



## TENTATIVE MAP DECISION

Date: December 22, 2015

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

<b>Project ID:</b> 8897			
<b>Project Type:</b> 47 Residential Units New Construction Condominium Project			
<b>Address#</b>	<b>StreetName</b>	<b>Block</b>	<b>Lot</b>
570	JESSIE ST	3703	086
<b>Tentative Map Referral</b>			

Attention: Mr. Scott F. Sanchez

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

Sincerely,

<b>Robert Hanley</b>	Digitally signed by: Robert Hanley DN: CN = Robert Hanley C = US O = BSM OU = DPW Date: 2015.12.22 10:53:25 -08'00'
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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 **Andrew W. Perry** Digitally signed by Andrew W. Perry  
 DN: dc=org, dc=algov, dc=cityplanning, ou=CityPlanning,  
 ou=Current Planning, cn=Andrew W. Perry,  
 email=Andrew.Perry@algov.org  
 Date: 2016.01.27 17:17:42 -08'00'

Date 1/27/2016

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

CONDITIONS OF APPROVAL

Wherever "Project Sponsor" or "Applicant" is used in the following conditions, the conditions shall also bind any successor to the Project or other persons having an interest in the Project or underlying property.

This approval is pursuant to Planning Code **Section 309** Determinations of Compliance and granting of exceptions to otherwise-applicable Code standards for rear yard and off-street parking in C-3 Districts, for the construction of a new eight-story residential building at 570 Jessie Street, Lot 086 in Assessor's Block 3703, with approximately 47 dwelling units, 23 off-street parking spaces and three car-share spaces, generally as described in the application, in the text of the accompanying Motion, and in plans stamped "Exhibit B" and dated "October 23, 2008".

1. COMPLIANCE WITH OTHER REQUIREMENTS

(A) This decision conveys no right to construct. The Project Sponsor must first obtain a Variance for dwelling-unit exposure (Code **Section 140**) and projections over streets and alleys (Code **Section 136**) standards of the Code. The project sponsor must obtain a building permit and satisfy all the conditions thereof, including mitigation measures addressing environmental impacts. 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.

2. GENERAL CONDITIONS

(A) Mitigation Measures – The following Mitigation and Improvement Measures, all of which are necessary to reduce the potential impacts of the Project, have been agreed to by the project sponsor. They are hereby imposed by the Commission as Conditions of approval and shall be binding on the Applicant and his successors in interest.

**Mitigation Measure 1**

*Archeological Resources (Archeological Testing)*

Based on a reasonable presumption that archeological resources may be present within the project site, the following measures shall be undertaken to avoid any potentially significant adverse effects from the proposed project on buried or submerged historical resources. The project sponsor shall retain the services of a qualified archeological consultant having expertise in California prehistoric and urban

historical archeology. The archeological consultant shall undertake an archeological testing program as specified herein. In addition, the consultant shall be available to conduct an archeological monitoring and/or data recovery program if required pursuant to this measure. The archeological consultant's work shall be conducted in accordance with this measure at the direction of the Environmental Review Officer (ERO). All plans and reports prepared by the consultant as specified herein shall be submitted first and directly to the ERO for review and comment, and shall be considered draft reports subject to revision until final approval by the ERO. Archeological monitoring and/or data recovery programs required by this measure could suspend construction of the project for up to a maximum of four weeks. At the direction of the ERO, the suspension of construction can be extended beyond four weeks only if such a suspension is the only feasible means to reduce to a less than significant level potential effects on a significant archeological resource as defined in CEQA Guidelines Sect. 15064.5 (a)(c).

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

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

The proposed project shall be re-designed so as to avoid any adverse effect on the significant archeological resource; or

A data recovery program shall be implemented, unless the ERO determines that the archeological resource is of greater interpretive than research significance and that interpretive use of the resource is feasible.

