



# SAN FRANCISCO PLANNING DEPARTMENT

1018-39

ENDORSED  
**FILED**  
SAN FRANCISCO County Clerk

OCT 30, 2018

## Notice of Determination

by: **MARIBEL JALDON**  
Deputy County Clerk

*Approval Date:* October 30, 2018  
*Case No.:* 2015-010013ENV  
*State Clearinghouse No:* 2018022024  
*Project Title:* 30 Otis Street Project  
*Zoning:* Downtown General Commercial District (C-3-G); Neighborhood Commercial Transit (NCT-3)  
 Van Ness and Market Downtown Residential Special Use District  
 85/250 R-2 and 85-X Height and Bulk Districts  
*Block/Lot:* 3505/10, 12, 13, 16, and 18  
*Project Sponsor:* Align Otis, LLC  
 Jessie Stuart (415) 360-1767  
 jstuart@alignrealestate.com  
*Staff Contact:* Julie Moore (415) 575-8733  
 julie.moore@sfgov.org

Fax: 415.558.6409  
 Planning Information: 415.558.6377

To: County Clerk, City and County of San Francisco  
 City Hall Room 168  
 1 Dr. Carlton B. Goodlett Place  
 San Francisco, CA 94102

State of California  
 Office of Planning and Research  
 PO Box 3044  
 Sacramento, CA 95812-3044

Pursuant to the California Environmental Quality Act (CEQA), the Guidelines of the Secretary for Resources, and San Francisco requirements, this Notice of Determination is transmitted to you for filing. At the end of the posting period, please return this Notice to the Staff Contact with a notation of the period it was posted.

- Attachments:*
- \$66 filing fee
  - CDFW No Effect Determination

### PROJECT DESCRIPTION:

The project includes demolition of the five existing buildings and construction of a new residential building with ground-floor retail and arts activity uses. The proposed building includes a 9-story (85-foot tall) podium across the entire site and a 26-story (250-foot tall) tower at the corner of Otis and 12<sup>th</sup> Streets. The 398,365 gross square-foot building would include 416 dwelling units ranging from studios to two-bedroom units, 2,199 square feet of ground floor retail, 15,993 square feet of arts activities space for the City Ballet School, 31,290 square feet of usable open space, 95 residential parking spaces and 3 car-share spaces, and 224 Class 1 and 32 Class 2 bicycle parking spaces. Lastly, the Project would expand the existing sidewalk on the west side of 12<sup>th</sup> Street to create an approximately 7,200-square foot public plaza at the corner of 12<sup>th</sup> Street and South Van Ness Avenue.

中文詢問請電: 415.575.9010 | Para Información en Español Llamar al: 415.575.9010 | Para sa Impormasyon sa Tagalog Tumawag sa: 415.575.9010

[www.sfplanning.org](http://www.sfplanning.org)

**POSTED** **OCT 30 2018**  
**TO**

**DETERMINATION:**

The City and County of San Francisco Planning Commission decided to carry out or approve the project on September 29, 2018 with the following approvals: EIR Certification (Motion No. 20291); Adoption of CEQA Findings (Motion No. 20292); Downtown Project Authorization (Motion No. 20293); and, Shadow Determination (Motion No. 20294). Approval became effective on October 27, 2018 at the end of the appeal period. A copy of the documents may be examined at Planning Department, 1650 Mission Street, Suite 400, San Francisco, CA 94103.

1. An Environmental Impact Report has been prepared pursuant to the provisions of CEQA. It is available to the public and may be examined at the Planning Department at the above address.
2. A determination has been made that the project in its approved form will have a significant effect on the environment and findings were made pursuant to Section 15091 and a statement of overriding considerations was adopted.
3. Mitigation measures were made a condition of project approval.

John Rahaim  
Planning Director



By Lisa Gibson  
Environmental Review Officer

cc: Jessie Stuart, Align LLC



# 2018 ENVIRONMENTAL FILING FEE CASH RECEIPT

DFW 753.5a (Rev. 01/03/18) Previously DFG 753.5a

<a href="#">Print</a>	<a href="#">Start Over</a>	<a href="#">Finalize &amp; Email</a>
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RECEIPT NUMBER:  
38 — 10302018 — 039

STATE CLEARINGHOUSE NUMBER (If applicable)

SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY.

