Commission certified the focused EIR for this project and adopted the related CEQA findings and Mitigation Monitoring and Reporting Program, which included a Statement of Overriding Considerations for the demolition of a historic resource.

- E. Whether the project converts rental housing to other forms of tenure or occupancy;

The building was used as rental housing when last occupied more than 20 years ago. The proposed new units will be rental units affordable to lower income residents. The property under the proposed project will be ground leased to the developer from the Mayor's Office of Housing and Community Development (MOHCD), the Housing Successor Agency to The San Francisco Redevelopment. The Successor Agency will provide a long term (67 years or more) ground lease and require that the improvements be leased to lower income (50% of AMI or lower) households.

- F. Whether the project removes rental units subject to the Rent Stabilization and Arbitration Ordinance;

Although there are no existing habitable units in the existing building, if there were any habitable units they would likely be subject to the Rent Stabilization and Arbitration Ordinance.

- G. Whether the project conserves existing housing to preserve cultural and economic neighborhood diversity;

The project will provide 67 units of affordable housing, which is in keeping with the cultural and economic diversity of the 6th Street corridor and the larger SoMa neighborhood.

- H. Whether the project conserves neighborhood character to preserve neighborhood cultural and economic diversity;

The project will provide 67 units of affordable housing, a ground floor community room, and a ground floor restaurant space, all of which are in keeping with the cultural and economic diversity of the 6th Street corridor and the larger SoMa neighborhood.

- I. Whether the project protects the relative affordability of existing housing;

The project will replace dwelling units that are not habitable with 67 permanently affordable housing units.

- J. Whether the project increases the number of permanently affordable units as governed by Section 415;

The project will increase the number of permanently affordable dwelling units. The new units will be governed by the Ground Lease by the Successor Agency and Regulatory Agreements by the MOHCD, the Housing Successor Agency to The San Francisco Redevelopment, and the California Tax Credit Allocation Committee requiring that the units be leased to very low income (50% of AMI maximum) households.

- K. Whether the project locates in-fill housing on appropriate sites in established neighborhoods;

The subject property was up-zoned to 85 feet by the Eastern Neighborhoods planning effort and density limits were removed. Considering this, and the fact that the existing building has been vacant for more than 20 years, the project represents an appropriate in-fill development in an established, high-density neighborhood adjacent to downtown.

- L. Whether the project creates Quality, new family housing;

The project is designed to maximize quality while providing much needed affordability for very low income households. Additionally, it will include 25 two-bedroom units and 8 three-bedroom units, representing 49 percent of the total units.

- M. Whether the project creates new supportive housing;

The project will employ staff to provide supportive services on-site. Those services will include information and referral to services available in the community, after school educational enrichment programming, and community building activities. However, the project will not be targeted to formerly homeless households or households with specific special needs requiring intensive on-site support services.

- N. Whether the project promotes construction of well-designed housing to enhance existing neighborhood character;

The project will provide high quality design that was reviewed several times by the HPC and adequately responded to HPC comments regarding the proposed building's design.

- O. Whether the project increases the number of on-site dwelling units;

The project will increase the number of on-site dwelling units from the estimated 23 that were in the existing building to 67 dwelling units in the new building.

- P. Whether the project increases the number of on-site bedrooms.

The existing building is estimated to have had 23 two-room dwelling units. The proposed project will include 67 dwelling units and far larger number of bedrooms than the existing building.

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

COMMERCE AND INDUSTRY

Objectives and Policies

OBJECTIVE 1:

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

Policy 1.1:

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

Policy 1.2:

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

OBJECTIVE 2:

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

Policy 2.1:

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

OBJECTIVE 6:

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

Policy 6.1:

Ensure and encourage the retention and provision of neighborhood-serving goods and services in the city's neighborhood commercial districts, while recognizing and encouraging diversity among the districts.

The project will not displace any commercial uses, but instead will introduce active ground floor commercial use to a site that has been vacant for more than 20 years. The proposed restaurant will provide a needed service to the neighborhood and will be subject to the standard operating conditions for restaurants.

The following guidelines, in addition to others in this objective for neighborhood commercial districts, should be employed in the development of overall district zoning controls as well as in the review of individual permit applications, which require case-by-case review and City Planning Commission approval. Pertinent guidelines may be applied as conditions of approval of individual permit applications. In general, uses should be encouraged which meet the guidelines; conversely, uses should be discouraged which do not.

Eating and Drinking Establishments

Eating and drinking establishments include bars, sit-down restaurants, fast food restaurants, self-service restaurants, and take-out food. Associated uses, which can serve similar functions and create similar land use impacts, include ice cream stores, bakeries and cookie stores. Guidelines for eating and drinking establishments are needed to achieve the following purposes:

- Regulate the distribution and proliferation of eating and drinking establishments, especially in districts experiencing increased commercial activity;
 - Control nuisances associated with their proliferation;
 - Preserve storefronts for other types of local-serving businesses; and
 - Maintain a balanced mix of commercial goods and services.
- The regulation of eating and drinking establishments should consider the following:
- Balance of retail sales and services;
 - Current inventory and composition of eating and drinking establishments;
 - Total occupied commercial linear frontage, relative to the total district frontage;
 - Uses on surrounding properties;
 - Available parking facilities, both existing and proposed;
 - Existing traffic and parking congestion; and
 - Potential impacts on the surrounding community.

There is a concern with the potential over-concentration of food-service establishments. The Commerce and Industry Element of the General Plan contains Guidelines for Specific Uses. For eating and drinking establishments, the Guidelines state, "the balance of commercial uses may be threatened when eating and drinking establishments occupy more than 20% of the total occupied commercial frontage." Planning staff has performed a site survey of the SoMa NCT Zoning District which contains the proposed building. With the proposed restaurant use, approximately 17% of the frontage of the District is attributed to eating and drinking establishments.

Policy 6.2:

Promote economically vital neighborhood commercial districts which foster small business enterprises and entrepreneurship and which are responsive to the economic and technological innovation in the marketplace and society.

The proposed restaurant space does not yet have a tenant, but the eventual tenant will not be a Formula Retail use.

EAST SOMA AREA PLAN

Objectives and Policies

OBJECTIVE 1:

ENCOURAGE PRODUCTION OF HOUSING AND OTHER MIXED-USE DEVELOPMENT IN EAST SOMA WHILE MAINTAINING ITS EXISTING SPECIAL MIXED-USE CHARACTER.

6th Street Neighborhood Commercial Transit District

This new neighborhood commercial district is proposed along 6th Street. The intent of this district is to encourage more small-scale neighborhood-serving uses with housing encouraged above the ground floor.

Policy 1.1.3

Encourage housing development, especially affordable housing, by requiring housing and an increased inclusionary requirement in the area between 5th and 6th and Folsom and Howard Streets, extending along Folsom to 3rd Street.

Policy 1.1.9

Require active commercial uses and encourage a more neighborhood commercial character along 4th and 6th Streets.

OBJECTIVE 1.2

MAXIMIZE HOUSING DEVELOPMENT POTENTIAL IN KEEPING WITH NEIGHBORHOOD CHARACTER.

Policy 1.2.1

Encourage development of new housing throughout East SoMa.

Policy 1.2.2

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

Policy 1.2.3

For new construction, and as part of major expansion of existing buildings, encourage housing development over commercial.

OBJECTIVE 2.1

ENSURE THAT A SIGNIFICANT PERCENTAGE OF NEW HOUSING CREATED IN THE EAST SOMA IS AFFORDABLE TO PEOPLE WITH A WIDE RANGE OF INCOMES.

OBJECTIVE 2.3

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

Policy 2.3.1

Target the provision of affordable units for families

Policy 2.3.2

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

OBJECTIVE 3.1

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

Policy 3.1.3

Relate the prevailing heights of buildings to street and alley width throughout the plan area.

Generally, the height of buildings is set to relate to street widths throughout the plan area. An important urban design tool, in specific applications, is to frame streets with buildings or cornice lines that roughly reflect the street's width. A core goal of the height districts is to create an urban form that will be intimate for the pedestrian, while improving opportunities for cost-effective housing and allowing for pedestrian-supportive ground floors.

Policy 3.1.6

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

Policy 3.1.7

Attractively screen rooftop HVAC systems and other building utilities from view.

OBJECTIVE 3.2

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

Policy 3.2.5

Building form should celebrate corner locations.

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

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

The proposal will not displace any existing buildings or residents and will enhance economic and employment opportunities by serving low income residents and creating new ground floor commercial space.

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

The project will not displace any existing housing, but instead will replace a deteriorated, vacant building with a new building that will enliven the street with new commercial space and provide

affordable housing for lower income persons. The proposed building will be compatible in scale and design with the surrounding neighborhood and the Sixth Street Lodging House District.

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

The project will enhance the City's supply of affordable housing by providing 67 new affordable housing units.

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

The project will not remove or create any off-street parking spaces. The location is well served by pedestrian, bicycle, and transit facilities. Lower income tenants are expected to occupy all of the units, and they typically have lower rates of vehicle use and ownership, and are expected to primarily use walking, bicycling, and transit for transportation. The location is within easy walking distance to the Civic Center and Powell Street MUNI and BART stations, the 14, 14L, 14X, 27, 30, 45, 8X, 12, 19, 6, and 71 MUNI bus lines, and a Golden Gate Transit bus line.

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

The Project will not displace any service or industry establishment. The project will not affect industrial or service sector uses or related employment opportunities. Ownership of industrial or service sector businesses will not be affected by this project.

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

The existing building proposed to be demolished is severely debilitated and unable to be occupied in its current condition. The proposed building will meet all requirements of the San Francisco Building Code.

- G. That landmarks and historic buildings be preserved.

The existing building to be demolished is not a designated City Landmark, but it is identified as a contributor to the Sixth Street Lodging House District. Required mitigation measures for demolishing the historic resource are included in the Mitigation Monitoring and Reporting Program as part of the CEQA findings adopted by the Planning Commission for this project.

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

The project will have no negative impact on existing parks and open spaces. The Project does not have an impact on open spaces.

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

DECISION

That based upon the Record, the submissions by the Applicant, the staff of the Department and other interested parties, the oral testimony presented to this Commission at the public hearings, and all other written materials submitted by all parties, the Commission hereby **APPROVES Conditional Use Application No. 2011.0119C** subject to the following conditions attached hereto as "EXHIBIT A" in general conformance with plans on file, dated July 25, 2013, 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 Conditional Use Authorization to the Board of Supervisors within thirty (30) days after the date of this Motion No. XXXXX. The effective date of this Motion shall be the date of this Motion if not appealed (After the 30-day period has expired) OR the date of the decision of the Board of Supervisors if appealed to the Board of Supervisors. For further information, please contact the Board of Supervisors at (415) 554-5184, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102.

I hereby certify that the Planning Commission ADOPTED the foregoing Motion on August 1, 2013.