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

The archeological consultant, project sponsor, and ERO shall meet and consult on the scope of the AMP reasonably prior to any project-related soils disturbing activities commencing. The ERO in consultation with the archeological consultant shall determine what project activities shall be archeologically monitored. In most cases, any soils- disturbing activities, such as demolition, foundation removal, excavation, grading, utilities installation, foundation work, driving of piles (foundation, shoring, etc.), site remediation, etc., shall require archeological monitoring because of the risk these activities pose to potential archaeological resources and to their depositional context;

The archeological consultant shall advise all project contractors to be on the alert for evidence of the presence of the expected resource(s), of how to identify the evidence of the expected resource(s), and of the appropriate protocol in the event of apparent discovery of an archeological resource;

The archeological monitor(s) shall be present on the project site according to a schedule agreed upon by the archeological consultant and the ERO until the ERO has, in consultation with project archeological consultant, determined that project construction activities could have no effects on significant archeological deposits;

The archeological monitor shall record and be authorized to collect soil samples and artifactual/ecofactual material as warranted for analysis;

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

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

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

The scope of the ADRP shall include the following elements:

*Field Methods and Procedures.* Descriptions of proposed field strategies, procedures, and operations.

*Cataloguing and Laboratory Analysis.* Description of selected cataloguing system and artifact analysis procedures.

*Discard and Deaccession Policy.* Description of and rationale for field and post-field discard and deaccession policies.

*Interpretive Program.* Consideration of an on-site/off-site public interpretive program during the course of the archeological data recovery program.

*Security Measures.* Recommended security measures to protect the archeological resource from vandalism, looting, and non-intentionally damaging activities.

*Final Report.* Description of proposed report format and distribution of results.

*Curation.* Description of the procedures and recommendations for the curation of any recovered data having potential research value, identification of appropriate curation facilities, and a summary of the accession policies of the curation facilities.

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

*Final Archeological Resources Report.* The archeological consultant shall submit a Draft Final Archeological Resources Report (FARR) to the ERO that evaluates the historical significance of any discovered archeological resource and describes the archeological and historical research methods employed in the archeological testing/monitoring/data recovery program(s) undertaken. Information that may put at risk any archeological resource shall be provided in a separate removable insert within the final report.

Once approved by the ERO, copies of the FARR shall be distributed as follows: California Archaeological Site Survey Northwest Information Center (NWIC) shall receive one (1) copy and the ERO shall receive a copy of the transmittal of the FARR to the NWIC. The Major Environmental Analysis division of the Planning Department shall receive 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 in or the high interpretive value of the resource, the ERO may require a different final report content, format, and distribution than that presented above.

## **Mitigation Measure 2**

### ***Construction Air Quality***

The project sponsor shall require the contractor(s) to spray the site with water during demolition, excavation and construction activity; spray unpaved construction areas with water at least twice per day; cover stockpiles of soil, sand, and other material; cover trucks hauling debris, soil, sand or other such material; and sweep surrounding streets during demolition and construction at least once per day to reduce particulate emissions. Ordinance 175-91, passed by the Board of Supervisors on May 6, 1991,

requires that non-potable water be used for dust control activities. Therefore, the project sponsor would require that the contractor(s) obtain reclaimed water from the Clean Water Program for this purpose.

The project sponsor shall require the project contractor(s) to maintain and operate construction equipment so as to minimize exhaust emissions of particulates and other pollutants, by such means as a prohibition on idling motors when equipment is not in use or when trucks are waiting in queues, and implementation of specific maintenance programs to reduce emissions for equipment that would be in frequent use for much of the construction period.

### **Mitigation Measure 3**

#### ***Hazardous Materials***

##### **Step 1: Determination of Presence of Contaminated Soils**

Prior to approval of a building permit for the project, the project sponsor shall hire a consultant to collect soil samples (borings) from areas on the site in which soil would be disturbed and test the soil samples for total lead and petroleum hydrocarbons. The consultant shall analyze the soil borings as discrete, not composite samples.

The consultant shall prepare a report on the soil testing for lead and petroleum hydrocarbons that includes the results of the soil testing and a map that shows the locations of stockpiled soils from which the consultant collected the soil samples.

