

San Francisco Public Works General – Director's Office 49 South Van Ness Ave., Suite 1600 San Francisco, CA 94103 (628) 271-3160 www.SFPublicWorks.org

Public Works Order No: 208793

Approving Certain Exceptions to the San Francisco Subdivision Code and Subdivision Regulations to Authorize Issuance of a partial Notice of Completion and for the Offer of Improvements for Acceptance and Public Dedication Notwithstanding the Deferral of Completion of Certain Improvements as permitted by Street Improvement Permit No. 21IE-00075.

WHEREAS, Pursuant to the Subdivision Map Act of California, Title 7, Division 2 of the Government Code, commencing with Section 66410, the Board of Supervisors adopted the San Francisco Subdivision Code (referred to hereafter as the "Subdivision Code") and the Department of Public Works adopted the 2015 Subdivision Regulations through Department of Public Works Order 183447 (the "Regulations"); and

WHEREAS, The Department of Public Works, acting through its Director ("Director"), is the Advisory Agency for all purposes of the Subdivision Code and the Regulations; and

WHEREAS, The Subdivision Code and the Regulations apply to the subdivisions depicted in Final Map No. 9610, recorded July 16, 2021, in Book 51 of Parcel Maps, pp. 167 - 171, as Document No. 2021-111536 of Official Records ("Official Records") of the City and County of San Francisco ("City"); and

WHEREAS, On December 10, 2015, the Planning Commission, by Motion No. 19529 as lead agency, certified the Final Environmental Impact Report ("FEIR") for the Potrero HOPE SF Master Plan Project ("Project"), and, on that same day, by Motion No. 19530 adopted certain findings under the California Environmental Quality Act ("CEQA"), including a mitigation monitoring and reporting program (the "MMRP"); and

WHEREAS, On December 10, 2015, the Planning Commission by Motion No. 19531 made findings that the Project and its approvals associated therewith are each on balance, consistent with the General Plan and Planning Code Section 101.1 (The "Consistency Findings"); and

WHEREAS, On February 3, 2017, in Ordinance No. 019-17, the Board of Supervisors affirmed certification of the FEIR, adopted findings under CEQA related to the project, including approval of the MMRP (collectively, the "CEQA Findings"), which CEQA Findings are incorporated herein by reference; and

WHEREAS, On February 1, 2017, by Ordinance No. 15-17, the City approved a Development Agreement between the City, the Housing Authority of the City and County of San Francisco and Bridge-Potrero Community Associates, LLC ("Developer" or "Subdivider") which is recorded in the Official Records as Document No. 2017-K416603 (the "DA"); and

WHEREAS, Pursuant to the DA, Subdivider is obligated to construct horizontal infrastructure and public improvements ("Required Infrastructure"), and which improvements are more particularly described in the HOPE SF Potrero Master Infrastructure Plan (Exhibit P to the DA) as it may be amended from time to time; and

WHEREAS, Construction of the Required Infrastructure was authorized pursuant to a Public Improvement Agreement by and between Subdivider and the City, entitled Public Improvement Agreement – Potrero Hope SF Phase 2 (the "PIA") and Street Improvement Permit No. 21IE-00075, as amended (the "SIP"); and

WHEREAS, Pursuant to the Code and Section III(A) of the Regulations, the Director may approve exceptions to any of the substantive requirements set forth in the Code and the Regulations; and

WHEREAS, The Subdivision Code generally and the Subdivision Regulations more specifically (see e.g., Appendix A, § VII.D) provide that the City will only consider full, complete and functional public streets for purposes of City maintenance and responsibility; and

WHEREAS, On September 25, 2023, Subdivider submitted a request for eight (8) exceptions to the Code and Regulations to the Director ("Deferral Request Letter"), including for deferral of certain obligations to complete Required Infrastructure, which is attached hereto as Exhibit A. Specifically, Subdivider requests exceptions from the approved and permitted Required Infrastructure described in the SIP and the PIA to defer the completion of certain improvements until a future NOC and acceptance action, all of which are described in the Deferral Request Letter:

- Exception No. 1: Deferral of installation of certain curb, gutter, sidewalk, pavers and one (1) curb ramp around Block B, defer one full block of newly constructed public right-of-way, Arkansas Street, and defer concrete crack repairs around Block B
- Exception No. 2: Deferral of Installation of Certain Street Trees, Irrigation and Basalt Cobblestones
- Exception No. 3: Deferral of Installation of Certain Landscape Improvements and associated Irrigation
- Exception No. 4: Deferral of Installation of Certain Stone Benches and Bike Racks
- Exception No. 5: Deferral of Installation of a portion of SFMTA Roadway Signage and Striping
- Exception No. 6: Deferral of a portion of Permanent Power infrastructure
- Exception No. 7: Deferral of Streetlights and Pedestrian Lights
- Exception No. 8: Deferral of final Record Drawings and Q-20 and A-17 maps

WHEREAS, Collectively, approval of the exceptions to allow for deferral of the installation, completion or operation of the Required Infrastructure as described herein and in the Deferral Request Letter will allow for the Director to issue a Notice of Completion ("NOC"), as described in the Subdivision Code in the PIA for Required Infrastructure completed in compliance with the PIA and the SIP and which is otherwise ready for its intended use; and

WHEREAS, Issuance of the NOC for qualifying Required Infrastructure, subject to approval of the above exceptions, will render the public improvements eligible for consideration for acceptance and public dedication by the City's Board of Supervisors, as applicable; and

WHEREAS, The Director published notice of a public hearing to consider these requests in accordance with the requirements of the Code and the Regulations; and

WHEREAS, September 27, 2023, the Director held a public hearing to solicit public comment on the requested exceptions and no public comment was received; and

WHEREAS, The actions contemplated in this Public Works Order fall within the scope of the FEIR and the Director of Public Works adopts the CEQA Findings and other findings set forth above for purposes of this Order; and

WHEREAS, No additional environmental review is required because there are no substantial changes to the project analyzed in the FEIR, no changes in circumstances under which the project is being undertaken, and no new information of substantial importance indicating that new significant impacts would occur, that the impacts identified in the FEIR as significant impacts would be substantially more severe, or that mitigation or alternatives previously found infeasible are now feasible; and

WHEREAS, Per Section 1712 of the Subdivision Code, the Director, upon application by a subdivider, and subject to the Subdivision Map Act, may authorize exceptions, waivers or deferrals to any of the requirements set forth in the Subdivision Code or Subdivision Regulations which are not in violation of the Subdivision Map Act, provided that the Director must find: (1) that the application of certain provisions of the Code or the Subdivision Regulations would result in practical difficulties or unnecessary hardships affecting the property inconsistent with the general purpose and intent of the Project Documents and City Regulations (both as defined in the Subdivision Code); (2) that the granting of such exception, waiver, or deferral will not be contrary to the Project Documents or City Regulations; (3) that the granting of such exception, waiver, or deferral will not be contrary to the Project Documents or City Regulations.

NOW THEREFORE BE IT ORDERED THAT,

The Director finds that granting these eight (8) exceptions is consistent with Subdivision Code Section 1712, as follows:

That the application of certain provisions of the Subdivision Regulations would result in practical
difficulties or unnecessary hardships affecting the property inconsistent with the general purpose and
intent of the Project Documents and City Regulations. (Subdivision Code §1712(b)(1).)

The Project is designed to allow for new buildings to be completed, occupied and/or accessible shortly after the completion of adjacent street improvements. Due to the phased nature of the Project and construction sequencing, construction of buildings and the adjacent street improvements may be concurrent, with the limits of work overlapping due to constrained site dimensions, challenging topography and available street space. To facilitate the completion and acceptance of a portion of public improvements that are ready for public use before buildings are completed and occupied and/or accessible, the Subdivider proposes to defer certain incomplete improvements including certain roadway, utilities, curb and gutters, sidewalk, trees and landscape, pavement striping, and other improvements. Deferral of such work will avoid potential damage to the Required Infrastructure and allow completion of deferred work closer to completion of the buildings when they will be needed for public access. Based on the foregoing, it is reasonable to find that application of the Subdivision Regulations to the facts at hand would result in practical difficulties and unnecessary hardship.

 That the granting of the exception, waiver, or deferral will not be materially detrimental to the public welfare or injurious to other property in the area in which said property is situated. (Subdivision Code §1712(b)(2).) The granting of these exceptions will not be detrimental to the public welfare or injurious to other property because the areas of the deferred improvements will be either fenced off and remain inaccessible to the public, or will be maintained in an interim condition acceptable to the Department of Public Works until improvements are completed and ready for a subsequent Notice of Completion and formal Acceptance process.

• That the granting of such exception, waiver, or deferral will not be contrary to the Project Documents or City Regulations. (Subdivision Code § 1712(b)(3).)

