



SAN FRANCISCO PLANNING DEPARTMENT

Memorandum to the Board of Supervisors

HEARING DATE: DECEMBER 11, 2018

Subject: Request for Waiver from Child Care Impact Fee
Planning Case No.: 2015-000058APL
BOS File No.: 181100
Project Address: University of San Francisco Lone Mountain Campus
2500 Turk Boulevard
Existing Zoning: RH-2 (Residential, House, Two-Family) Zoning District
40-X Height and Bulk District
Block/Lot: 1107/008
Project Sponsor: Daniel Barsky of Coblenz Patch Duffy & Bass on behalf of the
University of San Francisco
Staff Contact: Mathew Snyder – (415) 575-6891
mathew.snyder@sfgov.org
Recommendation: **Deny the Request for Fee Waiver**

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The Board of Supervisors (“Board”) received a request from the University of San Francisco (“USF”) that it be relieved from paying the Child Care Impact Fee required under Planning Code Section 414A for a recently approved housing project. The Planning Department and Department of Children, Youth and Their Families are jointly submitting this brief in response.

BACKGROUND

The Planning Commission (“Commission”) approved the construction of two student housing buildings that would include 155 dwelling units (606 beds) for a total of 208,000 gross square feet. The Commission approved these two new buildings as a part of a Planned Unit Development in Commission Motion 20138 on March 15, 2018 (Case No. 2015-000058CUA).

As required by Planning Code Section 414A.3(a)(c)(1)(C), the Commission approval was conditioned on the Project Sponsor paying the Child Care Impact Fee for the addition of new dwelling units. It should be noted that while Student Housing has its own definition within the Planning Code, it is described as being either in the form of dwelling units or group housing, both of which are subject to the Child Care Impact Fee. While the Planning Code provides a list of types of projects that are explicitly exempt from the fee, student housing is not one of them. Several other student housing projects have recently paid the fee including California College of Arts at 75 Arkansas and 188 Hooper; San Francisco Conservatory of Music at 200 Van Ness Avenue; and the San Francisco Arts Institute and Golden Gate University at 333 12th Street.

The Sponsor submitted two site permit applications for the new student housing on November 16, 2016 and was assessed a total of \$475,933 for the Child Care Fee upon issuance on October 16, 2018.

On October 31, 2018, Daniel Barsky of Coblenz Patch Duffy & Bass LLP submitted a letter to the Board requesting that the Child Care fee be waived under Planning Code Section 406(a), which provides that a request for a waiver may be filed “for a reduction, adjustment or waiver of the requirement based upon the absence of any reasonable relationship or nexus between the impact of the development and...the amount of the fee charged.” The Project Sponsor contends that there is no reasonable nexus between the student housing project and the need to provide child care, since the student housing is meant for “undergraduate students between the ages of 18 and 22 years, rather than students with families and that USF policy is to not allow children to live on-campus residential facilities unless they live with the benefits-eligible faculty members...”

PLANNING DEPARTMENT RESPONSE

The Planning Department (“Department”) recommends that the Board reject the request for a waiver for two reasons. First, there is a reasonable nexus between student housing and the child care fee requirement, even where children might not actually reside in a unit. Second, there is no assurance that USF’s current policy prohibiting children living in these buildings will remain in effect.

1. Nexus Study. The Department conducts analyses for the City’s development impact fees, including for child care, on a regular basis, as required by the California Mitigation Fee Act. The most recent nexus analysis for the child care fee was completed March 2014 under both the San Francisco Infrastructure Level of Service Analysis and San Francisco Citywide Nexus Analysis.

*The studies conclude that “as new development occurs, it attracts residents and employees, some of whom have children who require non-parent child care. This relationship between new development, an influx of residents and workers, and a demand for child care facilities provides a nexus for an impact fee.
(Page 15, Citywide Nexus Analysis, March, 2014)*

In studying the relationship between growth and the increased demand for child care, the Nexus Study (1) analyzed the demand for child care caused by new development through the year 2020, (2) analyzed and apportioned that demand between residential and commercial uses, and (3) for the portion of the increase in demand created by residential growth, divided the cost of delivering the needed child care among all expected residential development, without excluding student housing, to the year 2020.

The Nexus Study does not differentiate among housing types and assign different child care needs and related nexuses based on those types. Rather, the Nexus Study simply relates the increased demand for child care to expected residential growth and its related development. The Board considered the Nexus Study when it adopted the child care and other development impact fees. The Board specifically adopted the findings and conclusions of the Nexus Study and two related studies, including the sections of those studies establishing levels of service for and a nexus between new development and child care. As required by California Government Code Section 66001, the Board found that, for each infrastructure category analyzed, the Nexus Study and related studies: identified the purpose of the fee; identified the use or uses to which the fees are to be put; determined how there is a reasonable relationship between the fee’s use and the type of development project on which the fee is imposed; determined how there is a reasonable relationship between the need for the public facility and the type of development project on which the fee

is imposed; and determined how there is a reasonable relationship between the amount of the fee and the cost of the public facility or portion of the facility attributable to the development. (Planning Code Section 401A(b).)

The Board made findings about the Child Care Impact Fee specifically, finding that the fee will support the provision of child care facility needs resulting from an increase in San Francisco's residential and employment population. The child care impact fee would be used to fund capital projects related to infant, toddler, and preschool-age child care. Funds will pay for the expansion of child care slots for infant, toddler, and preschool children. The Board found a reasonable relationship between the fee and the new development, because new residential and commercial development in San Francisco will increase the demand for infant, toddler and preschool-age child care. Fee revenue will be used to fund the capital investment needed for these child care facilities. Residential developments will result in an increase in the residential population, which results in growth in the number of children requiring child care. Improvements considered in this study are estimated to be necessary to maintain the City's provision of child care at its effective service standard. (See Planning Code Section 401A(b)(2).)

The Board did not require a new child care spot be available for every child in every residential development. Rather, the new facilities and costs allocated to new development were based on the existing service ratio of the total number of infants, toddler, and preschoolers needing care in San Francisco to the number of spaces available to serve them. The scale of the capital facilities and associated costs are directly proportional to the expected levels of new development and the corresponding increase in child care demands. (See Planning Code Section 401A(b)(2).)

The Nexus Study identified the maximum child care fee that could be assessed on all residential development; **it did not assume that children would be present in every single residential unit and adjusted its assumptions accordingly.** The child care fee also was not calculated to pay for 100% of demand for child care accommodations in the City. The Nexus Study calculated the fee based on a capacity for 37% of infant and toddler child care demand and capacity for 99.6% of preschooler child care demand. Subsequent to this Nexus Study update, the Board set the child care fee at approximately 90% of the maximum fee established in the Study, and did not distinguish among types of housing required to pay the fee; rather, the Board assessed the fee on a gross square footage basis for all new residential uses – Section 414A.3(a) requires each net new unit of a group housing facility or net new residential unit pay the fee. At the time the residential Child Care fee was established, the fee was set at \$0.91 per gross square foot for one to nine units, and at \$1.83 per gross square foot for ten units or more. As with all San Francisco development impact fees, Planning Code Section 409(b) provides that the fee can be adjusted annually to address inflation. This kind of legislative action to enact a generally applicable fee, to be calculated according to a legislatively set formula, must bear a reasonable relationship between the fee and the deleterious impacts it attempts to mitigate. This legislatively enacted, generally applicable, child care fee meets that standard.

2. Prohibition on Children in the Dwelling Units. While the Project Sponsor states that, according to its internal policy, children are not allowed to live in the facilities, except for those units intended for faculty, the City has never conditioned payment of the child care fee on whether children were actually present in the particular residential units being charged the fee. Furthermore, there is no assurance here that the

school's policy would not change, or that occupancy of the units would not change, so that children would be allowed to live in the units.

CONCLUSION

The Department recommends that the Board reject the request for a waiver. The fee specifically applies to housing units, has never been contingent on whether children are present in each unit, and has been applied consistently on all residential units through the Planning Code – including similar student housing projects, in reliance on the Nexus Study. If the fee were to be waived, it would create inconsistency with the ongoing application of the fee, particularly in regard to housing types that don't typically house children (*e.g.* group housing, student housing, senior housing, micro units, studios.).

If, however, the Board elects to grant the fee waiver due to USF's restriction against children within the student units, the Department would recommend that the Board specifically condition the waiver on that restriction. Specifically, we would recommend that (1) the Project Sponsor provide ongoing reporting on the occupancy of the student units through the updates to USF's Institutional Master Plan required under Planning Code Section 304.5, (2) should USF's restriction change at any point in the future, full payment of the child care fee in effect at the time be immediately required, (3) the waiver be limited to the student units only and not extend to units for faculty or staff, and (4) that a Notice of Special Restriction ("NSR") be recorded to memorialize the foregoing on the subject property.

Attachments:

Appeal Letter from Daniel Barsky, Coblenz Patch Duffy & Bass LLP on behalf of San Francisco University, October 31, 2018
Planning Commission Motion No. 20138

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October 31, 2018

VIA MESSENGER & EMAIL

Board of Supervisors
City and County of San Francisco
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102

Re: University of San Francisco Request for Waiver or Reduction of Childcare Impact Fee

Dear Board of Supervisors:

Our office represents the University of San Francisco ("USF"). We file this appeal on behalf of USF in objection to the application of the City and County of San Francisco ("City") Planning Code Section 414A Residential Childcare Fee (the "Fee") to the recently approved USF Student Residence Hall project (Site Permit Nos. 201611303815 and 20161 1303820), which will be located on the USF Lone Mountain Campus (the "Project"). City Planning Code Section 406(a) provides that this appeal may be filed with the Board of Supervisors "for a reduction, adjustment or waiver of the requirement based upon the absence of any reasonable relationship or nexus between the impact of the development and . . . the amount of the fee charged."

There is No Reasonable Relationship or Nexus Between the Purpose of the Fee and the Project

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October 31, 2018
Page 2

Pursuant to the California Mitigation Fee Act¹ and related case law, the City must identify a reasonable relationship or nexus between the Fee and the Project, and between the amount of the Fee and the cost of the public facility attributable to the Project.² Here, the City's stated purpose for imposing the Fee is to address the need for childcare facilities for infants and toddlers (ages 0-5) by constructing capital improvements to childcare facilities.³ According to the nexus study prepared for the Fee, residential development attracts new residents and workers who have young children and thus generates the need for childcare facilities.⁴

That will not be the case for the Project. The Project will provide short-term on-campus housing for USF undergraduate students between the ages of 18 and 22 years, rather than students with families. To be sure, pursuant to USF policy, children are not permitted to live in on-campus residential facilities unless they live with benefits-eligible faculty members, which, for the Project, could only theoretically include the five on-site Resident Ministers and Resident Directors.

The Fee Calculation is Incorrect

The Fee is intended to be calculated based on future childcare demand estimates, and, as applied to the Project, incorrectly assumes that the standard per-square-foot calculation of demand associated with the average residential development in the City accurately estimates the demand generated by the Project. It clearly does not. If the Fee is applied at all to the

¹ California Government Code section 66000 *et. seq.*

² *Ehrlich v. City of Culver City*, 12 Cal. 4th 854, 865-66 (2001).

³ San Francisco Citywide Nexus Analysis, March 2014, AECOM, pp. 19-20.

⁴ *Id.*

October 31, 2018
Page 3

Project, we urge that it must only be applied to the five total dwelling units for Resident Ministers, Assistant Resident Directors, and Resident Directors (a total of about 2,500 square feet), rather than the entire Project square footage.