The project sponsor shall submit the report on the soil testing for lead and petroleum hydrocarbons and a fee of \$425 in the form of a check payable to the San Francisco Department of Public Health (SFDPH), to the Hazardous Waste Program, Department of Public Health, 101 Grove Street, Room 214, San Francisco, California 94102. The fee of \$425 shall cover five hours of soil testing report review and administrative handling. If additional review is necessary, DPH shall bill the project sponsor for each additional hour of review over the first five hours, at a rate of \$85 per hour. These fees shall be charged pursuant to Section 31.47(c) of the San Francisco Administrative Code. DPH shall review the soil testing report to determine whether soils on the project site are contaminated with lead and/or petroleum hydrocarbons at or above potentially hazardous levels.

If DPH determines that the soils on the project site are not contaminated with lead or petroleum hydrocarbons at or above a potentially hazardous level (i.e., below 50 ppm soluble lead), no further mitigation measures with regard to contaminated soils on the site would be necessary.

##### **Step 2: Preparation of Site Mitigation Plan**

If based on the results of the soil tests conducted, DPH determines that the soils on the project site are contaminated with lead and/or petroleum hydrocarbons at or above potentially hazardous levels, the DPH shall determine if preparation of a Site Mitigation Plan (SMP) is warranted. If such a plan is requested by the DPH, the SMP shall include a discussion of the level of contamination of soils on the project site and mitigation measures for managing contaminated soils on the site, including, but not limited to: 1) the alternatives for managing contaminated soils on the site (e.g., encapsulation, partial or complete removal, treatment, recycling for reuse, or a combination); 2) the preferred alternative for managing contaminated soils on the site and a brief justification; and 3) the specific practices to be used to

handle, haul, and dispose of contaminated soils on the site. The SMP shall be submitted to the DPH for review and approval. A copy of the SMP shall be submitted to the Planning Department to become part of the case file.

**Step 3: Handling, Hauling, and Disposal of Contaminated Soils**

(a) specific work practices: If based on the results of the soil tests conducted, DPH determines that the soils on the project site are contaminated with lead and/or petroleum hydrocarbons at or above potentially hazardous levels, the construction contractor shall be alert for the presence of such soils during excavation and other construction activities on the site (detected through soil odor, color, and texture and results of on-site soil testing), and shall be prepared to handle, profile (i.e., characterize), and dispose of such soils appropriately (i.e., as dictated by local, state, and federal regulations, including OSHA lead-safe work practices) when such soils are encountered on the site.

(b) dust suppression: Soils exposed during excavation for site preparation and project construction activities shall be kept moist throughout the time they are exposed, both during and after work hours.

(c) surface water runoff control: Where soils are stockpiled, visqueen shall be used to create an impermeable liner, both beneath and on top of the soils, with a berm to contain any potential surface water runoff from the soil stockpiles during inclement weather.

(d) soils replacement: If necessary, clean fill or other suitable material(s) shall be used to bring portions of the project site, where contaminated soils have been excavated and removed, up to construction grade.

(e) hauling and disposal: Contaminated soils shall be hauled off the project site by waste hauling trucks appropriately certified with the State of California and adequately covered to prevent dispersion of the soils during transit, and shall be disposed of at a permitted hazardous waste disposal facility registered with the State of California.

**Step 4: Preparation of Closure/Certification Report**

After excavation and foundation construction activities are completed, the project sponsor shall prepare and submit a closure/certification report to DPH for review and approval. The closure/certification report shall include the mitigation measures in the SMP for handling and removing contaminated soils from the project site, whether the construction contractor modified any of these mitigation measures, and how and why the construction contractor modified those mitigation measures.

(B) Community Liaison: The Project Sponsor shall appoint a community liaison officer to deal with issues of concern to owners and occupants of nearby properties at all times during construction of the Project. **Prior to the commencement of construction activities**, the Project Sponsor shall provide the Zoning Administrator and the owners of the properties within 300 feet of the project site written notice of the name, business address, and telephone number of the community liaison.