LEAD AGENCY <b>SAN FRANCISCO PLANNING DEPT</b>	LEAD AGENCY EMAIL	DATE <b>10/30/2018</b>
COUNTY/STATE AGENCY OF FILING <b>San Francisco</b>	DOCUMENT NUMBER <b>673136</b>	

PROJECT TITLE  
**30 OTIS STREET PROJECT**

PROJECT APPLICANT NAME <b>SAN FRANCISCO PLANNING DEPT</b>	PROJECT APPLICANT EMAIL	PHONE NUMBER <b>(415) 360-1767</b>
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PROJECT APPLICANT ADDRESS <b>1650 MISSION ST.</b>	CITY <b>SF</b>	STATE <b>CA</b>	ZIP CODE <b>49103</b>
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PROJECT APPLICANT (Check appropriate box)

Local Public Agency    
  School District    
  Other Special District    
  State Agency    
  Private Entity

**CHECK APPLICABLE FEES:**

<input type="checkbox"/> Environmental Impact Report (EIR)	\$3,168.00	\$	<u>0.00</u>
<input type="checkbox"/> Mitigated/Negative Declaration (MND)(ND)	\$2,280.75	\$	<u>0.00</u>
<input type="checkbox"/> Certified Regulatory Program document (CRP)	\$1,077.00	\$	<u>0.00</u>

- Exempt from fee
- Notice of Exemption (attach)
  - CDFW No Effect Determination (attach)
- Fee previously paid (attach previously issued cash receipt copy)

<input type="checkbox"/> Water Right Application or Petition Fee (State Water Resources Control Board only)	\$850.00	\$	<u>0.00</u>
<input checked="" type="checkbox"/> County documentary handling fee		\$	<u>66.00</u>
<input type="checkbox"/> Other		\$	<u>        </u>

**PAYMENT METHOD:**

Cash    
  Credit    
  Check    
  Other

TOTAL RECEIVED \$ 66.00

SIGNATURE <b>X</b>	AGENCY OF FILING PRINTED NAME AND TITLE <b>Maribel Jaldon, Deputy County Clerk</b>
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Bay Delta Region  
2825 Cordelia Road, Suite 100  
Fairfield, CA 94534  
(707) 428-2002  
[www.wildlife.ca.gov](http://www.wildlife.ca.gov)



### CEQA Filing Fee No Effect Determination Form

**Date Submitted:** October 1, 2018

**Applicant Name:** Jessie Stuart, Align Real Estate

**Applicant Address:** 255 California Street, Suite 525, San Francisco, CA 94111

**Project Name:** 30 Otis Street Project

**CEQA Lead Agency:** San Francisco Planning Department

**CEQA Document Type:** Environmental Impact Report

**SCH Number and/or local agency ID Number:** SCH #2018022024, 2015-0100

**Project Location:** The project site is on the north side of Otis Street at the intersection of Otis Street, 12<sup>th</sup> Street, and South Van Ness Avenue (U.S. 101), in San Francisco's South of Market (SoMa) neighborhood. The site comprises five adjacent lots (Assessor's Parcel Numbers 3505-010, 3505-012, 3505-013, 3505-016, and 3505-018) with frontage along Otis Street, 12<sup>th</sup> Street, Colusa Place, and Chase Court. Five commercial buildings, ranging from one to three stories, currently occupy the entire extent of their respective five lots.

**Brief Project Description:** The project includes demolition of the five existing buildings and construction of a new residential building with ground-floor retail and arts activity uses. The proposed building includes a 9-story (85-foot tall) podium across the entire site and a 26-story (250-foot tall) tower at the corner of Otis and 12<sup>th</sup> Streets. The 398,365 gross square-foot building would include 416 dwelling units ranging from studios to two-bedroom units, 2,199 square feet of ground floor retail, 15,993 square feet of arts activities space for the City Ballet School, 31,290 square feet of usable open space, 95 residential parking spaces and 3 car-share spaces, and 224 Class 1 and 32 Class 2 bicycle parking spaces. Lastly, the project would expand the existing sidewalk on the west side of 12<sup>th</sup> Street to create an approximately 7,200-square foot public plaza at the corner of 12<sup>th</sup> Street and South Van Ness Avenue.

**Describe clearly why the project has no effect on fish and wildlife:** The project would not result in or have the potential to result in noise, vibration, dust, light, pollution, or an alteration in water quality that may affect fish and/or wildlife directly or from a distance, and the project would not result in or have the potential to result in any interference with the movement of any fish and/or wildlife species.

No mitigation measures related to biological resources were identified in the Environmental Impact Report.

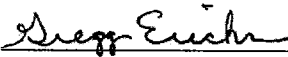
**Determination:** Based on a review of the Project as proposed, the California Department of Fish and Wildlife has determined that for purposes of the assessment of CEQA filing fees [F&G Code 711.4(c)] the project has no potential effect on fish, wildlife and habitat and the project as described does not require payment of a CEQA filing fee. This determination

does not in any way imply that the project is exempt from CEQA and does not determine the significance of any potential project effects evaluated pursuant to CEQA.

Please retain this original determination for your records; you are required to file a copy of this determination with the County Clerk after your project is approved and at the time of filing of the CEQA lead agency's Notice of Determination (NOD). If you do not file a copy of this determination with the County Clerk at the time of filing of the NOD, the appropriate CEQA filing fee will be due and payable.

Without a valid No Effect Determination Form or proof of fee payment, the project will not be operative, vested, or final, and any local permits issued for the project will be invalid, pursuant to Fish and Game Code Section 711.4(c)(3).

CDFW Approval By:



Gregg Erickson  
Regional Manager  
Bay Delta Region

Date: October 4, 2018