



PLANNING APPROVAL LETTER

Date: 1/24/2025
Planning Record No. 2024-004990PRJ
Project Address: 758 and 772 Pacific Avenue
Zoning: CRNC (CHINATOWN- RESIDENTIAL- NEIGHBORHOOD COMMERCIAL) Zoning District
Group Housing Special Use District
Priority Equity Geographies Special Use District
New Asia Senior Housing Special Use District
65-N Height and Bulk District
Block/Lot: 0161 / 014-015
Project Sponsor: Bo Han
615 Grant Avenue
San Francisco, CA 94108
Staff Contact: Jonathan Vimr
Jonathan.Vimr@sfgov.org 628-652-7319

Project Description

This project proposes to demolish the existing one-story commercial building (previously D.B.A. New Asia and currently operating as a Chinese grocery store under a Temporary Use Authorization) at 772 Pacific Ave as well as a two-story building containing a ground floor retail space and one dwelling unit above at 758 Pacific, and construct a 15-story, 155' tall senior housing project constituting 175 dwelling units that will be used for 100% affordable senior housing. There will also be a banquet hall in the basement, ground floor, and mezzanine level. The 758 and 772 Pacific Avenue parcels will be combined, with the City and County of San Francisco purchasing the 758 Pacific parcel from the Chinatown Community Development Corporation (CCDC) for the lot merger and then leasing the combined site to CCDC.

Project Approval

This project is approved pursuant to Government Code section 65912.110, commonly known as AB 2011. AB 2011 requires the ministerial approval of eligible 100% affordable and mixed-income housing developments located on sites where office, retail or parking are principally permitted. For additional details on AB 2011, please see Government Code section 65912.110, or Director's Bulletin 5.

The Department has determined that the project is eligible for AB 2011 and has concluded its design review of the project, including that it complies with the objective standards of the Planning Code. The Department therefore approves the project in accordance with the provisions of Government Code section 65912.110 (AB 2011), as recorded in Planning Record No. 2024-004990PRJ. The project shall comply with the standard

conditions of approval for an AB 2011 project, attached. The property owner shall record a Notice of Special Restrictions prior to the issuance of a site or building permit for the project. The plans for the approved project are attached to this approval.

Project Timeline

Action	Date
Applicant submitted a Development Application	June 3, 2024
Department staff deemed Application Complete (CAN)	July 9, 2024
Department staff determined that the proposed project was eligible for AB2011	August 10, 2024
Department staff issued Plan Check Letter (PCL) No. 1	August 23, 2024
Applicant responded to PCL No. 1	September 4, 2024
Project was deemed complete	September 12, 2024

Compliance with the State Density Bonus Law

The Project Sponsor seeks to proceed pursuant to Planning Code Section 206.6, Individually Requested State Density Bonus Law, Government Code Section 65915 et seq (the “State Law”). Under subsection 65915(b)(1)(G) of the State Law, a 100% affordable housing development that provides 100% of the total units for lower income households, except that up to 20% of the total units in the development may be for moderate-income households and exclusive of a manager’s unit(s), is entitled to five concessions and incentives that result in identifiable and actual cost reductions to provide for affordable housing costs. Such project, when located within one-half mile of a major transit stop, shall be relieved of maximum density controls and shall also receive a height increase of up to three additional stories, or 33 feet, and unlimited waivers from development standards that might otherwise preclude the construction of the project are permitted under this subsection of the State Law.

The New Asia Senior Housing Special Use District under Planning Code Section 249.19 provides exemption from the 65-N height and bulk limit and allows for a height of up to 155 feet, with height limitation inclusive of any additional height permissible under any state or local density bonus program that requires or permits increase in height, including Planning Code Section 206.6 and State Density Bonus Law, California Government Code Section 65915 et seq.

The Project Sponsor is providing 175 units of housing affordable to low and very low-income senior households and the project is located within one-half mile of a major transit stop; therefore, the project is not subject to any maximum control on density, and is eligible for up to five concessions/incentives, unlimited waivers, and three stories of additional height. The project sponsor is requesting three concessions/incentives from the development standards for non-residential use size limits in Chinatown Zoning Districts (Planning Code Section 121.4), Floor to Area ratio limits (Planning Code Section 124), and Permitted Obstructions (Planning Code Section 136). The project has requested waivers from the

development standards for Sun Access for sidewalks in Chinatown (Planning Code Section 132.3), Site Coverage in Chinatown (Planning Code Section 134.1), Open Space (Planning Code Section 135), Rear Yard (Planning Code Section 134), Off-Street Loading (Planning Code Section 152), and Bike Parking and Bike Parking in City-Owned/Leased properties (Planning Code Sections 155.2/155.3).