USF's existing childcare subsidy should also be taken into account, which is provided to all eligible full-time faculty and staff on a per child basis across all income levels, up to 36% above the Area Median Income ("AMI") for a four-person household in the City.⁵ It is estimated that USF will provide a total of approximately \$269,000 in City childcare subsidies by the end of 2018, and USF is committed to continuing to provide this annual subsidy in the future.

Conclusion

There is no reasonable relationship or nexus between the Fee and the Project's in-existent demand for childcare facilities. USF respectfully requests a Fee waiver, as authorized under City Planning Code Section 406(a)(1). If the Fee is applied to the Project, we urge that it must only be applied to the square footage to be occupied by Resident Ministers, Assistant Resident Directors, and Resident Directors (about 2,500 square feet). Even then, USF would be required to contribute more than that required to address USF's impact because as explained above, USF already contributes a substantial amount to childcare subsidies for eligible faculty and staff living in the City on an annual basis.

⁵ AMI is calculated by MOHCD.

Coblentz
Patch Duffy
& Bass LLP

October 31, 2018
Page 4

Regards,

A handwritten signature in black ink, appearing to read 'D. Barsky', with a horizontal line extending to the right.

Daniel Barsky
For COBLENTZ PATCH DUFFY & BASS LLP



SAN FRANCISCO PLANNING DEPARTMENT

Subject to: (Select only if applicable)

- Affordable Housing (Sec. 415)
- Jobs Housing Linkage Program (Sec. 413)
- Downtown Park Fee (Sec. 412)
- First Source Hiring (Admin. Code)
- Child Care Requirement (Sec. 414)
- Other: Transportation Sustainability Fee

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Planning Commission Motion No. 20138

HEARING DATE: MARCH 15, 2018

Case No.: 2015-000058CUAENVSUBTDM
 Project Address: 2500-2698 TURK STREET AND 222 STANYAN STREET
 Zoning: RH-2 (Residential, House, Two-Family)
 40-X Height and Bulk District
 Area Plan: N/A
 Block/Lots: 1107/008 and 1144/001B
 Project Sponsor: University of San Francisco
 Elizabeth Miles
 2130 Fulton Street
 San Francisco, CA 94117
 Staff Contact: Mary Woods – (415) 558-6315
mary.woods@sfgov.org

ADOPTING FINDINGS RELATING TO THE APPROVAL OF CONDITIONAL USE AUTHORIZATION PURSUANT TO PLANNING CODE SECTIONS 134, 155, 209.1, 260, 303 AND 304 TO ALLOW POST-SECONDARY EDUCATIONAL INSTITUTIONAL USES AND A PLANNED UNIT DEVELOPMENT (PUD) FOR THE CONSTRUCTION OF A NEW 606-BED STUDENT RESIDENCE HALL, EXPANSION AND RENOVATION OF THE DINING HALL FACILITIES, RELOCATION AND REPLACEMENT OF THE RECYCLING AND WASTE FACILITY, AND RELOCATION OF THE RESERVE OFFICER'S TRAINING CORPS PROGRAM AT THE UNIVERSITY OF SAN FRANCISCO (USF). THE PROPOSAL INCLUDES PUD MODIFICATIONS TO PLANNING CODE PROVISIONS RELATED TO THE REAR YARD (SECTION 134), OFF-STREET FREIGHT LOADING (SECTION 155), DWELLING UNIT DENSITY (SECTION 209.1), AND A MINOR DEVIATION FROM THE PROVISIONS FOR MEASUREMENT OF LATERAL HEIGHT (SECTION 260). THE PROJECT SITE IS LOCATED IN AN RH-2 (RESIDENTIAL, HOUSE, TWO-FAMILY) ZONING DISTRICT AND AN 40-X HEIGHT AND BULK DISTRICT, AND ADOPTING FINDINGS UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.

PREAMBLE

On October 1, 2015, the University of San Francisco (hereinafter "Project Sponsor") filed an application with the Planning Department (hereinafter "Department") for Conditional Use (CU) Authorization under Planning Code Sections 134, 155, 209.1, 260, 303 and 304 to allow a Planned Unit Development (PUD) for

four Project components, including (i) the construction of a new two- to four-story (up to 40-foot tall), approximately 234,500 gross square-foot student residence hall, containing 155 dwelling units (totaling 606 beds), 156 off-street parking spaces in the below-ground garage; 194 bicycle parking spaces; USF program space (anticipated to be used for two classrooms), and a natural gas powered microturbine cogeneration facility in the below-ground garage; (ii) expansion and renovation of the existing dining hall facilities on the Upper Campus; (iii) relocation and replacement of the recycling and waste facility to a new location on the interior of the Upper Campus, and (iv) relocation of the Reserve Officer's Training Corps (ROTC) program from the existing one-story building at the Underhill site on the Upper Campus to a one- to two-story addition to the Koret Health and Recreation Center. The proposal includes PUD modifications to Planning Code provisions related to the rear yard (Section 134), off-street freight loading (Section 155), dwelling unit density (Section 209.1), and a minor deviation from the provisions for measurement of lateral height (Section 260). The Project would also include a lot subdivision of Lot 008 on Block 1107 for the creation of a single parcel at the Underhill site for the new student residence hall separate from the rest of the Upper Campus. The Project site is located in an RH-2 (Residential, House, Two-Family) Zoning District and an 40-X Height and Bulk District.

On December 6, 2016, the Project Sponsor, filed a subdivision application for Case No. 2015-000058SUB proposing to subdivide the Underhill site separate from the rest of the Upper Campus to create a single parcel for the new student residence hall. The subdivision application is not subject to a Conditional Use Authorization.

On March 6, 2018, the Project Sponsor filed an application (Case No. 2015-000058TDM) with the Department relating to the Transportation Demand Management (TDM) Plan.

On March 15, 2018, the San Francisco Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting on Conditional Use Application No. 2015-000058CUA.

On January 31, 2018, the Draft Initial Study/Mitigated Negative Declaration (IS/MND) for the Project was prepared and published for public review; and

The Draft IS/MND was available for public comment until February 20, 2018. No appeal of the Draft IS/MND was filed with the Department. The Finalized Mitigated Negative Declaration was published on March 7, 2018; and

On March 15, 2018, the Planning Department/Planning Commission reviewed and considered the Final Mitigated Negative Declaration (FMND) and found that the contents of said report and the procedures through which the FMND was prepared, publicized, and reviewed complied with the California Environmental Quality Act (California Public Resources Code Sections 21000 et seq.) (CEQA), Title 14 California Code of Regulations Sections 15000 et seq. (the "CEQA Guidelines") and Chapter 31 of the San Francisco Administrative Code ("Chapter 31"); and

The Planning Department/Planning Commission found the FMND was adequate, accurate and objective, reflected the independent analysis and judgment of the Department of City Planning and the Planning Commission, and that the summary of comments and responses contained no significant revisions to the

Draft IS/MND, and approved the FMND for the Project in compliance with CEQA, the CEQA Guidelines and Chapter 31.

The Planning Department, Jonas P. Ionin, is the custodian of records, located in the File for Case No. 2015-000058ENV, at 1650 Mission Street, Fourth Floor, San Francisco, California.

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

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. 2015-000058CUAENVSUBTDM, subject to the conditions contained in "EXHIBIT A" of this motion, based on the following findings:

FINDINGS

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

1. The above recitals are accurate and constitute findings of this Commission.
2. **Site Description and Present Use.** The Project site is located at 2500 - 2698 Turk Street and 222 Stanyan Street, Lot 008 in Assessor's Block 1107 and Lot 001B in Assessor's Block 1144, within the University of San Francisco's (USF) Hilltop Campus. The USF Hilltop Campus is in the eastern portion of the Inner Richmond District, three blocks north of the Panhandle. The area is bounded by Masonic, Golden Gate, and Parker Avenues and Turk Street.

The University's primary campus is the 52-acre Hilltop Campus, located one block east of Golden Gate Park and three blocks north of the Panhandle. The USF Hilltop Campus comprises two primary components: (1) an Upper Campus (also known as Lone Mountain) and (2) a Lower Campus. The Upper Campus (Lot 8 in Assessor's Block 1107) is located north of Turk Street and south of Anza Street, between Parker and Masonic Avenues. The Lower Campus is located north of Fulton Street and south of Golden Gate Avenue, between Parker and Masonic Avenues. The Lower Campus also occupies a partial block north of McAllister Street and south of Turk Street, between Stanyan Street and Parker Avenue (Lot 1B in Assessor's Block 1144), at the site of the Koret Health and Recreation Center and Negoesco Field.

The Upper Campus contains steep vegetated slopes on the west, north, and east sides of the property. The site elevations vary from about 324 feet San Francisco Datum at the eastern boundary to 364 feet San Francisco Datum at the northwest corner. The south side of the Upper Campus property, bordered by Turk Street, is characterized by a gentle grassy slope. The Lower Campus is generally flat with elevations at the Koret Health and Recreation Center ranging from

300 to 326 feet. Because the block is slightly lower on the west side than the east side, the east entrance of the Koret Health and Recreation Center leads to the second floor, and the emergency exit doors on the west side lead to the ground-floor level.

The Project site is located within the RH-2 (residential house, two-family) District and the 40-X Height and Bulk District.

3. **Surrounding Properties and Neighborhood.** The Project site is located in the eastern portion of the Inner Richmond District at the USF Hilltop Campus, in a primarily residential area, in close proximity to the Panhandle. Two residential neighborhoods are located near the USF Hilltop Campus: the University Terrace neighborhood that is between the Upper and Lower campuses and the Ewing Terrace neighborhood immediately east, below a hillside of the Upper Campus.

Land uses immediately surrounding the Upper Campus Project site are primarily post-secondary educational institutional buildings owned by USF and single or multi-family residential buildings. The nearest student residences are downhill to the north at Loyola Village on Anza Street, and adjacent to the Lone Mountain Main Building. The east side of the Upper Campus is bordered by Ewing Terrace. A shopping center (City Center) anchored by Target is located at the corner of Geary Boulevard and Masonic Avenue, to the northeast of the Upper Campus.

The Lower Campus is bordered by McAllister Street and Fulton Street to the south, Stanyan Street and Parker Avenue to the west, Turk Street and Golden Gate Avenue to the north, and Masonic Avenue to the east. Land uses surrounding the Lower Campus Project site include one- to three-story single-family residential buildings to the south and west with post-secondary educational institutional buildings owned by USF to the north and east.

4. **Project Description.** The proposal is to demolish (i) the existing one-story, 8-foot tall buildings (four interconnected buildings in the shape of a rectangle), 78 parking spaces in the surface parking lot, and two tennis courts, all at the Underhill site on the Upper Campus. The ROTC program is currently located within the existing one-story, 8-foot tall buildings and the outdoor unenclosed waste facility is nearby. In the same general location, the proposal is to construct two new buildings (East Building and West Building), for use as the new student residence hall.

The proposed student residence hall, dining commons, and recycling and waste facility would be located on the Upper Campus, while the proposed ROTC program relocation addition would be sited on the Lower Campus.

Each of the four Project components are discussed below.

