



## TENTATIVE MAP DECISION

Date: June 24, 2016

Department of City Planning  
 1650 Mission Street, Suite 400  
 San Francisco, CA 94103

Attention: Mr. Scott F. Sanchez

<b>Project ID:</b> 9033			
<b>Project Type:</b> 127 residential and 2 commercial mixed use unit new construction condominium project			
<b>Address#</b>	<b>StreetName</b>	<b>Block</b>	<b>Lot</b>
1530	17TH ST	3953	002A
88	ARKANSAS ST	3953	002
<b>Tentative Map Referral</b>			

Please review and respond to this referral within 30 days in accordance with the Subdivision Map Act.

Sincerely,

James Ryan  
 2016.06.24 13:57:40 -08'00'

for, Bruce R. Storrs, P.L.S.  
 City and County Surveyor

The subject Tentative Map has been reviewed by the Planning Department and does comply with applicable provisions of the Planning Code. On balance, the Tentative Map is consistent with the General Plan and the Priority Policies of Planning Code Section 101.1 based on the attached findings. The subject referral is exempt from California Environmental Quality Act (CEQA) environmental review as categorically exempt Class , CEQA Determination Date , based on the attached checklist.

The subject Tentative Map has been reviewed by the Planning Department and does comply with applicable provisions of the Planning Code subject to the attached conditions.

The subject Tentative Map has been reviewed by the Planning Department and does not comply with applicable provisions of the Planning Code due to the following reason(s):

**PLANNING DEPARTMENT**

Signed

Date

Planner's Name   
 for, Scott F. Sanchez, Zoning Administrator



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**PLANNING DEPARTMENT**

Signed **Carly Grob** Digitally signed by Carly Grob  
 DN: dc=org, dc=sfgov, dc=cityplanning, ou=CityPlanning,  
 ou=Current Planning, cn=Carly Grob,  
 email=Carly.Grob@sfgov.org  
 Date: 2016.07.25 17:27:07 -0700

Date

Planner's Name   
 for, Scott F. Sanchez, Zoning Administrator



# SAN FRANCISCO PLANNING DEPARTMENT

Subject to: (Select only if applicable)

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

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## Planning Commission Motion 19584

HEARING DATE: MARCH 3, 2016

Case No.: **2015-000453ENXSHD**  
 Project Address: **88 ARKANSAS STREET**  
 Zoning: **UMU (Urban Mixed-Use) Zoning District**  
**48-X Height and Bulk District**  
 Block/Lot: **3953/002 and 3953/002A**  
 Project Sponsor: **Julie Heinzler, Martin Building Company**  
**14 Mint Plaza, 5<sup>th</sup> Floor**  
**San Francisco, CA 94103**  
 Staff Contact: **Kate Conner – (415) 575-6914**  
[kate.conner@sfgov.org](mailto:kate.conner@sfgov.org)

ADOPTING FINDINGS RELATING TO A LARGE PROJECT AUTHORIZATION PURSUANT TO PLANNING CODE SECTION 329, TO ALLOW EXCEPTIONS TO 1) REAR YARD PURSUANT TO PLANNING CODE SECTION 134, 2) DWELLING UNIT EXPOSURE PURSUANT TO PLANNING CODE SECTION 140, 3) OFF-STREET LOADING PURSUANT TO PLANNING CODE SECTION 152.1, AND, 4) DWELLING UNIT MIX PURSUANT TO PLANNING CODE SECTION 207.6, TO ALLOW CONSTRUCTION OF A NEW FIVE-STORY RESIDENTIAL BUILDING (APPROXIMATELY 118,684 GSF) WITH 127 DWELLING UNITS (CONSISTING OF 25 STUDIOS, 48 1-BEDROOM UNITS, 48 2-BEDROOM UNITS, AND 6 3-BEDROOM UNITS), LOCATED AT 88 ARKANSAS STREET, LOTS 002 AND 002A IN ASSESSOR'S BLOCK 3953, WITHIN THE UMU (URBAN MIXED-USE) ZONING DISTRICT, THE SHOWPLACE SQUARE/POTRERO HILL AREA PLAN, AND A 48-X HEIGHT AND BULK DISTRICT.

### PREAMBLE

On April 1, 2015, Julie Heinzler, Martin Building Company (hereinafter "Project Sponsor") filed Application No. **2015-000453ENXSHD** (hereinafter "Application") with the Planning Department (hereinafter "Department") for a Large Project Authorization to construct a new five-story residential building with 127 dwelling units at 88 Arkansas Street (Block 3953 Lots 002 and 002A) in San Francisco, California.

The environmental effects of the Project were determined by the San Francisco Planning Department to have been fully reviewed under the Eastern Neighborhoods Area Plan Environmental Impact Report

(hereinafter "EIR"). The EIR was prepared, circulated for public review and comment, and, at a public hearing on August 7, 2008, by Motion No. 17661, certified by the Commission as complying with the California Environmental Quality Act (Cal. Pub. Res. Code Section 21000 et seq., (hereinafter "CEQA"). The Commission has reviewed the Final EIR, which has been available for this Commission's review as well as public review.

The Eastern Neighborhoods EIR is a Program EIR. Pursuant to CEQA Guideline 15168(c)(2), if the lead agency finds that no new effects could occur or no new mitigation measures would be required of a proposed project, the agency may approve the project as being within the scope of the project covered by the program EIR, and no additional or new environmental review is required. In approving the Eastern Neighborhoods Plan, the Commission adopted CEQA Findings in its Motion No. 17661 and hereby incorporates such Findings by reference.

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

On January 14, 2016, the Department determined that the proposed application did not require further environmental review under Section 15183 of the CEQA Guidelines and Public Resources Code Section 21083.3. The Project is consistent with the adopted zoning controls in the Eastern Neighborhoods Area Plan and was encompassed within the analysis contained in the Eastern Neighborhoods Final EIR. Since the Eastern Neighborhoods Final EIR was certified, there have been no substantial changes to the Eastern Neighborhoods Area Plan and no substantial changes in circumstances that would require major revisions to the Final EIR 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 Final EIR. The file for this Project, including the Eastern Neighborhoods Final EIR and the Community Plan Exemption certificate, is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, San Francisco, California.

Planning Department staff prepared a Mitigation Monitoring and Reporting Program (MMRP) setting forth mitigation measures that were identified in the Eastern Neighborhoods Plan EIR that are applicable to the project. These mitigation measures are set forth in their entirety in the MMRP attached to the draft Motion as Exhibit C.

On March 3, 2016, the Commission conducted a duly noticed public hearing at a regularly scheduled meeting on Large Project Authorization Application Case No. 2015-000453ENXSHD.

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

**MOVED**, that the Commission hereby authorizes the Large Project Authorization requested in Application No. 2015-000453ENXSHD, subject to the conditions contained in "EXHIBIT A" of this motion, based on the following findings:

### **FINDINGS**

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

1. The above recitals are accurate and constitute findings of this Commission.
2. **Site Description and Present Use.** The Project is located on an approximately 30,000 square foot rectangular site that is comprised of two adjacent lots: 88 Arkansas Street/1500 17<sup>th</sup> Street (Lot 002) and 1530 17<sup>th</sup> Street (Lot 002A). The lots are located on the block bounded by 17<sup>th</sup> Street to the south, 16<sup>th</sup> Street to the north, Arkansas Street to the east, and Wisconsin Street to the west in the Potrero Hill neighborhood. Lot 002A is developed with an approximately 24-foot-tall, two-story industrial building constructed in 1923 that is currently vacant. Lot 002 is developed with an approximately 24-foot-tall, two-story industrial building constructed in 1906 and a surface parking lot providing 13 spaces. Access to the parking lot is via an approximately 24-foot-wide curb cut off of Arkansas Street. Currently, 88 Arkansas Street is occupied by an interior design staging company. Collectively, the two existing buildings provide approximately 25,560 gsf of industrial and storage space.
3. **Surrounding Properties and Neighborhood.** The Project Site is located in the UMU (Urban Mixed Use) Zoning District directly north of Jackson Playground along a mixed-use corridor within the Showplace Square/ Potrero Hill Area Plan. The UMU District is intended to promote a vibrant mix of uses while maintaining the characteristics of this formerly industrially-zoned area. It is also intended to serve as a buffer between residential districts and PDR districts in the Eastern Neighborhoods. Within the UMU, allowed uses include production, distribution, and repair uses such as light manufacturing, home and business services, arts activities, warehouse, and wholesaling. Additional permitted uses include retail, educational facilities, and nighttime entertainment. Housing is also permitted, but is subject to higher affordability requirements. Family-sized dwelling units are encouraged.

The immediate neighborhood includes: one-to-two story tall, warehouse properties across Arkansas Street; residential properties and a bar/restaurant use to the south of 17<sup>th</sup> Street and on the eastern side of Arkansas Street; and, various one-to-two-story tall, commercial and industrial properties to the north. The subject lot is located within five blocks of the Showplace Square Heavy Timber and Steel-frame Brick Warehouse and Factory Historic District, which is located four blocks west and one block north of the Project Site. Other zoning districts in the vicinity of the Project Site include: P (Public); RH-3 (Residential, House, Three-Family); PDR-1-D (Production, Distribution and Repair-Design), and, PDR-1-G (Production, Distribution and Repair-General).

4. **Project Description.** The Project includes demolition of the two existing two-story industrial warehouse buildings on the subject lots (measuring 25,560 square feet), and new construction of a five-story residential building (approximately 118,684 gsf), approximately 48 feet tall with 127 dwelling units, approximately 3,118 gross square feet of retail/restaurant uses, up to 98 off-street parking spaces, 128 Class 1 bicycle parking spaces and 12 Class 2 bicycle parking spaces, and a combination of private and common open space. The Project includes a dwelling unit mix of approximately 25 studio apartments, 51 one-bedroom apartments, 48 two-bedroom apartments, and six three-bedroom units. The proposed project includes common open space (approximately 8,921 square feet) and private open space (approximately 1,379 square feet). Common open space will be provided by two courtyards on the ground floor, a solarium on the fifth floor, and a roof deck. An approximately 31-foot-wide parklet will be located on 17<sup>th</sup> Street near the southwest corner of 17<sup>th</sup> and Arkansas Streets, which will require a separate application process subsequent to this entitlement. The proposed project is also seeking Leadership in Energy and Environmental Design (LEED) for Homes Platinum certification from the U.S. Green Building Council.
5. **Public Comment.** As of February 16, 2016, the Department has received three pieces of correspondence in opposition to the Project and seven letters in support of the Project.
6. **Planning Code Compliance:** The Commission finds that the Project is consistent with the relevant provisions of the Planning Code in the following manner:
  - A. **Permitted Uses in UMU Zoning Districts.** Planning Code Section 843.20 states that residential use is principally permitted use within the UMU Zoning District. In addition, Planning Code Section 843.45 states that a retail use is principally permitted use within the UMU Zoning District.

*The Project would construct a new residential development within the UMU Zoning District with a ground floor café use; therefore, the Project complies with Planning Code Section 843.20 and Planning Code Section 843.45.*
  - B. **Rear Yard.** Planning Code Section 134 requires a minimum rear yard equal to 25 percent of the total lot depth of the lot to be provided at every residential level. The total lot depth is 150

feet and the length is 200 feet. Therefore, the Project would have to provide a rear yard, which measures approximately 7,500 sf.