<i>Project Tenure</i>	Rental
<i>Location</i>	CRNC (Chinatown-Residential, Neighborhood Commercial)
<i>Total On-Site Affordable Units</i>	175 (100% Affordable)
<i>Project Unit Mix</i>	124 studio, 50 one bedroom, 1 two-bedroom manager unit
<i>Total Residential Floor Area</i>	134,937 sqft

Planning Code Findings

Planning Code Section 206.6

The Department finds that the project is consistent with the findings set forth in 206.6 as further described below.

Before approving an application for a Density Bonus, Incentive, Concession, or Waiver, for any Individually Requested Density Bonus Project, the Planning Commission or Director shall make the following findings as applicable.

- A. The Housing Project is eligible for the Individually Requested Density Bonus Program.

The Project qualifies for the State Density Bonus Program by providing 100% of the Project's residential units on-site as affordable to households for lower income households.

- B. The Housing Project has demonstrated that any Concessions or Incentives reduce actual housing costs, as defined in Section 50052.5 of the California Health and Safety Code, or for rents for the targeted units, based upon the financial analysis and documentation provided.

The project has requested concessions/incentives from the development standards for Non-Residential Use Size limits in Chinatown Zoning Districts (Planning Code Section 121.4), Floor to Area ratio limits (Planning Code Section 124), and Permitted Obstructions (Planning Code Section 136).

Non-Residential Use Size Limits. *The requested incentive from non-residential use size limits of 4,000 square feet allows the project to include an approximately 13,872 square-foot banquet hall at the lower levels, which is an essential community asset for the neighborhood, provides an additional revenue stream for the 100% affordable housing project, and serves the tenants of the project. It is also a use that has historically been present at the site.*

Permitted Obstructions (Bay Windows). *The requested incentive from bay window projections allows the project to construct non-standard bay windows. This design is intended to reduce the building's southern exposure to the sun, helping to reduce both direct construction costs and long-term operating costs related to heating and cooling.*

Floor to Area (FAR). *The requested incentive from the Planning Code requirement for a 1:1 commercial FAR limit allows for a properly sized banquet hall at a FAR of 1.27:1 at the lower levels, which is an essential community asset for the neighborhood, provides an additional revenue stream for the 100% affordable housing project, and serves the tenants of the project. It is also a use that has historically been present at the site.*

- C. If a waiver or modification is requested, a finding that the Development Standards for which the waiver is requested would have the effect of physically precluding the construction of the Housing Project with the Density Bonus or Concessions and Incentives permitted.

The project has requested waivers from the development standards for Sun Access for Sidewalks in Chinatown (Planning Code Section 132.3), Site Coverage in Chinatown (Planning Code Section 134.1), Rear Yard (Planning Code Section 134), Open Space (Planning Code Section 135), Off-Street Loading (Planning Code Section 152), and Bike Parking and Bike Parking in City-Owned/Leased properties (Planning Code Sections 155.2/155.3)).

Sun Access for Sidewalks in Chinatown. *The requested waiver results in increased residential density. Per this section of the Code, the subject proposal would require a 15-foot setback beginning at a building height of 47 feet and extending up from there. The proposed project does not provide any set front setback starting at 47 feet. Accommodating such a setback would result in the loss of residential units.*

Site Coverage in Chinatown. *The requested waiver results in increased residential density. In the Chinatown Residential Neighborhood Commercial District site coverage at the lowest level occupied for dwellings may not exceed 75%. The proposed project provides a site coverage of approximately 95% at the lowest level occupied for dwellings. Compliance with this provision would substantially decrease the residential density of the project, resulting in the loss of approximately 44 of the 175 proposed units.*

Rear Yard. *The requested waiver from the rear yard requirements of Planning Code Section 134 results in increased residential density. In the Chinatown Residential Neighborhood Commercial District, no more than 75% of lot coverage is allowed at residential levels, effectively meaning a 25% rear yard is required at the first floor containing a dwelling unit and at each subsequent story. The proposed project does not provide any rear yard. Providing a code-compliant rear yard would substantially decrease the residential density of the project, resulting in the loss of approximately 44 of the 175 proposed units.*

Residential Open Space. *The requested waiver results in increased residential density. In the Chinatown Residential Neighborhood Commercial District, there must be 48-square feet of open space per dwelling unit. While the project does include 3,277 square feet of open space, this is not compliant with the required amount of 8,400 square feet. Rendering the proposed building complaint with regard to the residential open space requirement would require the reduction of building volume and/or a reduction in the number of units proposed.*