Upper Campus (a.k.a. Lone Mountain) Renovations:

- (i) The new **Student Residence Hall** would be located east of the Lone Mountain Main Building and north of Lone Mountain Drive. The proposed student residence hall Project would demolish the existing one-story, 8-foot tall buildings, located on the Underhill site of the Upper Campus (a.k.a. the site of the existing non-historic Underhill Building), and

construct two new student housing buildings (East Building and West Building), two to four stories, up to 40 feet tall with 155 dwelling units providing a total of 606 beds (600 beds for students and six beds for resident ministers and resident staff), as well as community common spaces for students and academic program space for approximately two classrooms. The student residence hall buildings would total approximately 308,200 square feet, including the approximately 74,000 square-foot below-ground garage. The below-ground garage would contain 171 class 1 bicycle parking spaces, and 156 vehicle parking spaces, resulting in an increase of 78 net new vehicle parking spaces. The buildings would front on Turk Street with vehicular and pedestrian access provided primarily via Lone Mountain Drive, a private road near the Underhill site accessible from Turk Street.

The new student residence hall would serve the existing student population and would not increase the student population. In total, the proposed Project would result in an increase of the on-campus student residential population from approximately 2,138 existing on-campus students to approximately 2,738 proposed on-campus students.

The Project Sponsor filed a subdivision application (Case No. 2015-000058SUB) proposing to subdivide the Underhill site separate from the rest of the Upper Campus to create a single parcel for the new student residence hall. The subdivision application is not subject to a Conditional Use authorization.

- (ii) The proposed renovations to the **Dining Commons** facility would include the existing approximately 11,000 square-foot café (Wolf and Kettle Café) within the Lone Mountain Main Building and a new structure on the lawn area adjacent to the café. The new freestanding structure at approximately 4,000 square-foot would create the dining commons. The proposed dining commons would offer a variety of dining options for the student residence hall residents and the Upper Campus community.
- (iii) The **Recycling and Waste Facility** would be relocated west of the existing Lone Mountain North Residence Hall on the Upper Campus in an approximately 1,600 square-foot enclosed facility accessed by Lo Schiavo Drive, a private road on the Upper Campus accessible from Parker Avenue and Anza Street.

Lower Campus Renovations:

- (iv) The **ROTC** program, currently housed in the Underhill Building, would be relocated to the Koret Health and Recreation Center building on the portion of the Lower Campus that is bordered by Stanyan Street to the west, and the Negoesco Field (a soccer field) to the east. The new one- to two-story, approximately 4,000 square-foot, ROTC addition would front Negoesco Field, with pedestrian access from Parker Avenue.

The Project would require a Conditional Use (CU) authorization from the Commission for the four Project components and a Planned Unit Development (PUD) for the student residence hall

that would include PUD modifications to provisions related to dwelling unit density, rear yard, off-street freight loading, and lateral height measurement.

The proposal requires a Conditional Use authorization and Section 311-neighborhood notification, which was conducted in conjunction with the Conditional Use authorization process.

The Project Sponsor, on December 6, 2016, filed a subdivision application for Case No. 2015-000058SUB proposing to subdivide the Underhill site separate from the rest of the Upper Campus to create a single parcel for the new student residence hall. The subdivision application is not subject to a Conditional Use authorization.

5. **Public Comment.** For the last five years, beginning with the IMP (Institutional Master Plan) process, USF has been meeting and coordinating with its neighbors and neighborhood organizations, including the Ewing Terrace neighborhood immediately east of the new student residence hall and the University Terrace neighborhood that is between the Upper and Lower Campuses. USF has responded to issues and concerns raised by the Ewing Terrace neighborhood by reducing the height and massing of the new student residence hall, increasing the building setback, and adding a landscaped buffer adjacent to Ewing Terrace. Because of this community outreach effort by USF, very few comments were received by the Department during the 20-day CU hearing noticing period. As of March 8, 2018, the Department has received one e-mail requesting information about the Project, one letter expressing both support and concerns about the Project, and one e-mail in support of the proposed Project.
6. **First Source Hiring Program.** The Project is subject to the requirements of the First Source Hiring Program (Chapter 83 of the Administrative Code) for projects creating ten (10) or more new residential units. The Project Sponsor will comply with the requirements of this Program. Prior to the issuance of any Building Permit or a First Addendum to a Site Permit, the Project Sponsor will have an approved and signed First Source Hiring Memorandum of Understanding (MOU) from the First Source Hiring Administrator, which will be evidenced in writing. This MOU will include Exhibit A, Construction First Source Hiring Agreement, and Exhibit B, End-Use First Source Hiring Agreement. Before the Commission can act on the Project, the Project Sponsor must complete the "Affidavit for First Source Hiring Program".

The Project Sponsor has submitted a complete Affidavit for First Source Hiring Program, a copy of which is attached to the Draft Motion.

7. **Planning Code Compliance:** The Commission finds that the Project is consistent with the relevant provisions of the Planning Code in the following manner:
 - A. **Use: Educational Institution and Residential Dwelling Unit Density.** Planning Code Section 209 sets forth the permitted uses in "R" Districts. Section 209.1 establishes that student housing is principally permitted in all residential districts. Section 209.1 establishes that post-secondary educational institutions are conditionally permitted uses in all residential districts. Section 209.1 also permits a Planned Unit Development (Section 304) as a Conditional Use in all residential districts. Section 304 (see below items 9 and 10 on pages 17

through 21) permits the Commission to authorize, as a Conditional Use, a Planned Unit Development (PUD). The applicant is requesting modification from Planning Code standards under Section 304, the PUD process, for residential density requirements (Section 209.1).

The Project would maintain the existing post-secondary educational institution use and provide new on-campus student housing. USF is the City's oldest University, founded more than 150 years ago. Within the RH-2 District, residential uses, including student housing, are principally permitted, while institutional uses, such as USF, require a CU authorization from the Commission.

CU authorization for a PUD modification is required for the dwelling unit density proposed for the student residence hall, which would exceed the conditionally permitted density of one dwelling unit per 1,500 square feet of lot area under Section 209.1. Additional dwelling unit density may be permitted by the Commission as a PUD modification under Section 304 if the proposed dwelling unit density would be less than the density allowed in the next higher level residential district. In this case, the applicable residential zoning district would be the RH-3 (Residential, House, Three-Family) District. In the RH-3 District, one dwelling unit per 1,000 square feet of lot area is conditionally permitted under Section 209.1. Accordingly, 155 dwelling units may be allowed through the PUD process based on a proposed lot area of approximately 155,514 square feet (Case No. 2015-00058SUB). This additional density would allow for the provision of much-needed student housing on the USF campus, which would in turn help alleviate pressure on the City's housing stock. As such, the proposal is seeking a PUD modification through the CU authorization process pursuant to Section 304 relating to dwelling unit density. Findings under Section 304 are set forth below.

Post-secondary educational institutions and programs and services affiliated with the institutions, such as the USF academic space within the new student residence hall, the dining commons addition, the recycling and waste facility, and the ROTC program addition, taken together, also require CU authorization from the Commission per Section 209.1.

- B. **Height and Bulk.** Planning Code Section 250 established height and bulk districts. Planning Code Sections 102 and 260 state that the data point used to calculate height is to be taken at curb level and at every other cross-section of the building. Planning Code Section 304 allows minor deviations from the provisions for measurement of height in Section 260 through the PUD process. The applicant is requesting modification from Planning Code standards under Section 304, the PUD process, for height measurement requirements (Section 260).

The Project site is located within a 40-X Height and Bulk District. This district allows a maximum building height of 40 feet, as measured per Section 260, and has no bulk limit per Section 250. The prescribed method of height measurement for an up-sloping lot is defined by Section 260. This measurement is taken by averaging the ground elevations at either side of the building or building step and using this average elevations at every other cross-section of the building and then taking points at right angles to the centerline of the building for the measurement of height. The general method of height measurement under Section 260 is not variable; however, PUD modification may be sought for certain provisions under Section 260(a)(3), which applies when the ground slopes laterally on a lot that also slopes upward from the street.

The proposed student residence hall would be 40 feet tall as measured per Section 260, including a minor deviation from the provisions for height measurement on lateral slopes. Section 260(a)(3) states that in cases where the height limit is 65 feet or less and a street from which height measurements are made slopes laterally along the lot, or the ground slopes laterally on a lot that also slopes upward from the street, there shall be a maximum width for the portion of the building or structure that may be measured from a single point at curb or ground level. Table 260 in Section 260(a)(3) states that, where the average slope of ground from which height is measured, as applicable here, is more than 5% but less than 15%, the maximum width for portion of building that may be measured from a single point is 65 feet. The proposed West Building of the residence hall has a width dimension of approximately 160 feet at an average slope of 11.8%. A portion of the West Building height measurement complies with the 65-foot maximum lateral dimension; however, the remaining 95-foot portion of the building does not meet the 65-foot requirement. If literal adherence were required, the West Building would need to be redesigned, which would in turn reduce the number of student beds. As such, the proposal is seeking a PUD modification through the CU authorization process pursuant to Section 304 relating to how height is measured on a Project site where the ground slopes laterally on a lot that also slopes upward from the street. Findings under Section 304 are set forth below.

The maximum building height of the 20-foot ornamental tower in the West Building would be approximately 60 feet to the top of the roof, which is exempt from the measurement of building height under Section 260.

The proposed dining commons would be at maximum 40 feet tall measured from the average slope of the ground to the average height of the rise for a pitched roof. The proposed recycling and waste facility would be approximately 37 feet tall measured from the average slope of the ground to the average height of the rise for a pitched roof. The proposed ROTC program addition would be approximately 39 feet tall as measured from the ground level to the top of the flat roof of the Koret Health and Recreation Center building.

- C. **Front Setback.** Planning Code Section 132 states that in RH-2 Zoning Districts the front setback is not required to be greater than 15 feet.

The proposed student residence hall Project is set back approximately 200 to 250 feet from Turk Street. The dining commons, the recycling and waste facility are both located internally within the Upper Campus. The ROTC addition is situated in the existing Koret Health and Recreation Center building. The Project therefore complies with Section 132.

- D. **Rear Yard.** Planning Code Section 134(a)(2) requires that in RH-2 Districts a 45% rear yard be provided. For the proposed student residence hall, an approximately 157-foot deep rear yard from the rear lot line (of the proposed lot subdivision) would need to be provided. Planning Code Section 304 allows modification from Code requirements through the PUD process. The applicant is requesting modification from Planning Code standards under Section 304, the PUD process, for rear yard requirements (Section 134).

The proposed student residence hall does not meet the 45% rear yard depth since the East and West buildings' setbacks are reduced to 10% and 19% respectively. The Project is required to provide a rear

yard of approximately 70,000 square feet in area. The Project proposes to provide open spaces totaling approximately 76,000 square feet. These open spaces would include interior courtyards (16,000 square feet), the interior paseo (17,000 square feet), and other open space areas along the sides of the buildings, including landscaped areas (43,000 square feet), for a total of approximately 76,000 square feet of open space. While the student residence hall would not strictly comply with the applicable 45% lot depth requirement, the Project is proposing more open space than would be provided by the 45% rear yard requirement. As such, the proposal is seeking a PUD modification through the Conditional Use authorization process pursuant to Section 304 relating to rear yard setback requirements. Findings under Section 304 are set forth below.

- E. **Open Space.** Planning Code Section 135 requires 166 square feet of common usable open space or 125 square feet of private usable open space per dwelling unit.

The proposed student residence hall will provide common usable open space for 155 units through a combination of courtyards and a shared paseo between the two residential buildings, totaling approximately 26,400 square feet of Code-compliant common usable open space. The Code requires approximately 25,800 square feet of common usable open space be provided.

- F. **Better Streets Plan.** Planning Code Section 138.1 establishes requirements for the improvement of the public right-of-way associated with development projects, such that the public right-of-way may be safe, accessible, convenient and attractive to pedestrian use and travel by all modes of transportation.