(C) Recordation. **Prior to the issuance of any building permit application** for the construction of 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, which notice shall state

that construction of the Project has been authorized by and is subject to the conditions of this Motion. From time to time after recordation of such notice, at the request of the Project Sponsor, the Zoning Administrator shall affirm in writing the extent to which the conditions of this Motion have been satisfied, and record said writing if requested.

- (D) Reporting. The Project Sponsor shall submit two copies of a written report describing the status of compliance with the conditions of approval contained within this Motion **every six months from the date of this approval through the issuance of the first temporary certificate of occupancy.** Thereafter, the submittal of the report shall be on an annual basis. This requirement shall lapse when the Zoning Administrator determines that all the conditions of approval have been satisfied or that the report is no longer required for other reasons.

(E) Construction:

- (1) The Project Sponsor shall ensure the construction contractor will coordinate with the City and other construction contractor(s) for any concurrent nearby projects that are planned for construction so as to minimize, to the extent possible, negative impacts on traffic and nearby properties caused by construction activities.
- (2) Truck movements shall be limited to the hours between 9:30 A.M. and 3:30 P.M. to minimize disruption of the general traffic flow on adjacent streets.
- (3) The contractor shall arrange for off-street parking for construction workers until workers can park at the proposed project's parking garage.
- (4) The Applicant and construction contractor(s) shall meet with the Traffic Engineering Division of the Department of Parking and Traffic, the Fire Department, MUNI, and the Planning Department to determine feasible traffic mitigation measures to reduce traffic congestion and pedestrian circulation impacts during construction of the proposed project.

(F) Performance:

- (1) A site permit or building permit for the herein-authorized Project shall be obtained within three years of the date of this action, and construction, once commenced, shall be thenceforth pursued diligently to completion or the said authorization may become null and void.
- (2) This authorization may be extended at the discretion of the Zoning Administrator only where the failure to issue a permit by the bureau of the Department of Building Inspection to construct the proposed building is caused by a delay by a City, state or federal agency or by any appeal of the issuance of such a permit(s). The Project Sponsor shall obtain required site or building permits within three (3) years of the date of this approval or this authorization may be null and void. Construction, once commenced, shall be pursued diligently to completion.



- (G) First Source Hiring Program: The Project is subject to the requirements of the First Source Hiring Program (Chapter 83 of the Administrative Code) and the Project Sponsor shall comply with the requirements of this program.
- (H) Severability: 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 of the remaining provisions, clauses, sentences, or sections of these conditions. It is hereby declared to be the intent of the Commission that these conditions of approval would have been adopted had such invalid sentence, clause, or section or part thereof not been included herein.

3. CONDITIONS TO BE MET PRIOR TO THE ISSUANCE OF A BUILDING (OR SITE) PERMIT

- (A) Inclusionary Affordable Housing Program: Sections 315.1–315.9 set forth the requirements and procedures for the Residential Inclusionary Affordable Housing Program (hereinafter "Program") and the herein-approved Project is subject to the requirements of the Affordable Housing Monitoring Procedures Manual (hereinafter "Procedures Manual"). The Program requires, in the subject case (because of the off-street parking exception, the fact that the environmental evaluation for the Project was filed prior to July 18, 2006, and the fact that the Applicant has elected to provide his BMR units on site), that 12 percent of the dwelling units on site must be affordable.
  - (1) The Project includes 47 dwelling units, and thus under Code Section 315, it is required to provide six below-market-rate ("BMR") on-site dwelling units (12 percent); and the Project sponsor has provided a "Declaration of Intent" electing to construct the BMR units on site to satisfy the inclusionary housing requirement.
  - (2) The subject BMR units shall be evenly spread throughout the development as determined by the Zoning Administrator, and reflect the unit-size mix of the market-rate units and shall be distributed in the range of unit sizes based on the proposed unit mix.
  - (3) The BMR units shall be designated on the building plans prior to approval of any building permit. The BMR units shall (1) reflect the unit size mix in number of beds and square footage of the market rate units, (2) shall be constructed, completed, and ready for occupancy no later than the market rate units, and (3) shall be of comparable overall quality, construction and exterior appearance as the market rate units in the principal Project. The Project proposes 47 dwelling units, ranging in size from studio to one-bedroom units.
  - (4) If the units in the building are offered for sale, the BMR units shall be sold to first time home buyer households, as defined in the Procedures Manual, whose gross annual income, adjusted for household size, does not exceed an average of one hundred percent of the median income for the San Francisco Principal Metropolitan Statistical Area (PMSA). The initial sales price of such units shall be calculated according to the Procedures Manual based on such percentage of median income. This restriction shall apply for the life of the Project from the date of the initial sale of the BMR unit.