Off-Street Loading. *The requested waiver results in increased residential density. Planning Code Section 152.1 requires one off-street freight loading space for projects that have 100,001 to 200,000 square feet of residential space. The proposed building has 134,652 square feet of residential space but is not providing off-street freight loading space, and is thus not compliant. Rendering the proposed building complaint with regard to the off-street freight loading requirement would require the reduction of building volume and/or a reduction in the number of units proposed.*

Bicycle Parking and Bicycle Parking in City-Owned and Leased Properties. *The requested waiver results in increased residential density. The Code requires that the project include 119 Class 1 bike parking spaces and 9 Class 2 spaces. The proposed project would not provide any bike parking spaces. Compliance with this provision would result in a substantial reduction of habitable area, thereby reducing the space needed for the residential development.*

- D. If the Density Bonus is based all or in part on donation of land, a finding that all the requirements included in Government Code Section 65915(g) have been met.

The requested Density Bonus is not based on donation of land.

- E. If the Density Bonus, Concession or Incentive is based all or in part on the inclusion of a Child Care Facility, a finding that all the requirements included in Government Code Section 65915(h) have been met.

The requested Density Bonus and concessions/incentives are not based on inclusion of a Child Care facility.

- F. If the Concession or Incentive includes mixed-use development, a finding that all the requirements included in Government Code Section 65915(k)(2) have been met.

The requested concessions/incentives are for both residential and non-residential uses. The inclusion of the non-residential concession/incentive will help reduce the cost of the housing development and are land uses that are compatible with housing and existing buildings in the area.

General Plan Compliance

As described below, the Project is consistent with the Eight Priority Policies of Planning Code Section 101.1 and is, on balance, in conformity with the Objectives and Policies of the General Plan.

HOUSING ELEMENT

Policy 8

Expand permanently supportive housing and services for individuals and families experiencing homelessness as a primary part of a comprehensive strategy to eliminate homelessness.

Policy 15

Expand permanently affordable housing investments in priority equity geographies to better serve american indian, black, and other people of color within income ranges underserved, including extremely-, very low-, and moderate-income households.

OBJECTIVE 4.A

SUBSTANTIALLY EXPAND THE AMOUNT OF PERMANENTLY AFFORDABLE HOUSING FOR EXTREMELY LOW-TO MODERATE-INCOME HOUSEHOLDS.

Policy 26

Streamline and simplify permit processes to provide more equitable access to the application process, improve certainty of outcomes, and ensure meeting state- and local-required timelines, especially for 100% affordable housing and shelter projects.

Policy 32

Promote and facilitate aging in place for seniors and multi-generational living that supports extended families and communal households.

OBJECTIVE 4.C

DIVERSIFY HOUSING TYPES FOR ALL CULTURES, FAMILY STRUCTURES, AND ABILITIES.

The project will provide 175 units of affordable housing; specifically senior housing in a community where this is a deep need. The banquet hall at the lower levels also serves a key community function. The project is consistent with the General Plan.

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 complies with said policies in that:

1. 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 currently is developed with a grocery store; while this will be removed it will be replaced with a banquet hall, an essential use for the community within which it is located.

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

The project will replace a strictly commercial use with a lower level commercial use as well as 175 units of affordable senior housing.

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

The site does not currently include any existing affordable housing but will provide 175 such units for senior housing.

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

The Project Site is served by nearby public transportation options. The Project is located along a Muni bus line (12-Folsom/Pacific) and is within walking distance of the 8-Bayshore bus line as well as the Chinatown-Rose Pak Muni light rail station at Stockton and Washington Streets. Future residents would be afforded proximity to public transit.

5. 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 does not include commercial office development.

6. 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 constructed to conform to the structural and seismic safety requirements of the Building Code. As such, this Project will improve the property's ability to withstand an earthquake.

7. That landmarks and historic buildings be preserved.

The Project Site does not contain any City Landmarks or historic buildings.

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

The Project will not affect access to sunlight and vistas from parks or open spaces.

Attachments:

Exhibit A - Conditions of Approval

Exhibit B - Draft Notice of Special Restriction

Exhibit C - Approved Plans

Exhibit D - Preliminary Planning Development Impact Fee Statement

CONDITIONS OF APPROVAL FOR 100% AFFORDABLE AB2011 PROJECTS

Authorization

This authorization to allow a 15-story, 100% affordable senior housing project consisting of 175 dwelling units located at 758 and 772 Pacific Avenue, Block 0161/Lot 015 within the CRNC (Chinatown-Residential-Neighborhood Commercial) Zoning District and a 65-N Height and Bulk District, New Asia Senior Housing Special Use District; in general conformance with plans, dated 9/4/2024, included in the case file for Planning Record No. 2024-004990PRJ. 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 Department on 1/24/2025 under Planning Record No. 2024-004990PRJ.