The Project site is located within an established pedestrian network with continuous sidewalks, curb-ramps, and painted crosswalks at most area intersections. The Project proposes streetscape elements along Turk Street as part of a streetscape plan designed by the Project's landscape architect. Features include street trees and a planted park strip, the details of which will be refined during the Site or Building Permit process.

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

The proposed student residence hall, dining commons, and the recycling and waste facility located on the Upper Campus would include 456 feet of property frontage along Turk Street. A total of 23 street trees would be required (one street tree for every 20 linear feet of frontage). Because there are three existing street trees along Turk Street, 20 net new street trees would be required. The landscape architect for the Project has determined that nine out of the 20 net new required street trees could be located along Turk Street. Not all required trees can be accommodated due to tree spacing requirements and existing utilities and street uses (water meters, Muni poles, street lights, crosswalks, and a bus stop). Public Works Code section 806(d)(4), administered by the Bureau of Urban Forestry

within the Department of Public Works, provides a waiver option for the street tree requirement under these circumstances. If a waiver is obtained, USF would pay an in-lieu fee for the 11 street trees not provided. The ROTC program relocation addition located at the Koret Health and Recreation Center includes 35 feet of property frontage along Stanyan Street. There are two existing street trees on Stanyan Street. Construction would not remove the existing street trees.

- H. **Standards for Bird-Safe Buildings.** Planning Code Section 139 establishes the Bird-Safe Standards for new building construction to reduce bird mortality from circumstances that are known to pose a high risk to birds and are considered to be "bird hazards." The two circumstances regulated by this Section are (1) location-related hazards, where the siting of a structure creates increased risk to birds, and (2) feature-related hazards, which may create increased risk to birds regardless of where the structure is located. Location-related hazards are created by structures that are located inside of, or within a clear flight path of less than 300 feet from an Urban Bird Refuge. The subject property is within 300 feet of the Panhandle open space. The buildings must be treated according to the standards established in the code provisions and the Department's adopted Standards for Bird-Safe Buildings. Bird-Safe Glazing Treatment is required such that the Bird Collision Zone – meaning the portion of building façade beginning at grade and extending upwards for 60 feet or glass facades directly adjacent to landscaped roofs two acres or larger and extending upwards 60 feet from the level of the subject roof – facing the Urban Bird Refuge consists of no more than 10% untreated glazing.

The proposed student residence hall is exempt from the standards for bird-safe buildings because it is less than 45 feet in height and has an exposed façade of less than 50% glass (40% is proposed). Treatments of glass facades would apply to non-residential buildings, such as the dining commons addition and the ROTC addition.

- I. **Dwelling Unit Exposure.** Planning Code Section 140 requires that all dwelling-unit face a public street or side yard at least 25 feet in width, a required rear yard, or an open area of 25 feet in width.

The proposed student residence hall Project meets this requirement.

- J. **Off-Street Parking.** Planning Code Section 151 requires one off-street parking space for each dwelling unit, and one space for each two classrooms proposed for a post-secondary educational institution. Planning Code Section 150 allows replacing vehicle parking spaces with bicycle parking spaces.

The required off-street parking for the Project would be 155 spaces for the new dwelling units and one space for the proposed two classrooms in the new student residence hall.

Section 150(e) allows off-street parking spaces be replaced by bicycle parking spaces. For the dwelling units occupied by students, the proposal is to replace the required 155 vehicle parking spaces with 171 Class 1 bicycle parking spaces for the students. USF provides all full-time undergraduates a MUNI

pass every year. For this reason, USF's parking policy prohibits students living in campus residence halls from bringing vehicles to campus.

Because the proposed student residence hall would remove 78 existing surface parking spaces, the proposal is to provide 156 off-street parking spaces located in two garages in the new student residence hall, for a total of approximately 78 net new parking spaces. These parking spaces in the student residence hall's underground garage would only be available to faculty and staff in order to minimize the demand for on-campus and neighborhood parking.

- K. Off-Street Freight Loading.** Planning Code Section 152 requires two freight loading space for the residential and institutional uses where the occupied floor area of structure or use is over 200,001 square feet but less than 500,000 square feet in newly constructed structures. The Project is seeking a PUD modification pursuant to Section 304; findings for which are set forth below.

The institutional components of the Project (dining commons, ROTC, recycling and waste facility, and the USF program space (two classrooms) in the new student residence hall) would total approximately 9,250 net new square feet of occupied floor area. The new student residence hall would total approximately 232,600 square feet, not including the USF program space. Taken together, the Project would total approximately 242,000 square feet, requiring that two off-street freight loading spaces be provided.

The two required off-street freight loading spaces would be provided; however, Section 155(a) requires that off-street freight loading spaces be on the same lot as the use served. The proposed two loading spaces would technically be on a separate lot once a new lot is created for the student residence hall. The loading spaces would be provided on the north side of Lone Mountain Drive, interior to the Upper Campus and within close proximity to the garage entrances and paseo walkway at the proposed student residence hall. As such, the proposal is seeking a PUD modification through the CU authorization process pursuant to Section 304 relating to off-street freight loading requirements. Findings under Section 304 are set forth below.

- L. Handicapped Parking.** Planning Code Section 155(i) requires one handicapped parking space for each 25 off-street parking spaces provided.

The Project proposes a total of 156 off-street parking spaces. The required handicapped parking would be six spaces. Six spaces are proposed for the Project.

- M. Bicycle Parking - Class 1.** Planning Section 155.2 requires one Class 1 space for every Dwelling Unit. For buildings containing more than 100 Dwelling Units, 100 Class 1 spaces plus one Class 1 space for every four Dwelling Units over 100. Dwelling Units that are also considered Student Housing shall provide 50% more spaces than would otherwise be required. For institutional uses, one Class 1 space for every 20,000 square feet of occupied floor area. All bicycle parking must meet the standards set forth under Section 155.1.

The proposed student residence hall would be required to provide 171 Class 1 bicycle parking spaces for the proposed 155 dwelling units. Since the proposed institutional use is less than 20,000 square feet of occupied floor area (9,250 net new square feet proposed), Class 1 bicycle parking spaces are not required. The Class 1 bicycle parking spaces for the student residence hall would be located in a secure storage area located in the East Building (93 spaces) accessible by a bike ramp next to the garage entrance and in another area in the West Building (78 spaces).

- N. **Bicycle Parking - Class 2.** Planning Code Section 155.2 requires one per 20 dwelling units. Dwelling units that are also considered Student Housing shall provide 50% more spaces than would otherwise be required. For institutional uses, minimum two spaces are required and one Class 2 space for every 10,000 square feet of occupied floor area. All bicycle parking must meet the standards set forth under Section 155.1.

The proposed student residence hall would be required to provide 12 Class 2 bicycle parking spaces for the proposed 155 dwelling units. Since the proposed institutional use is less than 10,000 square feet of occupied floor area (9,250 net new square feet proposed), only two Class 2 bicycle parking spaces would be required. While 14 Class 2 bicycle parking spaces are required, the Project will provide a total of 23 Class 2 bicycle parking spaces. The Class 2 bicycle parking spaces would be provided in the central paseo between the East Building and the West Building.

- O. **Car-Share Parking Spaces.** Planning Code Section 166 requires one car sharing space in newly constructed buildings with 50 to 200 dwelling units.

The proposed student residence hall containing 155 dwelling units is required to provide one on-site car sharing space, which would be provided.

- P. **Institutional Master Plan.** Planning Code Section 304.5 requires post-secondary institutions and medical institutions to file an Institutional Master Plan (IMP) every 10 years detailing current facilities and operations, and outlining development plans and other information. An IMP needs to be on file with the Department prior to the issuance of any building permit in connection with the creation of a student housing project as described in Section 415.3(f)(5). Additionally, the Mayor's Office of Housing and Community Development (MOHCD) is authorized to monitor this housing program whereby MOHCD would develop a monitoring form and annual monitoring fee to be paid by the owner of the real property or the educational institution as well as other annual reporting as required in Section 415.3(f)(5). The purpose of the IMP is to provide this information to the Planning Commission and the public and receive comments at a public hearing. This enables the institution to modify its master plan before seeking entitlements for any development projects. The IMP is an informational document only; it does not approve or authorize development projects referenced in the IMP.

The proposed Project is consistent with the IMP that is on file with the Department. USF submitted its IMP to the Department in August, 2013. It was accepted by the Commission at its regularly scheduled public hearing on March 13, 2014. The proposed Project components are described in the IMP.

- Q. **Inclusionary Affordable Housing Program.** Planning Code Section 415 sets forth the requirements and procedures for the Inclusionary Affordable Housing Program.

As currently proposed, the Project will be 100% student housing, meeting the project criteria set forth under Section 415.3(f)(5). 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. The Project Sponsor must submit an 'Affidavit of Compliance with the Inclusionary Affordable Housing Program: Planning Code Section 415,' to the Planning Department stating that the Project is exempt from the requirements of Planning Code Section 415 because it is a 100% student housing Project.

- R. **Child Care and Transportation Sustainability Impact Fees.** Sections 411 and 414 authorize the imposition of certain development impact fees on new development projects to offset impacts on the transit system. Land use categories for all impact fees are defined in Section 401.

The Project Sponsor will comply with the requirements of this section prior to the issuance of the first construction document.

- S. **Transportation Demand Management (TDM) Plan.** Pursuant to Planning Code Section 169 and the TDM Program Standards, the Project is required to finalize a TDM Plan prior to Planning Department approval of the first Building Permit or Site Permit. Projects with a completed Environmental Evaluation Application prior to September 4, 2016, must only achieve 50% of the point target established in the TDM Program Standards.

The Project submitted a completed Environmental Evaluation Application on August 28, 2015. Therefore, the Project must only achieve 50% of the point target established in the TDM Program Standards, resulting in a required target of 14 points. As currently proposed, the Project will achieve 23 points through the following TDM measures:

- *"Last Mile" Shuttle service via Chariot*
- *Discounted MUNI passes for students*
- *Zimride - car pooling ride match*
- *Commuter subsidy for faculty and staff*
- *Guaranteed Ride Home for commuters who use public transit*
- *Expanded TDM marketing effort via campus webpages*
- *Car Sharing*
- *Bicycle Parking*

- T. **Signage.** Any proposed signage will be subject to the review and approval of the Planning Department pursuant to Article 6 of the Planning Code.

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

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

The Project is necessary and desirable for and compatible with the neighborhood and community. The 600 new student housing beds proposed as part of the student residence hall component of the Project would provide needed housing for students on campus, which would in turn help relieve pressure on the City's strained rental housing stock, including family-sized units that are often shared by students. The Project is also an important element in the pursuit of USF's mission to promote learning in the Jesuit Catholic tradition by offering students a demanding, integrated and holistic education. The integration of academic support and student life is a high priority for USF and is achieved in large part through the programs offered through student housing.

The dining commons component would further promote this integrated experience by allowing students to stay on Upper Campus for meals and interact with fellow students and faculty members. The dining commons would also reduce the number of student and faculty trips through the neighborhood between Upper and Lower Campus.

The recycling and waste facility relocation is necessary to accommodate the proposed student residence hall. Relocation of the facility from its current unenclosed location immediately adjacent to Ewing Terrace to an enclosed interior campus location is desirable in that it would allow for an improved modern facility in a location that would benefit USF's neighbors.

The ROTC relocation is necessary to accommodate the proposed student residence hall. The proposed relocation to a space created by a minor addition to an existing building on the USF campus would help minimize the impact on USF and its neighbors.