Jonas P. Ionin
Acting Commission Secretary

AYES:

NAYS:

ABSENT:

ADOPTED: August 1, 2013

EXHIBIT A

AUTHORIZATION

This authorization is for a conditional use to allow the demolition of the existing residential building and construction of a 9-story, 85-foot tall mixed use building containing 67 permanently affordable dwelling units and an approximately 2,550 ground floor restaurant space located at 200 6th Street, Block 3731, and Lot 001 pursuant to Planning Code Section(s) **121.1, 249.40A, 303, 317, and 735.38** within the **SoMa NCT (Neighborhood Commercial Transit)** Zoning District, the SoMa Youth and Family Special Use District, and **85-X Height and Bulk District**; in general conformance with plans, dated **July 25, 2013**, and stamped "EXHIBIT B" included in the docket for Case No. **2011.0119C** and subject to conditions of approval reviewed and approved by the Commission on **August 1, 2013** under Motion No **XXXXXX**. This authorization and the conditions contained herein run with the property and not with a particular Project Sponsor, business, or operator.

RECORDATION OF CONDITIONS OF APPROVAL

Prior to the issuance of the building permit or commencement of use for the Project the Zoning Administrator shall approve and order the recordation of a Notice in the Official Records of the Recorder of the City and County of San Francisco for the subject property. This Notice shall state that the project is subject to the conditions of approval contained herein and reviewed and approved by the Planning Commission on **August 1, 2013** under Motion No **XXXXXX**.

PRINTING OF CONDITIONS OF APPROVAL ON PLANS

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

SEVERABILITY

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

CHANGES AND MODIFICATIONS

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

Conditions of Approval, Compliance, Monitoring, and Reporting

PERFORMANCE

- 1. Validity.** The authorization and right vested by virtue of this action is valid for three (3) years from the effective date of the Motion. The Department of Building Inspection shall have issued a Building Permit or Site Permit to construct the project and/or commence the approved use within this three-year period.

For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org.
- 2. Expiration and Renewal.** Should a Building or Site Permit be sought after the three (3) year period has lapsed, the project sponsor must seek a renewal of this Authorization by filing an application for an amendment to the original Authorization or a new application for Authorization. Should the project sponsor decline to so file, and decline to withdraw the permit application, the Commission shall conduct a public hearing in order to consider the revocation of the Authorization. Should the Commission not revoke the Authorization following the closure of the public hearing, the Commission shall determine the extension of time for the continued validity of the Authorization.

For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org.
- 3. Diligent pursuit.** Once a site or Building Permit has been issued, construction must commence within the timeframe required by the Department of Building Inspection and be continued diligently to completion. Failure to do so shall be grounds for the Commission to consider revoking the approval if more than three (3) years have passed since this Authorization was approved.

For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org.
- 4. Extension.** All time limits in the preceding three paragraphs may be extended at the discretion of the Zoning Administrator where implementation of the project is delayed by a public agency, an appeal or a legal challenge and only by the length of time for which such public agency, appeal or challenge has caused delay.

For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org.
- 5. Conformity with Current Law.** No application for Building Permit, Site Permit, or other entitlement shall be approved unless it complies with all applicable provisions of City Codes in effect at the time of such approval.

For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org.
- 6. Additional Project Authorization.** The Project Sponsor must obtain a variance and rear yard modification under Sections 134(e) and 305 for providing a rear yard, residential open space,

dwelling unit exposure, and commercial ground floor ceiling height that do not meet all relevant Planning Code requirements, and satisfy all the conditions thereof. The conditions set forth below are additional conditions required in connection with the Project. If these conditions overlap with any other requirement imposed on the Project, the more restrictive or protective condition or requirement, as determined by the Zoning Administrator, shall apply.

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

7. **Mitigation Measures.** Mitigation measures described in the MMRP (Exhibit A of CEQA Findings Motion No. XXXXX) are necessary to avoid potential significant effects of the proposed project and have been agreed to by the project sponsor. Their implementation is a condition of project approval.

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

DESIGN

8. **Street Trees.** Pursuant to Planning Code Section 138.1 (formerly 143), the Project Sponsor shall submit a site plan to the Planning Department prior to Planning approval of the building permit application indicating that street trees, at a ratio of one street tree of an approved species for every 20 feet of street frontage along public or private streets bounding the Project, with any remaining fraction of 10 feet or more of frontage requiring an extra tree, shall be provided. The street trees shall be evenly spaced along the street frontage except where proposed driveways or other street obstructions do not permit. The exact location, size and species of tree shall be as approved by the Department of Public Works (DPW). In any case in which DPW cannot grant approval for installation of a tree in the public right-of-way, on the basis of inadequate sidewalk width, interference with utilities or other reasons regarding the public welfare, and where installation of such tree on the lot itself is also impractical, the requirements of this Section 428 may be modified or waived by the Zoning Administrator to the extent necessary.

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

PARKING AND TRAFFIC

9. **Bicycle Parking.** The Project shall provide no fewer than XXX Class 1 bicycle parking spaces as required by Planning Code Sections 155.1 and 155.5.

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

PROVISIONS

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

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

11. **Inclusionary Affordable Housing Program.** Section 415 of the Code set forth the requirements and procedures for the Residential Inclusionary Affordable Housing Program (hereinafter "Program"). As currently proposed, the Project will be 100 percent affordable, with 67 dwelling units. In the event that the Project changes and some or all of the units become market-rate, the Project shall comply with the inclusionary housing requirements set forth in Section 415 of the Code. This condition of approval shall constitute the written determination and notice of the inclusionary housing requirement pursuant to the procedures set forth in Code Section 415.

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

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

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

MONITORING

13. **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.

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

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

OPERATION

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

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

16. **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>.

17. **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.



July 23, 2013

Director Rahaim and
Planning Commissioners
1650 Mission Street, 4th Floor
San Francisco, CA 94103

RE: 200 6th Street – CU, Variance and E application

Dear Director Rahaim and Planning Commissioners,

Thank you for this opportunity to provide a letter to you and the Commissioners to provide more detail on Mercy Housing California's (MHC) program and goals for the 200 6th Street development and some of the project's history. As you may know, MHC is a very active, local San Francisco based non profit affordable housing developer. We have a 30 year presence in San Francisco reflected in our 32 housing developments for families, senior, and persons with special needs. MHC's portfolio includes approximately 7,940 units in 128 California properties in operation that date from 1974 to the present with an additional 5,021 units currently in development throughout California. MHC is an affiliate of Mercy Housing, Inc. (MHI), a national non-profit housing development, management and resident services organization sponsored by eleven congregations of women religious.

MHC was selected by the former San Francisco Redevelopment Agency (SFRA) as the developer of the 200 6th Street parcel based on our submission to them of our development concept for the site in 2010. As you may know, the SFRA came to own the 200 6th Street parcel by purchasing it via eminent domain. Eminent domain proceedings were necessary to purchase the site and redevelop it, as the former owner was not willing to sell the parcel and building for a reasonable price. Due to that condition, the current building has been vacant for roughly 25 years. MHC (along with many local developers) made many attempts to buy and redevelop the 200 6th Street parcel, but we were never able to close escrow on a sale due to the former owners' conditions for sale. Therefore, MHC along with the greater 6th Street community, were very excited by the SFRA's purchase of the site, which enabled the site's redevelopment.

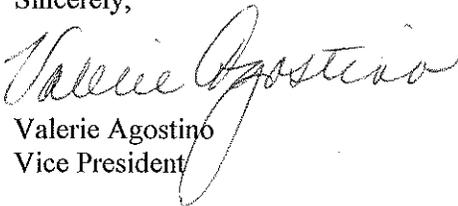
Although MHC's development proposal for the site is summarized in your staff's staff report, here we wanted to share with you our goals for this project. In addition to serving 67 lower income family households with incomes no higher than 50% of the San Francisco HUD Metro Fair Market Rent Area and including 14 households with a developmentally disabled adult household member, we'll provide on-site services that will serve both the residents and the community at large. MHC will employ a Resident Services Coordinator whom will work on site with residents to connect them to social service resources throughout San Francisco. Additionally, this staff member will coordinate an afterschool program targeted to youth aged 13 years and up, providing afterschool, educationally enriched programming to get these youth focused on a scholastically, successful high school experience and college and job opportunities after high school

graduation. The Arc of San Francisco and MHC will together fund a staff position to work on site with the residents with developmental disabilities, linking those residents to the services provided at the ARC's center at 11th and Howard Streets and making sure they are accessing the services they need to continue to live independently. The South of Market Child Care Center will utilize an office and the community room on the ground floor of the new 200 6th Street building for a 6th Street satellite location for their Family Resource Center which provides parenting classes and family case management to SOMA residents. Finally, the development will have on-site, professional property management (by the Mercy Housing Management Group) whose on-site staff will consist of a property manager, janitor, and maintenance person with one of these staff members living on site.

We hope to contribute to the on-going revitalization of 6th Street in the operation of the commercial spaces within the new 200 6th Street building. Within the prominent corner commercial space, we hope to locate hope a high quality neighborhood-serving restaurant providing moderately-priced ethnic cuisine. MHC is also working with the United Playaz, a SOMA based violence prevention and youth leadership service provider, to explore the possibility of locating a youth led business enterprise in the other commercial space. MHC plans to work with SOMA based Urban Solutions to market the retail spaces and anticipates that the commercial tenants will utilize the Six on Sixth program to fund Tenant Improvements within the spaces. Our hope for the commercial spaces is that they provide active, positive day and night time activity on the street to contribute to the safety and increased positive perception of 6th Street.

Thank you for your time in reading this letter and providing us the opportunity to express our goals for the project. We appreciate yours and your staff's work and dedication to get this project to this critical benchmark. We look forward to now working with SF DBI to get our building permit, obtaining the remaining sources of construction and permanent financing for this project, and starting construction hopefully next Fall 2014.

Sincerely,



Valerie Agostino
Vice President

July 15, 2013

Director John Rahaim
Planning Commissioners
1650 Mission Street, 2nd Floor
San Francisco, CA 94103

RE: Support for 200 6th Street development

Dear Director Rahaim and Honorable Commissioners,

I am writing to express our support for the approval of Mercy Housing California's (MHC) proposed development at 200 6th Street. *I have lived in SOMA for 19 years and am familiar with the work of Mercy Housing California because I live at 1028 Howard Street Apartments and I am familiar with their buildings 1101 Howard St. Apts. and Columbia Park Apartments that are all well managed and affordable, desirable places to live.*

I am are excited by the improvement and benefit to the community that 67 units of affordable family housing to very low income households will provide at this site. Additionally, I am excited about:

- The services that the family support services that South of Market Childcare center will provide on- site, making these services more accessible to families living on and around 6th Street.
- The existing building has long been an eye sore and the new attractively designed building will be a very noticeable improvement to 6th Street.

I strongly encourage you to approve the entitlements required for this project to move forward.

Sincerely,

Kogen Yuriy
1101 Howard Street, #514
San Francisco, CA 94103



July 15, 2013

Director John Rahaim
Planning Commissioners
1650 Mission Street, 2nd Floor
San Francisco, CA 94103

RE: Support for 200 6th Street development

Dear Director Rahaim and Honorable Commissioners,

I am writing to express our support for the approval of Mercy Housing California's (MHC) proposed development at 200 6th Street. *I have lived in SOMA for 19 years and am familiar with the work of Mercy Housing California because I live at 1028 Howard Street Apartments and I am familiar with their buildings Columbia Park Apartments and 1101 Howard Street that are all well managed and affordable, desirable places to live.*

I am are excited by the improvement and benefit to the community that 67 units of affordable family housing to very low income households will provide at this site. Additionally, I am excited about:

- the ground floor retail space that will continue to bring positive, night time activities to 6th Street.
- The services that the family support services that South of Market Childcare center will provide on site, making these services more accessible to families living on and around 6th Street.
- The existing building has long been an eye sore and the new attractively designed building will be a very noticeable improvement to 6th Street.