- (5) The Applicant shall administer the marketing and reporting procedures, including the payment of administrative fees to the monitoring agency if such fees are authorized by ordinance, according to the procedures established in the Procedures Manual or as otherwise provided by law.
  - (6) The definitions, procedures and requirements for BMR units are set forth in the Procedures Manual and are incorporated herein as Conditions of Approval. Terms used in these Conditions of Approval and not otherwise defined shall have the meanings set forth in the Procedures Manual.
  - (7) Prior to issuance of any building permit for the Project (including any building permit issued for any partial phase of the Project), the Project Sponsor shall have designated the BMR units in accordance with Items 1, 2 and 3 above.
  - (8) Prior to issuance of the Building Permit, the Project Sponsor shall record a Notice of Special Restriction on the property that records a copy of Motion No. 17730, including this Exhibit A, and identifies the BMR unit(s) 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 the Mayor's Office of Housing or its successor (MOH), the monitoring agency for the BMR unit(s).
- (B) Garbage and Recycling: The building design shall provide adequate space designated for trash compactors and trash loading. Space for the collection and storage of recyclable materials that meets the size, location, accessibility and other standards specified by the San Francisco Recycling Program, shall also be provided at the ground level of the project. Enclosed trash areas with provisions for separating recyclable and non-recyclable materials shall be provided for Project residents on each floor of the residential tower. These areas shall be indicated on the building plans.
- (C) Parking: Off-street parking provided in conjunction with the Project shall not exceed the parking for more than a total of 23 vehicles (plus three car-share spaces) whether independently-accessible, stacked or "valet" parked, or the Applicant shall seek and be authorized a new exception pursuant to Code Section 309.
4. CONDITIONS TO BE MET PRIOR TO THE ISSUANCE OF AN ARCHITECTURAL ADDENDUM
- (A) Design:
- (1) Highly reflective spandrel glass, mirror glass, or deeply tinted glass shall not be permitted. Only clear glass shall be used at pedestrian levels.
  - (2) The Project Sponsor and the Project architect shall continue to work on design development with the Department. Should there be major design changes occasioned by this review, the Project shall be brought back to the Commission for new review and entitlements commensurate with such changes.

- (3) Space shall be included for antennae in the building's design to avoid unattractive appendages.
- (4) Final architectural and decorative detailing, materials, glazing, color and texture of exterior finishes shall be submitted for review by, and shall be satisfactory to the Director of the Department. In that a high quality of finish materials is proposed and sought by the Commission, and the design details of the proposed Project are a part of the approval, special efforts shall be made by the Department staff and the Applicant to deliver a final product commensurate with that shown to the Commission at public hearing and on file with the Application. The Project architect shall submit dimensional design drawings for building details with specifications and samples of materials to insure a high design quality is maintained.
- (5) Except as otherwise provided in this Motion, the Project shall be completed in general accordance with plans dated October 23, 2008, labeled "Exhibit B," and reviewed by the Commission on October 23, 2008.
- (6) Landscape plans indicating landscaping, furniture and any other improvements proposed for the Project's common usable open space area(s) shall be included in the architectural addendum, for review by planning staff.
- (B) Signage: The Project Sponsor shall develop a signage program for the Project, which shall be subject to review and approval by Planning Department staff. All subsequent sign permits shall conform to the approved signage program. Once approved by Department staff, the signage program information shall be submitted and approved as part of the first building or site permit for the project.
- (C) Lighting: The Project Sponsor shall develop a lighting program for the Project, which shall be subject to review and approval by Planning Department staff. The lighting program shall include any lighting required or proposed within the public right-of-way as well as lighting attached to the building. Once approved by Department staff, the lighting program information shall be submitted and approved as part of the first building or site permit for the project.
- (D) Pedestrian Streetscape Improvements: The Project shall include pedestrian streetscape improvements generally as described in this Motion and in conformance with Planning Code Section 138.1, and the Downtown Streetscape Plan.
- (E) Public Artwork: The Project shall include the work(s) of art valued at an amount equal to one percent of the hard construction costs for the Project as determined by the Director of the Department of Building Inspection. The project sponsor shall provide to the Director necessary information to make the determination of construction cost hereunder.