The Project in its entirety has been designed to be compatible with the character and scale of the neighborhood, including the surrounding campus buildings. For the student residence hall, building mass has been reduced by breaking up the Project into two components: the East Building and the West Building, which are in turn comprised of visually distinct components ranging from two to four stories. The proposed scale is consistent with the scale of the Upper Campus, the surrounding neighborhood, and the existing 40-foot height district. The student residence hall buildings would step down the slope, fitting within the land form and offering an articulated façade, in keeping with the massing of residential buildings across Turk Street. The aesthetic style of the Student Residence Hall buildings would complement the southern European style of the other Upper Campus buildings. USF has worked closely with Page & Turnbull and the Department's historic preservation staff to ensure that the student residence hall buildings would also be distinguishable from yet compatible with the historic buildings on the Upper Campus. The dining commons building and recycling and waste facilities would also complement the other buildings on Upper Campus. The ROTC program relocation would be compatible with the character and scale of the surrounding neighborhood, as a minor addition to the existing Koret Health and Recreation Center.

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

that could be detrimental to the health, safety or convenience of those residing or working the area, in that:

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

The Project would not be detrimental to the public's health, safety, convenience or general welfare or otherwise injurious. The Project would maintain the existing post-secondary educational institution use and provide much needed student housing. USF is the City's oldest University, founded more than 150 years ago.

The student residence hall would be appropriately sited on the Underhill site on the Upper Campus (on the slope east of the Rossi Wing), which has been identified for new development in USF's IMP since 1993. The site roughly covers the area currently occupied by the non-historic Underhill building (one-story, 8-foot tall), a surface parking lot, and two tennis courts. Placing the student residence hall on this sloped site would allow for a building design that would be subservient to the historic buildings on the Upper Campus. The design of the student residence hall has been broken down into two visually distinct components: the East Building and the West Building, which range from two to four stories. The proposed scale is consistent with the scale of the Upper Campus, the surrounding neighborhood and the existing 40-foot height district.

The dining commons addition would be appropriately located on an underutilized portion of the Upper Campus adjacent to the existing Wolfe & Kettle Café on the northern (back) side of the Lone Mountain Main Building. A dining facility on the Upper Campus would eliminate the need for new residents of the student residence hall to travel to Lower Campus for dining services.

The recycling and waste facility would be appropriately located in the northwest quadrant of the Upper Campus approximately 250 feet away from off-campus neighbors on the other side of Anza Street. The recycling and waste facility has similar design characteristics to the surrounding campus buildings and is placed along an existing private road viaduct to facilitate easy truck access.

The ROTC addition would appropriately utilize an existing void in the existing footprint of the Koret Health and Recreation Center building and would be accessed from the interior of campus only.

- 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;

All Project components are intended to serve existing students and faculty and are not expected to increase the number of individuals accessing the campus, with the exception of a small number of additional food service staff that would work at the dining commons as compared to the existing Wolfe and Kettle Café. According to the Project Sponsor, overall, the Project is expected to reduce the total number of trips to campus as the students that would be living on-campus once the Project is constructed would have otherwise lived in other areas of the City, and would therefore

have arrived to campus via car, public transit or other means. This shift is expected to reduce impacts on the surrounding roadway and transit lines.

The existing one-way, clockwise driveway (Lone Mountain Drive) currently serving the Upper Campus would provide principal access to the student residence hall and dining commons components of the Project. Lone Mountain Drive is accessible from Turk Street. The existing service driveway providing access to the current waste facility adjacent to Ewing Terrace would be removed, and access to the proposed recycling and waste facility would be from the existing viaduct road off of Lo Schiavo Drive (an interior private campus road), accessible from Parker Avenue and Anza Street.

The Project would replace the existing 78 surface parking spaces on the Project site with approximately 156 parking spaces in an underground garage for faculty and staff, beneath the student residence hall. Based on feedback from the community, the Project Sponsor believes that this increase in off-street parking would help relieve some of the parking demand on neighborhood streets. This parking would not be available to students, consistent with USF's parking policy, which prohibits students living in campus residence halls from bringing vehicles to campus.

Loading for the dining commons would be provided by the existing loading facilities adjacent to the Lone Mountain Main Building, which currently serve the Wolfe and Kettle Café. The two off-street freight loading spaces required for the student residence hall would be provided on the north side of Lone Mountain Drive, interior to the Upper Campus and within close proximity to the garage entrances and paseo walkway at the proposed student residence hall.

The Project will provide 171 Class 1 bicycle parking spaces, and 23 Class 2 bicycle spaces, for a total of 194 bicycle parking spaces. The site is also well-served by public transit with transit stops are located near the site and are within walking distance of the site.

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

The Project is predominantly residential in nature and no materials or activities that result in noxious or offensive emissions, dust or odor would be used or engaged in within the Project. During construction, USF and its contractors would take appropriate precautions to reduce dust, noise and emissions. During construction, the Project Sponsor would take appropriate measures to minimize dust and noise as required by the Building Code and any measures set forth in the Project's CEQA documentation.

The Project would be subject to the conditions of approval for noise related to the garage exhaust fans, mechanical equipment, and the nighttime ambient noise levels as outlined in Exhibit A, Conditions 13 through 16 and 32 through 36.

The Project would also be subject to the condition of approval for odor related to the operation of the dining commons as outlined in Exhibit A, Conditions 17 and 37.

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

The student residence hall would include a total of approximately 32,500 square feet of common usable open space; however, only approximately 26,400 square feet of which would strictly comply with Planning Code horizontal dimensional requirements. The common usable open space would be provided in four internal courtyard spaces, which would create approximately 16,000 square feet of protected open space areas for students. The remaining common usable open space would be provided in the central paseo between the East and the West Buildings. Open space amenities for students could include a bocce court, outdoor fountain, outdoor grill, benches and walking lap/fitness loop. In addition to this open space, the Upper Campus includes multiple acres of existing open space in the form of paths, landscaped and wooded areas.

The waste and recycling areas for the Student Residence Hall would be located in the underground garage. Existing waste and recycling areas would be utilized for the dining commons and the relocated ROTC program.

Off-street parking for the student residence hall would be located in the underground parking garage and would only be available to USF staff and faculty. USF policy prohibits students living on campus from bringing cars to campus.

Loading for the student residence hall would be provided in two designated pull-out spaces adjacent to the existing one-way private driveway in front of the student residence hall. Loading for the dining commons would be provided by the existing loading facilities adjacent to the Lone Mountain Main Building, which currently serve the Wolfe and Kettle Caf .

All proposed lighting and signage would comply with the requirements of the Planning Code.

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

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

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

Not applicable; the proposed Project is in an RH District.

9. **Planning Code Section 304(a)/Planned Unit Development (PUD) Objectives** require that a CU application for a PUD include such pertinent information as may be necessary to a determination that the objectives of Section 304 are met, and that the proposed development warrants the modification of provisions otherwise applicable under the Code. The proposed Project will meet the following PUD objectives under Section 304(a):

- A. The procedures for PUDs are intended for projects on sites of considerable size, developed as integrated units and designed to produce an environment of stable and desirable character which will benefit the occupants, the neighborhood and the City as a whole.

The proposed Project is of a size and scale specifically anticipated by the provisions of Section 304. The Project is seeking PUD modifications for additional dwelling unit density, rear yard requirements, loading and minor deviations from the provisions for lateral height measurement, each of which is described in more detail below.

- B. In cases of outstanding overall design, complementary to the design and values of the surrounding area, such a project may merit a well-reasoned modification of certain provisions contained elsewhere in the Planning Code.

The Project in its entirety has been designed to be compatible with the character and scale of the neighborhood, including the surrounding campus buildings. For the student residence hall, building mass has been reduced by breaking up the Project into two components: the East Building and the West Building, which are in turn comprised of visually distinct components ranging from two to four stories. The proposed scale is consistent with the scale of the Upper Campus, the surrounding neighborhood, and the existing 40-foot height district. The student residence hall buildings would step down the slope, fitting within the land form and offering an articulated façade, in keeping with the massing of residential buildings across Turk Street. The aesthetic style of the student residence hall buildings would complement the southern European style of the other Upper Campus buildings. USF has worked closely with Page & Turnbull and the Department's historic preservation staff to ensure that the student residence hall buildings would also be distinguishable from yet compatible with the historic buildings on the Upper Campus. The dining commons building and recycling and waste facilities would also complement the other buildings on Upper Campus. The ROTC program relocation would be compatible with the character and scale of the surrounding neighborhood, as a minor addition to the existing Koret Health and Recreation Center.

Through this PUD authorization, the Commission approves the following modifications to otherwise applicable provisions of the Planning Code:

1. Dwelling Unit Density – relief from the residential density limit under Section 209.1;

The PUD modification is requested to allow for a dwelling unit density of less than one unit per 1,000 square feet of lot area, which is the dwelling unit density permitted with Conditional Use authorization in the RH-3 zoning district (the zoning district permitting a greater density). The dwelling unit density for the student residence hall would be less than that permitted in the RH-3 zoning district based on a proposed lot area of 155,514 square feet (a new legal parcel would be created for the student residence hall). This additional density would allow for the provision of much-needed student housing on the USF campus, which would in turn help alleviate pressure on the City's housing stock.

2. Rear Yard Setback – relief from the provisions of rear yard requirements for the residential units as required in the RH District under Section 134(a)(2).

The proposed student residence hall does not meet the 45% rear yard depth since the East and West buildings' setbacks are reduced to 10% and 19% respectively. The Project is required to provide a rear yard of approximately 70,000 square feet. The Project proposes to provide open spaces totaling approximately 76,000 square feet. These open spaces would include interior courtyards (16,000 square feet), the interior paseo (17,000 square feet), and other open space areas along the sides of the buildings, including landscaped areas (43,000 square feet), for a total of approximately 76,000 square feet of open space. While the student residence hall would not strictly comply with the applicable 45% lot depth requirement, the Project is proposing more open space than would be required by the 45% rear yard requirement. As such, the proposal is seeking a PUD modification through the Conditional Use authorization process pursuant to Section 304 relating to rear yard setback requirements.

3. Freight Loading Space for Residential Use – relief from the provision that freight loading space must be located on the same lot as the use under Section 155(a);

The two required off-street freight loading spaces would be provided; however, Section 155(a) requires that off-street freight loading spaces to be on the same lot as the use served. The proposed two loading spaces would technically be on a separate lot once a new lot is created for the student residence hall. The loading spaces would be provided on the north side of Lone Mountain Drive, interior to the Upper Campus and within close proximity to the garage entrances and paseo walkway at the proposed student residence hall. As such, the proposal is seeking a PUD modification relating to off-street freight loading requirements.

4. Lateral Height Measurement – relief from the provisions of lateral height measurement requirements for the new student residence hall in the RH District under Section 260(a)(3).

Section 260(a)(3) provides, as applicable here, that where the height limit is 65 feet or less and the ground slopes laterally on a lot that also slopes upward from the street, the maximum width for the portion of the building that may be measured from a single point at curb or ground level is 65 feet. The requested modification would alter the maximum width for that measurement from a width of 65 feet to 95 feet. If literal adherence were required, the West Building would need to be redesigned, which would in turn reduce the number of student beds.

10. **Planning Code Section 304(d) Findings Relating to Planned Unit Developments.** Planning Code Section 304(d) sets forth criteria, which must be met before the Commission may authorize a Conditional Use for a Planned Unit Development. On balance, the Project generally complies with all applicable criteria:

- (1) Affirmatively promote applicable objectives and policies of the General Plan.

Findings for "General Plan Compliance" are discussed below under item 11.