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

Pursuant to California Government Code Section 65912.114(m), changes and modifications will be evaluated consistent with Government Code Section 65913.4(h).

State Law Provisions

1. **Expiration.** Pursuant to California Government Code Sections 65912.114(l) and 65913.4(g), the authorization and right vested by virtue of this action does not expire, as the Project includes public investment in affordability, and more than 50% of units are restricted by a land use restriction or covenant as affordable to households earning below 80% of the AMI for no less than fifty-five years if rented and forty-five years if owned.
2. **Prevailing Wages.** If the Project is not in its entirety a public work, as defined in Government Code Section 65912.130(b), all construction workers employed in the execution of the development must be paid at least the general prevailing rate of per diem wages for the type of work and geographic

area, and the standards set forth in Government Code Section 65912.130(b) shall be met during the construction of the project.

For more information about compliance, please contact the San Francisco Office of Labor Standards Enforcement (<https://www.sf.gov/departments--office-labor-standards-enforcement>).

3. **Additional Labor Standards.** The Project includes at least 50 units. Therefore, the development of the Project shall meet all of the labor standards set forth in Government Code Section 65912.131, including, but not limited to apprenticeships and health care expenditures.

For more information about compliance, please contact the San Francisco Office of Labor Standards Enforcement (<https://www.sf.gov/departments--office-labor-standards-enforcement>).

For information about compliance, contact the First Source Hiring Manager at 415.581.2335, www.onestopSF.org.

4. **Affordable Housing.** The Project was approved in accordance with the provisions of California Government Code Section 65912.114. 100% of the units within the project, excluding managers' units, shall be dedicated to lower income households at an affordable cost, as defined by Section 50052.5 of the Health and Safety Code, or an affordable rent set in an amount consistent with the rent limits established by the California Tax Credit Allocation Committee. The units shall be subject to a recorded deed restriction for a period of 55 years for rental units and 45 years for owner-occupied units.
5. **Regulatory Agreement.** The Project was approved ministerially in accordance with the provisions of California Government Code Section 65912.114, since 100% of the units in the project are restricted to lower income households for no less than fifty-five years if rented and forty-five years if owned. In addition, the Project was approved in accordance with the provisions of California Government Code Section 65915 ("State Density Bonus Law"). The Project is eligible for decontrolled density, up to four incentives and concessions, and unlimited waivers from development standards. The Department has granted incentives/concessions from the development standards for non-residential use size limits in Chinatown Zoning Districts (Planning Code Section 121.4), Floor to Area ratio limits (Planning Code Section 124), and Permitted Obstructions (Planning Code Section 136) and waivers for the development standards for Sun Access for sidewalks in Chinatown (Planning Code Section 132.3), Site Coverage in Chinatown (Planning Code Section 134.1), Open Space (Planning Code Section 135), Rear Yard (Planning Code Section 134), Off-Street Loading (Planning Code Section 152), and Bike Parking and Bike Parking in City-Owned/Leased properties (Planning Code Section 155.2/155.3). Prior to the issuance of the first construction document for the Project, the property owner must enter into a regulatory agreement with the City pursuant to the provisions of Planning Code Section 206.6(f).
6. **Relocation Payments.** Where relocation benefits are required by state or local law, project sponsor shall comply with California Government Code Section 7260 *et seq.*, and if applicable, the amount of relocation payments to be provided shall be the applicable amount as published by the San

Francisco Residential Rent Stabilization and Arbitration Board. Current relocation payment requirements and amounts can be found on the Rent Board website: sfrb.org/forms-center.

For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, www.sfplanning.org.

7. **Right of First Refusal and Right to Remain in Unit.** Where a right of first refusal to a comparable unit in the replacement project is required by State law, the project sponsor shall provide such right to occupants consistent with those requirements. (See California Government Code Section 66300.6(b)(4)(B)(ii)(II).) For 100% affordable housing projects, the project sponsor is required to provide right of first refusal to the existing occupant(s) of a protected unit or units if such occupant(s) qualify for residence in the new development, and for whom providing a comparable unit would not be precluded due to unit size limitations or other requirements of one or more funding source of the housing development.

For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, www.sfplanning.org.

8. **Replacement Units:** As required by California Government Code section 66300.6, the existing tenant occupied unit will be replaced with a deed restricted affordable unit. The Project proposes a 100% affordable project, and all the units will be affordable to lower income households. Within the Regulatory Agreement required by Condition No. 9, the Project Sponsor shall record a restriction on the property records that the existing unit shall be replaced with a deed restricted unit affordable to households earning 50% AMI within the project, subject to 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. 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 MOHCD at 1 South Van Ness Avenue or on the Planning Department or MOHCD websites, including on the internet at: <http://sf-planning.org/Modules/ShowDocument.aspx?documentid=4451>.
 - a. The replacement unit shall be rented to a household earning 50% AMI pursuant to California Government Code section 66300. 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.
 - b. 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.
 - c. 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.