*The Project contains dwellings at the ground floor and contains two courtyards: a smaller courtyard along the northern property line and a southern courtyard located along the western property line. The southern courtyard is 3,581 sf in area and the northern courtyard is 1,901 sf in area. The two courtyards total 5,482 sf in area which is 2,018 sf deficient from the required amount.*

*A comparable, but not necessarily equal amount of square footage as would be created in a Code conforming rear yard is provided elsewhere within the development. For the proposed 127 dwelling units, the Project is required to provide 10,160 sf of open space. The Project includes a combination of courtyards, patios, porches, balconies, an artificial turf area, a solarium, and a roof deck to meet the open space requirements. The total common open space being provided in the Project is 9,530 sf and with the 669 sf of private open space, the total amount of open space being provided is 10,199 sf, which exceeds the 10,160 sf open space requirement for 127 dwelling units and the required 7,500 sf of open space, which would have been provided through the required rear yard. Since the Project does not provide a rear yard against the rear lot line, the Project is seeking an exception of the rear yard requirement as part of the Large Project Authorization (See Below).*

*A conforming rear yard would have been opposite of Arkansas Street and would result in an inconsistent street wall along 17<sup>th</sup> Street. By providing an exception to the rear yard requirement, the Project appropriately holds the street wall and results in a more favorable design.*

- C. **Useable Open Space.** Planning Code Section 135 requires a minimum of 80 sf of open space per dwelling unit, if not publically accessible, or 54 sf of open space per dwelling unit, if publically accessible. Private useable open space shall have a minimum horizontal dimension of six feet and a minimum area of 36 sf if located on a deck, balcony, porch or roof, and shall have a minimum horizontal dimension of 10 feet and a minimum area of 100 sf if located on open ground, a terrace or the surface of an inner or outer court. Common useable open space shall be at least 15 feet in every horizontal dimension and shall be a minimum of 300 sf. Further, inner courts may be credited as common useable open space if the enclosed space is not less than 20 feet in every horizontal dimension and 400 sf in area, and if the height of the walls and projections above the court on at least three sides is such that no point on any such wall or projection is higher than one foot for each foot that such point is horizontally distant from the opposite side of the clear space in the court.

*For the proposed 127 dwelling units, the Project is required to provide 10,160 sf of open space. The Project includes a combination of courtyards, patios, porches, balconies, an artificial turf area, a solarium, and a roof deck to meet the open space requirements. The Project contains two courtyards at the ground floor. The northern courtyard contains open space and three patios which qualify for private open space for three units. Each of these private patios is 80 sf in area. The remainder of the northern courtyard does not contribute to the required open space. The southern courtyard contains 3,514 sf of open space which qualifies as common open space.*

*There are private porches at the ground floor for five units, each totaling 39 sf in area. There are also private balconies on the second floor for six units, each totaling 39 sf in area. In total, between the private patios, porches, and balconies, there is a total of 669 sf of private open space available in the Project.*

*Common open space is also being provided at the fifth floor through the addition of a solarium. Pursuant to Planning Code Section 135, the area of a totally or partially enclosed solarium may be credited as common usable open space if the space is not less than 15 feet in every horizontal dimension and 300 square feet in area; and if such area is exposed to the sun through openings or clear glazing on not less than 30 percent of its perimeter and 30 percent of its overhead area. Approximately 1,236 sf of area is dedicated to the solarium use on the fifth floor.*

*The Project includes two separate open spaces at the roof level: a roof deck and an artificial turf area. The roof deck is 3,260 sf in area and the artificial turf area is 1,140 sf in area. The total common open space being provided in the Project is 9,530 sf and with the 669 sf of private open space, the total amount of open space being provided is 10,199 sf, which exceeds the 10,160 sf requirement for 127 dwelling units.*

- D. Streetscape and Pedestrian Improvements.** Planning Code Section 138.1 requires a streetscape plan, which includes elements from the Better Streets Plan.

*The Project includes the new construction of a five-story residential building on a lot with approximately 200 feet of frontage along Arkansas Street and 150 feet of frontage along 17<sup>th</sup> Street. The Project includes streetscape elements, including a bulb out at the intersection of 17<sup>th</sup> Street and Arkansas Street, bicycle parking racks, sidewalk planters, street trees, site furnishings, and the widening of Arkansas Street sidewalks by eleven feet to incorporate a planting strip and sidewalk furnishings. Although it would be ideal to widen the sidewalks of 17<sup>th</sup> Street to 15 feet is not in conjunction with future SFMTA plans for widening the street.*

*Therefore, the Project complies with Planning Code Section 138.1.*

- E. Bird Safety.** Planning Code Section 139 outlines the standards for bird-safe buildings, including the requirements for location-related and feature-related hazards.

*The subject lot is not located in close proximity to an Urban Bird Refuge. The Project meets the requirements of feature-related standards and does not include any unbroken glazed segments 24- sf and larger in size; therefore, the Project complies with Planning Code Section 139. Any unbroken glazed segments that meet these requirements would have to be treated appropriately.*

- F. Dwelling Unit Exposure.** Planning Code Section 140 requires that at least one room of all dwelling units face onto a public street, rear yard or other open area that meets minimum requirements for area and horizontal dimensions. To meet exposure requirements, a public street, public alley, side yard or rear yard must be at least 25 ft in width, or an open area (inner court) must be no less than 25 ft in every horizontal dimension for the floor at which the dwelling unit is located.



*The Project fronts on both 17<sup>th</sup> Street and Arkansas Street. Units facing these streets meet exposure requirements. In addition, units facing the southern courtyard also meet exposure requirements because the southern courtyard is 45'-9" wide and 65'-9" deep. For a five-story building that contains units on the ground floor, the courtyard must be 40'-0" wide and 40'-0" deep to meet exposure requirements at all levels. Some of the units facing the northern courtyard will require an exception from the exposure requirement. The northern courtyard is only 25'-0" wide and is 71'-3" deep. There are four units on each floor that face this courtyard. All four units on the first three floors require the modification because of the width of the area. The units on the fourth and fifth floors meet the requirement aside from the studio unit which faces an articulated portion of the building, thereby not meeting the exposure requirement. Therefore, the Project is seeking an exception of the dwelling unit exposure requirements for 14 dwelling units as part of the Large Project Authorization (See Below).*

- G. **Street Frontage in Mixed Use Districts.** Planning Code Section 145.1 requires off-street parking at street grade on a development lot to be set back at least 25 feet on the ground floor; that no more than one-third of the width or 20 feet, whichever is less, of any given street frontage of a new structure parallel to and facing a street shall be devoted to parking and loading ingress or egress; that space for active uses be provided within the first 25 feet of building depth on the ground floor; that non-residential uses have a minimum floor-to-floor height of 14 feet; that the floors of street-fronting interior spaces housing non-residential active uses and lobbies be as close as possible to the level of the adjacent sidewalk at the principal entrance to these spaces; and that frontages with active uses that are not residential or PDR be fenestrated with transparent windows and doorways for no less than 60 percent of the street frontage at the ground level. Ground floor non-residential uses in UMU Districts shall have a minimum floor-to-floor height of 17 feet, as measured from grade.

*The Project meets the requirements of Planning Code Section 145.1. At grade, the off-street parking is setback by more than 25-ft from the street. The Project has one 12-foot wide garage entrance to the off-street parking located off of Arkansas Street. The Project features the appropriate amount of active use with the ground floor walk-up dwelling units, which provide direct, individual pedestrian access to a public sidewalk. Finally, the Project features appropriate street-facing ground level spaces, as well as the ground level transparency and fenestration requirements. The building lobby and leasing office are well below the 40-foot maximum frontage. The retail space has a ceiling height of at least 17 feet, thereby meeting this requirement.*

- H. **Off-Street Parking.** Planning Section 151.1 of the Planning Code allows off-street parking at a maximum ratio of .75 per dwelling unit. For dwelling units in the UMU Zoning District with at least 2 bedrooms and at least 1,000 square feet of occupied floor area, off-street parking is permitted at 1 car for each dwelling unit for these dwelling units per the criteria under 151.1(g).

*The Project includes 127 dwelling units, five of which have at least two bedrooms and are at least 1,000 square feet in size; therefore, the Project is permitted five off-street parking spaces for these dwelling units and 92 spaces for the remaining units. The Project is required to provide one car share space. Therefore, the Project is permitted a total of 98 off-street parking spaces.*

*Currently, the Project provides 98 off-street parking spaces via a combination of mechanical lifts and single spaces. Of these 98 off-street parking spaces, there are 82 stacker spaces, two handicap parking spaces, as well as one car-share parking space and 13 standard spaces. Therefore, the Project complies with Planning Code Section 151.1.*

- I. **Off-Street Freight Loading.** Planning Section 152.1 of the Planning Code requires one off-street freight loading space for apartment use between 100,001 - 200,000 gsf.

*The Project includes approximately 111,694 square feet of apartment use, thus at least one off-street freight loading space is required. The Project does not possess any off-street freight loading parking spaces; however, the Project is proposing a 45-foot loading zone on Arkansas Street. Therefore, the Project is seeking an exception of this requirement as part of the Large Project Authorization (See Below).*

- J. **Bicycle Parking.** Planning Section 155.2 of the Planning Code requires at least 100 Class 1 bicycle parking spaces plus one Class 1 bicycle parking space for every four dwelling units and one Class 2 bicycle parking spaces for every 20 dwelling units. A café use requires a minimum of two spaces and one Class 2 space for every 750 sq. ft. of occupied floor area.

*The Project includes 127 dwelling units; therefore, the Project is required to provide 107 Class 1 bicycle parking spaces and 6 Class 2 bicycle parking spaces to satisfy the residential requirement. The Project will provide 127 Class 1 spaces and 6 Class 2 spaces for the residential component and provide 1 additional Class 1 space and 6 additional Class 2 bicycle parking spaces for the café component. The café has 2,916 sf of occupied floor area; therefore, four spaces are required. The total bicycle parking required is 107 Class 1 spaces and 10 Class 2 spaces. The Project is providing 128 Class 1 spaces and 12 Class 2 spaces; therefore the Project is exceeding the requirement and complies with Planning Code Section 155.2.*

- K. **Car Share Requirements.** Planning Code Section 166 requires one car-share parking space, plus one for every residential project with 50-200 dwelling units.

*Since the Project includes 127 dwelling units, it is required to provide a minimum of one car-share parking space. The Project provides one car-share parking space. Therefore, the proposed project complies with Planning Code Section 166.*

- L. **Unbundled Parking.** Planning Code Section 167 requires that all off-street parking spaces accessory to residential uses in new structures of 10 dwelling units or more be leased or sold separately from the rental or purchase fees for dwelling units for the life of the dwelling units.

*The Project is providing off-street parking that is accessory to the dwelling units. These spaces will be unbundled and sold and/or leased separately from the dwelling units; therefore, the Project meets this requirement.*

- M. **Dwelling Unit Mix.** Planning Code Section 207.6 requires that no less than 40 percent of the total number of proposed dwelling units contain at least two bedrooms, or no less than 30 percent of the total number of proposed dwelling units contain at least three bedrooms.