The Project sponsor and the Project artist shall consult with the Department during design development regarding the height, size, type and location of the art. The final art concept and location shall be submitted for review by, and shall be satisfactory to the Planning Director in consultation with the Commission. The Project sponsor and the Director shall report to the Commission on the progress of the development and design of the art concept no later than six months after the date of this approval.

4. CONDITIONS TO BE MET PRIOR TO THE ISSUANCE OF THE FIRST (TEMPORARY OR PERMANENT) CERTIFICATION OF OCCUPANCY
- (A) Public Artwork:
- (1) The Project Sponsor shall install the public art generally as described in Code **Section 149** and make it available to the public. If the Zoning Administrator concludes that it is not feasible to install the work(s) of art within the time herein specified and the Project Sponsor provides adequate assurances that such works will be installed in a timely manner, the Zoning Administrator may extend the time for installation for a period of not more than twelve (12) months.
  - (2). The Project sponsor shall comply with Code **Section 149(b)** by providing a plaque or cornerstone identifying the Project architect, the artwork creator and the Project completion date in a publicly conspicuous location on the Project site. The design and content of the plaque shall be approved by Department staff prior to its installation.
- (B) Pedestrian Streetscape Improvements. The project sponsor shall complete the required pedestrian streetscape improvements. The project sponsor shall be responsible for the upkeep and maintenance of such improvements if they exceed City standards.
- (C) Street Trees. Pursuant to the standards set forth in Code **Section 143**, the Applicant shall plant and maintain a minimum of one tree of 15-gallon size for each 20 feet of frontage along the Jessie Street frontage of the Subject Property (with any remainder of ten feet or more of frontage requiring an additional tree) or shall seek a Zoning Administrator exemption from same as provided for in Code Section 143(e).
- (D) Open Space Improvements. The project sponsor shall complete the required improvements (landscaping, furniture, lighting, etc.) for all of the Project's common usable open space areas.
- (E) Garbage and Recycling: The Project shall provide containers to collect and store recyclable solid waste and the project sponsor shall contract for recycling pickup. Trash compactors shall not occupy or impede the use of required freight loading spaces.
- (F) Emergency Preparedness Plan: An evacuation and emergency response plan shall be developed by the Project Sponsor or building management staff, in consultation with the Mayor's Office of Emergency Services, to ensure coordination between the City's emergency planning activities and the Project's plan and to provide for building occupants in the event of an emergency. The Project's plan shall be reviewed by the Office of Emergency Services and implemented by the building management insofar as feasible before issuance of the final certificate of occupancy by the Department of Public Works. A copy of the transmittal and the plan submitted to the Office of Emergency Services shall be submitted to the Department. To expedite the implementation of the City's Emergency Response Plan, the Project Sponsor shall post information (with locations

noted on the final plans) for building occupants concerning actions to take in the event of a disaster.

5. CONDITION TO BE MET TWO YEARS AFTER INITIAL OCCUPANCY OF THE PROJECT

Two years after the issuance of the first Certificate of Occupancy, the project sponsor shall report to the Planning Department the number of dwelling units sold (or rented) and the following data in summary form: (1) the number of children per household at the Project Site; (2) Zip Codes of places of employment of residents; (3) means of transportation to place of employment; (4) number automobiles owned per household at the Project site. If not all units are sold (or rented) within the two years of issuance of the first Certificate of Occupancy, the project sponsor shall provide the Department with a final report once all the units are sold (or rented).

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