- d. If the Project fails to comply with any applicable requirements of Government Code section 66300, 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's failure to comply with the requirements of the replacement provisions in Government Code section 66300 shall constitute cause for the City to record a lien against the development project and to pursue any and all available remedies at law, including penalties and interest, if applicable.

For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, www.sfplanning.org

City Provisions

9. **Inclusionary Affordable Housing Program.** As currently proposed, the Project is exempt from the Inclusionary Affordable Housing Program under Section 415.3(f) because it is a 100% affordable housing project in which rents are controlled or regulated by a government unit, agency or authority, excepting those unsubsidized and/or unassisted units which are insured by the United States Department of Housing and Urban Development.

In the event of foreclosure or for any other reason the Project no longer qualifies as a 100% affordable housing project meeting the requirements under Section 415.3(f), the Project shall comply with the inclusionary housing requirements set forth in Section 415 of the Code, or any successor provision, and the requirements of the then-applicable Inclusionary Affordable Housing Program Monitoring and Procedures Manual, as amended from time to time, published by MOHCD. To comply with Section 415 of the Planning Code, the owner shall execute a new notice of special restrictions or any amendment to this NSR, as well as any related regulatory agreement, in form and substance approved in writing by the Planning Department and MOHCD. This condition of approval shall constitute the written determination and notice of the inclusionary housing requirement pursuant to the procedures set forth in Code Section 415.

10. **Development Impact Fees.** The Project is subject to those Development Impact Fees applicable under the Planning Code, which are generally described in Exhibit D (please note that a waiver from TSF fees has been requested and is under review). Modifications to the project, including but not limited to increases or decreases to certain use sizes, or the introduction of new uses to the project following Planning Approval, may result in changes to these fees.

For information about compliance, contact the Case Planner, Planning Department at 628.652.7319, www.sfplanning.org

11. **Anti-Discriminatory Housing.** The Project shall adhere to the requirements of the Anti-Discriminatory Housing policy, pursuant to Administrative Code Section 1.61.

12. **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.
13. **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, 628.271.2000, www.sfpublicworks.org

14. **Relocation Payments.** Where relocation benefits are required by state or local law, project sponsor shall comply with California Government Code Section 7260 *et seq.*, and if applicable, the amount of relocation payments to be provided shall be the applicable amount as published by the San Francisco Residential Rent Stabilization and Arbitration Board. Current relocation payment requirements and amounts can be found on the Rent Board website: sfrb.org/forms-center.

For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, www.sfplanning.org.

15. **Right of First Refusal and Right to Remain in Unit.** Where a right of first refusal to a comparable unit in the replacement project is required by State law, the project sponsor shall provide such right to occupants consistent with those requirements. (See California Government Code Section 66300.6(b)(4)(B)(ii)(II).) For 100% affordable housing projects, the project sponsor is required to provide right of first refusal to the existing occupant(s) of a protected unit or units if such occupant(s) qualify for residence in the new development, and for whom providing a comparable unit would not be precluded due to unit size limitations or other requirements of one or more funding source of the housing development.

For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, www.sfplanning.org.

16. **Replacement Units:** As required by California Government Code section 66300.6, the existing tenant occupied unit will be replaced with a deed restricted affordable unit. The Project proposes a 100% affordable project, and all the units will be affordable to lower income households. Within the Regulatory Agreement required by Condition No. 9, the Project Sponsor shall record a restriction on the property records that the existing unit shall be replaced with a deed restricted unit affordable to households earning 50% AMI within the project, subject to 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. 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 MOHCD at 1 South Van Ness Avenue or on the Planning Department or MOHCD websites, including on the internet at: <http://sf-planning.org/Modules/ShowDocument.aspx?documentid=4451>.

- e. The replacement unit shall be rented to a household earning 50% AMI pursuant to California Government Code section 66300. 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.
- f. 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.
- g. 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.
- h. If the Project fails to comply with any applicable requirements of Government Code section 66300, 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's failure to comply with the requirements of the replacement provisions in Government Code section 66300 shall constitute cause for the City to record a lien against the development project and to pursue any and all available remedies at law, including penalties and interest, if applicable.

For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, www.sfplanning.org

Entertainment Commission – Noise Attenuation Conditions

17. **Chapter 116 Residential Projects.** The Project Sponsor shall comply with the “Recommended Noise Attenuation Conditions for Chapter 116 Residential Projects,” which were recommended by the Entertainment Commission on August 25, 2015. These conditions state:

- i. **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.
- ii. **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.

iii. 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.

iv. 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.

v. 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.