I strongly encourage you to approve the entitlements required for this project to move forward.

Sincerely,

Krakovskiy Sofia
1028 Howard Street, # 405
San Francisco, CA 94103



ALICIA Q. SALVADOR

21 Columbia Square, Apt. 205 • San Francisco, CA 94103 • 415-994-3355 • gckbks1@yahoo.com

July 11, 2013

Director John Rahaim
Planning Commissioners
1650 Mission Street, 2nd Floor
San Francisco, CA 94103

RE: Support for 200 6th Street Development

Dear Director Rahaim and Honorable Commissioners,

I am writing to express my support for the approval of Mercy Housing California's (MHC) proposed development at 200 6th Street for the following reasons:

1. I have lived in SOMA for 8 years and familiar with the community and its need for secured, high quality and affordable housing.
2. As a tenant at 21 Columbia Square, San Francisco, I am impressed by MHC's management style and the way they help and instill discipline that improve kids behavior.
3. Mercy Housing needs more housing developments to help families improve their life and self-esteem especially those in the low income bracket families.
4. Their buildings are well maintained that makes you really proud living in their buildings.

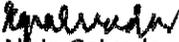
I am excited by the improvement and benefit to the community that 67 units of affordable family housing to very low income households will provide at this site. I am excited about:

1. The ground floor retail space that will continue to bring positive, night time activities to 6th Street;
2. The 14 units will serve household with a developmentally disabled adult household member. This property will significantly add to the number of services enriched, affordable housing units available to developmentally disabled adults in San Francisco;
3. The services that the family support services that South of Market Childcare center will provide on site, making these services more accessible to families living on and around 6th Street;

4. The existing building has long been an eye sore and the new attractively designed building will be a very noticeable improvement to 6th Street.

I strongly encourage you to approve the entitlements required for this project to Move forward.

Sincerely,


Alicia Salvador
MHC's Tenant

July 11, 2013

Director John Rahaim
Planning Commissioners
1650 Mission Street, 2nd Floor
San Francisco, CA 94103

RE: Support for 200 6th Street development

Dear Director Rahaim and Honorable Commissioners,

I am writing to express our support for the approval of Mercy Housing California's (MHC) proposed development at 200 6th Street. My family and I are very interested in the project. I have lived in SOMA for 20 years and am familiar with the work of Mercy Housing California because I live at 21 Columbia Square Apartments for 18 years. I have given a chance to work also at Mercy Housing. Our family was very fortunate to live in a nice and better place like home. I am familiar with their buildings (including the Rose SRO, the Dudley SRO, Westbrook Plaza, Columbia Park Apartments, 1028 Howard Street, 1101 Howard, as well as 10th and Mission Family Housing and Edith Witt Senior Community) that are all well managed and affordable, desirable places to live.

I am are excited by the improvement and benefit to the community that 67 units of affordable family housing to very low income households will provide at this site. Additionally, I am excited about:

- Less crime and bad incidents if we build a new and beautiful community.
- the ground floor retail space that will continue to bring positive, night time activities to 6th Street.
- 14 units will serve households with a developmentally disabled adult household member. This property will significantly add to the number of services enriched, affordable housing units available to developmentally disabled adults in San Francisco.
- The services that the family support services that South of Market Childcare center will provide onsite, making these services more accessible to families living on and around 6th Street.
- The existing building has long been an eye sore and the new attractively designed building will be a very noticeable improvement to 6th Street.

I strongly encourage you to approve the entitlements required for this project to move forward.

Sincerely,



Tarana Ghanchi
21 Columbia Square Apartment 212
San Francisco, CA 94103

July 11, 2013

Director John Rahaim
Planning Commissioners
1650 Mission Street, 2nd Floor
San Francisco, CA 94103

RE: Support for 200 6th Street development

Dear Director Rahaim and Honorable Commissioners,

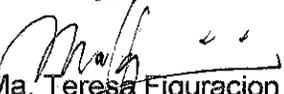
I am writing to express our support for the approval of Mercy Housing California's (MHC) proposed development at 200 6th Street. My family and I are interested in the project. I have lived in SOMA for 11 years and am familiar with the work of Mercy Housing California because I live at Columbia Park Apartments. I am familiar with their buildings (including the Rose SRO, the Dudley SRO, Westbrook Plaza, 1028 Howard Street, 1101 Howard, as well as 10th and Mission Family Housing and Edith Witt Senior Community) that are all well managed and affordable, desirable places to live.

I am are excited by the improvement and benefit to the community that 67 units of affordable family housing to very low income households will provide at this site. Additionally, I am excited about:

- New community to bring a positive radiant in the neighborhood.
- the ground floor retail space that will continue to bring positive, night time activities to 6th Street.
- 14 units will serve households with a developmentally disabled adult household member. This property will significantly add to the number of services enriched, affordable housing units available to developmentally disabled adults in San Francisco.
- The services that the family support services that South of Market Childcare center will provide on site, making these services more accessible to families living on and around 6th Street.
- The existing building has long been an eye sore and the new attractively designed building will be a very noticeable improvement to 6th Street.

I strongly encourage you to approve the entitlements required for this project to move forward.

Sincerely,


Ma. Teresa Figuracion
21 Columbia Park Apartments #307
San Francisco, CA 94103

July 11, 2013

Director John Rahaim
Planning Commissioners
1650 Mission Street, 2nd Floor
San Francisco, CA 94103

RE: Support for 200 6th Street development

Dear Director Rahaim and Honorable Commissioners,

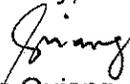
I am writing to express our support for the approval of Mercy Housing California's (MHC) proposed development at 200 6th Street. My family and I are interested in the project. I have lived in SOMA for 5 years and am familiar with the work of Mercy Housing California because I live at Columbia Park Apartments. My family has given a chance to live together and to live in a better and nicer place like home. I am familiar with their buildings (including the Rose SRO, the Dudley SRO, Westbrook Plaza, 1028 Howard Street, 1101 Howard, as well as 10th and Mission Family Housing and Edith Witt Senior Community) that are all well managed and affordable, desirable places to live.

I am are excited by the improvement and benefit to the community that 67 units of affordable family housing to very low income households will provide at this site. Additionally, I am excited about:

- New community to bring a positive radiant in the neighborhood.
- the ground floor retail space that will continue to bring positive, night time activities to 6th Street.
- 14 units will serve households with a developmentally disabled adult household member. This property will significantly add to the number of services enriched, affordable housing units available to developmentally disabled adults in San Francisco.
- The services that the family support services that South of Market Childcare center will provide on site, making these services more accessible to families living on and around 6th Street.
- The existing building has long been an eye sore and the new attractively designed building will be a very noticeable improvement to 6th Street.

I strongly encourage you to approve the entitlements required for this project to move forward.

Sincerely,


Aura Guiang
21 Columbia Park Apartments #402
San Francisco, CA 94103



UNITED • PLAYAZ

1038 Howard Street • San Francisco, CA 94103

www.unitedplayaz.org

July 1, 2013

Director John Rahaim
Planning Commissioners
1650 Mission Street, 2nd Floor
San Francisco, CA 94103

RE: Support for 200 6th Street development

Dear Director Rahaim and Honorable Commissioners,

I am writing on behalf of **United Playaz** to express our support for the approval of Mercy Housing California's (MHC) proposed development at 200 6th Street. United Playaz provides after school day care for at risk youth in SOMA at our club house on Howard Street, directly across from 200 6th Street. We've been working with at risk youth in SOMA and citywide on gang violence prevention activities for the last ten years. We are aware of Mercy Housing California's existing properties in SOMA (including the Rose SRO, the Dudley SRO, Westbrook Plaza, Columbia Park Apartments, 1028 Howard Street, 1101 Howard, as well as 10th and Mission Family Housing and Edith Witt Senior Community) that are all well managed and affordable, desirable places to live.

We are excited by the improvement and benefit to the community that 67 units of affordable family housing to very low income households will provide at this site. Additionally, we're excited about:

- the ground floor retail space that will continue to bring positive, night time activities to 6th Street.
- 14 units will serve households with a developmentally disabled adult household member. This property will significantly add to the number of services enriched, affordable housing units available to developmentally disabled adults in San Francisco.
- The services that the family support services that South of Market Childcare center will provide onsite, making these services more accessible to families living on and around 6th Street.
- The demolition of the existing building which has long been an eye sore and the new attractively designed building will be a very noticeable improvement to 6th Street.

We strongly encourage you to approve the entitlements required for this project to move forward. Please feel free to give me a call should you have any questions regarding the above. I can be reached at 975-2929 x102.

Sincerely,

Rudy Corpuz Jr.
Founder/ Director United Playaz



July 12, 2013

Director John Rahaim
Planning Commissioners
1650 Mission Street, 2nd Floor
San Francisco, CA 94103

RE: Support for 200 6th Street development

Dear Director Rahaim and Honorable Commissioners,

I am writing on behalf of South of Market Childcare Center to express our support for the approval of Mercy Housing California's (MHC) proposed development at 200 6th Street (aka the Bill Sorro Community). South of Market Child Care Center provides family support services to households living on and around 6th Street therefore we are aware of the critical need for affordable family housing and support services. Our organization has been operating our child care center for the last 43 years and the Family Resource Center working with families on 6th Street for the last 12 years. We are aware of Mercy Housing California's existing properties in SOMA (including the Rose SRO, the Dudley SRO, Westbrook Plaza, Columbia Park Apartments, 1028 Howard Street, 1101 Howard, as well as 10th and Mission Family Housing and Edith Witt Senior Community) that are all well managed and affordable, desirable places to live.

We are excited to locate a satellite office of our Family Resource Center in the publicly accessible community room of the Bill Sorro Community/200 6th Street building. The Center provides support services in English, Spanish, and Tagalog to families with children from infancy to age 17. Each year, we help more than 600 families in San Francisco, focusing on the South of Market neighborhood. Services include individual case management, parent support groups, basic needs assistance, and workshops on school enrollment, nutrition, and other topics requested by the community. We offer several additional programs and activities to strengthen families and the community, including:

Kindergarten transition counseling – Support for incoming kindergarten students at Bessie Carmichael School.

Raising a Reader – A parent-engagement book-lending program to foster early literacy and a lifelong love of reading.

Respite care – Free childcare one Saturday and one evening a month to give parents time to themselves.

We are also excited by the improvement and benefit to the community that 67 units of affordable family housing to very low income households will provide at this site. Additionally, we're excited about:

- the ground floor retail space that will continue to bring positive, night time activities to 6th Street, which all works to make 6th Street a safer place for families.

- 14 units that will serve households with a developmentally disabled adult household member. This property will significantly add to the number of services enriched, affordable housing units available to developmentally disabled adults in San Francisco.