*For the 127 dwelling units, the Project is required to provide at least 51 two-bedroom units or 38 three-bedroom units. The Project provides 25 studios, 51 one-bedroom units, 41 two-bedroom units, and 10 three-bedroom units. The Project is utilizing a nested bedroom layout for the two and three bedroom units. Therefore, the Project is seeking an exception of this requirement as part of the Large Project Authorization (See Below).*

- N. **Horizontal Mass Reduction.** Planning Code Section 270.1 outlines the requirements for horizontal mass reduction on large lots within the Eastern Neighborhoods Mixed Use Districts. For projects with street frontage greater than 200-ft in length, one or more mass reduction breaks must be incorporated to reduce the horizontal scale of the building into discrete sections not more than 200-ft in length. Specifically, the mass reduction must 1) be not less than 30-ft in width; 2) be not less than 60-ft in depth from the street-facing building façade; 3) extend up to the sky from a level not higher than 25-ft above grade or the third story, whichever is lower; and, 4) result in discrete building sections with a maximum plan length along the street frontage not greater than 200-ft.

*Given that the frontage is only 200 feet along Arkansas Street, the Project is not required to provide horizontal mass breaks; therefore, the Project meets this requirement.*

- O. **Mid-Block Alley.** Planning Code Section 270.2 outlines the requirements for mid-block alleys on large lots within the Eastern Neighborhoods Mixed Use Districts. This requirement applies to all new construction on parcels that have one or more street frontages of over 200 linear feet on a block face longer than 400-ft between intersections. On lots with frontage greater than 300-ft, the project shall provide a publicly-accessible mid-block alley for the entire depth of the property, generally located toward the middle of the subject block face, perpendicular to the subject frontage and connecting to any existing streets and alleys.

*Given that the frontage is only 200 feet along Arkansas Street, the Project is not required to provide a mid-block alley; therefore, the Project meets this requirement.*

- P. **Shadow.** Planning Code Section 295 restricts net new shadow, cast by structures exceeding a height of 40 feet, upon property under the jurisdiction of the Recreation and Park Commission. Any project in excess of 40 feet in height and found to cast net new shadow must be found by the Planning Commission, with comment from the General Manager of the Recreation and Parks Department, in consultation with the Recreation and Park Commission, to have no adverse impact upon the property under the jurisdiction of the Recreation and Park Commission.

*Based upon a detail shadow analysis, the Project would cast new shadow upon Jackson Playground which is a property under the jurisdiction of the Recreation and Parks Commission. Based upon the recommendation of the General Manager of the Recreation and Parks Department, in consultation*

*with Recreation and Park Commission, the net new shadow would not be adverse to the use of Jackson Playground. The Commission has adopted findings regarding the impact of shadow on Jackson Playground, as documented in Motion No. 19583.*

- Q. **Inclusionary Affordable Housing Program.** Planning Code Section 415 sets forth the requirements and procedures for the Inclusionary Affordable Housing Program. Under Planning Code Section 415.3, the current percentage requirements apply to projects that consist of ten or more units, where the first application (EE or BPA) was applied for on or after July 18, 2006. Pursuant to Planning Code Section 415.5, 415.6 and 419 (because the Project is located in the UMU District) the Inclusionary Affordable Housing Program Requirement for the On-site Affordable Housing Alternative is to provide 14.4% of the proposed dwelling units as affordable.

*The Project Sponsor has demonstrated that it is eligible for the On-Site Affordable Housing Alternative under Planning Code Section 415.5 and 415.6, and has submitted a 'Affidavit of Compliance with the Inclusionary Affordable Housing Program: Planning Code Section 415,' to satisfy the requirements of the Inclusionary Affordable Housing Program by providing the affordable housing on-site instead of through payment of the Affordable Housing Fee. In order for the Project Sponsor to be eligible for the On-Site Affordable Housing Alternative, the Project Sponsor must submit an 'Affidavit of Compliance with the Inclusionary Affordable Housing Program: Planning Code Section 415,' to the Planning Department stating that any affordable units designated as on-site units shall be sold as ownership units and will remain as ownership units for the life of the project or submit to the Department a contract demonstrating that the project's on- or off-site units are not subject to the Costa Hawkins Rental Housing Act, California Civil Code Section 1954.50 because, under Section 1954.52(b), the Project Sponsor has entered into an agreement with a public entity in consideration for a direct financial contribution or any other form of assistance specified in California Government Code Sections 65915 et seq. and submits an Affidavit of such to the Department. All such contracts entered into with the City and County of San Francisco must be reviewed and approved by the City Attorney's Office. The Project Sponsor has indicated the intention to enter into an agreement with the City to qualify for a waiver from the Costa-Hawkins Rental Housing Act based upon the proposed density bonus and concessions provided by the City and approved herein. The Project Sponsor submitted such Affidavit on February 10, 2016 and a draft of the Costa Hawkins agreement. The Project must execute the Costa Hawkins agreement prior to Planning Commission approval or must revert to payment of the Affordable Housing Fee. The EE application was submitted on January 14, 2015. Pursuant to Planning Code Section 415.3, 415.6, and 419, the on-site requirement is 14.4%.*

*The Project elected to participate in the Priority Processing program and submitted an application for the program on December 22, 2014 and committed to provide 20% of the units as Affordable Units on-site. The Project thus qualifies for Priority Processing. Planning Director Bulletin #2 Planning Department Priority Application Processing Guidelines provides Priority Processing for Projects providing 20% of the proposed dwelling units as affordable to qualifying households which must meet or exceed the standards set forth in Planning Code Section 415. Therefore, as a condition of approval and a condition of receiving priority processing, 20% or 25 units (5 studios, 10 one-bedroom, 8 two-bedroom, and 2 three-bedroom) of the 127 units provided will be affordable units restricted under the provisions of Planning Code Section 415 et seq.. If the Project becomes ineligible to meet its*

*Inclusionary Affordable Housing Program obligation through the On-site Affordable Housing Alternative, it must pay the Affordable Housing Fee with interest, if applicable.*

- R. **Eastern Neighborhood Infrastructure Impact Fees.** Planning Code Section 423 is applicable to any development project within the UMU (Urban Mixed Use) Zoning District that results in the addition of gross square feet of non-residential and residential floor area.

*The Project includes approximately 111,694 gross square feet of new residential development and 3,118 gross square feet of non-residential development. These uses are subject to Eastern Neighborhood Infrastructure Impact Fees, as outlined in Planning Code Section 423. These fees must be paid prior to the issuance of the first construction document.*

7. **Large Project Authorization in Eastern Neighborhoods Mixed Use District.** Planning Code Section 329(c) lists nine aspects of design review in which a project must comply; the Planning Commission finds that the project is compliant with these nine aspects as follows:

- A. Overall building mass and scale.

*The Project's mass and scale are appropriate for a large lot and the surrounding context, which includes small and large industrial buildings that create varied context along Arkansas Street. The Project expresses one distinct mass along Arkansas Street, which is articulated by different architectural designs. The Project is consistent with the mass and scale of nearby industrial properties. Thus, the Project is appropriate and consistent with the mass and scale of the surrounding neighborhood.*

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

*The Project's architectural treatments, façade design and building materials include exposed concrete, steel, aluminum, and glass which reference the predominantly industrial character of the neighborhood. Overall, the Project offers a high quality architectural treatment, which provides for unique and expressive architectural design that is consistent and compatible with the surrounding industrial character found in the neighborhood.*

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

*Along the lower floors, the Project provides walk-up dwelling units with individual pedestrian access. These dwelling units provide activity along the street. The lower floors are further enhanced by the publically-accessible retail space on 17<sup>th</sup> Street and streetscape improvements along Arkansas Street.*

- D. The provision of required open space, both on- and off-site. In the case of off-site publicly accessible open space, the design, location, access, size, and equivalence in quality with that otherwise required on-site;

*The Project provides the required open space for the 127 dwelling units through private porches, patios, and balconies, in addition to common open space satisfied through a solarium, roof deck, courtyard, and artificial turf area. In total, the Project provides a total of 10,199 sf of useable open space, thus exceeding the required amount for the dwelling units.*

- E. The provision of mid-block alleys and pathways on frontages between 200 and 300 linear feet per the criteria of Section 270, and the design of mid-block alleys and pathways as required by and pursuant to the criteria set forth in Section 270.2;

*The Project is not required to provide a mid-block alley.*

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

*In compliance with Planning Code Section 138.1, the Project provides 5 new street trees along the street frontages on Arkansas and 17<sup>th</sup> Streets in addition to the 12 existing trees which will remain, and would pay an in-lieu fee any street trees not provided due to proximity towards underground utilities, etc. In addition, the Project includes streetscape elements, including an extended bulb out at the corner of Arkansas and 17<sup>th</sup> Streets. The Project includes streetscape elements, bicycle parking racks, sidewalk planters, street trees, site furnishings, and the widening of Arkansas Street sidewalks by eleven feet to incorporate a planting strip and sidewalk furnishings. Although it would be ideal to widen 17<sup>th</sup> Street to 15 feet is not in conjunction with future SFMTA plans for widening the street. The Commission finds that these improvements would improve the public realm.*

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

*The Project provides ample circulation in and around the Project Site, including two courtyards and a publically accessible retail space. Automobile access is limited to the one opening at the northern corner of the Arkansas Street frontage.*

- H. Bulk limits;

*The Project is within an 'X' Bulk District, which does not restrict bulk.*

- I. Other changes necessary to bring a project into conformance with any relevant design guidelines, Area Plan or Element of the General Plan;

*The Project, on balance, meets the Objectives and Policies of the General Plan. See Below.*

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

- A. Exception for rear yards, pursuant to the requirements of Section 134(f);

(f) Modification of Requirements in the Eastern Neighborhoods Mixed Use Districts. The rear yard requirement in Eastern Neighborhoods Mixed Use Districts may be modified or waived by the Planning Commission pursuant to Section 329. The rear yard requirement in Eastern Neighborhoods Mixed Use Districts may be modified by the Zoning Administrator pursuant to the procedures set forth in Section 307(h) for other projects, provided that:

(1) A comparable, but not necessarily equal amount of square footage as would be created in a code conforming rear yard is provided elsewhere within the development;

*The Project provides for a comparable amount of open space, in lieu of the required rear yard. Overall, the project site is 30,000 sf in size, and would be required to provide a rear yard measuring 7,500 sf. The Project includes a combination of courtyards, patios, porches, balconies, an artificial turf area, a solarium, and a roof deck to meet the open space requirements. The total common open space being provided in the Project is 9,530 sf and with the 669 sf of private open space, the total amount of open space being provided is 10,199 sf, which exceeds the 10,160 sf open space requirement for 127 dwelling units and the required 7,500 sf of open space, which would have been provided through the required rear yard.*

(2) The proposed new or expanding structure will not significantly impede the access to light and air from adjacent properties or adversely affect the interior block open space formed by the rear yards of adjacent properties; and

*The Project does not impede access to light and air for the adjacent properties. The Project is not located adjacent to any residential use. The subject block does not possess a pattern of mid-block open space.*

(3) The modification request is not combined with any other residential open space modification or exposure variance for the project, except exposure modifications in designated landmark buildings under Section 307(h)(1).

*The Project is not seeking an exception to the open space requirements; however, the Project is seeking an exception to the exposure requirements for 14 of the 127 dwelling units. The Project does meet the overall intent of these requirements and is seeking an exception to the dimensional requirements of the Planning Code, as allowed under Planning Code Section 329(d) (11).*

- B. Exception from satisfaction of loading requirements per Section 152.1 pursuant to the criteria contained therein.