EXHIBIT B

NOTICE OF SPECIAL RESTRICTIONS UNDER THE PLANNING CODE

RECORDING REQUESTED BY

And When Recorded Mail To:

Name:

Address:

City:

State:

ZIP:

(Space Above This Line For Recorder's Use)

I, (We) _____, the owner(s) of that certain real property situated in the City and County of San Francisco, State of California more particularly on attached sheet marked "Exhibit A,

BEING ASSESSOR'S BLOCK: 0161, LOT(S): 014, 015
COMMONLY KNOWN AS: 758 and 772 Pacific Avenue

hereby give notice that there are special restrictions on the use of said property under Part II, Chapter II of the San Francisco Municipal Code (Planning Code).

Said restrictions consist of conditions attached to the Planning Approval Letter dated January 24, 2025 by the Planning Department and are conditions that had to be so attached in order that said application could be approved under the Planning Code (Planning Case No. 2024-004990PRJ). The plans filed with the present application indicate that the project at 758 and 772 Pacific Avenue proposes to demolish the existing structures and replace with a 15-story, 155' tall senior housing project constituting 175 dwelling units that will be used for 100% affordable senior housing totaling 130,531 square feet of residential use and 13,872 square feet of commercial use ("The Project"). The Project is located within the Chinatown-Residential-Neighborhood Commercial Zoning District (CRNC), Group Housing Special Use District, Priority Geographies Special Use District and the 65-N Height and Bulk District.

Recordation of Conditions of Approval

Prior to the issuance of the site permit or 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 Department on January 24, 2025 under Planning Case No. 2024-004990PRJ.

NOTICE OF SPECIAL RESTRICTIONS UNDER THE PLANNING CODE

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 owner or responsible party.

CONDITIONS OF APPROVAL, COMPLIANCE, MONITORING, AND REPORTING

State Law Provisions

1. **Expiration.** Pursuant to California Government Code Sections 65912.114(l) and 65913.4(g), the authorization and right vested by virtue of this action does not expire, as the Project includes public investment in affordability, and more than 50% of units are restricted by a land use restriction or covenant as affordable to households earning below 80% of the AMI for no less than fifty-five years if rented and forty-five years if owned.
2. **Prevailing Wages.** If the Project is not in its entirety a public work, as defined in Government Code Section 65912.130(b), all construction workers employed in the execution of the development must be paid at least the general prevailing rate of per diem wages for the type of work and geographic area, and the standards set forth in Government Code Section 65912.130(b) shall be met during the construction of the project.
3. **Additional Labor Standards.** The Project includes at least 50 units. Therefore, the development of the Project shall meet all of the labor standards set forth in Government Code Section 65912.131, including, but not limited to apprenticeships and health care expenditures.
4. **Affordable Housing.** The Project was approved in accordance with the provisions of California Government Code Section 65912.114. 100% of the units within the project, excluding managers' units, shall be dedicated to lower income households at an affordable cost, as defined by Section 50052.5 of the Health and Safety Code, or an affordable rent set in an amount consistent with the rent limits established by the California Tax Credit Allocation Committee. The units shall be subject to a recorded deed restriction for a period of 55 years for rental units and 45 years for owner-occupied units.
5. **Regulatory Agreement.** The Project was approved ministerially in accordance with the provisions of California Government Code Section 65912.114, since 100% of the units in the project are restricted to lower income households for no less than fifty-five years if rented and forty-five years if owned. In addition, the Project was approved in accordance with the provisions of California Government Code Section 65915 ("State Density Bonus Law"). The Project is eligible for decontrolled density, up to four incentives and concessions, and unlimited waivers from development standards. The Department has granted

NOTICE OF SPECIAL RESTRICTIONS UNDER THE PLANNING CODE

incentives/concessions from the development standards for non-residential use size limits in Chinatown Zoning Districts (Planning Code Section 121.4), Floor to Area ratio limits (Planning Code Section 124), and Permitted Obstructions (Planning Code Section 136) and waivers for the development standards for Sun Access for sidewalks in Chinatown (Planning Code Section 132.3), Site Coverage in Chinatown (Planning Code Section 134.1), Open Space (Planning Code Section 135), Rear Yard (Planning Code Section 134), Off-Street Loading (Planning Code Section 152), and Bike Parking and Bike Parking in City-Owned/Leased properties (Planning Code Section 155.2/155.3). Prior to the issuance of the first construction document for the Project, the property owner must enter into a regulatory agreement with the City pursuant to the provisions of Planning Code Section 206.6(f).