- (2) Provide off-street parking adequate for the occupancy proposed.

The required off-street parking would be 155 spaces for the new dwelling units and one space for the proposed two classrooms in the new student residence hall. The 156 off-street parking spaces would be provided in the below-ground garage at the proposed student residence hall.

Section 150(e) allows off-street parking spaces be replaced by bicycle parking spaces. For the dwelling units occupied by students, the proposal is to replace the required 155 vehicle parking spaces with 171 Class 1 bicycle parking spaces for the students. USF provides all full-time undergraduates a MUNI pass every year. For this reason, USF's parking policy prohibits students living in campus residence halls from bringing vehicles to campus.

Because the proposed student residence hall would remove 78 existing surface parking spaces, the proposal is to provide 156 off-street parking spaces located in two garages in the new student residence hall, for a total of approximately 78 net new parking spaces. These parking spaces in the student residence hall's underground garage would only be available to faculty and staff in order to minimize the demand for on-campus and neighborhood parking.

- (3) Provide open space usable by the occupants and, where appropriate, by the general public, at least equal to the open space required by the Planning Code;

The proposed student residence hall will provide common usable open space for 155 units through a combination of courtyards and a shared paseo between the two residential buildings, totaling approximately 26,400 square feet of Code-compliant common usable open space. The Code requires approximately 25,800 square feet of common usable open space to be provided.

- (4) Be limited in dwelling unit density to less than the density that would be allowed by Article 2 of this Code for a district permitting a greater density, so that the PUD will not be substantially equivalent to a reclassification of property;

CU authorization for a PUD modification is required for the dwelling unit density proposed for the student residence hall, which would exceed the conditionally permitted density of one dwelling unit per 1,500 square feet of lot area under Section 209.1. Additional dwelling unit density may be permitted by the Commission as a PUD modification under Section 304 if the proposed dwelling unit density would be less than the density allowed in the next higher level residential district. In this case, the applicable residential zoning district would be the RH-3 (Residential, House, Three-Family) District. In the RH-3 District, one dwelling unit per 1,000 square feet of lot area is conditionally permitted under Section 209.1. Accordingly, 155 dwelling units may be allowed through the PUD process based on a proposed lot area of approximately 155,514 square feet (Case No. 2015-00058SUB). This additional density would allow for the provision of much-needed student housing on the USF campus, which would in turn help alleviate pressure on the City's housing stock.

- (5) In R Districts, include commercial uses only to the extent that such uses are necessary to serve residents of the immediate vicinity, subject to the limitations for NC-1 Districts under this Code, and in RTO Districts include commercial uses only according to the provisions of Section 231 of this Code;

No commercial uses are proposed as part of the Project. The dining commons would be accessory to the post-secondary educational institutional use.

- (6) Under no circumstances be excepted from any height limit established by Article 2.5 of this Code, unless such exception is explicitly authorized by the terms of this Code. In the absence of such an explicit authorization, exceptions from the provisions of this Code with respect to height shall be confined to minor deviations from the provisions for measurement of height in Sections 260 and 261 of this Code, and no such deviation shall depart from the purposes or intent of those sections;

The proposed student residence hall would be 40 feet tall as measured per Section 260, including a minor deviation from the provisions for height measurement on lateral slopes. Section 260(a)(3) states that in cases where the height limit is 65 feet or less and a street from which height measurements are made slopes laterally along the lot, or the ground slopes laterally on a lot that also slopes upward from the street, there shall be a maximum width for the portion of the building or structure that may be measured from a single point at curb or ground level. Table 260 in Section 260(a)(3) states that, where the average lope of ground from which height is measured is more than 5% but less than 15%, the maximum width for the portion of building that may be measured from a single point is 65 feet. The proposed West Building of the student residence hall has a width dimension of approximately 160 feet at an average slope of 11.8%. A portion of the West Building height measurement complies with the 65-foot maximum lateral dimension; however, the remaining 95-foot portion of the building does not meet the 65-foot requirement. If literal adherence were required, the West Building would need to be redesigned, which would in turn reduce the number of student beds.

- (7) In NC Districts, be limited in gross floor area to that allowed under the floor area ratio limit permitted for the district in Section 124 and Article 7 of this Code.

Not applicable, the Project is not located in an NC District.

- (8) In NC Districts, not violate the use limitations by story set forth in Article 7 of this Code;

Not applicable, the Project is not located in an NC District.

- (9) In RTO and NC Districts, include the extension of adjacent alleys or streets onto or through the site, and/or the creation of new publicly-accessible streets or alleys through the site as appropriate, in order to break down the scale of the site, continue the surrounding existing pattern of block size, streets and alleys, and foster beneficial pedestrian and vehicular circulation;

Not applicable, the Project is not located in an RTO or an NC District.

- (10) Provide street trees as per the requirement of Section 138.1 of the Code;

The proposed student residence hall, dining commons, and the recycling and waste facility located on the Upper Campus would include 456 feet of property frontage along Turk Street. A total of 23 street

trees would be required (one street tree for every 20 linear feet of frontage). Because there are three existing street trees along Turk Street, 20 net new street trees would be required. The landscape architect for the Project has determined that nine out of the 20 net new required street trees could be located along Turk Street. Not all required trees can be accommodated due to tree spacing requirements and existing utilities and street uses (water meters, Muni poles, street lights, crosswalks, and a bus stop). Public Works Code section 806(d)(4), administered by the Bureau of Urban Forestry within the Department of Public Works, provides a waiver option for the street tree requirement under these circumstances. If a waiver is obtained, USF would pay an in-lieu fee for the 11 street trees not provided. The ROTC program relocation addition located at the Koret Health and Recreation Center includes 35 feet of property frontage along Stanyan Street. There are two existing street trees on Stanyan Street. Construction would not remove the existing street trees.

- (11) Provide landscaping and permeable surfaces in any required setbacks in accordance with Section 132 (g) and (h).

The proposed student residence hall project is set back approximately 200 to 250 feet from Turk Street. The dining commons, the recycling and waste facility are both located internally within the Hilltop Campus. The ROTC addition is situated in the existing Koret Health and Recreation Center building. The Project complies with Section 132.

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

HOUSING ELEMENT

Objectives and Policies

OBJECTIVE 1:

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

Policy 1.9:

Require new commercial developments and higher educational institutions to meet the housing demand they generate, particularly the need for affordable housing for lower income workers and students.

The proposed student residence hall would add new student housing on-site, totaling approximately 600 new student beds provided in 155 dwelling units. The Project would help meet the citywide demand for more student housing and reduce pressure on the City's rental housing stock. This would be especially beneficial in alleviating pressure on family-sized rental units, which students often share.

Policy 1.10:

Support new housing projects, especially affordable housing, where households can easily rely on public transportation, walking and bicycling for the majority of daily trips.

Approximately 200 new bicycle parking spaces would be provided as part of the Project, which would encourage bicycle use. The related dining commons component of the Project would strengthen USF's pedestrian-oriented environment by providing additional dining options on campus for students, faculty and staff within walking distance of both existing USF facilities and the proposed student residence hall.

COMMERCE AND INDUSTRY ELEMENT

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 which has substantial undesirable consequences that cannot be mitigated.

The new student residence hall would provide substantial net benefits, including the provision of much-needed on-campus student housing, which would in turn reduce pressure on the City's rental housing stock, particularly family-sized units, which students often share. The additional on-campus student housing would also improve USF's ability to compete with similar institutions that provide a higher ratio of student housing.

The related dining commons component of the Project would provide additional dining options for students, faculty and staff, including students living in the proposed student residence hall, in a convenient location on the interior of the USF campus. The relocation of the ROTC program would create a state-of-the-art facility for the ROTC. The recycling and waste facility component of the Project would replace the existing outdoor unenclosed facility to the interior of the Upper Campus.

OBJECTIVE 7:

ENHANCE SAN FRANCISCO'S POSITION AS A NATIONAL AND REGIONAL CENTER FOR GOVERNMENTAL, HEALTH, AND EDUCATIONAL SERVICES.

Policy 7.2:

Encourage the extension of needed health and educational services, but manage expansion to avoid or minimize disruption of adjacent residential areas.

Policy 7.3:

Promote the provision of adequate health and educational services to all geographic districts and cultural groups in the city.

The Project would promote the provision of adequate educational services in the City. The new student residence hall and related Project components would help ensure that USF remains competitive and viable

over the long-term and thus able to continue to provide educational services to all geographic districts and cultural groups in the City.

COMMUNITY FACILITIES ELEMENT

Objectives and Policies

OBJECTIVE 9:

ASSURE THAT INSTITUTIONAL USES ARE LOCATED IN A MANNER THAT WILL ENHANCE THEIR EFFICIENT AND EFFECTIVE USE.

Policy 9.1:

Locate institutional uses according to the Institutional Facilities Plan.

USF is represented on the Institutional Facilities Plan of the General Plan and the proposed Project is within the boundaries of USF as indicated on the Plan.

URBAN DESIGN ELEMENT

Objectives and Policies

OBJECTIVE 2:

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

Policy 2.6:

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

The new student residence hall and related Project components have been designed, in consultation with Page & Turnbull, to be compatible with yet distinguishable from nearby historic buildings, pursuant to the Secretary of the Interior's Standards.

Specifically, the student residence hall has been designed to be compatible with the character and scale of the neighborhood, including the surrounding Upper Campus buildings. Building mass has been reduced by breaking up the student residence hall into two components: the East and West buildings, which are in turn comprised of visually distinct components, ranging from two to four stories in height. That scale is consistent with the scale of the Upper Campus and surrounding neighborhood, and the existing 40-foot height limit. The new buildings would step down the slope, fitting within the land form and offering an articulated façade, in keeping with the massing of residential buildings across Turk Street. The aesthetic style of the buildings would complement the southern European style of the other Upper Campus buildings.

The dining commons addition and recycling and waste facility would also be compatible with yet distinguishable from nearby historic buildings through their simplistic design. The ROTC component would involve a minor addition to the existing non-historic Koret Health and Recreation Center located on Stanyan Street.

OBJECTIVE 3:

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

Policy 3.1:

Promote harmony in the visual relationships and transitions between new and older buildings

Policy 3.3:

Promote efforts to achieve high quality of design for buildings to be constructed at prominent locations.

Policy 3.5:

Relate the height of buildings to important attributes of the city pattern and to the height and character of existing development

Policy 3.7:

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

The Project would promote harmony in the visual relationships and transitions between new and older buildings and relate to the height and character of nearby existing buildings.

OBJECTIVE 4:

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

Policy 4.12:

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

The student residence hall would include approximately 75,000 square feet of open areas comprised of interior courtyards (16,000 square feet), the interior paseo (16,600 square feet) and other open space areas along the sides of the buildings, including landscaped areas (43,000 square feet). A landscaped area would be provided adjacent to Ewing Terrace, serving as a buffer between the student residence hall and Ewing Terrace.

The Project would provide 20 net new street trees along Turk Street and pay an in-lieu fee for eleven street trees not provided due to tree spacing requirements and existing utilities and street uses (i.e., water meters, MUNI poles, street lights, crosswalks, and a bus stop).

TRANSPORTATION ELEMENT

Objectives and Policies

OBJECTIVE 1:

MEET THE NEEDS OF ALL RESIDENTS AND VISITORS FOR SAFE, CONVENIENT AND INEXPENSIVE TRAVEL WITHIN SAN FRANCISCO AND BETWEEN THE CITY AND OTHER

PARTS OF THE REGION WHILE MAINTAINING THE HIGH QUALITY LIVING ENVIRONMENT OF THE BAY AREA.