For projects in the Eastern Neighborhoods Mixed Use Districts that are subject to Section 329, the Planning Commission may waive these requirements per the procedures of Section 329 if it finds that the design of the project, particularly ground floor frontages, would be improved and that such loading could be sufficiently accommodated on adjacent streets and alleys.

*The Project includes approximately 111,694 square feet of apartment use, thus at least one off-street freight loading space is required. The Project does not possess any off-street freight loading parking*

*spaces; however, the Project is proposing a 45-foot loading zone on Arkansas Street. Further, by providing for on-street loading, the Project has reduced the overall size and scale of the garage opening, and has limited automobile access to one opening on Arkansas Street.*

C. Exception from satisfaction of the required minimum dwelling unit mix requirements.

*Planning Code Section 207.6 requires that no less than 40 percent of the total number of proposed dwelling units contain at least two bedrooms, or no less than 30 percent of the total number of proposed dwelling units contain at least three bedrooms. For the 127 dwelling units, the Project is required to provide at least 51 two-bedroom or larger units or 38 three-bedroom units. The Project provides 25 studios, 51 one-bedroom units, 41 two-bedroom units, and 10 three-bedroom units. The Project is using a nested bedroom layout for the two and three bedroom units. Of the 41 two bedrooms and 10 three bedroom units, 38 will have at least one bedroom that does not include an exterior window.*

*All 41 two-bedroom units are considered two-bedroom units pursuant to the Building Code, which allows for nested bedroom layouts. There is an interpretation of the Planning Code that requires bedrooms subject to dwelling unit mix requirements in the Eastern Neighborhoods Plan Area to have exterior windows. However, given more recent changes to the Building Code and the desire to treat all zoning districts with dwelling unit mix requirements equitably, the Department is conducting comprehensive review of this interpretation, which may result in a future revision. The Department researched other jurisdictions and consulted with the Department of Building Inspection, Mayor's Office of Housing and Community Development and the Office of Community Investment and Infrastructure regarding the definition of a bedroom. Research from other jurisdictions and consultation with other City agencies has shown consistent support of the use of nested bedroom layouts.*

D. Where not specified elsewhere in Planning Code Section 329(d), modification of other Code requirements which could otherwise be modified as a Planned Unit Development (as set forth in Section 304), irrespective of the zoning district in which the property is located;

*In addition to the modification of the requirements for rear yard, off-street loading and dwelling unit mix requirements, the Project is seeking modifications of the requirements for exposure (Planning Code Section 140).*

*The Project fronts on both 17<sup>th</sup> Street and Arkansas Street. Units facing these streets meet exposure requirements. In addition, units facing the southern courtyard also meet exposure requirements because the southern courtyard is 45'-9" wide and 65'-9" deep. For a five-story building that contains units on the ground floor, the courtyard must be 40'-0" wide and 40'-0" deep to meet exposure requirements. Some of the units facing the northern courtyard will require an exception from the exposure requirement. The northern courtyard is only 25'-0" wide and is 71'-3" deep. There are four units on each floor that face this courtyard. All four units on the first three floors require the modification because of the width of the area. The units on the fourth and fifth floors meet the requirement aside from the studio unit which faces an articulated portion of the building, thereby not meeting the exposure requirement. Therefore, the Project is seeking an exception of the dwelling unit*



*exposure requirements for 14 dwelling units as part of the Large Project Authorization. Although these dwelling units do not face onto a code-complying open space, the provided open space still affords sufficient access to light and air. Given the overall design and composition of the Project, the Commission is in support of this modification, due to the Project's high quality of design and amount of open space/open areas.*

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

## **HOUSING**

### **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 1.1**

Plan for the full range of housing needs in the City and County of San Francisco, especially affordable housing.

*The Project is a higher density residential development in an underutilized, transitioning industrial and residential area. The Project site is an ideal infill site that is currently occupied by an industrial use. The Project Site was rezoned to UMU as part of a long range planning goal to create a cohesive, higher density residential and mixed-use neighborhood. The surrounding neighborhood features a wide variety of zoning, including: P (Public); RH-3 (Residential, House, Three-Family); PDR-1-D (Production, Distribution and Repair-Design), and, PDR-1-G (Production, Distribution and Repair-General). The Project will provide 25 affordable units on-site, which will provide immediate opportunities for affordable housing in this area.*

#### **OBJECTIVE 4**

FOSTER A HOUSING STOCK THAT MEETS THE NEEDS OF ALL RESIDENTS ACROSS LIFECYCLES.

##### **Policy 4.4**

Encourage sufficient and suitable rental housing opportunities, emphasizing permanently affordable rental units wherever possible.

*The Project meets the affordable housing requirements for the UMU Zoning District by providing 25 affordable units on-site. The Project will provide 20% of the units as affordable. The Project applied and qualifies is providing 20% of the units as Affordable Units. 25 units (5 studios, 10 one-bedroom, 8 two-bedroom, and 2 three-bedroom) of the 127 units provided will be affordable units.*

#### **OBJECTIVE 11**

SUPPORT AND RESPECT THE DIVERSE AND DISTINCT CHARACTER OF SAN FRANCISCO'S NEIGHBORHOODS.

**Policy 11.1**

Promote the construction and rehabilitation of well-designed housing that emphasizes beauty, flexibility, and innovative design, and respects existing neighborhood character.

**Policy 11.2**

Ensure implementation of accepted design standards in project approvals.

**Policy 11.3**

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

**Policy 11.4**

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

**Policy 11.6**

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

**Policy 11.8**

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

*The architecture of this Project responds to the site's location as a transition between industrial zones and the contemporary and traditional architecture of residential zones. The Project's facades provide a unique expression not commonly found within the surrounding area, while providing for a material palette that draws from the surrounding industrial context. The exterior is designed with modern materials including glass veneer, metal wall panels, and aluminum windows.*

**RECREATION AND OPEN SPACE ELEMENT**

**OBJECTIVES AND POLICIES**

**OBJECTIVE 1:**

ENSURE A WELL-MAINTAINED HIGHLY UTILIZED AND INTEGRATED OPEN SPACE SYSTEM.

**Policy 1.11:**

Encourage private recreational facilities on private land that provide a community benefit, particularly to low and moderate-income residents.

**OBJECTIVE 2:**

INCREASE RECREATION AND OPEN SPACE TO MEET THE LONG-TERM NEEDS OF THE CITY AND BAY REGION.

**Policy 2.3:**

Provide recreational programs that are responsive to community needs and changing demographics.

**Policy 2.8**

Consider repurposing underutilized City-owned properties as open space and recreational facilities.

**Policy 2.11:**

Assure that privately developed residential open spaces are useable, beautiful and environmentally sustainable.

*The Project will create private and common open space areas in a new residential development through private porches, patios and balconies, two courtyards, a solarium, roof deck, and artificial turf area. In addition, the Project is proposing a parklet on 17<sup>th</sup> Street which would provide a new publically-accessible space across the street from Jackson Playground.*

## **TRANSPORTATION ELEMENT**

### **OBJECTIVES AND POLICIES**

**OBJECTIVE 24:**

IMPROVE THE AMBIENCE OF THE PEDESTRIAN ENVIRONMENT.

**Policy 24.2:**

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

**Policy 24.3:**

Install pedestrian-serving street furniture where appropriate.

**Policy 24.4:**

Preserve pedestrian-oriented building frontages.

*The Project will install new street trees along both Arkansas and 17<sup>th</sup> Streets. Further, the Project will provide new site furnishings, amenities, and planting strips on both frontages. Frontages are designed with active spaces oriented at the pedestrian level.*

**OBJECTIVE 28:**

PROVIDE SECURE AND CONVENIENT PARKING FACILITIES FOR BICYCLES.

**Policy 28.1:**

Provide secure bicycle parking in new governmental, commercial, and residential developments.

**Policy 28.3:**

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

*The Project includes 140 bicycle parking spaces in secure, convenient locations, which meets the requirements specified in the Planning Code.*

**OBJECTIVE 34:**

RELATE THE AMOUNT OF PARKING IN RESIDENTIAL AREAS AND NEIGHBORHOOD COMMERCIAL DISTRICTS TO THE CAPACITY OF THE CITY'S STREET SYSTEM AND LAND USE PATTERNS.

**Policy 34.1:**

Regulate off-street parking in new housing so as to guarantee needed spaces without requiring excesses and to encourage low auto ownership in neighborhoods that are well served by transit and are convenient to neighborhood shopping.

**Policy 34.3:**

Permit minimal or reduced off-street parking supply for new buildings in residential and commercial areas adjacent to transit centers and along transit preferential streets.

**Policy 34.5:**

Minimize the construction of new curb cuts in areas where on-street parking is in short supply and locate them in a manner such that they retain or minimally diminish the number of existing on-street parking spaces.

*The Project provides 98 off-street parking spaces, which is the maximum permitted amount of off-street parking. The parking spaces are accessed by one access door measuring 12-ft wide. Parking is adequate for the project and complies with maximums prescribed by the Planning Code.*

**URBAN DESIGN ELEMENT**

**OBJECTIVES AND POLICIES**

**OBJECTIVE 1:**

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

**Policy 1.7:**

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

**OBJECTIVE 2:**

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

**Policy 2.6:**

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

*The Project is located within the Potrero Hill neighborhood, which is characterized by the mix of residential and industrial uses. As such, the Project provides expressive street façades, which respond to the form, scale and material palette of the existing neighborhood, while also providing a new contemporary architectural vocabulary.*

**OBJECTIVE 4:**

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

**Policy 4.5:**

Design walkways and parking facilities to minimize danger to pedestrians.

**Policy 4.13:**

Improve pedestrian areas by providing human scale and interest.

*Although the project site has two street frontages, it only provides one vehicular access points for the entire project, limiting conflicts with pedestrians and bicyclists. Numerous street trees will be planted on Arkansas and 17<sup>th</sup> Streets, and a publically-accessible dog park will be constructed along 20<sup>th</sup> Street. Ample frontages, common and private open spaces, and ground floor dwelling units with direct accessing to street will be provided. Along the project site, the pedestrian experience will be greatly improved.*

*In addition, the Project includes streetscape elements, including an extended bulb out at the corner of Arkansas and 17<sup>th</sup> Streets. The Project includes streetscape elements, bicycle parking racks, sidewalk planters, street trees, site furnishings, and the widening of Arkansas Street sidewalks by eleven feet to incorporate a planting strip and sidewalk furnishings. Although it would be ideal to widen 17<sup>th</sup> Street to 15 feet is not in conjunction with future SFMTA plans for widening the street.*

**SHOWPLACE SQUARE/POTRERO AREA PLAN**

**OBJECTIVES AND POLICIES**

Land Use

**OBJECTIVE 1.2**

IN AREAS OF SHOWPLACE/POTRERO WHERE HOUSING AND MIXED USE IS ENCOURAGED, MAXIMIZE DEVELOPMENT POTENTIAL IN KEEPING WITH NEIGHBORHOOD CHARACTER.

**Policy 1.2.1**

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

**Policy 1.2.2**

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

**Housing**

**OBJECTIVE 2.1**

**ENSURE THAT A SIGNIFICANT PERCENTAGE OF NEW HOUSING CREATED IN THE SHOWPLACE / POTRERO AREA IS AFFORDABLE TO PEOPLE WITH A WIDE RANGE OF INCOMES.**

**Policy 2.1.1**

Require developers in some formally industrial areas to contribute towards the City's very low, low, moderate and middle income needs as identified in the Housing Element of the General Plan.