6. **Relocation Payments.** Where relocation benefits are required by state or local law, project sponsor shall comply with California Government Code Section 7260 *et seq.*, and if applicable, the amount of relocation payments to be provided shall be the applicable amount as published by the San Francisco Residential Rent Stabilization and Arbitration Board. Current relocation payment requirements and amounts can be found on the Rent Board website: sfrb.org/forms-center.
7. **Right of First Refusal and Right to Remain in Unit.** Where a right of first refusal to a comparable unit in the replacement project is required by State law, the project sponsor shall provide such right to occupants consistent with those requirements. (See California Government Code Section 66300.6(b)(4)(B)(ii)(II).) For 100% affordable housing projects, the project sponsor is required to provide right of first refusal to the existing occupant(s) of a protected unit or units if such occupant(s) qualify for residence in the new development, and for whom providing a comparable unit would not be precluded due to unit size limitations or other requirements of one or more funding source of the housing development.
8. **Replacement Units:** As required by California Government Code section 66300.6, the existing tenant occupied unit will be replaced with a deed restricted affordable unit. The Project proposes a 100% affordable project, and all the units will be affordable to lower income households. Within the Regulatory Agreement required by Condition No. 9, the Project Sponsor shall record a restriction on the property records that the existing unit shall be replaced with a deed restricted unit affordable to households earning 50% AMI within the project, subject to 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. 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 MOHCD at 1 South Van Ness Avenue or on the Planning Department or MOHCD websites, including on the internet at: <http://sf-planning.org/Modules/ShowDocument.aspx?documentid=4451>.
 - a. The replacement unit shall be rented to a household earning 50% AMI pursuant to California Government Code section 66300. The initial and subsequent rent level of such

NOTICE OF SPECIAL RESTRICTIONS UNDER THE PLANNING CODE

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.

- b. 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.
- c. 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.
- d. If the Project fails to comply with any applicable requirements of Government Code section 66300, 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's failure to comply with the requirements of the replacement provisions in Government Code section 66300 shall constitute cause for the City to record a lien against the development project and to pursue any and all available remedies at law, including penalties and interest, if applicable.

City Provisions

9. **Inclusionary Affordable Housing Program.** As currently proposed, the Project is exempt from the Inclusionary Affordable Housing Program under Section 415.3(f) because it is a 100% affordable housing project in which rents are controlled or regulated by a government unit, agency or authority, excepting those unsubsidized and/or unassisted units which are insured by the United States Department of Housing and Urban Development.

In the event of foreclosure or for any other reason the Project no longer qualifies as a 100% affordable housing project meeting the requirements under Section 415.3(f), the Project shall comply with the inclusionary housing requirements set forth in Section 415 of the Code, or any successor provision, and the requirements of the then-applicable Inclusionary Affordable Housing Program Monitoring and Procedures Manual, as amended from time to time, published by MOHCD. To comply with Section 415 of the Planning Code, the owner shall execute a new notice of special restrictions or any amendment to this NSR, as well as any related regulatory agreement, in form and substance approved in writing by the Planning Department and MOHCD. This condition of approval shall constitute the written determination and notice of the inclusionary housing requirement pursuant to the procedures set forth in Code Section 415.

10. **Development Impact Fees.** The Project is subject to those Development Impact Fees applicable under the Planning Code, which are generally described in Exhibit D (please note

NOTICE OF SPECIAL RESTRICTIONS UNDER THE PLANNING CODE

that a waiver from TSF fees has been requested and is under review). Modifications to the project, including but not limited to increases or decreases to certain use sizes, or the introduction of new uses to the project following Planning Approval, may result in changes to these fees.

11. **Anti-Discriminatory Housing.** The Project shall adhere to the requirements of the Anti-Discriminatory Housing policy, pursuant to Administrative Code Section 1.61.
12. **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.
13. **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.
14. **Relocation Payments.** Where relocation benefits are required by state or local law, project sponsor shall comply with California Government Code Section 7260 *et seq.*, and if applicable, the amount of relocation payments to be provided shall be the applicable amount as published by the San Francisco Residential Rent Stabilization and Arbitration Board. Current relocation payment requirements and amounts can be found on the Rent Board website: sfrb.org/forms-center.
15. **Right of First Refusal and Right to Remain in Unit.** Where a right of first refusal to a comparable unit in the replacement project is required by State law, the project sponsor shall provide such right to occupants consistent with those requirements. (See California Government Code Section 66300.6(b)(4)(B)(ii)(II).) For 100% affordable housing projects, the project sponsor is required to provide right of first refusal to the existing occupant(s) of a protected unit or units if such occupant(s) qualify for residence in the new development, and for whom providing a comparable unit would not be precluded due to unit size limitations or other requirements of one or more funding source of the housing development.
16. **Replacement Units:** As required by California Government Code section 66300.6, the existing tenant occupied unit will be replaced with a deed restricted affordable unit. The Project proposes a 100% affordable project, and all the units will be affordable to lower income households. Within the Regulatory Agreement required by Condition No. 9, the Project Sponsor shall record a restriction on the property records that the existing unit shall be replaced with a deed restricted unit affordable to households earning 50% AMI within the project, subject to 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

NOTICE OF SPECIAL RESTRICTIONS UNDER THE PLANNING CODE

by the Planning Commission. 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 MOHCD at 1 South Van Ness Avenue or on the Planning Department or MOHCD websites, including on the internet at: <http://sf-planning.org/Modules/ShowDocument.aspx?documentid=4451>.