The granting of this exception is consistent with the Project Documents and the City Regulations, as it will facilitate development of the Project consistent with the requirements of the street improvement plans and support the construction of vertical development. The proposed exceptions will not affect the dimensions of the streets or require any modification to the adjacent lots.

The exception is not in violation of the Map Act. (Subdivision Code § 1712(d).)

The Map Act does not prohibit the Subdivider from offering for acceptance and public dedication streets with certain deferred improvements. The obligation for the City to accept full and complete streets is found in the Subdivision Regulations and the Administrative Code.

Based on the findings described above, the Director conditionally approves Subdivider's requests for exceptions to authorize the deferral of completion, installation, or operation of infrastructure to the extent otherwise required under the Subdivision Code, the Regulations, the PIA and the SIP as more particularly stated below.

Exceptions from Subdivision Code and Regulations and Approved SIP

Request for Exception No. 1 (Deferral of installation of certain curb, gutter, sidewalk, pavers and one (1) curb ramp around Block B, defer one full block of newly constructed public right-of-way, Arkansas Street, and defer concrete crack repairs around Block B)

- a) Subdivider requests to defer construction of portions of concrete curb and gutter, final sidewalk improvements, and underlying utilities along the Block B building frontages of 25th Street, 26th Street and Connecticut Street, as shown on Attachments #1 and #5 of the Deferral Request Letter, until after the first NOC and acceptance of completed public improvements and defer them to a future NOC and acceptance action.
 - As described in the Deferral Request Letter, completion of the subject curb, gutter and sidewalk improvements adjacent to Block B is not feasible at this time due to adjacent vertical construction project due to challenging topography and potential for damage.
- b) In addition to the above, Subdivider requests to defer installation of one curb ramp at the northeast corner of 26th/Arkansas, as shown on Attachment #1 of the Deferral Request Letter, because the area to be improved is currently in use by the adjacent vertical developer.
- c) Subdivider requests to defer completion and NOC of all public improvements within one full block new Arkansas Street right-of-way defined as APN No. 4285B-005 in Parcel Map PID No. 9610, as shown on Attachment #1 of the Deferral Request Letter, because the area to be improved is currently in use by the

- adjacent Block B vertical developer for staging and site access. The improvements will remain closed to the public until they are offered for City acceptance closer to the completion of the Block B vertical buildings, currently anticipated in Q1/Q2 of 2025.
- d) Lastly, Subdivider requests to defer completion of concrete crack mitigation repairs as identified in SFPW punchlist dated 7/20/23 along perimeter streets surrounding Block B as shown in Attachment #7 of the Deferral Request Letter until Subphase 2C construction improvements are completed with a subsequent NOC in 2025. This request to defer punchlist work is an effort to minimize rework in the event concrete surface improvements are further damaged between now and NOC of Subphase 2C.

Based on the foregoing, the Director approves the requested exception to defer completion of the referenced improvements until after issuance of the first NOC and acceptance of associated public improvements, and defer these incomplete improvements to a future NOC and formal acceptance action.

The exception is approved subject to the following conditions:

- The Director will retain adequate security equivalent to 100% of the cost of all deferred improvements until the subsequent NOC and acceptance action, per terms of the PIA.
- Subdivider will maintain an accessible path of travel through and/or around the deferred area with an acceptable walking surface until the final sidewalk improvements are completed including monitoring of the areas identified in SFPW punchlist dated 7/20/23 to ensure concrete cracks within areas opened to the public do not become a tripping hazard to the public.
- Subdivider will coordinate a punch walk with the City and resolve any required repair work.
- Subdivider will complete the deferred improvements before the vertical developer requests and/or Public Works will sign-off on a Temporary Certificate of Occupancy (TCO) for the fronting vertical building affecting completion of the required improvements.

Request for Exception No. 2 (Deferral of Installation of Certain Street Trees, Irrigation, Basalt Cobblestones and Edge Restraints):

Subdivider requests to defer installation of street trees and associated irrigation, basalt cobblestones and edge restraints adjacent to both vertical parcels Blocks A and B, and as shown on Attachments #2 and #5 of the Deferral Request Letter, until a future NOC and acceptance action. As described in the Deferral Request Letter, completion of the subject improvements is not feasible at this time due to conflicts with ongoing vertical construction on Block B. In locations where the basalt cobblestones (within tree wells) have not yet been installed, Subdivider will fill in tree wells with decomposed granite or acceptable alternative to ensure a level and accessible path of travel for pedestrians.

Based on the foregoing, the Director approves the requested exception to defer completion of the referenced improvements until after the first NOC and acceptance action, but before TCO of the fronting vertical building affecting completion of the required improvements. These deferred improvements will be part of a second NOC and acceptance action anticipated in 2025.

The exception is approved subject to the following conditions:

- The Director will retain adequate security equivalent to 100% of the cost of all deferred improvements until the subsequent NOC and acceptance actions when the improvements will be deemed complete, per terms of the PIA.
- Subdivider will maintain an accessible path of travel and ensure empty tree wells are level with adjacent sidewalk improvements.
- Subdivider will coordinate a punch walk with the City and resolve any required repair work.
- Subdivider will complete the deferred improvements before the vertical developer requests and/or Public Works will sign-off on a Temporary Certificate of Occupancy (TCO) for the fronting vertical building affecting completion of the required improvements.

Request for Exception No. 3 (Deferral of Installation of Certain Landscape Improvements and associated Irrigation):

Subdivider requests to defer installation of certain landscape improvements and associated irrigation adjacent both vertical parcels Blocks A and B, and as shown on Attachment #2 of the Deferral Request Letter, until a future NOC and acceptance action. As described in the Deferral Request Letter, completion of the subject improvements is not feasible at this time due to conflicts with ongoing vertical construction on Block B. Subdivider will fill in landscape areas with decomposed granite or acceptable alternative to ensure a level and accessible path of travel for pedestrians.

Based on the foregoing, the Director approves the requested exception to defer completion of the referenced improvements until after the first NOC and acceptance action, but before TCO of the fronting vertical building affecting completion of the required improvements. These deferred improvements will be part of a second NOC and acceptance action anticipated in 2025.

The exception is approved subject to the following conditions:

- The Director will retain adequate security equivalent to 100% of the cost of installing all deferred improvements until the subsequent NOC and acceptance actions when the improvements will be deemed complete, per terms of the PIA.
- Subdivider will maintain an accessible path of travel and ensure empty landscape areas are level with adjacent sidewalk improvements.
- Subdivider will coordinate a punch walk with the City and resolve any required repair work.
- Subdivider will complete the deferred improvements before the vertical developer requests and/or Public Works will sign-off on a Temporary Certificate of Occupancy (TCO) for the fronting vertical building affecting completion of the required improvements.

Request for Exception No. 4 (Deferral of Installation of Certain Stone Benches and Bike Racks):

Subdivider requests to defer installation of certain stone benches and bike racks to be installed within the sidewalk adjacent both vertical parcels Blocks A and B, and as shown on Attachment #2 of the Deferral Request Letter, until a future NOC and acceptance action. As described in the Deferral Request Letter, completion of the subject improvements is not feasible at this time due to conflicts with ongoing vertical construction on Block B and potential for damage.

Based on the foregoing, the Director approves the requested exception to defer completion of the referenced improvements until after the first NOC and acceptance action, but before TCO of the fronting vertical building affecting completion of the required improvements. These deferred improvements will be part of a second NOC and acceptance action anticipated in 2025.

The exception is approved subject to the following conditions:

- The Director will retain adequate security equivalent to 100% of the cost of installing all deferred improvements until the subsequent NOC and acceptance actions when the improvements will be deemed complete, per terms of the PIA.
- Subdivider will coordinate a punch walk with the City and resolve any required repair work.
- Subdivider will complete the deferred improvements before the vertical developer requests and/or Public Works will sign-off on a Temporary Certificate of Occupancy (TCO) for the fronting vertical building affecting completion of the required improvements.

Request for Exception No. 5 (Deferral of Installation of a portion of SFMTA Roadway Signage and Striping):

Subdivider requests to defer installation of a portion of final SFMTA road signage and striping as shown in Attachment #3 of the Deferral Request Letter, until a future NOC and acceptance action. As described in the Deferral Request Letter, completion of the subject improvements is not feasible at this time due to conflicts with ongoing vertical construction on Block B and potential for damage.

Based on the foregoing, the Director approves the requested exception to defer completion of the referenced improvements until after the first NOC and acceptance action, but before TCO of the fronting vertical building affecting completion of the required improvements. These deferred improvements will be part of a second NOC and acceptance action anticipated in 2025.