Board Members

Mark Johnson,
Chairperson
Aylin Bell, Vice
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Jamie Osborn, Secretary
Eileen Chauvet
David McKenzie
Bernadette Sy
Jane Weil

*Yerba Buena Gardens
Child Development Center*
790 Folsom Street
San Francisco, CA 94107
Phone: 415.820.3508
Fax: 415.820.3501

*Judith Baker
Child Development Center*
685 Natoma Street
San Francisco, CA 94103 -
Phone: 415.487.0389
Fax: 415.487.0387 -

*South of Market
Family Resource Center*
Yerba Buena Gardens
790 Folsom Street
San Francisco, CA 94107
Phone: 415.820.3508
Fax: 415.820.3501

www.somacc.org
somacc@somacc.org

- the replacement of the existing building which has long been an eye sore with a new attractively designed building that be a very noticeable improvement to 6th Street.

We strongly encourage you to approve the entitlements required for this project to move forward. Please feel free to give me a call should you have any questions regarding the above. I can be reached at 820-3500.

Sincerely,



Noushin Mofakham
Executive Director

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California Alliance
for Inclusive Communities

Community Alliance of
Disability Advocates

Human Services Network

The Arc California

The Arc United States

July 16, 2013

Director John Rahaim
Planning Commissioners
1650 Mission Street, 2nd Floor
San Francisco, CA 94103

RE: Support for 200 6th Street development

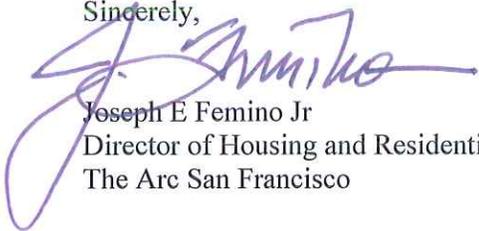
Dear Director Rahaim and Honorable Commissioners,

I am writing on behalf of **The Arc San Francisco** to express our support for the approval of Mercy Housing California's (MHC) proposed development at 200 6th Street. The Arc San Francisco is a private nonprofit that provides support to persons with developmental disabilities in many different areas of their lives. Affordable housing is difficult for the general population in the Bay Area but close to impossible for persons with developmental disabilities who almost all live at or below the poverty level. This development will provide 14 units of affordable housing for persons with developmental disabilities. This is an opportunity for them to not only live in a quality environment but a huge step forward in becoming a more productive member of society.

In my current role as Director of Housing and Residential Services for The Arc San Francisco I am aware and have toured many of the housing developments that Mercy Housing has been involved with. In addition to the quality services offered to tenant, the cleanliness and manner that they are managed have been an asset and improvement to the neighborhood in general.

We strongly encourage you to approve the entitlements required for this project to move forward. Please feel free to give me a call should you have any questions regarding the above. I can be reached at (415) 255-7200 ext 135

Sincerely,



Joseph E Femino Jr
Director of Housing and Residential Services
The Arc San Francisco

July 16, 2013

Director John Rahaim
Planning Commissioners
1650 Mission Street, 2nd Floor
San Francisco, CA 94103

RE: Support for 200 6th Street development

Dear Director Rahaim and Honorable Commissioners,

I am writing to express our support for the approval of Mercy Housing California's (MHC) proposed development at 200 6th Street. I have seen the quality of Mercy's developments and have always been impressed by their mission to provide housing for those most in need.

As a past President of the Board of Directors of the Arc of San Francisco, I am thrilled that this 67 unit development of affordable family housing will provide supportive housing to those with development disabilities.

I strongly encourage you to approve the entitlements required for this project to move forward.

Sincerely,

A handwritten signature in black ink, appearing to read "Tom Christian". The signature is fluid and cursive, with a large initial "T" and "C".

Tom Christian
88 Martha Avenue
San Francisco, CA 94131



Golden Gate Regional Center

Serving people with developmental disabilities since 1966

July 16, 2013

Director John Rahaim
Planning Commissioners
San Francisco Planning Commission
1650 Mission St., 2nd Floor
San Francisco, CA 94103

RE: Support for the 200 – 6th Street Development

Dear Director Rahaim and Honorable Commissioners:

I am writing to express the support of Golden Gate Regional Center (GGRC) for the approval by the Planning Commission of Mercy Housing California's proposed development at 200 - 6th Street. Golden Gate Regional Center provides case management services to individuals with a developmental disability. We support this proposal as it will provide additional housing to very low income households. Fourteen of these units will serve households with a developmentally disabled adult member. Many of the individuals with whom we work are low income and struggle with the challenge of locating affordable housing in their home community. The addition of affordable housing units set aside for individuals with a developmental disability will result in those individuals being able to remain living in their community where they enjoy support systems from family and friends.

We urge you to improve the entitlements required to this project to move forward.

Sincerely,

Paul Ogilvie
Manager, Regional Center Services
San Francisco Office

www.ggrc.org

1355 Market St. Suite 220
San Francisco, CA 94103
(415) 546-9222

3130 La Selva St., Ste 202
San Mateo, CA 94403
(650) 574-9232

5725 Paradise Dr., Bldg. A Ste 100
Corte Madera, CA 94925
(415) 945-1600

July 16, 2013

Director John Rahaim
Planning Commissioners
1650 Mission Street, 2nd Floor
San Francisco, CA 94103

RE: Support for 200 6th Street development

Dear Director Rahaim and Honorable Commissioners,

I am the owner of Harvest Urban Market located at 9th and Howard Street in San Francisco. I am writing to express our support for the approval of Mercy Housing California's (MHC) proposed development at 200 6th Street (located 3 blocks away). The renovation will add new retail space and bring positive night time activities to the Soma District. I am also aware of the need for affordable housing for persons with disabilities.

I strongly encourage you to approve the requirements needed to move this project forward. Thank you in advance.

Sincerely,



Gilles Desaulniers
Harvest Urban Market

ROLO San Francisco

July 16, 2013

Director John Rahaim
Planning Commissioners
1650 Mission Street, 2nd Floor
San Francisco, CA 94103

RE: Support for 200 6th Street development

Dear Director Rahaim and Honorable Commissioners,

I am writing on behalf of **ROLO San Francisco** to express our support for the approval of Mercy Housing California's (MHC) proposed development at 200 6th Street. As Vice President of a business in the SoMa district I am very aware of the need for affordable housing, especially for persons with developmental disabilities. ROLO is located at 10th and Howard Street. It is in close proximity to a few of the affordable housing projects that Mercy Housing has been involved with.

I feel that this renovation will be an asset to the area not only by providing affordable housing but also in bringing available retail space. My hope is that this space will provide positive activities and security to an area that needs both.

I strongly encourage you to approve the entitlements required for this project to move forward. Please feel free to give me a call should you have any questions regarding the above. I can be reached at 415 861-1999

Sincerely,



Roland Peters
Vice President,
RoLo San Francisco



July 16, 2013

Director John Rahaim
Planning Commissioners
1650 Mission Street, 2nd Floor
San Francisco, CA 94103

RE: Support for 200 6th Street development

Dear Director Rahaim and Honorable Commissioners,

We are writing on behalf of Bill Sorro Housing Program and the Veterans Equity Center to express our support for the approval of Mercy Housing California's (MHC) proposed development at 200 6th Street. Affordable family housing remains to be on the top of the list of needs identified by a large number of our consumers in the SoMa neighborhood who come to our center for services. As their children grow up, many of these families continue living in the one-bedroom apartments that they compromise with since larger affordable family housing units are scarce.

Our organization has been in the neighborhood for the last 13 years and are aware of Mercy Housing California's existing properties in SOMA (including the Rose SRO, the Dudley SRO, Westbrook Plaza, Columbia Park Apartments, 1028 Howard Street, 1101 Howard, as well as 10th and Mission Family Housing and Edith Witt Senior Community) that are affordable and desirable places to live.

We are excited by the improvement and benefit to the community that 67 units of affordable family housing to very low income households will provide at this site. Additionally, we're excited about:

- the affordable units serving families with more than one-bedroom units
- the ground floor retail space that will continue to bring positive, night time activities to 6th Street.
- 14 units will serve households with a developmentally disabled adult household member. This property will significantly add to the number of services enriched, affordable housing units available to developmentally disabled adults in San Francisco.
- the services that the family support services that South of Market Childcare center will provide on site, making these services more accessible to families living on and around 6th Street.
- the existing building has long been underutilized and the new attractively designed building will be a very beneficial to families in need of housing.

VEC strongly recommends approval of the entitlements required for this project to move forward. If you have questions regarding this letter please do not hesitate to call our office at 415.255. 2347

Sincerely,

A handwritten signature in black ink, appearing to read "Luisa Antonio".

Luisa Antonio
Executive Director
Veterans Equity Center

A handwritten signature in black ink, appearing to read "Juslyn C. Manalo".

Juslyn C. Manalo
Program Coordinator
Bill Sorro Housing Program

200 6TH STREET

SAN FRANCISCO, CALIFORNIA

PLANNING COMMISSION GRAPHICS PACKAGE
24 JULY 2013



 **mercy** HOUSING

Kennerly
architecture & planning

SSDP
Saida • Sullivan Design Partners

200 6TH STREET

SAN FRANCISCO, CALIFORNIA

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Architectural Drawings:	Page 14

200 6TH STREET

SAN FRANCISCO, CALIFORNIA

PROJECT DATA SUMMARY SHEET

Parcel: Block/Lot	3731/001
Parcel Dimensions / Area	80' x 125' / 10,000 sq.ft.
Zoning: Use District	SoMa NCT; SoMa Youth and Family Special Use District
Zoning: Height/Bulk District	85-X
Gross Building Area: approximate	70,000 sq.ft.
Residential Floor Area:	48,000 sq.ft.
Commercial Floor Area:	2,550 sq.ft.
Residential Dwelling Units:	67 total
3 bedroom units	10 15% of total
2 bedroom units	25 37% of total
1 bedroom units	24 36% of total
Studio units	8 12% of total
Residential Useable Open Space	
Private Useable Open Space	2,637.5 sq.ft.
Common Useable Open Space	3,654 sq.ft.
Building Height / Stories	85' / 9 stories not including parapets, access or mechanical penthouses.
Occupancy Class / Construction Type	R-2 / Type I-B

200 6TH STREET

SAN FRANCISCO, CALIFORNIA

DESIGN NARRATIVE

Introduction

Located at a prominent cross-roads in the South of Market Neighborhood and Sixth Street Lodging-house District, the proposed design will resonate with the neighborhood's distinctive character and enhance its vibrant mix of uses.

The design lifts 67 units of affordable family housing above an active street frontage consisting of double and single height retail spaces along Sixth Street that wrap the corner onto Howard. A residential lobby and Community Room also activate the Howard Street frontage. Above, the nine-story building breaks into two distinct masonry volumes that mark the corner and resonate with the varied building profiles nearby. This urban response is also an integral response to the functions of the building and not simply an applied motif.

The 67 apartments will have exceptional amenities including private balconies, a common roof terrace with sunlight and views, multiple laundry rooms, day-lit corridors, and flexible spaces for community gathering, service offices and exercise.

On track to be a Green-Point Rated project within the City of San Francisco, 200 Sixth Street will provide an unprecedented combination of energy efficiency, air-quality, storm-water management and re-cycling, and future grey water re-use. The building's concrete super-structure will be lean and efficient with reduced weight and embodied energy.