Policy 1.3:

Give priority to public transit and other alternatives to the private automobile as the means of meeting San Francisco's transportation needs, particularly those of commuters.

According to the Project Sponsor, the on-campus student housing proposed as part of the Project is expected to reduce total trips to campus made by students who would otherwise commute to campus from elsewhere in the City. The proposal is expected to reduce private automobile use and encourage bicycling and walking, in part because of USF's policy prohibiting on-campus parking for on-campus students. The Project would also provide approximately 200 new on-campus bicycle parking spaces (171 Class 1 and at least 29 Class 2 spaces), which would encourage bicycle use.

OBJECTIVE 2:

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

Policy 2.2:

Reduce pollution, noise and energy consumption.

The Project is expected to reduce private automobile use and encourage bicycling and walking, which would in turn reduce pollution, noise and energy consumption. USF's parking policy prohibits students living in campus residence halls from bringing vehicles to campus and USF provides all full-time undergraduates a MUNI pass every year.

OBJECTIVE 30:

PROVIDE SECURE AND CONVENIENT PARKING FACILITIES FOR BICYCLES.

Policy 30.3:

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

The bicycle parking facilities proposed as part of the Project would be safe, secure and conveniently located. Approximately 200 new on-campus bicycle parking space (171 Class 1 and at least 29 Class 2 spaces) would be provided. The Class 1 spaces would be located in a secured underground parking garage in the student residence hall buildings. Twenty three of the Class 2 spaces would be located in the paseo between the student residence hall buildings and six to ten would be located at the Lone Mountain Main building near the dining commons.

ENVIRONMENTAL PROTECTION ELEMENT

Objectives and Policies

OBJECTIVE 13:

ENHANCE THE ENERGY EFFICIENCY OF HOUSING IN SAN FRANCISCO.

Policy 13.3:

Expand the environmental review process to encourage the use of additional measures to save energy in new housing.

The Project would include installation of a natural gas powered microturbine cogeneration facility in the underground garage at the student residence hall. This facility would provide supplemental electrical power and a source for heating water for the student residence hall, thereby reducing the Project's carbon footprint.

OBJECTIVE 15:

INCREASE THE ENERGY EFFICIENCY OF TRANSPORTATION AND ENCOURAGE LAND USE PATTERNS AND METHODS OF TRANSPORTATION WHICH USE LESS ENERGY.

Policy 15.1:

Increase the use of transportation alternatives to the automobile.

Policy 15.3:

Encourage an urban design pattern that will minimize travel requirements among working, shopping, recreation, school and childcare areas.

The Project is expected to reduce private automobile use and encourage bicycling and walking. The proposed dining commons component of the Project would strengthen USF's pedestrian-oriented environment by providing additional dining options on campus for students, faculty and staff within walking distance of both existing USF facilities and the proposed Student Residence Hall.

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

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

The Project would not displace any existing neighborhood-serving retail businesses. The Project, with its proposed 606-bed student residence hall, would help support nearby neighborhood-serving retail businesses.

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

No existing housing would be removed as part of the Project. The proposed new student residence hall would add 155 dwelling units (totaling 606 beds) to the City's housing stock. The new student residence hall would provide needed housing for students on campus, which would in turn help relieve pressure on the City's strained rental housing stock, including family-sized units that are often shared by students.

The Project in its entirety would be designed to be compatible with the character and scale of the neighborhood. The building mass of the student residence hall has been reduced by breaking up the Project into two components: the East Building and the West Building, which are in turn comprised of visually distinct components ranging from two to four stories. The student residence hall buildings would step down the slope, fitting within the land form and offering an articulated façade, in keeping with the massing of residential buildings across Turk Street. The aesthetic style of the student residence hall buildings would complement the southern European style of the other Upper Campus buildings. USF has worked closely with Page & Turnbull and Department staff to ensure that the student residence hall buildings would be distinguishable from yet compatible with the historic buildings on the Upper Campus.

The dining commons addition and the recycling and waste facility would be located on the interior of the Upper Campus and would also complement the existing buildings on the Upper Campus through their simplistic design.

The proposed ROTC addition would construct a second floor on a section of low roof between the existing Koret Health and Recreation Center and the Hagan Gymnasium. The proposed addition would be comparable to the height of the existing Hagan Gymnasium and would not affect neighborhood character.

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

The Project would not remove any existing affordable housing units. The new student residence hall would increase the availability of student housing for USF students. The proposal would enhance the City's housing stock by relieving some pressure on family-sized and lower-income housing stock in the neighborhood and elsewhere in the City.

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

The transportation study prepared for the Project concluded that the Project will not have any significant effect on the streets, neighborhood parking and MUNI services. Project is intended to serve existing students and faculty and is not expected to measurably increase the number of individuals accessing the campus. The Project would replace the existing 78 surface parking spaces with approximately 156 parking spaces for faculty and staff in an underground garage. This increase in off-street parking would help relieve some of the parking demand on neighborhood streets.

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

The Project will not displace any service or industrial establishment and is not a commercial office development. 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.

The Project could potentially provide additional service sector resident employment opportunities as an estimated 21 new jobs would be created with the establishment of the dining commons.

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

The Project is designed and will be constructed to conform to the structural and seismic safety requirements of the City Building Code.

- G. That landmarks and historic buildings be preserved.

The Project would not result in the removal or alteration of, or otherwise adversely affect, any landmarks or historic structures. While some existing buildings have historic merit, there are no designated landmarks or listed historic structures on the Project site. The Project components have been designed to be compatible with, yet distinguishable, from nearby historic buildings, as identified through the CEQA review process. Department staff has concluded that the Project would not have a significant impact on any historical architectural resources on the Upper Campus and no historical architectural resources have been identified on the applicable portion of the Lower Campus.

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

The Project will not affect sunlight access to any public parks or open space.

13. 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.
14. 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. 2015-000058CUAENVSUBTDM** subject to the following conditions attached hereto as "EXHIBIT A" in general conformance with plans on file, dated March 5, 2018, and labeled "EXHIBIT B", which is incorporated herein by reference as though fully set forth.

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

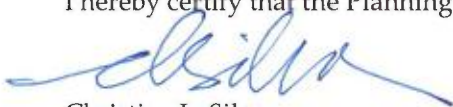
The Planning Commission hereby adopts the MND and the MMRP attached hereto as "EXHIBIT C" and incorporated herein as part of this Resolution/Motion by this reference thereto. All required mitigation measures identified in the IS/MND and contained in the MMRP are included as conditions of approval.

The Planning Commission further finds that since the MND was finalized, there have been no substantial Project changes and no substantial changes in Project circumstances that would require major revisions to the MND due to the involvement of new significant environmental effects or an increase in the severity of previously identified significant impacts, and there is no new information of substantial importance that would change the conclusions set forth in the MND.

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. 20138. The effective date of this Motion shall be the date of this Motion if not appealed (After the 30-day period has expired) OR the date of the decision of the Board of Supervisors if appealed to the Board of Supervisors. For further information, please contact the Board of Supervisors at (415) 554-5184, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102.

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

If the City has not previously given Notice of an earlier discretionary approval of the Project, the Planning Commission's adoption of this Motion, Resolution, Discretionary Review Action or the Zoning Administrator's Variance Decision Letter constitutes the approval or conditional approval of the development and the City hereby gives **NOTICE** that the 90-day protest period under Government Code Section 66020 has begun. If the City has already given Notice that the 90-day approval period has begun for the subject development, then this document does not re-commence the 90-day approval period. I hereby certify that the Planning Commission **ADOPTED** the foregoing Motion on March 15, 2018.



Christine L. Silva
Acting Commission Secretary

AYES: Hillis, Melgar, Fong, Johnson, Koppel, Moore, Richards

NAYS: None

ABSENT: None

ADOPTED: March 15, 2018

EXHIBIT A

AUTHORIZATION

This authorization is for a Conditional Use to allow a Planned Unit Development (PUD) for four Project components, including (i) the construction of a new two- to four-story (up to 40-foot tall), approximately 234,500 square-foot student residence hall, containing 155 dwelling units (totaling 606 beds), 156 off-street parking spaces in the below-ground garage, 194 bicycle parking spaces, USF program space (anticipated to be used for two classrooms), and a natural gas powered microturbine cogeneration facility in the below-ground garage; (ii) expansion and renovation of the existing dining hall facilities on the Upper Campus; (iii) relocation and replacement of the recycling and waste facility to a new location on the interior of the Upper Campus, and (iv) relocation of the Reserve Officer's Training Corps (ROTC) program from the existing one-story building at the Underhill site on the Upper Campus to a one- and two-story addition to the Koret Health and Recreation Center. The Project includes PUD modifications to Planning Code provisions related to the rear yard, off-street freight loading, dwelling unit density, and a minor deviation from the provisions for measurement of lateral height. The Project would also include a lot subdivision of Lot 008 on Block 1107 for the creation of a single parcel at the Underhill site for the new student residence hall separate from the rest of the Upper Campus. The Project site is located at 2500 - 2698 Turk Street and 222 Stanyan Street, Block 1107, Lot 008 and Block 1144, Lot 001B, pursuant to Planning Code Sections 134, 155, 209.1, 260, 303 and 304 in an RH-2 (Residential, House, Two-Family) Zoning District and an 40-X Height and Bulk District; in general conformance with plans, dated March 5, 2018, and labeled "EXHIBIT B" included in the docket for Case No. 2015-000058CUA and subject to conditions of approval reviewed and approved by the Commission on March 15, 2018 under Motion No. 20138. 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 March 15, 2018 under Motion No. 20138.

PRINTING OF CONDITIONS OF APPROVAL ON PLANS

The conditions of approval under the "EXHIBIT A" of this Planning Commission Motion No. 20138 shall be reproduced on the Index Sheet of construction plans submitted with the Site or Building permit application for the Project. The Index Sheet of the construction plans shall reference to the Conditional Use authorization and any subsequent amendments or modifications.

SEVERABILITY

The Project shall comply with all applicable City codes and requirements. If any clause, sentence, section or any part of these conditions of approval is for any reason held to be invalid, such invalidity shall not affect or impair other remaining clauses, sentences, or sections of these conditions. This decision conveys

no right to construct, or to receive a building permit. "Project Sponsor" shall include any subsequent responsible party.

CHANGES AND MODIFICATIONS

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

Conditions of Approval, Compliance, Monitoring, and Reporting PERFORMANCE

1. **Validity.** The authorization and right vested by virtue of this action is valid for three (3) years from the effective date of the Motion. The Department of Building Inspection shall have issued a Building Permit or Site Permit to construct the project and/or commence the approved use within this three-year period.
For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org
2. **Expiration and Renewal.** Should a Building or Site Permit be sought after the three (3) year period has lapsed, the project sponsor must seek a renewal of this Authorization by filing an application for an amendment to the original Authorization or a new application for Authorization. Should the project sponsor decline to so file, and decline to withdraw the permit application, the Commission shall conduct a public hearing in order to consider the revocation of the Authorization. Should the Commission not revoke the Authorization following the closure of the public hearing, the Commission shall determine the extension of time for the continued validity of the Authorization.
For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org
3. **Diligent pursuit.** Once a site or Building Permit has been issued, construction must commence within the timeframe required by the Department of Building Inspection and be continued diligently to completion. Failure to do so shall be grounds for the Commission to consider revoking the approval if more than three (3) years have passed since this Authorization was approved.
For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org
4. **Extension.** All time limits in the preceding three paragraphs may be extended at the discretion of the Zoning Administrator where implementation of the project is delayed by a public agency, an appeal or a legal challenge and only by the length of time for which such public agency, appeal or challenge has caused delay.
For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org
5. **Conformity with Current Law.** No application for Building Permit, Site Permit, or other entitlement shall be approved unless it complies with all applicable provisions of City Codes in effect at the time of such approval.
For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org
6. **Mitigation Measures.** Mitigation measures described in the Mitigation Monitoring and Reporting Program (MMRP) attached as "EXHIBIT C" 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 – COMPLIANCE AT PLAN STAGE

7. **Final Materials.** The Project Sponsor shall continue to work with Planning Department on the building design. Final materials, glazing, color, texture, landscaping, and detailing shall be subject to Department staff review and approval. The architectural addenda shall be reviewed and approved by the Planning Department prior to issuance.