**OBJECTIVE 2.3**

**REQUIRE THAT A SIGNIFICANT NUMBER OF UNITS IN NEW DEVELOPMENTS HAVE TWO OR MORE BEDROOMS EXCEPT SENIOR HOUSING AND SRO DEVELOPMENTS UNLESS ALL BELOW MARKET RATE UNITS ARE TWO OR MORE BEDROOM UNITS.**

**Policy 2.3.2**

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

**Policy 2.3.3**

Require that a significant number of units in new developments have two or more bedrooms, except Senior Housing and SRO developments.

**Policy 2.3.6**

Establish an impact fee to be allocated towards an Eastern Neighborhoods Public Benefit Fund to mitigate the impacts of new development on transit, pedestrian, bicycle, and street improvements, park and recreational facilities, and community facilities such as libraries, child care and other neighborhood services in the area.

**OBJECTIVE 2.5**

**PROMOTE HEALTH THROUGH RESIDENTIAL DEVELOPMENT DESIGN AND LOCATION**

**Policy 2.5.3**

Require new development to meet minimum levels of "green" construction.

**Built Form**

**OBJECTIVE 3.1**

**PROMOTE AN URBAN FORM THAT REFLECTS SHOWPLACE SQUARE AND POTRERO HILL'S DISTINCTIVE PLACE IN THE CITY'S LARGER FORM AND STRENGTHENS ITS PHYSICAL FABRIC AND CHARACTER.**

**Policy 3.1.6**

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

**OBJECTIVE 3.2**

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

**Policy 3.2.1**

Require high quality design of street-facing building exteriors.

*The Project is a new larger-scale residential development. The Project provides the appropriate use encouraged by the Area Plan for this location. In addition, the Project is located within the prescribed height and bulk guidelines. The Project introduces a contemporary architectural vocabulary, which is sensitive to the prevailing scale and neighborhood fabric. The Project provides for a high quality designed exterior, which features a variety of materials, colors and textures, including glass veneer, exposed concrete, and aluminum windows. The Project will also pay the appropriate development impact fees, including the Eastern Neighborhoods Impact Fees.*

**INTERIM CONTROLS: ADDITIONAL DESIGN STANDARDS FOR LPAS WITHIN THE SHOWPLACE SQUARE, POTRERO HILL, AND CENTRAL WATERFRONT AREA PLANS.**

**Approvals for a Large Project Authorizations under Planning Code 329 in the Showplace Square, Potrero Hill, or Central Waterfront Area Plans must conform to the existing provisions of the Planning Code and must also demonstrate the following:**

1. An awareness of urban patterns, and harmonizes visual and physical relationships between existing buildings, streets, open spaces, natural features, and view corridors;
2. An awareness of neighborhood scale and materials, and renders building facades with texture, detail, and depth; and
3. A modulation of buildings vertically and horizontally, with rooftops and facades designed to be seen from multiple vantage points.

*The Project is modulated through articulated private balconies, the residential entrance on Arkansas Street and a prominent base complete with active ground level uses, walk-up residences, and a warmer palate of materials. The glass veneer adds transparency and harmonizes with the visual and physical relationship with Jackson Playground. The exposed concrete, steel, aluminum, and glass materials reference the existing industrial context. Residential scale is accomplished by providing regular twenty-five foot vertical building modules. The Project is adjacent to industrial buildings and will hold the corner with the proposed 48-foot height. By utilizing materials found on the industrial buildings in the area and by providing an activated*

*residential ground floor, the Project provides a transition between lower-scale industrial buildings and the three to four- floor residential buildings further south on Arkansas Street.*

9. **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 add new residents, visitors, and employees to the neighborhood, which would assist in strengthening nearby retail uses.*

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

*No housing exists on the Project Site. The Project will provide up to 127 new dwelling units, thus resulting in a significant increase in the neighborhood housing stock. The Project is expressive in design, and relates to the scale and form of the surrounding neighborhood by providing relationships to the mid-to-large-scale industrial properties. For these reasons, the proposed Project would protect and preserve the cultural and economic diversity of the neighborhood.*

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

*The Project will not displace any affordable housing because there is currently no housing on the site. The Project will comply with the City's Inclusionary Housing Program by providing 25 affordable units on-site.*

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

*The Project Site is well-served by public transportation. The Project is located on the 10 and 22 bus lines and one block from the 19. In addition the Project is within nine blocks of the MUNI T-Line Station. The Project is located within walking distance to the 22<sup>nd</sup> Street Caltrain Station. Future residents would be afforded close proximity to bus or rail transit. The Project also provides sufficient off-street parking and sufficient bicycle parking for residents and their guests.*

- 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 is consistent with the Showplace Square / Potrero Hill Area Plan, which provides for a balance between industrial and residential development. The Project does not include commercial office development, and provides new opportunities for housing, which is a top priority for the City.*



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

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

- G. That landmarks and historic buildings be preserved.

*There are no landmarks or historic buildings on the project site. The Project would not impact the nearby Showplace Square Heavy Timber and Steel-frame Brick Warehouse and Factory Historic District.*

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

*The Project will cast additional shadow on the nearby Jackson Playground and will have an effect on a property managed and owned by the Recreation and Parks Commission. As noted in Planning Commission Motion No. XXXXX, the additional shadow cast by the Project would not be adverse to the usability of Jackson Playground.*

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

*The Project Sponsor submitted a First Source Hiring Affidavit and prior to issuance of a building permit will execute a First Source Hiring Memorandum of Understanding and a First Source Hiring Agreement with the City's First Source Hiring Administration.*

10. 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.
11. The Commission hereby finds that approval of the Large Project Authorization would promote the health, safety and welfare of the City.

## **DECISION**

That based upon the Record, the submissions by the Applicant, the staff of the Department and other interested parties, the oral testimony presented to this Commission at the public hearings, and all other written materials submitted by all parties, the Commission hereby **APPROVES Large Project Authorization Application No. 2015-000453ENXSHD** under Planning Code Section 329 to allow the new construction of a five-story residential building with 127 dwelling units, and an exception to the requirements for: 1) rear yard (Planning Code Section 134); 2) dwelling unit exposure (Planning Code Section 140); 3) off-street loading (Planning Code Section 152.1); and, 4) dwelling unit mix requirements (Planning Code Section 207.6) within the UMU (Urban Mixed-Use) Zoning District, and a 48-X Height and Bulk District. The project is subject to the following conditions attached hereto as "EXHIBIT A" in general conformance with plans on file, dated December 22, 2015, and stamped "EXHIBIT B", which is incorporated herein by reference as though fully set forth, and adopts the MMRP, attached as "Exhibit C", as conditions of approval, incorporated herein as part of this Motion as though fully set forth herein.

**APPEAL AND EFFECTIVE DATE OF MOTION:** Any aggrieved person may appeal this Section 329 Large Project Authorization to the Board of Appeals within fifteen (15) days after the date of this Motion. The effective date of this Motion shall be the date of adoption of this Motion if not appealed (after the 15-day period has expired) OR the date of the decision of the Board of Appeals if appealed to the Board of Appeals. For further information, please contact the Board of Appeals at (415) 575-6880, 1660 Mission, Room 3036, San Francisco, CA 94103.

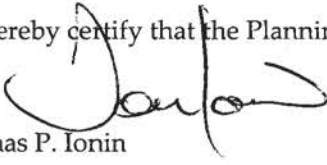
**Protest of Fee or Exaction:** You may protest any fee or exaction subject to Government Code Section 66000 that is imposed as a condition of approval by following the procedures set forth in Government Code Section 66020. The protest must satisfy the requirements of Government Code Section 66020(a) 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.

**Motion 19584**  
**March 3, 2016**

**CASE NO. 2015-000453ENXSHD**  
**88 Arkansas Street**

I hereby certify that the Planning Commission ADOPTED the foregoing Motion on March 3, 2016.



Jonas P. Ionin  
Commission Secretary

AYES: Commissioners Fong, Antonini, Hillis, Johnson

NAYES: Commissioners Moore, Richards

ABSENT: Commissioner Wu

ADOPTED: March 3, 2016

## **EXHIBIT A**

### **AUTHORIZATION**

This authorization is for a Large Project Authorization to allow for the new construction of a five-story residential building with 127 dwelling units, and an exception to the requirements for rear yard, dwelling unit exposure, off-street loading, and dwelling unit mix requirements, located at 88 Arkansas Street, Lots 002 and 002A in Assessor's Block 3953, pursuant to Planning Code Section 329 within the UMU (Urban Mixed-Use) Zoning District, and a 48-X Height and Bulk District; in general conformance with plans, dated December 1, 2014, and stamped "EXHIBIT B" included in the docket for Case No. **2015-000453ENXSHD** and subject to conditions of approval reviewed and approved by the Commission on March 3, 2016 under Motion No. **19584**. 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 3, 2016 under Motion No. **19584**.

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

The conditions of approval under the 'Exhibit A' of this Planning Commission Motion No. **19584** 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 Office Development 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 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](http://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](http://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](http://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](http://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](http://www.sf-planning.org)*

6. **Mitigation Measures.** Mitigation measures described in the MMRP for the Eastern Neighborhoods Area Plan EIR and Improvement Measures which have been agreed to by the project sponsor as Exhibit C and 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](http://www.sf-planning.org)*

7. **Additional Project Authorization.** The Project Sponsor must obtain an authorization under Planning Code Section 295 for a project which would cast shadow upon a property under the jurisdiction of the Recreation and Parks Commission, and satisfy all the conditions thereof. The conditions set forth below are additional conditions required in connection with the Project. If these conditions overlap with any other requirement imposed on the Project, the more restrictive or protective condition or requirement, as determined by the Zoning Administrator, shall apply.

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

#### DESIGN – COMPLIANCE AT PLAN STAGE

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

9. **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 architectural addenda. 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](http://www.sf-planning.org)*

10. **Rooftop Mechanical Equipment.** Pursuant to Planning Code 141, the Project Sponsor shall submit a roof plan to the Planning Department prior to Planning approval of the building permit application for each building. 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](http://www.sf-planning.org)*

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

## **PARKING AND TRAFFIC**

12. **Unbundled Parking.** All off-street parking spaces shall be made available to Project residents only as a separate “add-on” option for purchase or rent and shall not be bundled with any Project dwelling unit for the life of the dwelling units. The required parking spaces may be made available to residents within a quarter mile of the project. All affordable dwelling units pursuant to Planning Code Section 415 shall have equal access to use of the parking as the market rate units, with parking spaces priced commensurate with the affordability of the dwelling unit. Each unit within the Project shall have the first right of refusal to rent or purchase a parking space until the number of residential parking spaces are no longer available. No conditions may be placed on the purchase or rental of dwelling units, nor may homeowner’s rules be established, which prevent or preclude the separation of parking spaces from dwelling units.

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

13. **Parking Maximum.** Pursuant to Planning Code Section 151.1, the Project shall provide no more than 98 off-street parking spaces for the 127 dwelling units contained therein.

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

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

15. **Bicycle Parking.** Pursuant to Planning Code Sections 155.1, 155.4, and 155.5, the Project shall provide no fewer than 107 Class 1 bicycle parking spaces and 10 Class 2 bicycle parking spaces.