The exception is approved subject to the following conditions:

- The Director will retain adequate security equivalent to 100% of the cost of installing all deferred improvements until the subsequent NOC and acceptance actions when the improvements will be deemed complete, per terms of the PIA.
- Subdivider will maintain temporary signage and striping to the satisfaction of SFMTA until final signage and striping are installed.
- Subdivider will coordinate a punch walk with the City and resolve any required repair work.
- Subdivider will complete the deferred improvements before the vertical developer requests and/or Public Works will sign-off on a Temporary Certificate of Occupancy (TCO) for the fronting vertical building affecting completion of the required improvements.

Request for Exception No. 6 (Deferral of a portion of Permanent Power infrastructure):

Subdivider requests to defer installation, NOC and acceptance of a portion of Permanent Power infrastructure as shown on Attachment #6 of the Deferral Request Letter, until a future NOC and acceptance action. As described in the Deferral Request Letter, completion of the subject improvements is not feasible at this time due to incomplete sections of sidewalk and grade differences between the vertical site and sidewalk preventing

completion of concrete collars around vaults as required by SFPUC. Portions of power infrastructure also cannot be installed until design is finalized and approved by SFPUC and PG&E. Due to the incomplete nature of sidewalk improvements and deferral of Arkansas Street, the SFPUC prefers to defer all power infrastructure except the vaults and conduits identified in Attachment #6 to a future NOC and acceptance package when the system will be complete and ready for beneficial use.

Based on the foregoing, the Director approves the requested exception to defer completion of the referenced improvements until after the first NOC and acceptance action, but before TCO of the fronting vertical building affecting completion of the required improvements. These deferred improvements will be part of a second NOC and acceptance action anticipated in 2025.

The exception is approved subject to the following conditions:

- The Director will retain adequate security equivalent to 100% of the cost of installing all deferred improvements until the subsequent NOC and acceptance actions when the improvements will be deemed complete, per terms of the PIA.
- Subdivider will coordinate a punch walk with the City and resolve any required repair work.
- Subdivider will complete the deferred improvements before the vertical developer requests and/or Public Works will sign-off on a Temporary Certificate of Occupancy (TCO) for the fronting vertical building affecting completion of the required improvements.

Request for Exception No. 7 (Deferral of Streetlights and Pedestrian Lights):

Subdivider requests to defer installation of a portion of and defer NOC and acceptance of all streetlights and pedestrian lights included in the SIP permit and shown on Attachment #4 of the Deferral Request Letter, until a future NOC and acceptance action. As described in the Deferral Request Letter, completion of a portion of streetlights and pedestrian lights is not feasible at this time due to potential conflicts with vertical construction at Block B. Due to the incomplete system of streetlights and pedestrian lights surrounding the site, the SFPUC prefers to defer all streetlights and pedestrian lights to a future NOC and acceptance package when the entire system will be complete. Subdivider will maintain the responsibility for continued maintenance and operation of installed lights to ensure illumination of streets and sidewalks that are open to the public until the lighting system is formally accepted by the City once the system is complete.

Subdivider also requests to defer the final power connection to streetlights, pedestrian lights and irrigation controller(s) until a future NOC. A temporary power service has been provided to supply power to the streetlights, pedestrian lights and irrigation controller(s) and will remain in place until replaced by the permanent power supply.

Based on the foregoing, the Director approves the requested exception to defer completion of the referenced improvements until after the first NOC and acceptance action, but before TCO of the fronting vertical building affecting completion of the required improvements. These deferred improvements will be part of a second NOC and acceptance action anticipated in 2025.

The exception is approved subject to the following conditions:

- The Director will retain adequate security equivalent to 100% of the cost of installing all deferred improvements until the subsequent NOC and acceptance actions when the improvements will be deemed complete, per terms of the PIA.
- Subdivider will operate and maintain the installed portion of the streetlight and pedestrian lighting system consistent with the photometric study approved by SFPUC on 9/11/2023.
- Subdivider will indemnify and hold harmless the City for any claims related to lighting levels and Subdivider's installation and interim operation and maintenance of the streetlight and pedestrian lighting system, in a form acceptable to City.
- Subdivider will coordinate a punch walk with the City and resolve any required repair work.
- Subdivider will schedule final testing of the streetlights, pedestrian lights and irrigation controller(s)
 after the switchover from temporary to permanent power with City agencies and resolve any required
 repair work.
- Subdivider will complete the deferred improvements before the vertical developer requests and/or Public Works will sign-off on a Temporary Certificate of Occupancy (TCO) for the fronting vertical building affecting completion of the required improvements.

Request for Exception No. 8 (Deferral of final Record Drawings and Q-20 and A-17 maps):

Due to the nature of the phased NOC request and deferral of work to a future NOC as discussed in Exceptions 1-7 above, the Subdivider requests deferral of the final Record Drawings until a future NOC when all Phase 2 permitted improvements will be complete. Subdivider will be required to submit redlined as-builts marking all permitted changes to plans through Requests for Information, Instructional Bulletins, Field Orders or other means, for City review and approval prior to the first NOC.

Because a portion of curb and gutter and sidewalk surrounding Block B will not be complete at the time of the first NOC and acceptance package, the Subdivider also requests to defer the requirement to submit Q-20 and A-17 maps for the entire phase until a future NOC and acceptance action when these improvements are complete.

Based on the foregoing, the Director approves the requested exception to defer completion of the referenced improvements until after the first NOC and acceptance action, but before TCO of the fronting vertical building affecting completion of the required improvements. These deferred improvements will be part of a second NOC and acceptance action anticipated in 2025.

The exception is approved subject to the following conditions:

- Subdivider will submit and obtain City approval of redlined as-builts marking all permitted changes to
 plans through Requests for Information, Instructional Bulletins, Field Orders or other means for work
 included in this first NOC for Subphases 2A and 2B, prior to SFPW granting the first NOC. Redline asbuilts will be signed by the Contractor of Record and City Inspector of Record for Subphase 2A and 2B.
- Subdivider will complete the final Record Drawings to a format acceptable to City Departments before the vertical developer requests and/or Public Works will sign-off on a Temporary Certificate of Occupancy (TCO) for the fronting vertical building affecting completion of the required improvements.
- Subdivider will complete the Q-20 and A-17 maps before the vertical developer requests and/or Public Works will sign-off on a Temporary Certificate of Occupancy (TCO) for the fronting vertical building

affecting completion of the required improvements and before requesting for formal acceptance of improvements included within Subphase 2C.

Exhibit A

Deferral Request Letter and Accompanying Attachments

Ko, Albert — 281DC30E04CF41A...
City Engineer and Deputy Director

Short, Carla 073CF73A4EA6486...
Interim Director of Public Works



BRIDGE HOUSING CORPORATION

BRIDGE PROPERTY
MANAGEMENT COMPANY

BRIDGE ECONOMIC
DEVELOPMENT CORPORATION

September 25, 2023

Carla Short
Interim Director of San Francisco Public Works
City and County of San Francisco
c/o Shawna Gates, Project Manager – SFPW Infrastructure Task Force
49 South Van Ness Ave, 9th Floor
San Francisco, CA 94103

Re: Potrero Phase 2 Infrastructure Subphases 2A, 2B & 2C Street Improvement Plans – SIP #21IE-00075 Request for Exceptions and Deferrals

Dear Interim Director Short:

BRIDGE-Potrero Community Associates, LLC ("BRIDGE") is the Master Developer of the Potrero HOPE SF project and party to the Potrero HOPE SF Development Agreement (as may be amended from time to time, the "DA"), dated March 3, 2017, and recorded in the Official Records of the City and County of San Francisco on March 3, 2017 under Assessor Document No. 2017-K416603-00. Under the DA, the Master Developer is obligated to construct certain Public Infrastructure Improvements. Those Public Infrastructure Improvements include Phase 2 Infrastructure Improvements permitted by San Francisco Public Works ("SFPW") on February 16, 2021 under Street Improvement Permit ("SIP") No. 21IE-00075 ("Phase 2 Required Infrastructure Improvements").

Subdivider is party to the Potrero HOPE SF Phase 2 Public Improvement Agreement ("PIA") recorded July 16, 2021 (Assessor Document No. 2021111535), which requires Subdivider to complete the Phase 2 Required Infrastructure, and which describes the terms for issuance of notices of completion ("NOC") and for Subdivider to offer the Phase 2 Required Infrastructure for acceptance.

Pursuant to Section 4(d) of PIA, the Master Developer is permitted to request exceptions and deferrals from the Subdivision Code and Regulations for certain Phase 2 Required Infrastructure Improvements. This letter serves as the formal request for the following deferrals for Phase 2 Required Infrastructure Improvements as an exception to Subdivision Code Sec 1712 and Subdivision Regulations Appendix A Sec. VII.D and allow for NOC and acceptance of a portion of improvements notwithstanding the deferral

of completion of certain components as further described below.