Site Description:

The project Site is the South-west corner of Sixth and Howard Streets, at the southern end of the Sixth Street Lodging-house District and on the site of the existing abandoned Hugo Hotel. The site is a 125' x 80' rectangle flanked by 3 and 4 story wood-framed buildings each with ground floor commercial uses.

Both Sixth and Howard Streets are heavily trafficked, a fact that gives the site high visibility but also has significant impacts on both the air-quality and the acoustic environment of the parcel. The other three corners of the intersection feature mixed-use residential buildings in an eclectic range of styles from the wood Victorian Orlando Hotel to the modern concrete Plaza Apartments. The rear of the parcel abuts 2 parcels that front onto Harriet Street one of which has a rear yard abutting the Hugo.

Design Compatibility:

The Proposed Project's design approach begins with the three dominant aspects of the district: Use (affordable housing over retail); continuous retail street frontage; and varied building heights and massing that give scale and rhythm to Sixth Street.

The following aspects of the Proposed Design correspond to character-defining attributes of the district as outlined by the Secretary of the Interior Standards, Bloomfield et al., and further by TKC in the Historic Resource Evaluation.

Simple Rectangular Massing

The massing concept creates two simple rectangular volumes of different heights separated by recessed façade areas. The taller volume marks the corner and the scale of each is compatible with the adjacent district even though the combined overall building is larger than its neighbors.

Size, Scale, and Proportion

The two-volume Massing Design modulates the overall size, scale and proportion of the new building and its constituent volumes making them harmonious with the fine grain and varied silhouette of Sixth Street. Although the subject property has an anomalously long 125' frontage on Sixth Street, dividing this face into two stepping volumes creates a composition and profile similar to the ensemble of buildings across Howard Street including the taller Dudley Hotel.

Uniform Height of Continuous Commercial Storefront

The tall storefront extends the existing pattern of retail frontages down Sixth Street and around the corner onto Howard. This transparent base rises two full floors and is capped by a strong datum separating it from the masonry volumes above. This expression integrates the retail, the residential lobby and community room.

Material and Texture

Each of the two primary building volumes in the proposed design will be clad in a different tone of brick veneer. Taking cues from older masonry buildings in the district and along Market street, the brick will be set in courses of different thicknesses offering texture and subtle shadow lines on the Howard street volume. Soldier courses of brick on the Sixth street volume articulate floors and lintels across window and balcony alcoves. Exposed structural concrete fin-walls bracket these volumes at the blind-walls and at the transition between them along Sixth Street.

Prominent Cornice Lines

Each primary building volume features an articulated, painted steel roof cornice. On Sixth Street, this element is integrated with the roof-deck guardrail and wind-screen design. On Howard Street, this element extends back over the building to become the mechanical Penthouse roof.

Fenestration

The proposed design features deeply recessed windows within the brick façades. In the corner volume, these are grouped in one, two, and three story orders that shift laterally in a regular alternating rhythm. These compositional devices relieve the sense of scale and the potentially relentless repetition of windows on a nine-story façade. Along Sixth Street, the windows are organized in the same vertical groupings and recessed into brick surrounds that alternate with balcony alcoves.

The multi-story window groupings are common among numerous historic resources in the District. It is a Beaux-Arts compositional device that mitigates the repetitious effect of multi-story buildings, and offers multiple readings of a building's scale and proportion. It is deployed on the Orlando Hotel, The Kean Hotel, and the Henry Hotel among others – all of which place a single story row of windows above the storefront with two, three or four story groupings above that. In the Proposed Design, the single-story course of windows above the retail creates a break in scale between these high bay spaces below and the residential building above. This pattern is replicated on the Proposed Design. Additionally, with smaller floor-to-floor dimensions than in many older buildings, the grouping of windows in the Proposed Design enables a scale and proportion more in sync with the older buildings.

History of Planning Department and HPC Interaction and Feedback

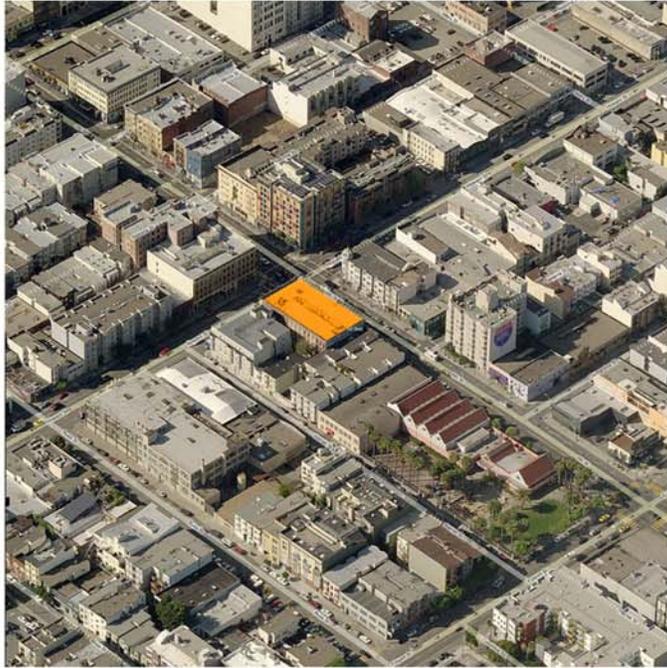
The Design Team and Project Sponsors have met with San Francisco Planning Department's Preservation Planning Staff, and on June 15, 2011 met with the Architecture Review Committee (ARC) of the Historic Preservation Commission (HPC) to review the preliminary proposed design. The notes issued on June 30 expressed support for the project:

"Overall, the ARC is in support of the design and found aspects of the project to be compatible with the eligible 6th Street Lodging-house Historic District, including the massing, height, corner articulation, material palette (brick, concrete, limestone, terracotta, and metal), and the tall storefront height and articulation."

However, the ARC also requested further refinements to make the design more compatible with the District. The Design Team has since made numerous refinements and changes to the design in response to these comments. Among these included straightening the Howard street façade, and organizing the Sixth street façade into simpler repetitive openings.

Since this hearing, both these ideas have been incorporated into the design. Additionally, glazing areas have been reduced and exposed concrete slab edges eliminated, both replaced with additional brick veneer that is now enriched through texture and varied coursing (see above).

SITE PHOTOS



Aerial View
with existing structure

Street View
of the existing Hugo Hotel



SITE PHOTOS



Street View
looking south on Sixth Street



Street View
looking north on Sixth Street



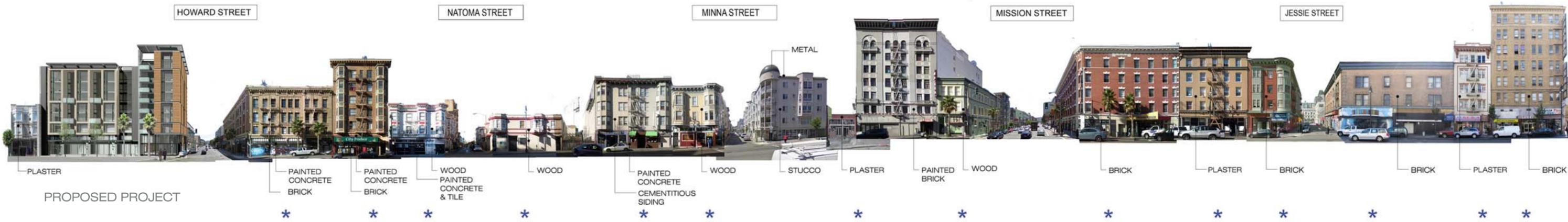
6TH STREET WEST FACING ELEVATION



EXISTING HUGO HOTEL



SIXTH STREET LODGINGHOUSE DISTRICT



6TH STREET EAST FACING ELEVATION



Street View
from opposite corner



Street View
from Sixth Street



High Bay Retail Frontage
across Howard Street



Proposed Retail Frontage
along Sixth Street



Material Palette
Brick, painted-metal, glass



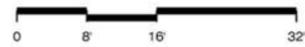
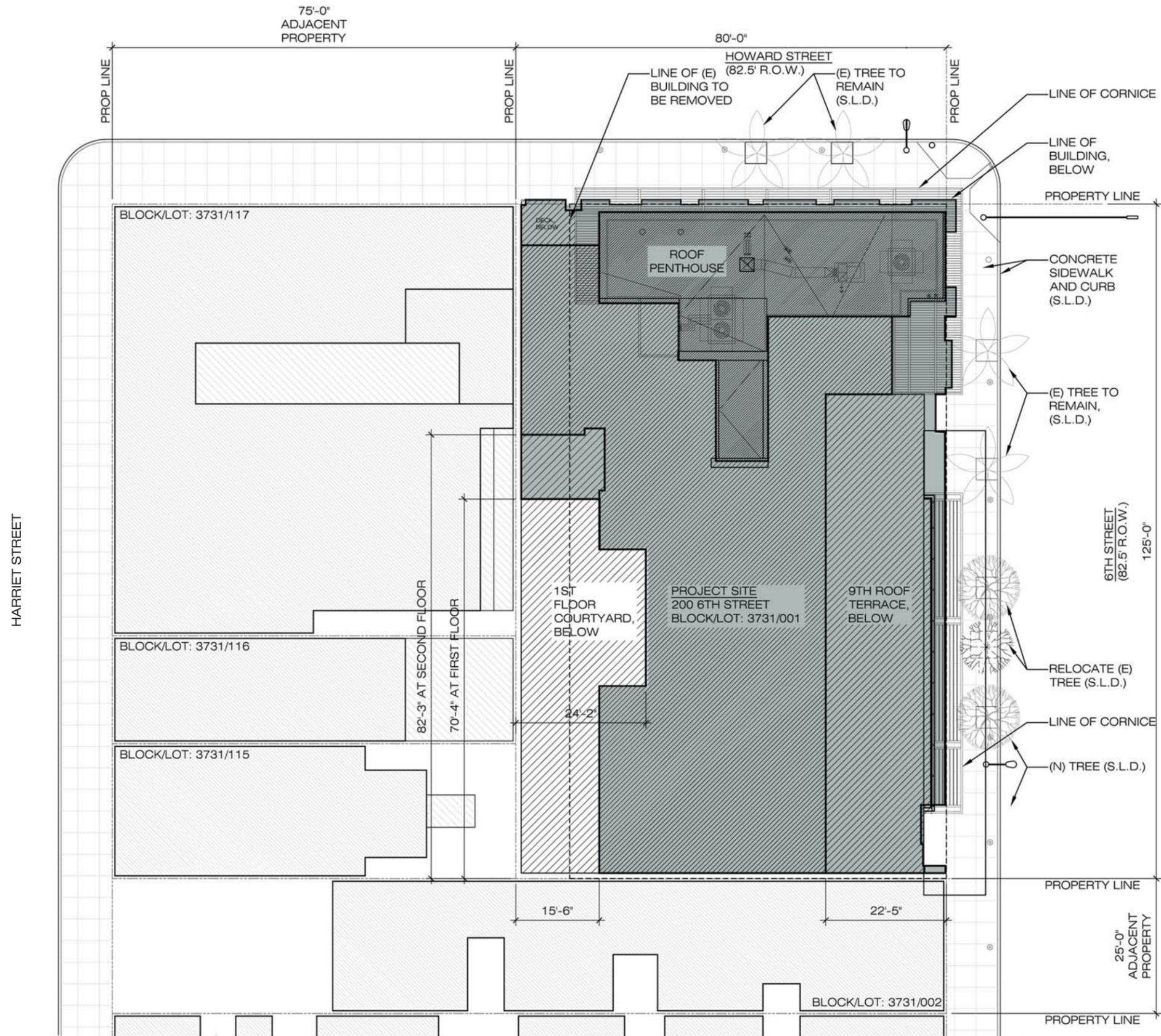
Material Precedant
color & brick reveal bands