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

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

## PROVISIONS

17. **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](http://www.onestopSF.org)*

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

*For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, [www.sf-planning.org](http://www.sf-planning.org)*

19. **Transportation Sustainability Fee (TSF).** Pursuant to Planning Code Section 411A, the Project Sponsor shall comply with the Transportation Sustainability Fee provisions through payment of an Impact Fee pursuant to Article 4.

*For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, [www.sf-planning.org](http://www.sf-planning.org)*

20. **Child Care In-Lieu Fee.** Pursuant to Planning Code Section 414, the Project Sponsor shall comply with the Child Care In-Lieu Fee provisions through payment of an Impact Fee pursuant to Article 4.

*For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, [www.sf-planning.org](http://www.sf-planning.org)*

## MONITORING

21. **Enforcement.** Violation of any of the Planning Department conditions of approval contained in this Motion or of any other provisions of Planning Code applicable to this Project shall be subject to the enforcement procedures and administrative penalties set forth under Planning Code Section 176 or Section 176.1. The Planning Department may also refer the violation complaints to other city departments and agencies for appropriate enforcement action under their jurisdiction.

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

22. **Revocation Due to Violation of Conditions.** Should implementation of this Project result in complaints from interested property owners, residents, or commercial lessees which are not resolved by the Project Sponsor and found to be in violation of the Planning Code and/or the specific conditions of approval for the Project as set forth in Exhibit A of this Motion, the Zoning



Administrator shall refer such complaints to the Commission, after which it may hold a public hearing on the matter to consider revocation of this authorization.

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

## OPERATION

23. **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>*
24. **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>*
25. **Community Liaison.** Prior to issuance of a building permit to construct the project and implement the approved use, the Project Sponsor shall appoint a community liaison officer to deal with the issues of concern to owners and occupants of nearby properties. The Project Sponsor shall provide the Zoning Administrator with written notice of the name, business address, and telephone number of the community liaison. Should the contact information change, the Zoning Administrator shall be made aware of such change. The community liaison shall report to the Zoning Administrator what issues, if any, are of concern to the community and what issues have not been resolved by the Project Sponsor.  
*For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, [www.sf-planning.org](http://www.sf-planning.org)*
26. **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](http://www.sf-planning.org)*
27. **Entertainment Commission.** Community Outreach: Project sponsor shall include in its community outreach process any businesses located within 300 feet of the proposed project that operate between the hours of 9PM-5AM. Notice shall be made in person, written or electronic form.  
*For information about compliance, contact Entertainment Commission, at 415-554-5793, <http://sfgov.org/entertainment/>*

28. **Entertainment Commission.** Sound Study: Project sponsor shall conduct an acoustical sound study, which shall include sound readings taken when performances are taking place at the proximate Places of Entertainment, as well as when patrons arrive and leave these locations at closing time. Readings should be taken at locations that most accurately capture sound from the Place of Entertainment to best of their ability. Any recommendation(s) in the sound study regarding window glaze ratings and soundproofing materials including but not limited to walls, doors, roofing, etc. shall be given highest consideration by the project sponsor when designing and building the project.

*For information about compliance, contact Entertainment Commission, at 415-554-5793, <http://sfgov.org/entertainment/>*

29. **Entertainment Commission:** Design Considerations: (1) During design phase, project sponsor shall consider the entrance and egress location and paths of travel at the Place(s) of Entertainment in designing the location of (a) any entrance/egress for the residential building and (b) any parking garage in the building. (2) In designing doors, windows, and other openings for the residential building, project sponsor should consider the POE's operations and noise during all hours of the day and night.

*For information about compliance, contact Entertainment Commission, at 415-554-5793, <http://sfgov.org/entertainment/>*

30. **Entertainment Commission.** Construction Impacts: Project sponsor shall communicate with adjacent or nearby Place(s) of Entertainment as to the construction schedule, daytime and nighttime, and consider how this schedule and any storage of construction materials may impact the POE operations.

*For information about compliance, contact Entertainment Commission, at 415-554-5793, <http://sfgov.org/entertainment/>*

31. **Entertainment Commission.** Communication: Project Sponsor shall make a cell phone number available to Place(s) of Entertainment management during all phases of development through construction. In addition, a line of communication should be created to ongoing building management throughout the occupation phase and beyond.

*For information about compliance, contact Entertainment Commission, at 415-554-5793, <http://sfgov.org/entertainment/>*

## INCLUSIONARY HOUSING

32. **Number of Required Units.** Pursuant to Planning Code Section 415.6, the Project is required to provide 14.4% of the proposed dwelling units as affordable to qualifying households. To meet the threshold for Priority Processing, the Project has elected to provide 20% of the units as Affordable Units in order to receive Priority Processing under Planning Director Bulletin #2 Planning Department Priority Application Processing Guidelines, which provides Priority Processing for Projects providing 20% of the proposed dwelling units as affordable to qualifying households which must meet or exceed the standards set forth in Planning Code Section 415. Therefore, as a condition of approval and a condition of receiving Priority Processing, 20% of the units will be provided as affordable. The Project contains 127 units; therefore, 25 affordable units will be

provided. The Project Sponsor will fulfill this requirement by providing the 25 affordable units on-site. If the number of market-rate units change, the number of required affordable units shall be modified accordingly with written approval from Planning Department staff in consultation with the Mayor's Office of Housing and Community Development ("MOHCD").

*For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, [www.sf-planning.org](http://www.sf-planning.org) or the Mayor's Office of Housing and Community Development at 415-701-5500, [www.sf-moh.org](http://www.sf-moh.org).*

33. **Unit Mix.** The Project contains 25 studios, 51 one-bedroom, 41 two-bedroom, and 10 three-bedroom units; therefore, the required affordable unit mix is 5 studios, 10 one-bedroom, 8 two-bedroom, and 2 three-bedroom units. If the market-rate unit mix changes, the affordable unit mix will be modified accordingly with written approval from Planning Department staff in consultation with MOHCD.

*For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, [www.sf-planning.org](http://www.sf-planning.org) or the Mayor's Office of Housing and Community Development at 415-701-5500, [www.sf-moh.org](http://www.sf-moh.org).*

34. **Unit Location.** The affordable units shall be designated on a reduced set of plans recorded as a Notice of Special Restrictions on the property prior to the issuance of the first construction permit.

*For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, [www.sf-planning.org](http://www.sf-planning.org) or the Mayor's Office of Housing and Community Development at 415-701-5500, [www.sf-moh.org](http://www.sf-moh.org).*

35. **Phasing.** If any building permit is issued for partial phasing of the Project, the Project Sponsor shall have designated not less than twenty percent (20%) of the each phase's total number of dwelling units as on-site affordable units.

*For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, [www.sf-planning.org](http://www.sf-planning.org) or the Mayor's Office of Housing and Community Development at 415-701-5500, [www.sf-moh.org](http://www.sf-moh.org).*

36. **Duration.** Under Planning Code Section 415.8, all units constructed pursuant to Section 415.6 or 419, must remain affordable to qualifying households for the life of the project.

*For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, [www.sf-planning.org](http://www.sf-planning.org) or the Mayor's Office of Housing and Community Development at 415-701-5500, [www.sf-moh.org](http://www.sf-moh.org).*

37. **Other Conditions.** The Project is subject to the requirements of the Inclusionary Affordable Housing Program under Section 415 et seq. of the Planning Code and the terms of the City and County of San Francisco Inclusionary Affordable Housing Program Monitoring and Procedures Manual ("Procedures Manual"). The Procedures Manual, as amended from time to time, is incorporated herein by reference, as published and adopted by the Planning Commission, and as required by Planning Code Section 415. Terms used in these conditions of approval and not otherwise defined shall have the meanings set forth in the Procedures Manual. A copy of the Procedures Manual can be obtained at the Mayor's Office of Housing ("MOH") at 1 South Van

Ness Avenue or on the Planning Department or Mayor's Office of Housing's websites, including on the internet at: <http://sf-planning.org/Modules/ShowDocument.aspx?documentid=4451>. As provided in the Inclusionary Affordable Housing Program, the applicable Procedures Manual is the manual in effect at the time the subject units are made available for sale or rent.

- a. The affordable unit(s) shall be designated on the building plans prior to the issuance of the first construction permit by the Department of Building Inspection ("DBI"). The affordable unit(s) shall (1) reflect the unit size mix in number of bedrooms of the market rate units, (2) be constructed, completed, ready for occupancy and marketed no later than the market rate units, and (3) be evenly distributed throughout the building; and (4) be of comparable overall quality, construction and exterior appearance as the market rate units in the principal project. The interior features in affordable units should be generally the same as those of the market units in the principal project, but need not be the same make, model or type of such item as long they are of good and new quality and are consistent with then-current standards for new housing. Other specific standards for on-site units are outlined in the Procedures Manual.
- b. If the units in the building are offered for rent, the affordable unit(s) shall be rented to qualifying households, as defined in the Procedures Manual, whose gross annual income, adjusted for household size, does not exceed an average fifty-five (55) percent of Area Median Income under the income table called "Maximum Income by Household Size derived from the Unadjusted Area Median Income for HUD Metro Fair Market Rent Area that contains San Francisco." The initial and subsequent rent level of such units shall be calculated according to the Procedures Manual. Limitations on (i) occupancy; (ii) lease changes; (iii) subleasing, and; are set forth in the Inclusionary Affordable Housing Program and the Procedures Manual.
- c. The Project Sponsor is responsible for following the marketing, reporting, and monitoring requirements and procedures as set forth in the Procedures Manual. MOHCD shall be responsible for overseeing and monitoring the marketing of affordable units. The Project Sponsor must contact MOHCD at least six months prior to the beginning of marketing for any unit in the building.
- d. Required parking spaces shall be made available to renters of affordable units according to the Procedures Manual.
- e. Prior to the issuance of the first construction permit by DBI for the Project, the Project Sponsor shall record a Notice of Special Restriction on the property that contains these conditions of approval and a reduced set of plans that identify the affordable units satisfying the requirements of this approval. The Project Sponsor shall promptly provide a copy of the recorded Notice of Special Restriction to the Department and to MOHCD or its successor.
- f. The Project Sponsor has demonstrated that it is eligible for the On-site Affordable Housing Alternative under Planning Code Section 415.6 instead of payment of the

Affordable Housing Fee, and has submitted the Affidavit of Compliance with the Inclusionary Affordable Housing Program: Planning Code Section 415 to the Planning Department stating the intention to enter into an agreement with the City to qualify for a waiver from the Costa-Hawkins Rental Housing Act based upon the proposed density bonus and concessions (as defined in California Government Code Section 65915 et seq.) provided herein. The Project Sponsor has executed the Costa Hawkins agreement and will record a Memorandum of Agreement prior to issuance of the first construction document or must revert payment of the Affordable Housing Fee.