Please note that the 157-unit, 100% affordable housing vertical development is Block B (Assessor Parcel No. (APN) 4285B-004), and there is a future market-rate parcel, Block A (APN 4285B-003) that will be disposed to and developed by a future developer ("Block A Developer"). These development parcels, including the new public right of way offered for dedication to the City, Arkansas Street (APN 4285B-005), were created via Final Subdivision Parcel Map No. 9610 (Assessor Document No. 2021111536).

The intent of this letter is to request eight (8) exceptions (for deferrals) of certain Phase 2 Required Infrastructure Improvements detailed below allowing for Phase 2 Subphases 2A and 2B (please see Attachment No. 1) to proceed with San Francisco Public Works Notice of Completion (NOC) and City Acceptance ("Acceptance") processes in calendar year (CY) 2023, and deferring Phase 2 Subphase 2C SFPW NOC and Acceptance to Quarter 1 (Q1) or Quarter 2 (Q2) of CY 2025 to align with completion of Block B vertical development which anticipates receiving Temporary Certificate of Occupancy (TCO) by April 2025.

Exception #1 – Street/Roadway, Curb Ramp, Curb and Gutter and Sidewalk & Paver Elements

a. <u>Deferral (Block B) - Sidewalk and Paver Elements</u>
BRIDGE requests to defer construction, NOC and Acceptance of sidewalk and paver elements and all underlying utilities surrounding Block B vertical development (Subphase 2C as depicted in blue in Attachment No. 1), as shown on SIP sheets 6, 9, 28, 30, 31, 38, 40, 41, 44, L1.1-L1.4, and L4.1, and allow Subphases 2A and 2B Required Infrastructure Improvements (depicted in green and pink on Attachment No. 1) to proceed with NOC and Acceptance.

Sidewalk and paver elements within Subphase 2C cannot be constructed until Block B vertical development is completed to avoid damage during ongoing vertical development of Block B. BRIDGE requests to defer installation of Phase 2C sidewalk and paver elements as well as NOC and Acceptance of these elements to Q1 2025 when Block B vertical development site boundaries are completed pursuant to Phase 2 Required Infrastructure Improvements (please see Attachment No. 5).

A portion of curb and gutter along Connecticut Street near the intersection of 25th Street within Subphase 2C cannot be constructed until Block B vertical development is completed to avoid damage during ongoing vertical development of Block B. BRIDGE requests to defer installation of a portion of Phase 2C curb and gutter elements (depicted in blue in Attachment No. 1) as well as NOC and Acceptance of these elements to Q1 2025 when Block B vertical development site boundaries are completed pursuant to Phase 2 Required Infrastructure Improvements.

b. <u>Deferral (Block B) – Curb Ramp at 26th/Arkansas</u>

BRIDGE requests to defer construction, NOC and Acceptance of one curb ramp at the northeast corner of 26th Street and Arkansas Street (a part of Subphase 2C as depicted in Attachment No. 1) until Q1/Q2 2025 when Block B vertical site boundaries are completed and the permanent 26th Street path of travel from Connecticut Street to Arkansas Street will be installed. Subdivider will be responsible for maintaining alternate accessible path of travel along this block until the curb ramp and sidewalk improvements are constructed. The current Potrero Phase 2 SFMTA approved Traffic Control and Logistics Plan will be updated to reflect continuous maintenance of a pedestrian path of travel when this scope of work is under construction in later 2024.

c. Deferral – Arkansas Street (APN 4285B-005)

BRIDGE requests to defer NOC and Acceptance of all surface and subsurface improvements within and fee title for Arkansas Street between 26th Street and 25th Street (a part of Subphase 2C as depicted in Attachment No. 1) including the sidewalks fronting Block A and Block B, as shown in SIP sheets 6 and 38, and allow Subphases 2A and 2B NOC and Acceptance of the Phase 2 Required Infrastructure Improvements. BRIDGE requests to defer NOC and Acceptance of Arkansas Street between 26th Street and 25th Street as Subphase 2C until Block B vertical development is completed due to on-going vertical construction activity, which is anticipated in Q1/Q2 2025.

d. Deferral – Concrete crack repairs – Block B Perimeter

BRIDGE requests to defer NOC and Acceptance of all concrete crack mitigation repairs as identified in SFPW punchlist dated 7/20/23 for all perimeter streets surrounding Block B (Attachment No. 7 highlighted in red) until Subphase 2C construction improvements are completed. Subphase 2C construction improvements are due to on-going vertical construction activity, which is anticipated in Q1 2025.

Exception #2 – Deferral of Street Tree Installation, Landscaping, Irrigation, and Basalt Cobblestones

Deferral (Block A and Block B)

BRIDGE requests an exception to allow for NOC and Acceptance of the Phase 2 Required Infrastructure Improvements for Subphases 2A and 2B without installation of the street trees and associated basalt cobblestones as shown in Attachment No. 2 (please note that irrigation mains (in green area) will be complete with Subphases 2A and 2B as depicted in Attachment No. 5). Irrigation stub outs (depicted in red between green area and blue area) will be the tie in connection point for irrigation line installation during NOC Subphase 2C construction. The portion of pavers and cobblestone scope depicted in Attachment No. 5 in purple along Connecticut St is currently installed and is requested to be accepted under Phase 2A and 2B NOC and Acceptance. Edge restraint installation will be deferred until Q1 2025 and will be installed concurrently with tree and cobblestone installation.

Subphase 2C street trees are preferred to be planted at a later time due to conflicts with on-going vertical construction. As a result, BRIDGE requests to defer the installation of street trees and associated edge restraints and cobblestones fronting Block A and Block B vertical development as shown in Attachments No. 2 and 5 until Q1/Q2 2025 with subsequent NOC and Acceptance of Subphase 2C. Main irrigation and auxiliary plant and tree specific conduit runs are requested to be deferred until Q1 2025 due to conflicts with on-going vertical construction (area highlighted in blue within Attachment No. 5).

In the interim, BRIDGE will temporarily fill all tree wells with decomposed granite or an acceptable alternative to the level of the adjacent sidewalk or pavers.

Exception #3 – Deferral of Landscaping and Irrigation

Deferral (Block A and Block B)

BRIDGE requests an exception to defer installation of landscaping and associated irrigation as depicted in Attachment No. 2 and allow for NOC and Acceptance of Subphases 2A and 2B. Landscaping and associated irrigation is preferred to be installed at a later time due to conflicts with ongoing vertical construction of Block B and risk of damage and interruption of on-going vertical development. Landscaping will be completed in Q1 2025 prior to NOC and Acceptance of Subphase 2C, pursuant to Phase 2 Required Infrastructure Improvements.

In the interim, BRIDGE will temporarily fill the planter areas with decomposed granite or acceptable alternative to the level of the adjacent sidewalk or pavers.

Exception #4 – Deferral of Stone Benches and Bike Racks Deferral (Block A and Block B)

BRIDGE requests an exception to defer installing site furnishings including stone benches and bike racks, at the locations as depicted in Attachment No. 2 and allow for NOC and Acceptance of Subphase 2A and 2B of Phase 2 Required Infrastructure Improvements without these deferred improvements. The deferred stone benches and bike racks are planned for installation towards the end of Block B vertical development, currently expected in Q1/Q2 2025, as part of Subphase 2C NOC and Acceptance also in Q1/Q2 2025. Please see Attachment No. 2 for planned site furnishings, bench and bike rack locations.

Exception #5 - Deferral of SFMTA Road Signage and Striping

BRIDGE requests an exception to defer remaining portions of final road signage and striping as shown in Attachment No. 3 and allow for conditional NOC and Acceptance of Subphases 2A and 2B of Phase 2 Required Infrastructure Improvements. Final striping and signage for Arkansas Street is requested to be deferred to align with the completion of Block B vertical development, currently expected in Q1/Q2 2025, as part of Subphase 2C NOC and Acceptance.

BRIDGE will maintain temporary signage and striping to the satisfaction of SFMTA until

final signage and striping are installed.

Exception #6 – Deferral of Permanent Power

BRIDGE requests to defer construction, NOC and Acceptance of a portion of SFPUC permanent power elements including certain concrete collars around vaults as required by SFPUC, to Subphase 2C and allow Subphases 2A and 2B Notice of Completion ("NOC") of the Phase 2 Required Infrastructure Improvements as shown on Attachment 6.

A portion of permanent power elements within Subphase 2C cannot be installed until PG&E and SFPUC final design is finalized (per SFPUC-Power Enterprise, expected March 25, 2024). BRIDGE requests to defer installation to later 2024 pending SFPUC and PG&E final design approval and a decision on one of two construction pathways (1) BRIDGE's general contractor and subcontractor to perform work 100% reimbursed by SFPUC under SFPUC's Umbrella Reimbursement Agreement, or (2) SFPUC to self-perform all work associated with establishing permanent power connection to Potrero interconnection point/Permanent Power Switchgear within Block B; both options include the potential to remove a permanent power vault as depicted on Attachment No. 6, pending ongoing conversations between SFPW and SFPUC. Concrete collar installation around certain vaults is pending progress of vertical construction work and is planned for installation towards the end of Block B vertical development, currently expected in Q1/Q2 2025, as part of Subphase 2C NOC and Acceptance.