Detail View
brick cladding w/ alternating thickness to create shadow and texture



Street View
facing south on Sixth toward Howard



NOTE:
FOR ITEMS NOT NOTED ON PLOT PLAN SEE FLOOR PLANS

PLOT PLAN

MATERIALS LEGEND

SYMBOL	MATERIAL INFORMATION	DETAIL
PA	PLANTING AREA	4,5/L5.04
PP1	CONCRETE PAVING WITH LAMPBLACK + SILICA	1/L5.01
PP2	STANDARD CITY SIDEWALK, S.C.D.	1/L5.01
PP3	PRECAST CONCRETE PAVERS ON GRANULAR FILL, SEE SPECS	4/L5.01
PP4	PEDESTAL PAVERS, SEE SPECS	5/L5.01
ST	ARTIFICIAL TURF ON STYROFOAM FILL, SEE SPECS	2-3/L5.03
DG	DECOMPOSED GRANITE, SEE SPECS	
ED	STEEL EDGING	6/L5.01
EJ	EXPANSION JOINT	3/L5.01
WL1	CAST IN PLACE CONCRETE PLANTER	1/L5.02
WL2	CAST IN PLACE CONCRETE PLANTER	2/L5.02
WL3	14.5' TALL SCREEN	1-3/L5.03
B1	CAST IN PLACE CONCRETE SEAT WALL W/ WOOD CAP	5/L5.02
B2	CAST IN PLACE CONCRETE SEAT WALL W/ WOOD CAP AND STEEL BACK REST	6/L5.02
B3	WALL MOUNTED WOOD BENCH	3-4/L5.02

IRRIGATION NOTE:
IRRIGATION SHALL BE ON A WEATHER BASED CONTROLLER.
DRIP EMITTERS AT ALL PLANTING AREAS.



- 1 L5.01 STANDARD CITY SIDEWALK, S.C.D.
- 1 L5.01 CONCRETE PAVING AT ENTRY LAMPBLACK WITH SILICA

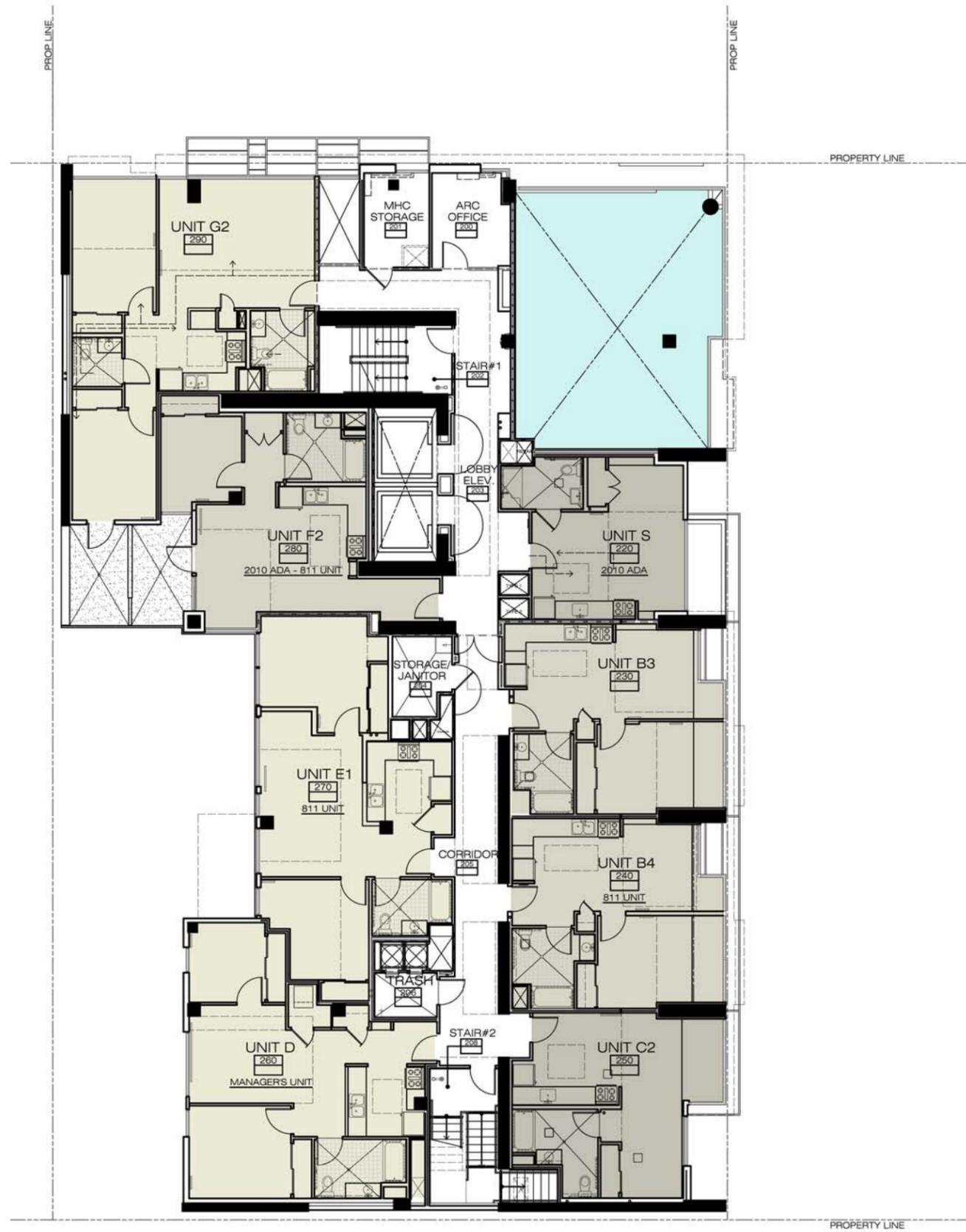
- 4 L5.01 PRECAST CONCRETE PAVERS ON GRANULAR FILL
- 1-3 L5.03 14.5' SCREENING FENCE
- 5-6 L5.02 CAST IN PLACE CONCRETE SEATWALL WITH WOOD CAP