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

8. **Garbage, composting and recycling storage.** Space for the collection and storage of garbage, composting, and recycling shall be provided within enclosed areas on the property and clearly labeled and illustrated on the building permit plans. Space for the collection and storage of recyclable and compostable materials that meets the size, location, accessibility and other standards specified by the San Francisco Recycling Program shall be provided at the ground level of the buildings.

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

9. **Rooftop Mechanical Equipment.** Pursuant to Planning Code Section 141, the Project Sponsor shall submit a roof plan to the Planning Department prior to Planning approval of the building permit application. Rooftop mechanical equipment, if any is proposed as part of the Project, is required to be screened so as not to be visible from any point at or below the roof level of the subject building.

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

10. **Streetscape Plan.** Pursuant to Planning Code Section 138.1, the Project Sponsor shall continue to work with Planning Department staff, in consultation with other City agencies, to refine the design and programming of the Streetscape Plan so that the plan generally meets the standards of the Better Streets Plan and all applicable City standards. The Project Sponsor shall complete final design of all required street improvements, including procurement of relevant City permits, prior to issuance of first architectural addenda, and shall complete construction of all required street improvements prior to issuance of first temporary certificate of occupancy.

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

11. **Signage.** The Project shall comply with the provisions of Article 6 of the Planning Code related to any new signage.

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

12. **Transformer Vault.** The location of individual project PG&E Transformer Vault installations has significant effects to San Francisco streetscapes when improperly located. However, they may not have any impact if they are installed in preferred locations. Therefore, the Planning Department recommends the following preference schedule in locating new transformer vaults, in order of most to least desirable:
- a. On-site, in a basement area accessed via a garage or other access point without use of separate doors on a ground floor façade facing a public right-of-way;
 - b. On-site, in a driveway, underground;
 - c. On-site, above ground, screened from view, other than a ground floor façade facing a public right-of-way;
 - d. Public right-of-way, underground, under sidewalks with a minimum width of 12 feet, avoiding effects on streetscape elements, such as street trees; and based on Better Streets Plan guidelines;
 - e. Public right-of-way, underground; and based on Better Streets Plan guidelines;
 - f. Public right-of-way, above ground, screened from view; and based on Better Streets Plan guidelines;
 - g. On-site, in a ground floor façade (the least desirable location).

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

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

13. **Noise, Ambient.** Interior occupiable spaces shall be insulated from ambient noise levels. Specifically, in areas identified by the Environmental Protection Element, Map1, "Background Noise Levels," of the General Plan that exceed the thresholds of Article 29 in the Police Code, new developments shall install and maintain glazing rated to a level that insulate interior occupiable areas from Background Noise and comply with Title 24.

For information about compliance, contact the Environmental Health Section, Department of Public Health at (415) 252-3800, www.sfdph.org

14. **Noise, Garage Exhaust Fan.** To further reduce garage exhaust fan noise, the Project Sponsor shall limit property line noise from the garage exhaust fans to 40 dBA by employing a combination of measures from those listed in Mitigation Measure M-NO-1a. A detailed analysis of noise reduction measures will be needed during the design phase to ensure that the combination of noise reduction measures meet a noise level of 40 dBA at the property line.

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

15. **Noise, Mechanical Equipment.** To further reduce noise from the proposed mechanical equipment, the Project Sponsor shall limit property line noise from the garage exhaust fans to 40 dBA by employing additional acoustical reduction measures. A detailed analysis of noise

reduction measures shall be required during the design phase to ensure that the combination of noise reduction measures meet a noise level of 40 dBA at the property line.

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

16. **Noise, Nighttime Ambient.** Further reduce amplified noise. At 50 dBA, amplified music noise would be above the 35 dBA existing nighttime ambient noise levels at the surrounding residences. To reduce noise to no more than 5 dB over the ambient noise level, the following, further noise improvement measures shall be incorporated:

- Limit amplified noise levels via administrative restrictions. The USF Neighborhood Relations website currently has existing policies and procedures to regulate noise and enforce compliance.
- Establish maximum noise level limits for amplified music for residents of the student residence hall as follows:
 - 90 dB indoors, with windows closed
 - 80 dB indoors, with windows open
 - 64 dB outdoors (at 3 feet from the source) from 7 a.m. to 10 p.m.
 - Do not allow outdoor amplified sounds between 10 p.m. and 7 a.m.

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

17. **Odor Control Unit.** In order to ensure any significant noxious or offensive odors are prevented from escaping the premises once the Project is operational, the building permit application to implement the Project shall include air cleaning or odor control equipment details and manufacturer specifications on the plans if applicable as determined by the project planner. Odor control ducting shall not be applied to the primary façade of the building.

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

PARKING AND TRAFFIC

18. **Car Share.** Pursuant to Planning Code Section 166, no fewer than one (1) car share space shall be made available, at no cost, to a certified car share organization for the purposes of providing car share services for its service subscribers.

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

19. **Bicycle Parking (Institutional Use).** Pursuant to Planning Code Section 155.2, the Project shall provide no fewer than two (2) Class 2 bicycle parking spaces. No Class 1 bicycle parking spaces are required.

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

20. **Bicycle Parking (Residential Use).** Pursuant to Planning Code Section 155.2, the Project shall provide no fewer than 194 bicycle parking spaces (171 Class 1 spaces and 23 Class 2 spaces).
For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org
21. **Off-Street Parking.** Pursuant to Planning Code Sections 151, the Project shall provide no more than 157 off-street parking spaces (including one car share space).
For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org
22. **Off-Street Freight Loading.** Pursuant to Planning Code Section 152, the Project shall provide two off-street loading spaces.
For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org
23. **Managing Traffic During Construction.** The Project Sponsor and construction contractor(s) shall coordinate with the Traffic Engineering and Transit Divisions of the San Francisco Municipal Transportation Agency (SFMTA), the Police Department, the Fire Department, the Planning Department, and other construction contractor(s) for any concurrent nearby Projects to manage traffic congestion and pedestrian circulation effects during construction of the Project.
For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

PROVISIONS

24. **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
25. **Transportation Sustainability Fee.** The Project is subject to the Transportation Sustainability Fee (TSF), as applicable, pursuant to Planning Code Section 411A.
For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org
26. **Child Care Fee - Residential.** The Project is subject to the Residential Child Care Fee, as applicable, pursuant to Planning Code Section 414A.
For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org
27. **Affordable Units.** As currently proposed, the Project will be 100 percent student housing, meeting the project criteria set forth under Section 415.3(f)(5). 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 Section 415.

MONITORING - AFTER ENTITLEMENT

28. **Enforcement.** Violation of any of the Planning Department conditions of approval contained in this Motion or of any other provisions of Planning Code applicable to this Project shall be subject to the enforcement procedures and administrative penalties set forth under Planning Code Section 176 or Section 176.1. The Planning Department may also refer the violation complaints to other city departments and agencies for appropriate enforcement action under their jurisdiction.
For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org
29. **Monitoring.** The Project requires monitoring of the conditions of approval in this Motion. The Project Sponsor or the subsequent responsible parties for the Project shall pay fees as established under Planning Code Section 351(e) (1) and work with the Planning Department for information about compliance.
For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org
30. **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

31. **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>
32. **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>

33. **Noise, Ambient.** Interior occupiable spaces shall be insulated from ambient noise levels. Specifically, in areas identified by the Environmental Protection Element, Map1, "Background Noise Levels," of the General Plan that exceed the thresholds of Article 29 in the Police Code, new developments shall install and maintain glazing rated to a level that insulate interior occupiable areas from Background Noise and comply with Title 24.

For information about compliance, contact the Environmental Health Section, Department of Public Health at (415) 252-3800, www.sfdph.org

34. **Noise, Garage Exhaust Fan.** Further Reduce Garage Exhaust Fan Noise. To further reduce garage exhaust fan noise, the Project Sponsor shall limit property line noise from the garage exhaust fans to 40 dBA by employing a combination of measures from those listed in Mitigation Measure M-NO-1a. A detailed analysis of noise reduction measures will be needed during the design phase to ensure that the combination of noise reduction measures meet a noise level of 40 dBA at the property line.

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

35. **Noise, Mechanical Equipment.** Further Reduce Mechanical Noise. To further reduce noise from the proposed mechanical equipment, the Project Sponsor shall limit property line noise from the garage exhaust fans to 40 dBA by employing additional acoustical reduction measures. A detailed analysis of noise reduction measures shall be required during the design phase to ensure that the combination of noise reduction measures meet a noise level of 40 dBA at the property line.

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

36. **Noise, Nighttime Ambient.** Further Reduce Amplified Noise. At 50 dBA, amplified music noise would be above the 35 dBA existing nighttime ambient noise levels at the surrounding residences. To reduce noise to no more than 5 dB over the ambient noise level, the following, further noise improvement measures shall be incorporated:

- Limit amplified noise levels via administrative restrictions. The USF Neighborhood Relations website currently has existing policies and procedures to regulate noise and enforce compliance.
- Establish maximum noise level limits for amplified music for residents of the student residence hall as follows:
 - 90 dB indoors, with windows closed
 - 80 dB indoors, with windows open
 - 64 dB outdoors (at 3 feet from the source) from 7 a.m. to 10 p.m.
 - Do not allow outdoor amplified sounds between 10 p.m. and 7 a.m.

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

37. **Noise Control.** The premises shall be adequately soundproofed or insulated for noise and operated so that incidental noise shall not be audible beyond the premises or in other sections of the building and fixed-source equipment noise shall not exceed the decibel levels specified in the San Francisco Noise Control Ordinance.

For information about compliance with the fixed mechanical objects such as rooftop air conditioning, restaurant ventilation systems, and motors and compressors with acceptable noise levels, contact the Environmental Health Section, Department of Public Health at (415) 252-3800, www.sfdph.org

For information about compliance with the construction noise, contact the Department of Building Inspection, 415-558-6570, www.sfdbi.org

For information about compliance with the amplified sound including music and television contact the Police Department at 415-553-0123, www.sf-police.org

38. **Odor Control.** While it is inevitable that some low level of odor may be detectable to nearby residents and passersby, appropriate odor control equipment shall be installed in conformance with the approved plans and maintained to prevent any significant noxious or offensive odors from escaping the premises.

For information about compliance with odor or other chemical air pollutants standards, contact the Bay Area Air Quality Management District, (BAAQMD), 1-800-334-ODOR (6367), www.baaqmd.gov and Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

39. **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

40. **Lighting.** All Project lighting shall be directed onto the Project site and immediately surrounding sidewalk area only, and designed and managed so as not to be a nuisance to adjacent residents. Nighttime lighting shall be the minimum necessary to ensure safety, but shall in no case be directed so as to constitute a nuisance to any surrounding property.

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