Please note SFMTA bus shelter permanent power stub outs are completed at the southwest corner of 25th Street Bus Shelter and the southeast corner of the Wisconsin Street bus shelter.

Exception #7 - Deferral of Streetlights and Pedestrian Lights

BRIDGE requests to defer NOC and Acceptance of all Streetlight and Pedestrian light elements as shown on SIP sheets 58, PuSL1, SL2 and SL3, and allow Subphases 2A and 2B NOC and Acceptance of the Phase 2 Required Infrastructure Improvements in 2023 without these improvements. The streetlight and pedestrian light elements would go through a separate NOC and Acceptance process in Q1/Q2 2025 when Block B vertical development site boundaries are completed pursuant to Phase 2 Required Infrastructure Improvements. Bridge will continue to maintain all active streetlight and pedestrian lights until they are NOC'd and Accepted.

Please note that the current temporary Potrero Phase 2 Streetlight power source is via existing SFPUC power conduit located near the northwestern corner of 25th Street and Arkansas Street. Temporary power circuits to energize Potrero Phase 2 Streetlights and Pedestrian lights will remain active until the energization of the PG&E/SFPUC Wholesale Distribution Tariff (WDT), primary switchgear meter/interconnection point, located within Building A of the Block B vertical development, is completed. Upon PG&E/SFPUC WDT interconnection point permanent power switchgear energization by Q1 2025, Temporary power conduits notated in magenta within the Temporary

Streetlight Circuit Plan (please see Attachment No. 4) will abandon/remain in place, Phase 2 Infrastructure related temporary electrical conductors will be disconnected (or reutilized by SFPUC), and the Permanent Power Circuit for streetlights (also depicted on Attachment No. 4) will be energized via the PG&E/SFPUC WDT interconnection point permanent power switchgear.

Exception #8 – Deferral of final Record Drawings and Q-20 and A-17 maps BRIDGE requests to defer submission of the final Record Drawings in PDF and CAD format until a future NOC when all Phase 2 permitted improvements will be complete, anticipated in Q1/Q2 of 2025. Prior to the first NOC for Subphases 2A and 2B, BRIDGE will submit redlined as-builts marking all permitted changes to plans through Requests for Information, Instructional Bulletins, Field Orders or other means, for City review and obtain City approval.

BRIDGE also requests to defer submission of Q-20 and A-17 maps for the entire Phase 2 development until a future NOC and Acceptance action when these improvements are complete, because a portion of curb and gutter and sidewalk surrounding Block B will not be complete at the time of the first NOC and acceptance package (as discussed in Exception #1 and reflected on Attachment #1).

Thank you very much for your careful review and consideration of this request. Please do not hesitate to reach out to discuss or if you have questions.

Sincerely,

April Talley
Director of Development – Rebuild Potrero, BRIDGE

Cyrus Hoda Project Manager – Rebuild Potrero, BRIDGE

Attachments:

Attachment No. 1: Phase 2 Infrastructure Subphasing 2A, 2B, 2C Diagram

Attachment No. 2: Landscaping and Furnishings Deferrals

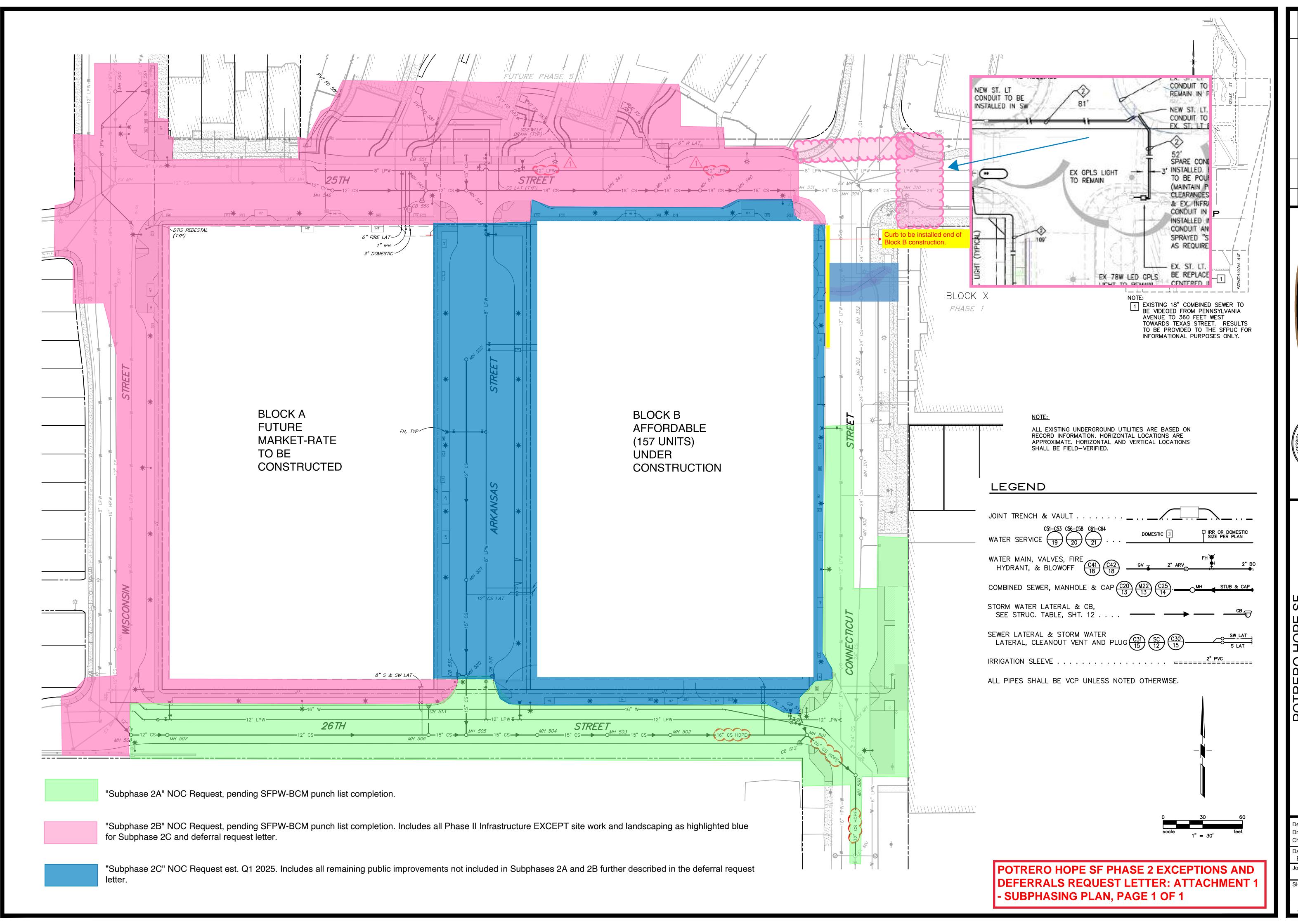
Attachment No. 3: SFMTA Permanent Striping and Signage Deferrals

Attachment No. 4: SFPUC Streetlight Circuit and SFMTA Bus Shelter Feed

Attachment No. 5: Pavers/Basalt Cobblestones Deferrals

Attachment No. 6: SFPUC Power Deferrals

Attachment No. 7: Crack Repair Deferral



S A 8/19/21 INFORMATIONAL BULLETIN #1

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IVIL ENGINEERS • URBAN PLANNER
SURVEYORS • LANDSCAPE ARCHIT
THIRD STREET, SANTA ROSA, CA 954