- g. If the Project Sponsor fails to comply with the Inclusionary Affordable Housing Program requirement, the Director of DBI shall deny any and all site or building permits or certificates of occupancy for the development project until the Planning Department notifies the Director of compliance. A Project Sponsor's failure to comply with the requirements of Planning Code Section 415 et seq. shall constitute cause for the City to record a lien against the development project and to pursue any and all available remedies at law.
- h. If the Project becomes ineligible at any time for the On-site Affordable Housing Alternative, the Project Sponsor or its successor shall pay the Affordable Housing Fee prior to issuance of the first construction permit. If the Project becomes ineligible after issuance of its first construction permit, the Project Sponsor shall notify the Department and MOHCD and pay interest on the Affordable Housing Fee and penalties, if applicable.  
*For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, [www.sf-planning.org](http://www.sf-planning.org) or the Mayor's Office of Housing and Community Development at 415-701-5500, [www.sf-moh.org](http://www.sf-moh.org).*

**Attachment A:  
MITIGATION MEASURES ADOPTED AS CONDITIONS OF APPROVAL**

MITIGATION MEASURES ADOPTED AS CONDITIONS OF APPROVAL	Responsibility for Implementation	Mitigation Schedule	Monitoring Responsibility
<b>MITIGATION MEASURES FROM THE EASTERN NEIGHBORHOODS AREA PLAN EIR</b>			
<p><b>PMM 1: Properties with No Previous Studies (Mitigation Measure J-2 of the Eastern Neighborhoods PEIR)</b> The following mitigation measure is required to avoid any potential adverse effect from the proposed project on accidentally discovered buried or submerged historical resources as defined in CEQA Guidelines Section 15064.5(a) and (c). The project sponsor shall distribute the Planning Department archeological resource "ALERT" sheet to the project prime contractor; to any project subcontractor (including demolition, excavation, grading, foundation, pile driving, etc. firms); or utilities firm involved in soils disturbing activities within the project site. Prior to any soils disturbing activities being undertaken each contractor is responsible for ensuring that the "ALERT" sheet is circulated to all field personnel including, machine operators, field crew, pile drivers, supervisory personnel, etc. The project sponsor shall provide the Environmental Review Officer (ERO) with a signed affidavit from the responsible parties (prime contractor, subcontractor(s), and utilities firm) to the ERO confirming that all field personnel have received copies of the Alert Sheet.</p> <p>Should any indication of an archeological resource be encountered during any soils disturbing activity of the project, the project Head Foreman and/or project sponsor shall immediately notify the ERO and shall immediately suspend any soils disturbing activities in the vicinity of the discovery until the ERO has determined what additional measures should be undertaken.</p> <p>If the ERO determines that an archeological resource may be present within the project site, the project sponsor shall retain the services of an archaeological consultant from the pool of qualified archaeological consultants maintained by the Planning Department archaeologist. The</p>	<p>Project sponsor, contractor, Planning Department's archeologist or qualified archaeological consultant, and Planning Department's Environmental Review Officer.</p>	<p>Prior to issuance of any permit for soil-disturbing activities and during construction.</p>	<p>Sponsor, contractor, project sponsor's representative (if applicable), and Environmental Review Officer.</p>

**Attachment A:  
MITIGATION MEASURES ADOPTED AS CONDITIONS OF APPROVAL**

<b>MITIGATION MEASURES ADOPTED AS CONDITIONS OF APPROVAL</b>	<b>Responsibility for Implementation</b>	<b>Mitigation Schedule</b>	<b>Monitoring Response</b>
<p>archeological consultant shall advise the ERO as to whether the discovery is an archeological resource, retains sufficient integrity, and is of potential scientific/historical/cultural significance. If an archeological resource is present, the archeological consultant shall identify and evaluate the archeological resource. The archeological consultant shall make a recommendation as to what action, if any, is warranted. Based on this information, the ERO may require, if warranted, specific additional measures to be implemented by the project sponsor.</p> <p>Measures might include: preservation in situ of the archeological resource; an archaeological monitoring program; or an archeological testing program. If an archeological monitoring program or archeological testing program is required, it shall be consistent with the Environmental Planning (EP) division guidelines for such programs. The ERO may also require that the project sponsor immediately implement a site security program if the archeological resource is at risk from vandalism, looting, or other damaging actions.</p> <p>The project archeological consultant shall submit a Final Archeological Resources Report (FARR) to the ERO that evaluates the historical significance of any discovered archeological resource and describing the archeological and historical research methods employed in the archeological monitoring/data recovery program(s) undertaken. Information that may put at risk any archeological resource shall be provided in a separate removable insert within the final report.</p> <p>Copies of the Draft FARR shall be sent to the ERO for review and approval. Once approved by the ERO, copies of the FARR shall be distributed as follows: California Archaeological Site Survey Northwest Information Center (NWIC) shall receive one (1) copy and</p>			

**Attachment A:  
MITIGATION MEASURES ADOPTED AS CONDITIONS OF APPROVAL**

MITIGATION MEASURES ADOPTED AS CONDITIONS OF APPROVAL	Responsibility for Implementation	Mitigation Schedule	Monitoring Response
<p>the ERO shall receive a copy of the transmittal of the FARR to the NWIC. The Environmental Planning division of the Planning Department shall receive one bound copy, one unbound copy and one unlocked, searchable PDF copy on CD; three copies of the FARR along with copies of any formal site recordation forms (CA DPR 523 series) and/or documentation for nomination to the National Register of Historic Places/California Register of Historical Resources. In instances of high public interest or interpretive value, the ERO may require a different final report content, format, and distribution than that presented above.</p>			
<p><b>PMM 2: Construction Noise (Mitigation Measure F-2 of the Eastern Neighborhoods PEIR).</b> The project sponsor shall develop a set of site-specific noise attenuation measures under the supervision of a qualified acoustical consultant. Prior to commencing construction, a plan for such measures shall be submitted to the Department of Building Inspection (DBI) to ensure that maximum feasible noise attenuation will be achieved. These attenuation measures shall include as many of the following control strategies as feasible:</p> <ul style="list-style-type: none"> <li>• Erect temporary plywood noise barriers around the construction site, particularly where a site adjoins noise-sensitive uses;</li> <li>• Utilize noise control blankets on the building structure as the building is erected to reduce noise emission from the site;</li> <li>• Evaluate the feasibility of noise control at the receivers by temporarily improving the noise reduction capability of adjacent buildings housing sensitive uses;</li> <li>• Monitor the effectiveness of noise attenuation measures by taking noise measurements; and</li> </ul>	Project sponsor, contractor(s).	Prior to and during construction activities.	Project sponsor, contractor(s)



**Attachment A:  
MITIGATION MEASURES ADOPTED AS CONDITIONS OF APPROVAL**

MITIGATION MEASURES ADOPTED AS CONDITIONS OF APPROVAL	Responsibility for Implementation	Mitigation Schedule	Monitoring Responsibility
<ul style="list-style-type: none"> <li>Post signs on-site pertaining to permitted construction days and hours and complaint procedures and who to notify in the event of a problem, with telephone numbers listed.</li> </ul>			
<p><b>PMM 3: Siting of Noise-Sensitive Uses (Mitigation Measure F-4 of the Eastern Neighborhoods PEIR).</b> To reduce potential conflicts between existing noise-generating uses and new sensitive receptors, for new development including noise-sensitive uses, the project sponsor was required to provide an analysis that included, at a minimum, a site survey to identify potential noise-generating uses within 900 feet of, and that have a direct line-of-sight to, the project site, and including at least one 24-hour noise measurement (with maximum noise level readings taken at least every 15 minutes), prior to the first project approval action. The analysis which was prepared by persons qualified in acoustical analysis and/or engineering, demonstrated with reasonable certainty that Title 24 standards, where applicable, can be met, and that there are no particular circumstances about the proposed project site that appear to warrant heightened concern about noise levels in the vicinity. The report concluded that if its recommendations are incorporated into the design and construction of the proposed building, the project would achieve compliance with Title 24. Recommendations include the following: (1) on the ground floor, exterior windows and doors should have an STC rating of 32 along Arkansas Street, an STC rating of 35 along 17th Street, and an STC rating of 28 for all other locations; (2) on the second floor, exterior windows and doors should have an STC rating of 32 along Arkansas Street, an STC rating of 35 on the northeast corner of the project site, and an STC rating of 28 for all other locations; (3) on the third through fifth floors exterior windows and doors should have an STC rating of 32 along Arkansas Street, an STC rating of 35 along 17th Street, an STC rating of 32 on the eastern half of the northern façade of the building, an STC rating of 30 on the a portion of the western half of the northern</p>	Project sponsor, contractor(s).	Prior to project approval.	San Francisco Department of Public Works Building Inspection

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MITIGATION MEASURES ADOPTED AS CONDITIONS OF APPROVAL**

<b>MITIGATION MEASURES ADOPTED AS CONDITIONS OF APPROVAL</b>	<b>Responsibility for Implementation</b>	<b>Mitigation Schedule</b>	<b>Monitoring Responsibility</b>
<p>façade of the building, an STC rating of 38 on the southwest and southeast corners of the building, an STC rating of 35 on the northwest and northeast corners of the building, and an STC rating of 28 for all other locations. Overall, the proposed project would achieve compliance with the Title 24 standard of DNL 45 dBA for interior noise by installing exterior windows and doors with STC ratings between 28 and 38, depending on the location. The STC ratings shall be incorporated into the final construction drawings.</p>			
<p><b>PMM 4: Open Space in Noisy environments (Mitigation Measure F-6 of the Eastern Neighborhoods PEIR).</b> The project sponsor shall ensure that open space required under the Planning Code for such uses be protected, to the maximum feasible extent, from existing ambient noise levels that could prove annoying or disruptive to users of the open space. Implementation of this measure could involve, among other things, site design that uses the building itself to shield on-site open space from the greatest noise sources, construction of noise barriers between noise sources and open space, and appropriate use of both common and private open space in multi-family dwellings, and implementation would also be undertaken consistent with other principles of urban design. This mitigation measure has been complied with as part of this environmental review process. No further actions are required to comply with Mitigation Measure F-6 of the Eastern Neighborhoods PEIR.</p>	<p>Project sponsor, architect.</p>	<p>Design measures to be incorporated into project design and included in the building permit.</p>	<p>San Francisco Department of Public Works Building Inspection</p>

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<b>Transportation and Circulation</b>			
<p><b>Project Improvement Measure 1: Implementation of Transportation Demand Management Strategies.</b> The project sponsor would implement a Transportation Demand Management (TDM) program to encourage the use of alternative forms of transportation for trips to and from the project vicinity, such as transit, bicycle, rideshare, and walking. Components of the improvement measure are as follows:</p> <p><b>IM-1a TDM Coordinator:</b> The project sponsor would identify a TDM Coordinator for the project site who would be responsible for the implementation and ongoing operation of all other TDM measures included in the proposed Project. The TDM Coordinator should be the single point of contact for all transportation-related questions from residents and City staff. The project sponsor may use an existing transportation management association (e.g., the Transportation Management Association of San Francisco) to supply the TDM Coordinator, or the TDM Coordinator may be an existing staff member (e.g., property manager). In either case, the TDM Coordinator does not have to work full-time at the Project site. The TDM coordinator would be the single point of contact for all transportation-related questions from building occupants and City staff. The TDM Coordinator should provide TDM training to other building staff about the transportation amenities and options available in the project vicinity.</p> <p><b>IM-1b Transportation and Trip Planning Information Move-In</b></p>	<p>Project sponsor, property owner, TDM Coordinator.</p>	<p>Following project occupancy.</p>	<p>San Francisco Department of Transportation, San Francisco Department of Public Works, and, Bike Share.</p>