- 2-3 L5.03 ARTIFICIAL TURF ON STYROFOAM FILL
SEE CIVIL FOR GRADING

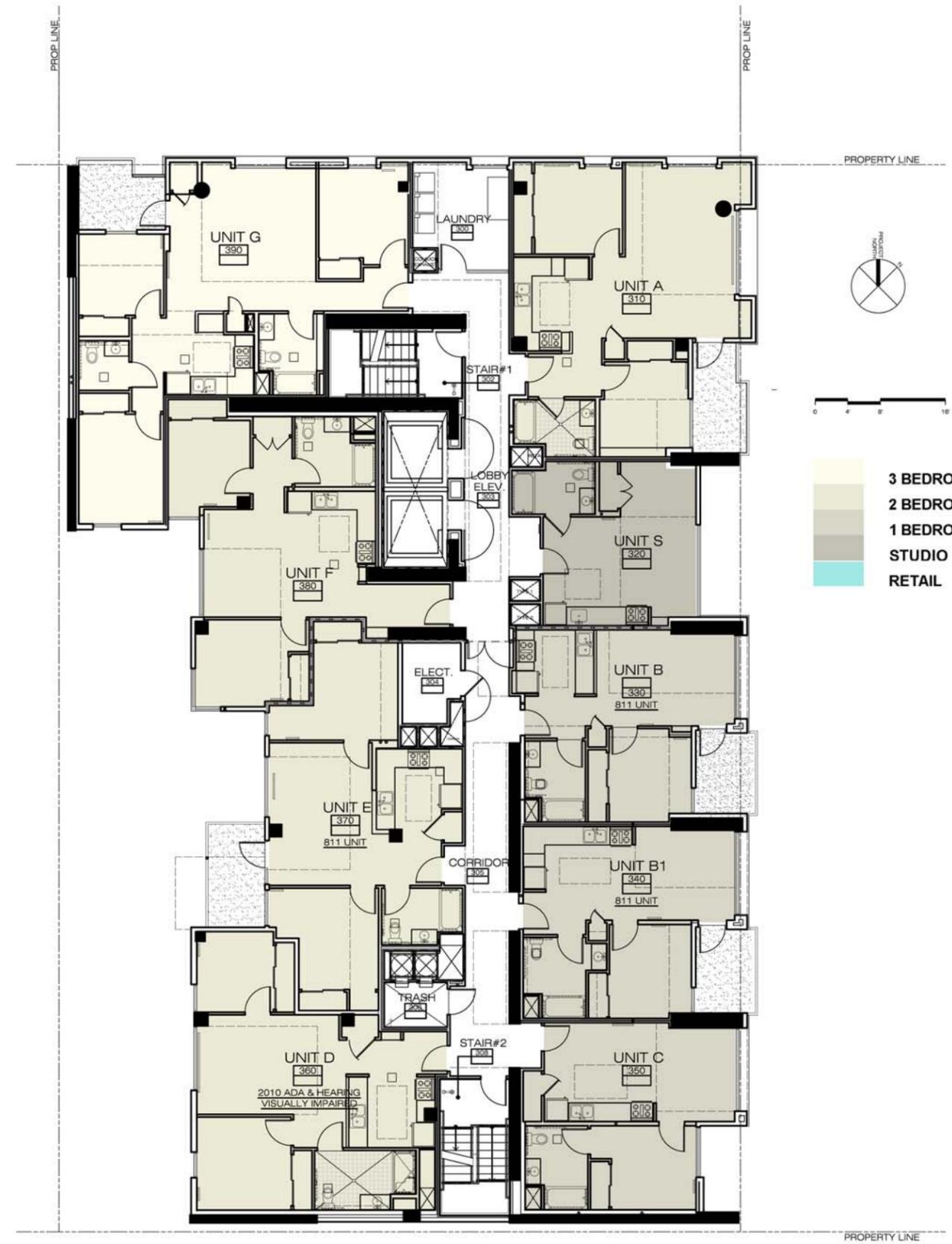
URBAN DESIGN & LANDSCAPE PLAN



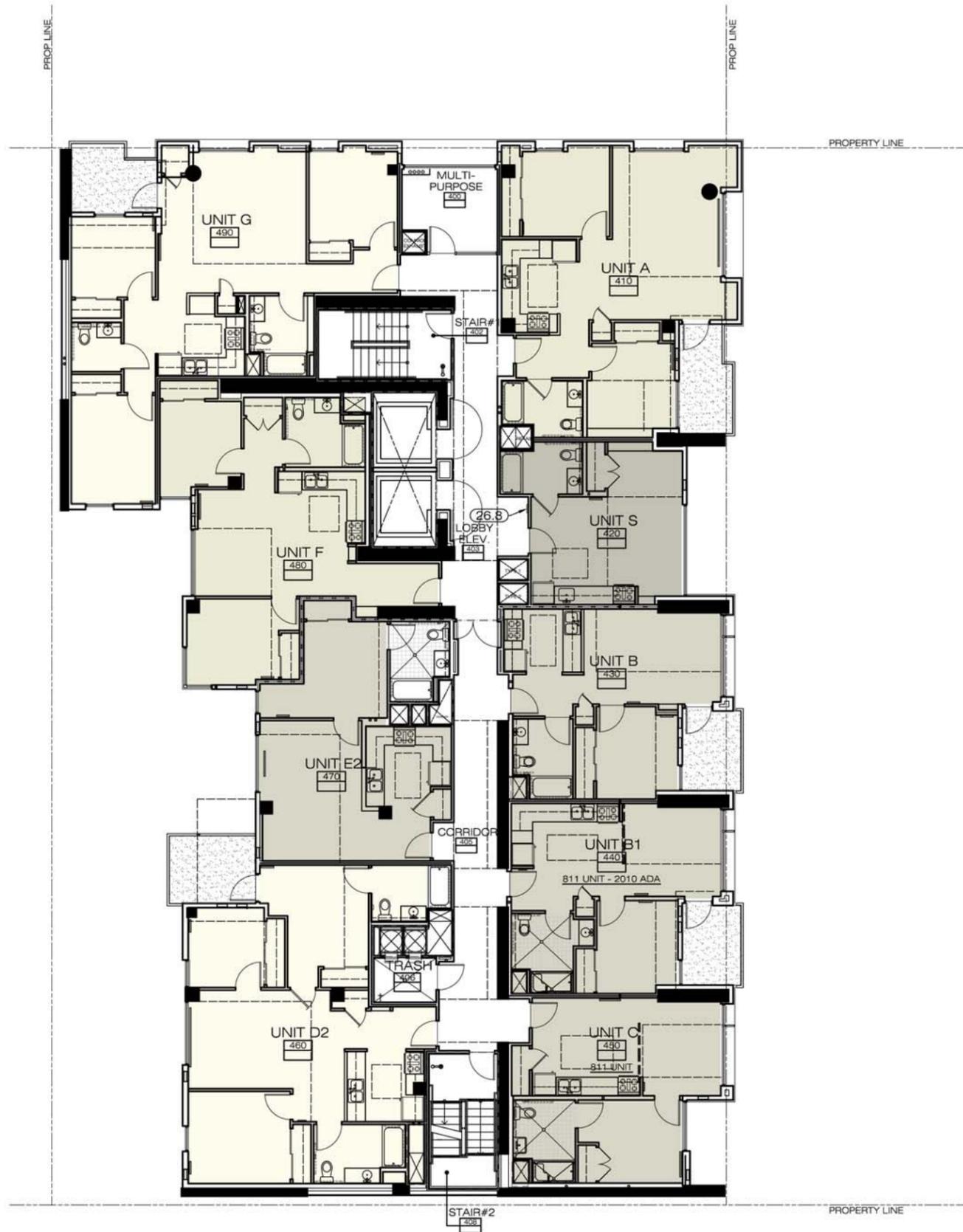
GROUND FLOOR PLAN



SECOND FLOOR PLAN



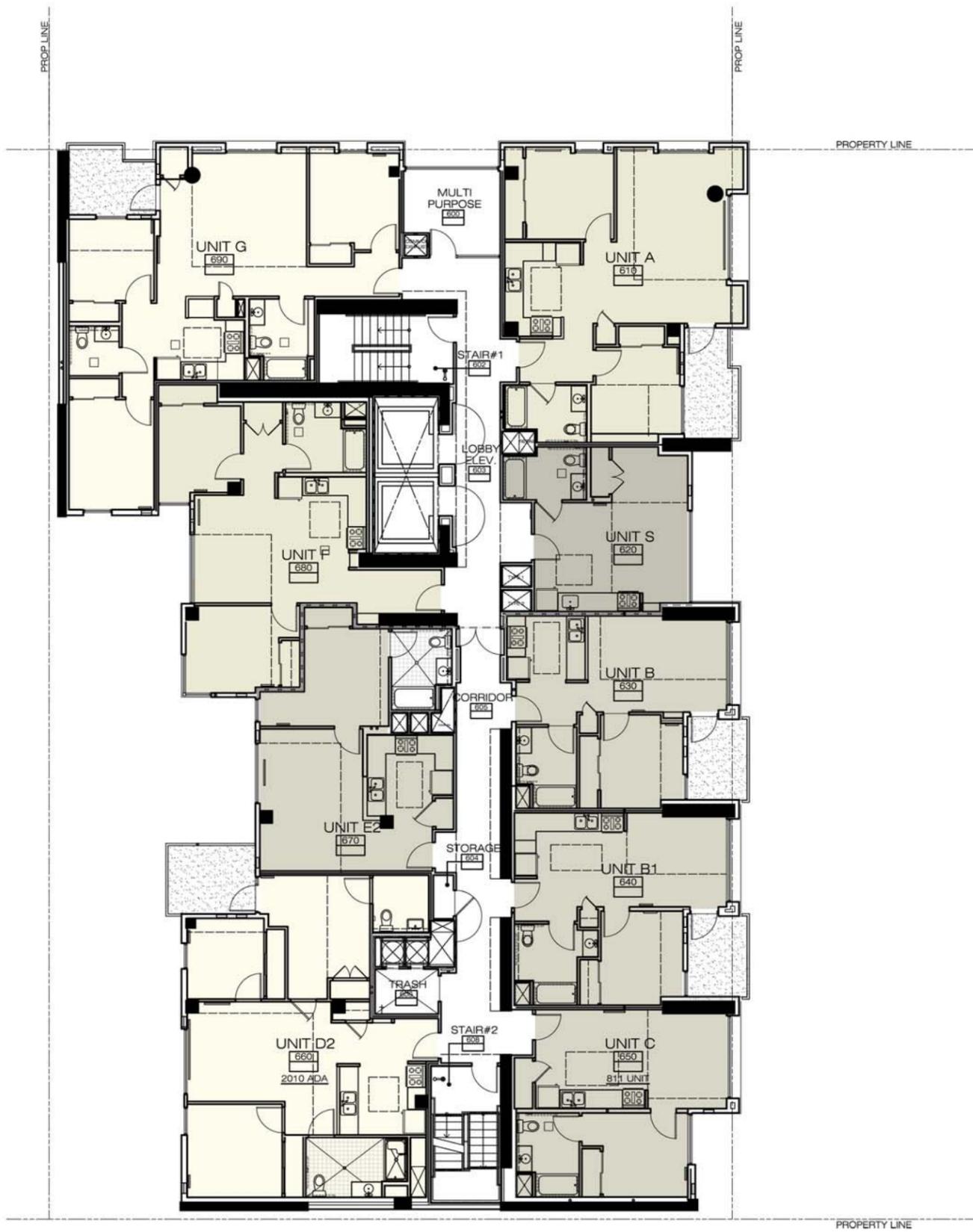
THIRD FLOOR PLAN



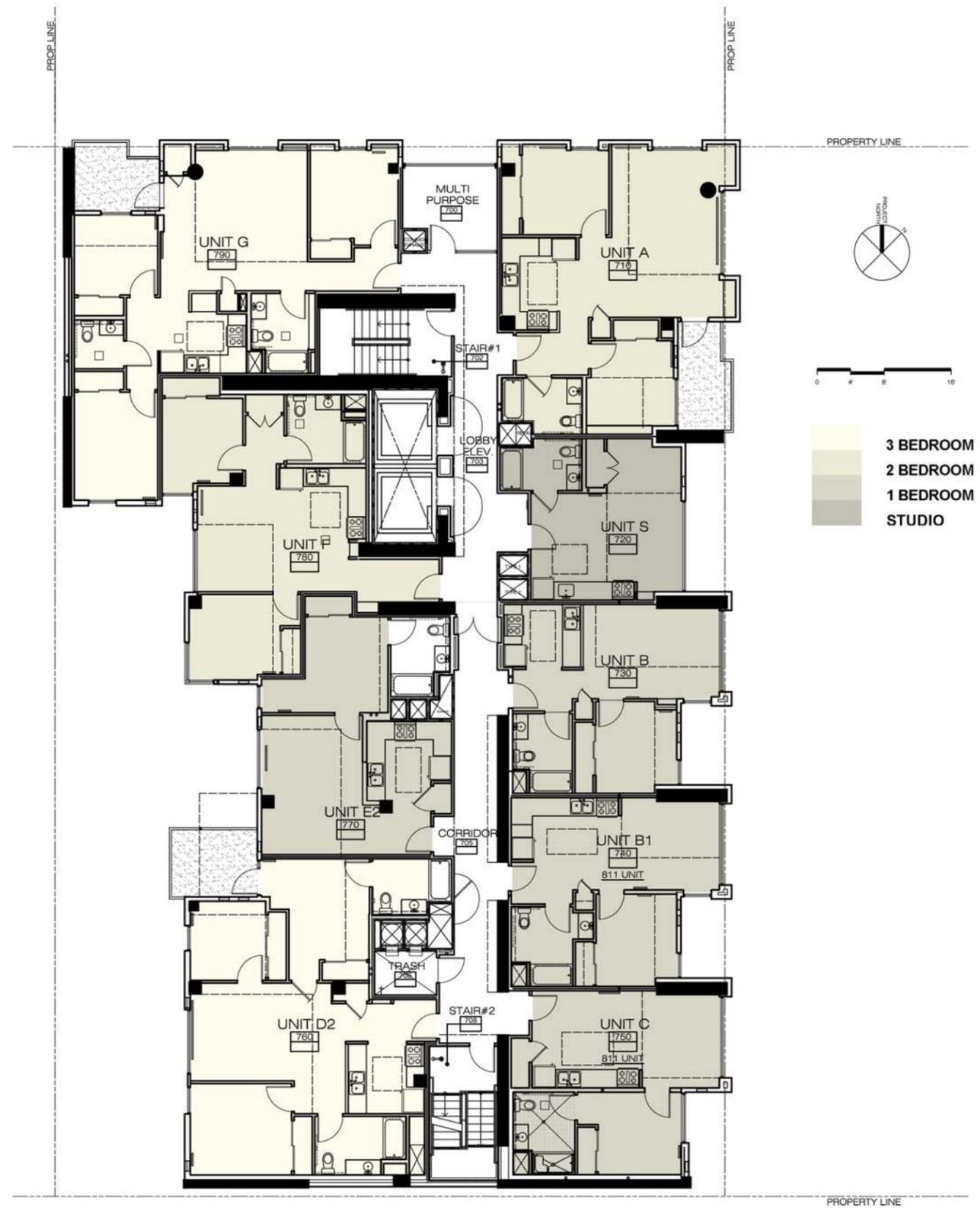
FOURTH FLOOR PLAN



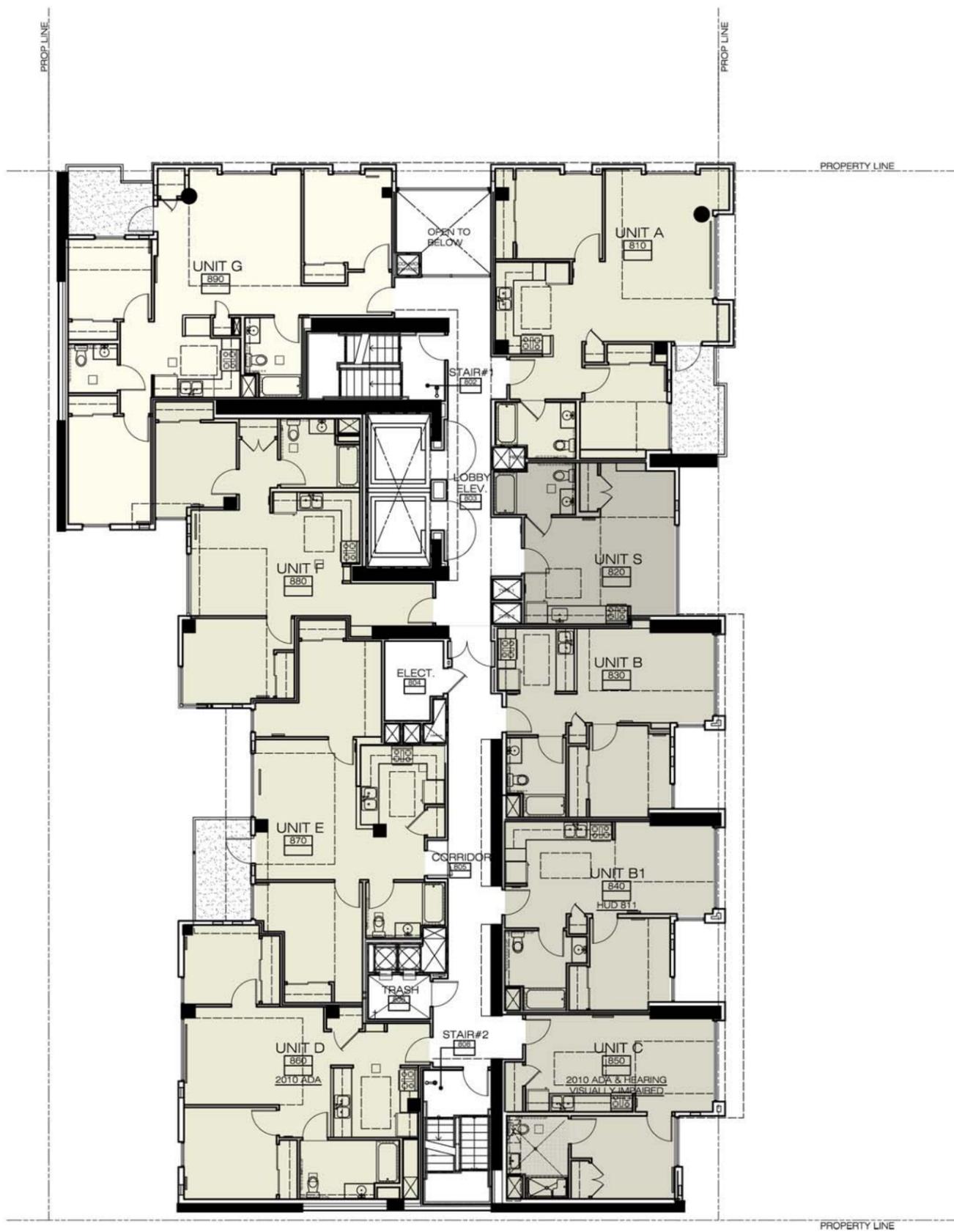
FIFTH FLOOR PLAN



SIXTH FLOOR PLAN



SEVENTH FLOOR PLAN