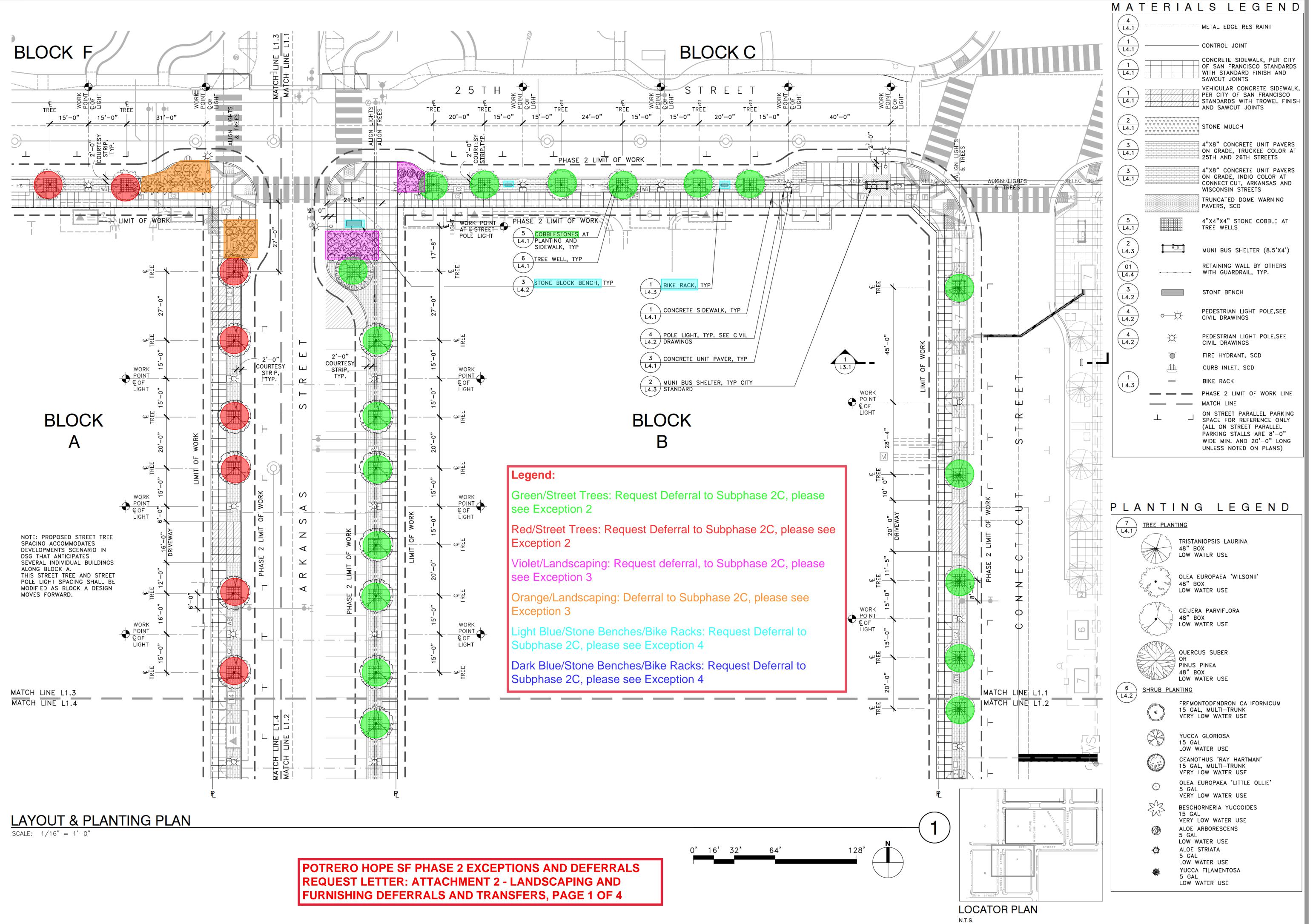
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Drawn by: JML
Checked by: MRH

Date:

Date: FEBRUARY 2021 Job No.

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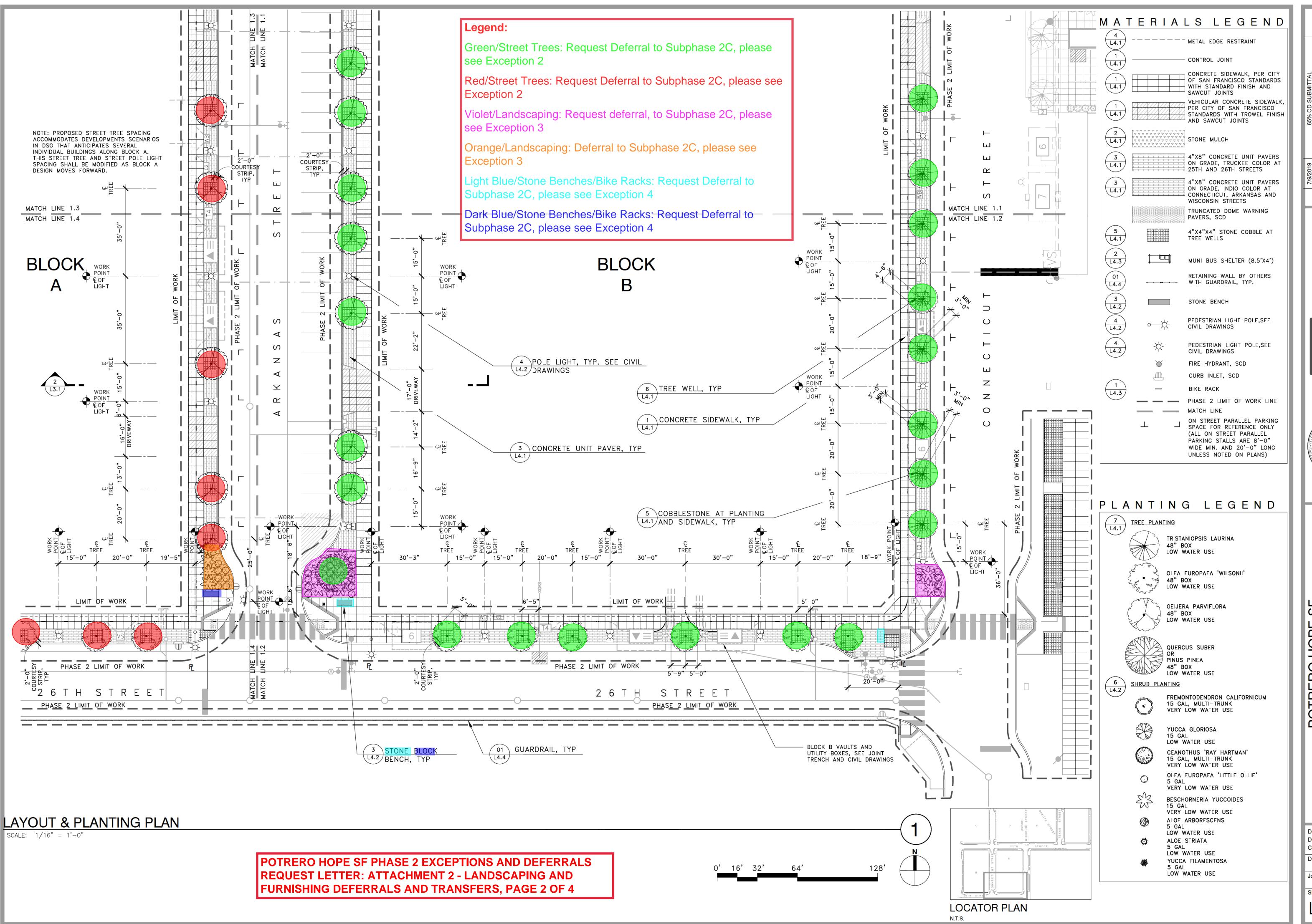
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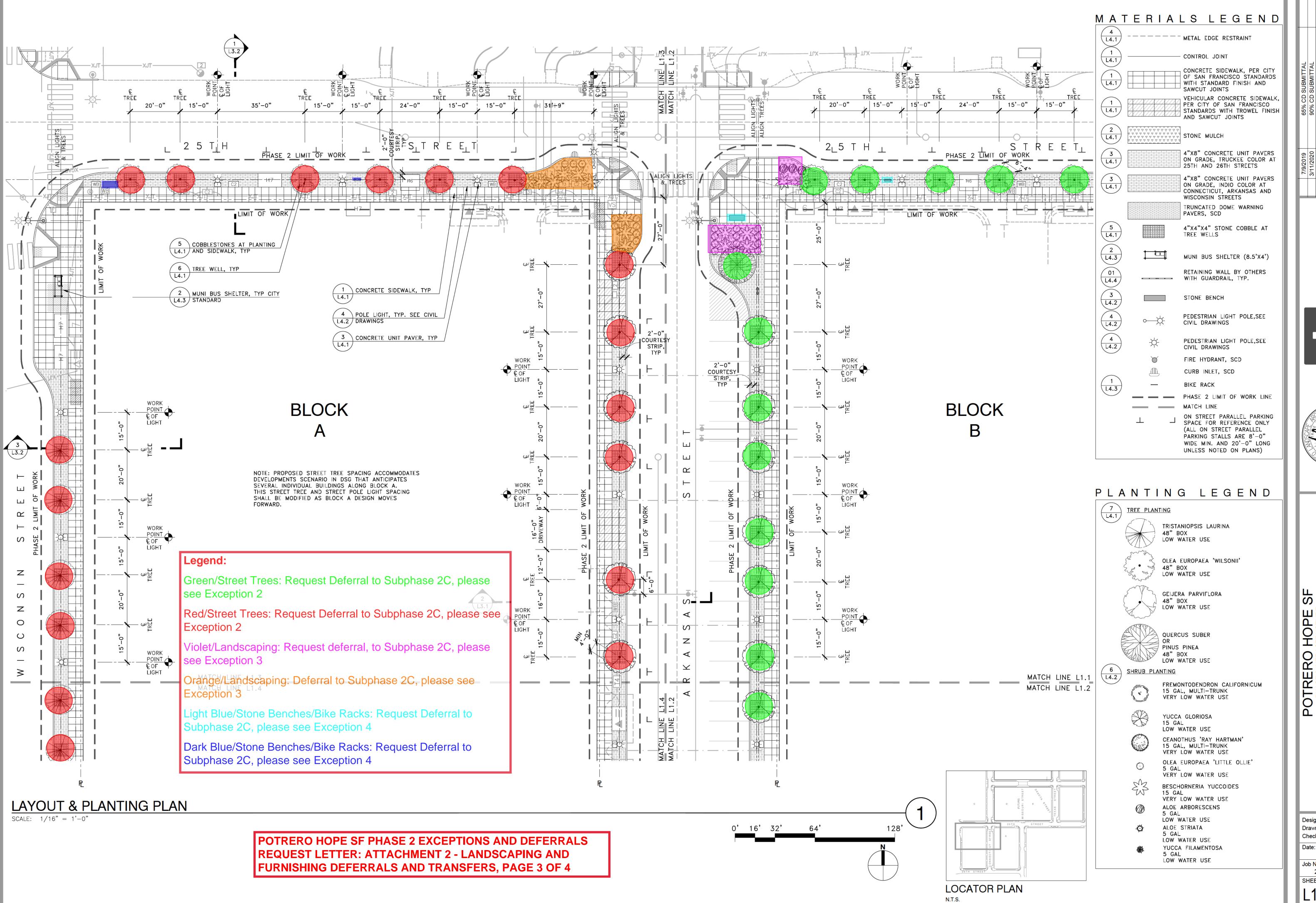