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<p><b>Packet:</b> Provide a transportation insert for the move-in packet that includes information on transit service (local and regional, schedules and fares), information on where transit passes may be purchased, information on the 511 Regional Rideshare Program, and nearby bike and car share programs, and information on where to find additional web-based alternative transportation materials. The move-in packet should be continuously updated as transportation options change, and the packet should be provided to each new building occupant. Muni maps as well as San Francisco Bicycle and Pedestrian maps should be provided upon request.</p> <p><b>IM-1c City Access to Data Collection:</b> As part of an ongoing effort to quantify the efficacy of TDM measures, City staff may need to access the project site (including the garage) to perform trip counts, and/or intercept surveys and/or other types of data collection. All on-site activities shall be coordinated through the TDM Coordinator. The project sponsor assures future access to the site by City staff. Providing access to existing developments for data collection purposes is also encouraged.</p> <p><b>IM-1d Bicycle Parking:</b> Increase the number of on-site secured bicycle parking beyond Planning Code requirements and/or provide additional bicycle facilities in the public right-of-way adjacent to or within a quarter mile of the project site (e.g., sidewalks, on-street parking spaces).</p> <p><b>IM-1e Car-Share Parking:</b> Provide optional car share spaces as described in Planning Code Section 166(g).</p>			

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<p><b>IM-1f Transit Pass:</b> Offer free or subsidized Muni passes to tenants. For example, the project sponsor may offer a 50 percent subsidy for one Muni monthly pass for new residents (one per household), and employees for up to one year. The recipient would be responsible for the remainder of the costs associated with the Muni monthly pass.</p>			
<p><b>Project Improvement Measure 2: Pedestrian Safety Improvements.</b> Install audible and visual warning devices to alert pedestrians of vehicles exiting the parking garage.</p>	Project sponsor, construction contractor	Prior to project occupancy.	San Francisco Department of Public Works, Building Inspection
<p><b>Project Improvement Measure 3: On-Street Loading Management.</b></p> <p><b>IM-3a</b> Schedule and coordinate loading activities through building management to ensure that trucks can be accommodated in the curbside loading spaces. All regularly scheduled activities requiring use of the loading space (e.g., building supply deliveries) should be coordinated directly with building management.</p> <p><b>IM-3b</b> Trucks should be discouraged from parking illegally or obstructing vehicle, transit, bicycle, or pedestrian traffic flow along any of the streets adjacent to the project site.</p>	Project sponsor, property owner, building management.	Following project occupancy.	San Francisco Department of Transportation
<p><b>Project Improvement Measure 4: Construction-Related Traffic Management.</b></p> <p><b>IM-4a</b> Limit hours of construction-related traffic, including, but not</p>	Project sponsor, construction contractor.	Prior to initiation of construction and during construction	Sustainable Development Division of San Francisco Department of Transportation

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<p>limited to, truck movements, to avoid the weekday AM and PM peak hours (7:00 a.m. to 9:00 a.m. and 4:00 p.m. to 6:00 p.m.; or other times, if approved by SFMTA).</p> <p><b>IM4b</b> Construction contractor(s) should coordinate construction activities with other potential projects that may be constructed in the vicinity of the project site.</p>		activities.	San Francisco Department of the Planning and Urban Research Department
<p><b>Project Improvement Measure 5: Off-Street Parking Traffic Enhancements</b></p> <p><b>IM-5a</b> Install a traffic signal on both the inside and outside of the garage opening to indicate the presence of approaching vehicles from the opposite direction. The traffic signal would operate on sensors/detectors, and alternate with two beacons, with one indicating a solid red signal or marked with "STOP" and another indicating a solid green signal or marked with "GO." The signals would be installed facing outward at the garage opening outside of the security gate, and at the interior of the garage facing inward into the garage ramp, and facing inward at the interior of the garage on the basement level, at the entry to the garage ramp.</p> <p><b>IM-5b</b> The owner/operator of any off-street parking facility, as determined by the Planning Director, with more than 20 parking spaces (excluding loading and car-share spaces) could ensure that recurring vehicle queues<sup>1</sup> do not occur on the public right of way. If a recurring queue occurs, the parking facility's owner/operator could implement abatement measures as needed to abate the queue.</p>	Project sponsor, property owner, parking garage operator.	Following project occupancy.	Planning Director designee.

<sup>1</sup> Vehicle Queue: When one or more vehicles blocking any portion of a public street, alley or sidewalk for a consecutive period of three minutes or longer on a

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<p>Suggested abatement methods include but are not limited to the following: redesign of facility layout to improve vehicle circulation and/or on-site queue capacity; employment of parking attendants; installation of LOT FULL signs with active management by parking attendants; use of valet parking or other space-efficient parking techniques; use of off-site parking facilities or shared parking with nearby uses; use of parking occupancy sensors and signage directing drivers to available spaces; travel demand management strategies such those discussed in IM-1, customer shuttles or delivery services; and/or parking demand management strategies such as parking time limits, paid parking or validated parking.</p> <p>If the Planning Director, or his or her designee, suspects that a recurring queue is present, the Department may notify the property owner in writing. Upon request, the owner/operator could hire a qualified transportation consultant to evaluate the conditions at the site for no less than seven days. The consultant could prepare a monitoring report to be submitted to the Planning Department for review. If the Planning Department determines that a recurring queue does exist, the facility owner/operator could abate the queue.</p>			



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<p><b>PMM 1: Properties with No Previous Studies (Mitigation Measure J-2 of the Eastern Neighborhoods PEIR)</b> The following mitigation measure is required to avoid any potential adverse effect from the proposed project on accidentally discovered buried or submerged historical resources as defined in CEQA Guidelines Section 15064.5(a) and (c). The project sponsor shall distribute the Planning Department archeological resource "ALERT" sheet to the project prime contractor; to any project subcontractor (including demolition, excavation, grading, foundation, pile driving, etc. firms); or utilities firm involved in soils disturbing activities within the project site. Prior to any soils disturbing activities being undertaken each contractor is responsible for ensuring that the "ALERT" sheet is circulated to all field personnel including, machine operators, field crew, pile drivers, supervisory personnel, etc. The project sponsor shall provide the Environmental Review Officer (ERO) with a signed affidavit from the responsible parties (prime contractor, subcontractor(s), and utilities firm) to the ERO confirming that all field personnel have received copies of the Alert Sheet.</p> <p>Should any indication of an archeological resource be encountered during any soils disturbing activity of the project, the project Head Foreman and/or project sponsor shall immediately notify the ERO and shall immediately suspend any soils disturbing activities in the vicinity of the discovery until the ERO has determined what additional measures should be undertaken.</p> <p>If the ERO determines that an archeological resource may be present within the project site, the project sponsor shall retain the services of an archaeological consultant from the pool of qualified archaeological consultants maintained by the Planning Department archaeologist. The</p>	<p>Project sponsor, contractor, Planning Department's archeologist or qualified archaeological consultant, and Planning Department's Environmental Review Officer.</p>	<p>Prior to issuance of any permit for soil-disturbing activities and during construction.</p>	<p>Sponsor, contractor, project sponsor's representative (if applicable), and Environmental Review Officer.</p>

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<p>archeological consultant shall advise the ERO as to whether the discovery is an archeological resource, retains sufficient integrity, and is of potential scientific/historical/cultural significance. If an archeological resource is present, the archeological consultant shall identify and evaluate the archeological resource. The archeological consultant shall make a recommendation as to what action, if any, is warranted. Based on this information, the ERO may require, if warranted, specific additional measures to be implemented by the project sponsor.</p> <p>Measures might include: preservation in situ of the archeological resource; an archaeological monitoring program; or an archeological testing program. If an archeological monitoring program or archeological testing program is required, it shall be consistent with the Environmental Planning (EP) division guidelines for such programs. The ERO may also require that the project sponsor immediately implement a site security program if the archeological resource is at risk from vandalism, looting, or other damaging actions.</p> <p>The project archeological consultant shall submit a Final Archeological Resources Report (FARR) to the ERO that evaluates the historical significance of any discovered archeological resource and describing the archeological and historical research methods employed in the archeological monitoring/data recovery program(s) undertaken. Information that may put at risk any archeological resource shall be provided in a separate removable insert within the final report.</p> <p>Copies of the Draft FARR shall be sent to the ERO for review and approval. Once approved by the ERO, copies of the FARR shall be distributed as follows: California Archaeological Site Survey Northwest Information Center (NWIC) shall receive one (1) copy and</p>			

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<p>the ERO shall receive a copy of the transmittal of the FARR to the NWIC. The Environmental Planning division of the Planning Department shall receive one bound copy, one unbound copy and one unlocked, searchable PDF copy on CD; three copies of the FARR along with copies of any formal site recordation forms (CA DPR 523 series) and/or documentation for nomination to the National Register of Historic Places/California Register of Historical Resources. In instances of high public interest or interpretive value, the ERO may require a different final report content, format, and distribution than that presented above.</p>			
<p><b>PMM 2: Construction Noise (Mitigation Measure F-2 of the Eastern Neighborhoods PEIR).</b> The project sponsor shall develop a set of site-specific noise attenuation measures under the supervision of a qualified acoustical consultant. Prior to commencing construction, a plan for such measures shall be submitted to the Department of Building Inspection (DBI) to ensure that maximum feasible noise attenuation will be achieved. These attenuation measures shall include as many of the following control strategies as feasible:</p> <ul style="list-style-type: none"> <li>• Erect temporary plywood noise barriers around the construction site, particularly where a site adjoins noise-sensitive uses;</li> <li>• Utilize noise control blankets on the building structure as the building is erected to reduce noise emission from the site;</li> <li>• Evaluate the feasibility of noise control at the receivers by temporarily improving the noise reduction capability of adjacent buildings housing sensitive uses;</li> <li>• Monitor the effectiveness of noise attenuation measures by taking noise measurements; and</li> </ul>	Project sponsor, contractor(s).	Prior to and during construction activities.	Project sponsor, contractor(s)

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<ul style="list-style-type: none"> <li>Post signs on-site pertaining to permitted construction days and hours and complaint procedures and who to notify in the event of a problem, with telephone numbers listed.</li> </ul>			
<p><b>PMM 3: Siting of Noise-Sensitive Uses (Mitigation Measure F-4 of the Eastern Neighborhoods PEIR).</b> To reduce potential conflicts between existing noise-generating uses and new sensitive receptors, for new development including noise-sensitive uses, the project sponsor was required to provide an analysis that included, at a minimum, a site survey to identify potential noise-generating uses within 900 feet of, and that have a direct line-of-sight to, the project site, and including at least one 24-hour noise measurement (with maximum noise level readings taken at least every 15 minutes), prior to the first project approval action. The analysis which was prepared by persons qualified in acoustical analysis and/or engineering, demonstrated with reasonable certainty that Title 24 standards, where applicable, can be met, and that there are no particular circumstances about the proposed project site that appear to warrant heightened concern about noise levels in the vicinity. The report concluded that if its recommendations are incorporated into the design and construction of the proposed building, the project would achieve compliance with Title 24. Recommendations include the following: (1) on the ground floor, exterior windows and doors should have an STC rating of 32 along Arkansas Street, an STC rating of 35 along 17th Street, and an STC rating of 28 for all other locations; (2) on the second floor, exterior windows and doors should have an STC rating of 32 along Arkansas Street, an STC rating of 35 on the northeast corner of the project site, and an STC rating of 28 for all other locations; (3) on the third through fifth floors exterior windows and doors should have an STC rating of 32 along Arkansas Street, an STC rating of 35 along 17th Street, an STC rating of 32 on the eastern half of the northern façade of the building, an STC rating of 30 on the a portion of the western half of the northern</p>	Project sponsor, contractor(s).	Prior to project approval.	San Francisco Department of Public Works Building Inspection

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