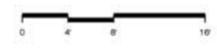
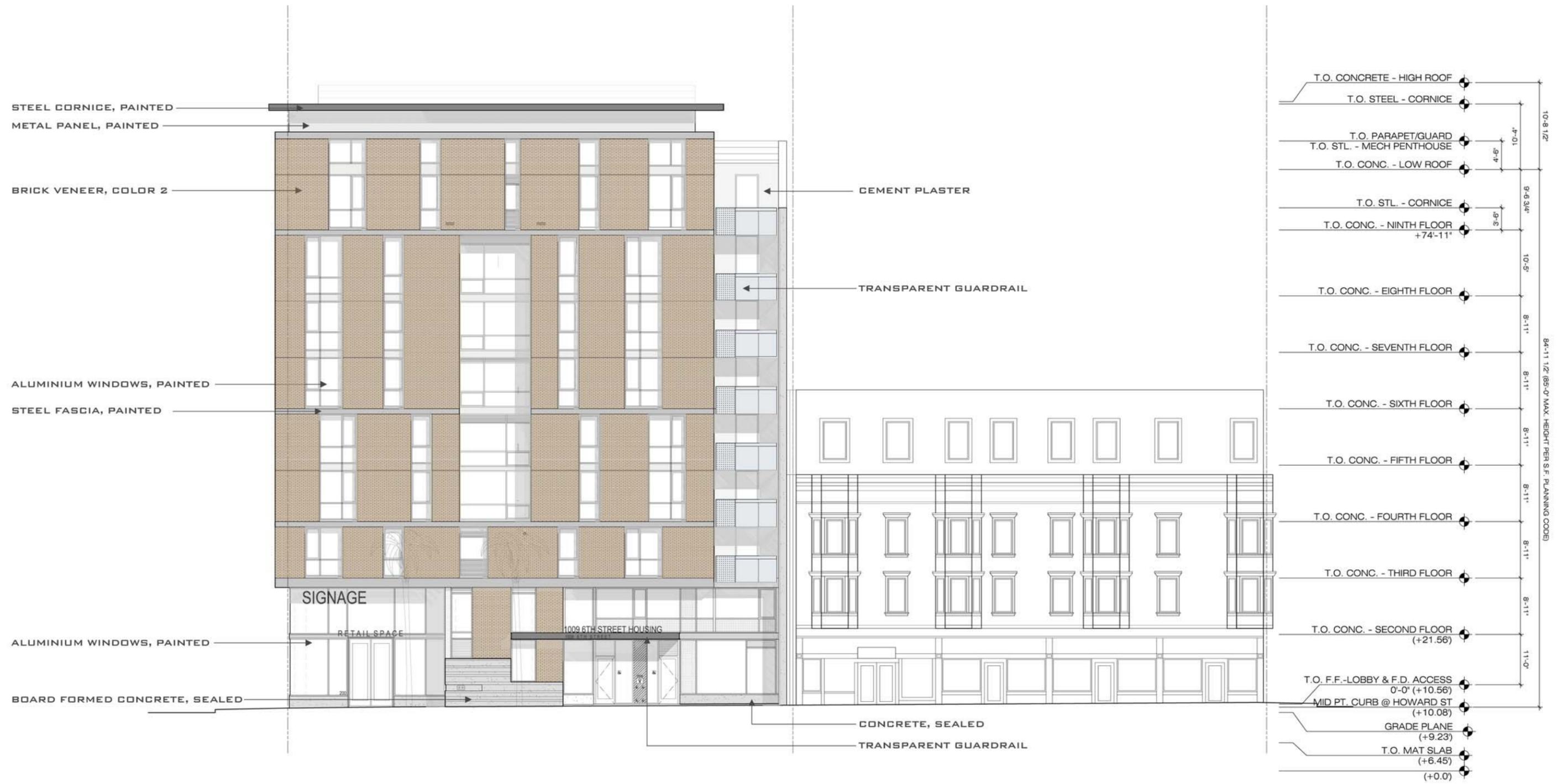
EIGHTH FLOOR PLAN



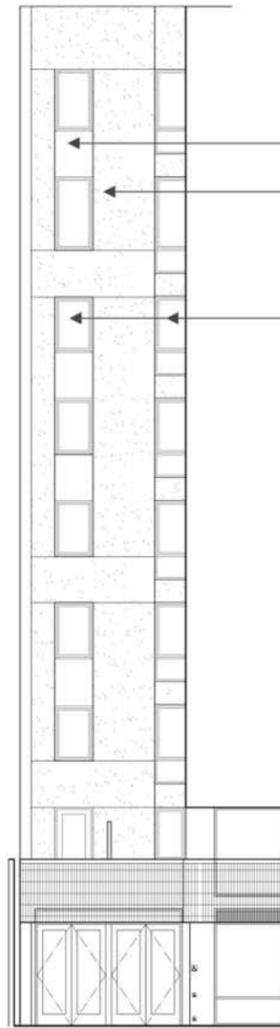
NINTH FLOOR PLAN



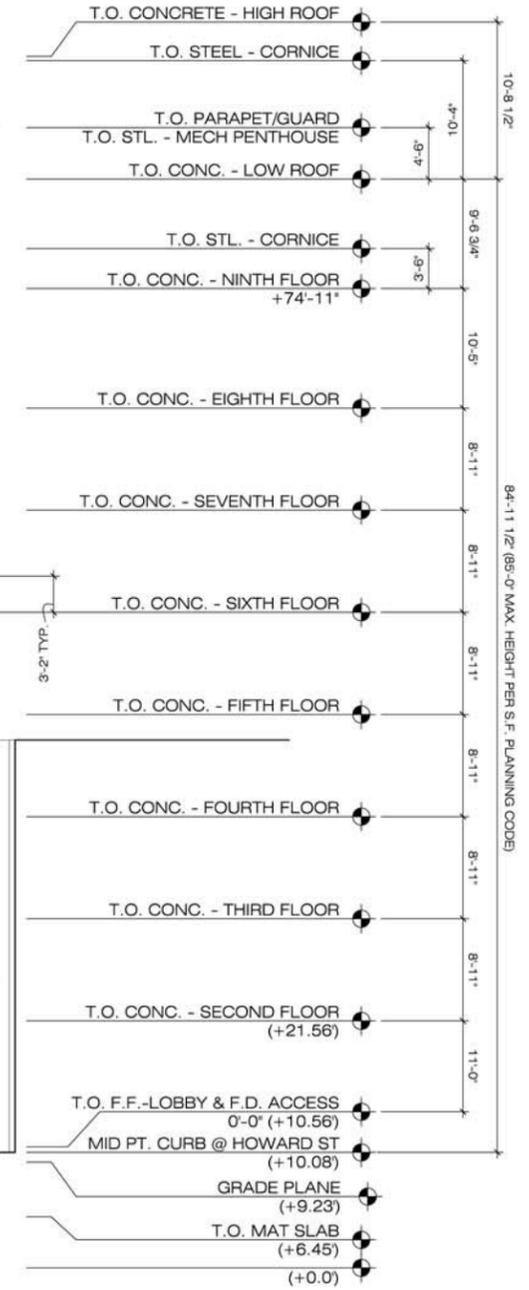
EAST ELEVATION on SIXTH STREET



NORTH ELEVATION on HOWARD STREET



CEMENT BOARD, PAINTED
 CEMENT PLASTER
 ALUMINIUM WINDOWS, PAINTED
 METAL BAR GRATING GUARDRAIL



SOUTH ELEVATION AT REAR YARD

WEST ELEVATION AT REAR YARD