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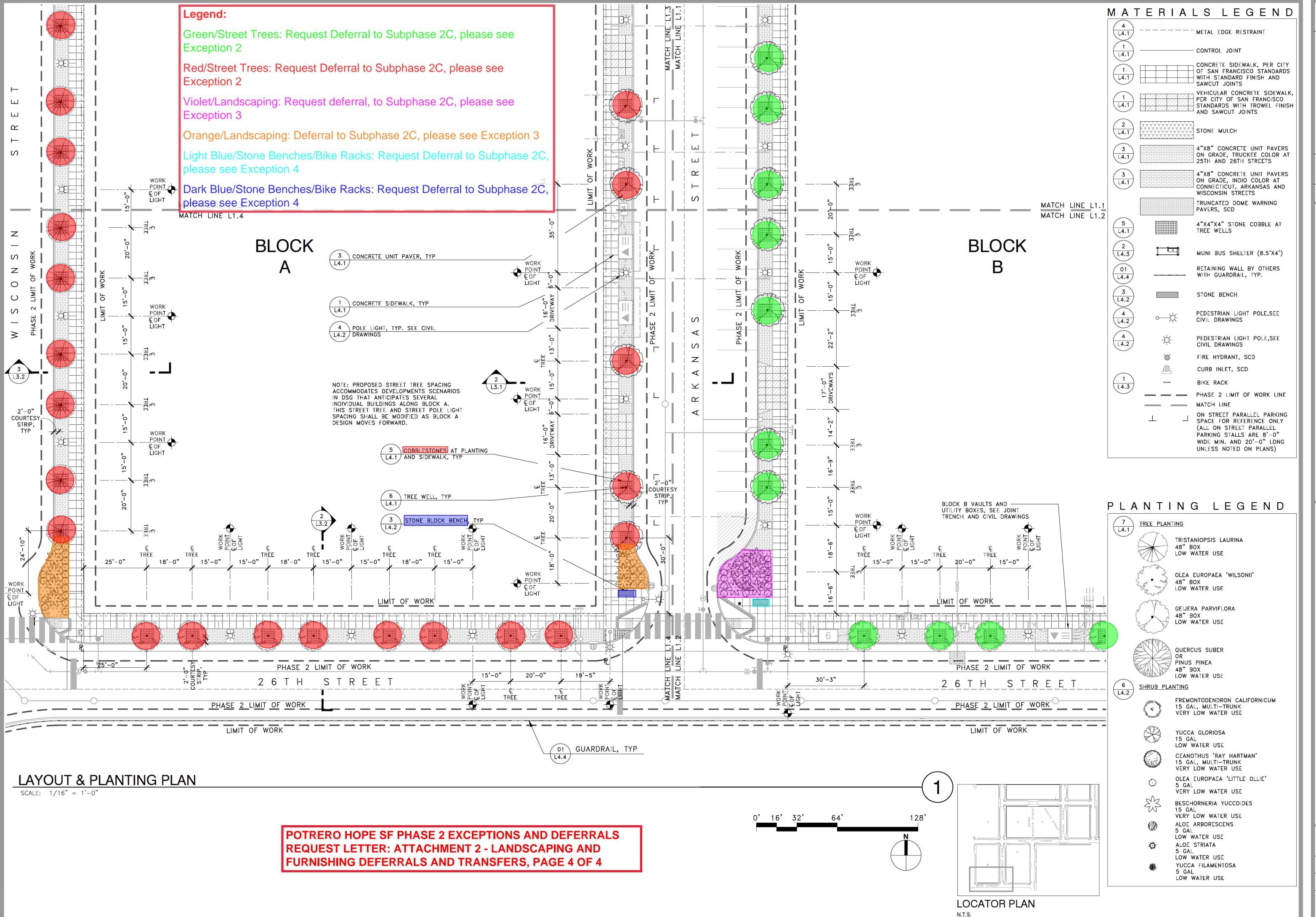
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2677 Mission Street, No. 200 San Francisco, CA 94110-3105 415.285.3614 | glsarch..com





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POTRERO HOPE SF PHASE 2 EXCEPTIONS AND

DEFERRALS REQUEST LETTER: ATTACHMENT 3 -

SFMTA PERMANENT STRIPING, PAGE ONE OF ONE



Designed by: RRS Drawn by: Checked by: MRH

FEBRUARY 2021

MODIFIED TO INCLUDE THE TIME AND DAY OF SCHEDULED STREET CLEANING. THE

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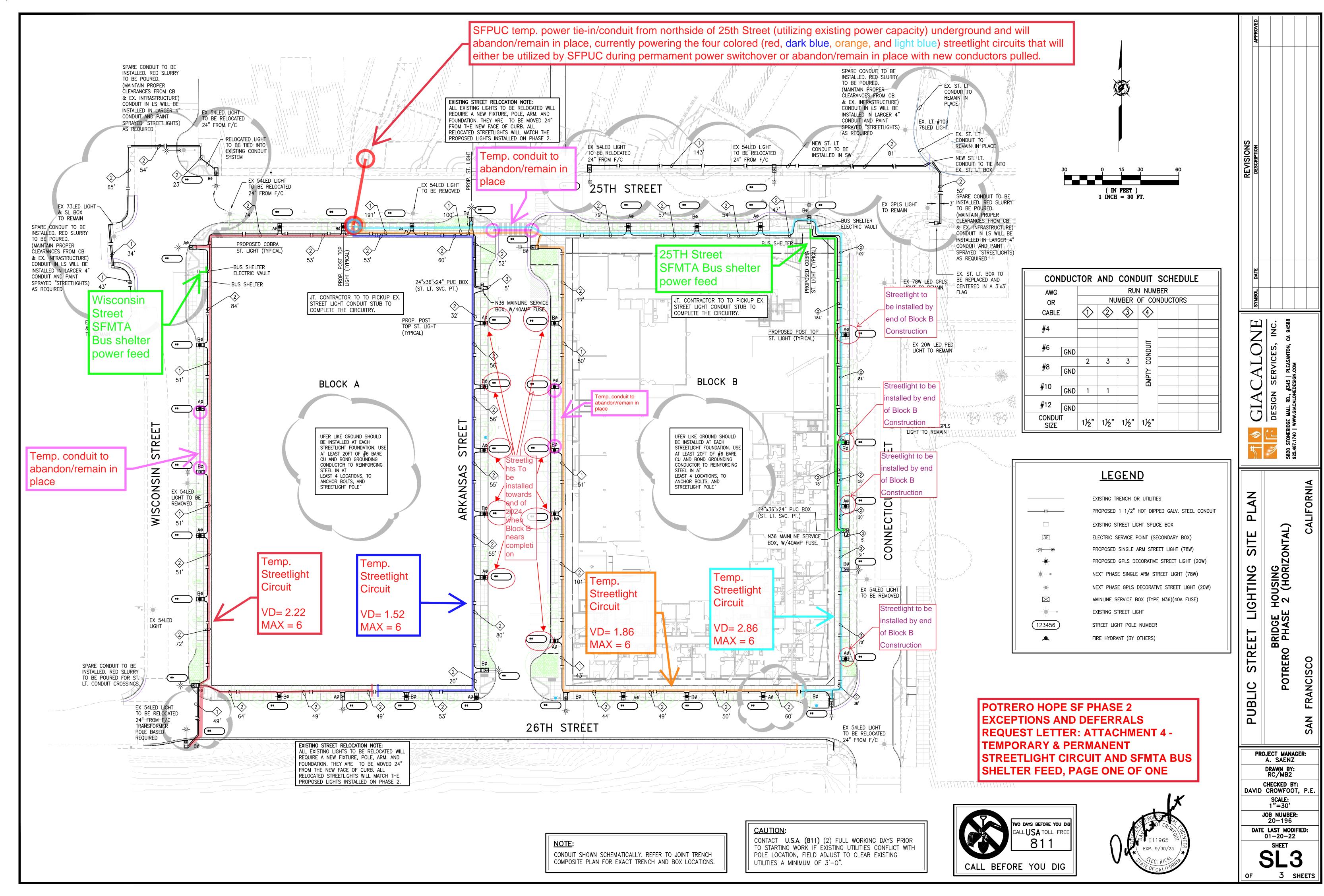
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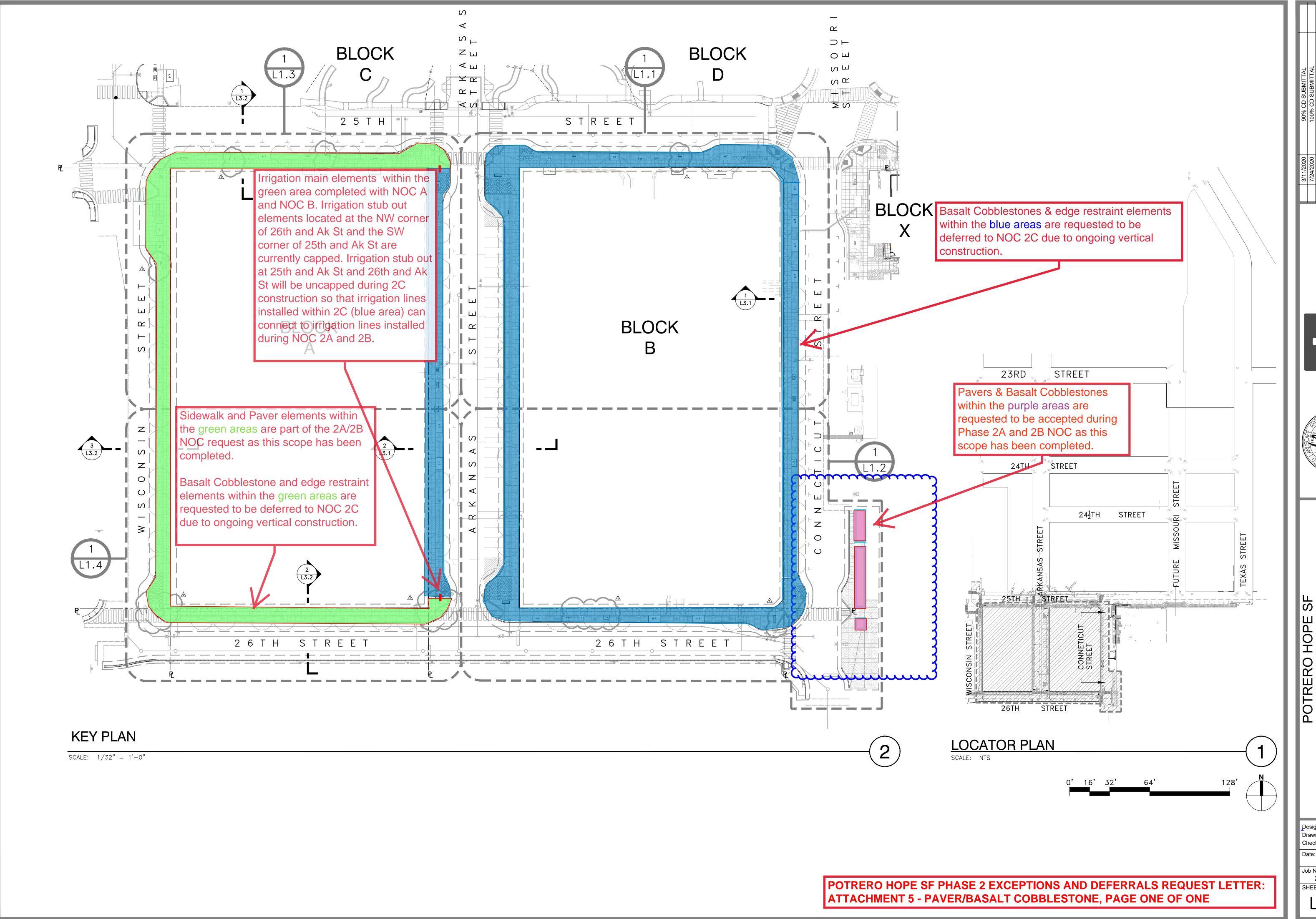
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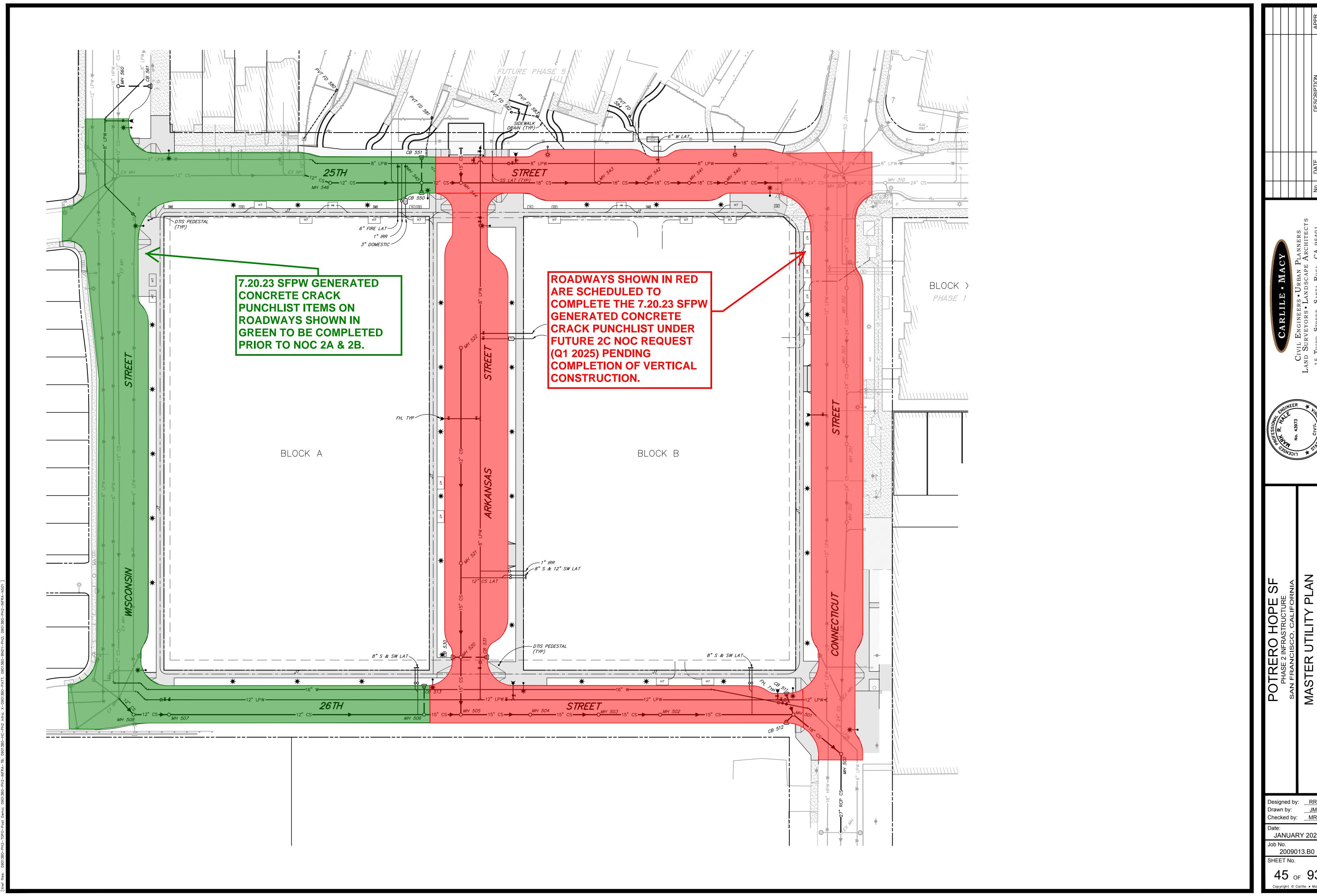
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JANUARY 2021