- e. The replacement unit shall be rented to a household earning 50% AMI pursuant to California Government Code section 66300. 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.
- f. 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.
- g. 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.
- h. If the Project fails to comply with any applicable requirements of Government Code section 66300, 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's failure to comply with the requirements of the replacement provisions in Government Code section 66300 shall constitute cause for the City to record a lien against the development project and to pursue any and all available remedies at law, including penalties and interest, if applicable.

Entertainment Commission – Noise Attenuation Provisions

17. **Chapter 116 Residential Projects.** The Project Sponsor shall comply with the “Recommended Noise Attenuation Conditions for Chapter 116 Residential Projects,” which were recommended by the Entertainment Commission on August 25, 2015. These conditions state:

- i. **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

NOTICE OF SPECIAL RESTRICTIONS UNDER THE PLANNING CODE

person, written or electronic form.

- ii. 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.
- iii. 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.
- iv. 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.
- v. 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 Jonathan Vimr, at 628-652-7319 or Jonathan.Vimr@sfgov.org

NOTICE OF SPECIAL RESTRICTIONS UNDER THE PLANNING CODE

The use of said property contrary to these special restrictions shall constitute a violation of the Planning Code, and no release, modification or elimination of these restrictions shall be valid unless notice thereof is recorded on the Land Records by the Zoning Administrator of the City and County of San Francisco; except that in the event that the zoning standards above are modified so as to be less restrictive and the uses therein restricted are thereby permitted and in conformity with the provisions of the Planning Code. This document would no longer be in effect and would be null and void.

(Signature)

(Printed Name)

(Legal Name of Ownership Entity, if applicable)

Dated: _____, **20** at _____, **California.**
(Month, Day) (City)

(Signature)

(Printed Name)

(Legal Name of Ownership Entity, if applicable)

Dated: _____, **20** at _____, **California.**
(Month, Day) (City)

(Signature)

(Printed Name)

(Legal Name of Ownership Entity, if applicable)

Dated: _____, **20** at _____, **California.**
(Month, Day) (City)

Each signature must be acknowledged by a notary public before recordation; add Notary Public Certification(s) and Official Notarial Seal(s).

NOTICE OF SPECIAL RESTRICTIONS UNDER THE PLANNING CODE

EXHIBIT A Legal Description of Property

758 Pacific Avenue: Beginning at a point on the northerly line of Pacific Avenue, distant thereon 137 feet and 6 inches easterly from the easterly line of Stockton Street; running thence easterly along said line of Pacific Avenue 20 feet to a point distant thereon 42 feet westerly from the westerly line of Pelton Place; thence at a right angle northerly 97 feet and 6 inches; thence at a right angle westerly 20 feet; thence at a right angle southerly 97 feet and 6 inches to the point of beginning. Being a portion of 50 Vara Block No. 110. Assessor's Lot: 014; Block 0161.

772 Pacific Avenue: Commencing at a point on the northerly line of Pacific Avenue, distant thereon 68 feet easterly from the easterly line of Stockton Street; running thence easterly and along said line of Pacific Avenue 69 feet and 5 ½ inches; thence at a right angle northerly 117 feet and 6 inches; thence at a right angle westerly 15 feet and 8 ½ inches; thence at a right angle northerly 20 feet; thence at a right angle westerly 53 feet; thence at a right angle southerly 28 feet and 9 inches; thence at a right angle westerly 9 inches; thence at a right angle southerly 108 feet and 9 inches to the point of commencement. Being part of 50 Vara Lot No. 89. Assessor's Lot: 015; Block 0161.

EXHIBIT C



1230 STOCKTON ST.

1-3 STARK ST.

53'-0"

1224-26 STOCKTON ST.

28'-9"

15'-8 1/2"

20'-0"

1220-22 STOCKTON ST.

0'-9"

20'-0 1/2"

20'-0"

1216-18 STOCKTON ST.

STOCKTON ST.

1208-14 STOCKTON ST.

108'-9"

SUBJECT PROPERTY
772-758 PACIFIC AVE.

PV SOLAR CANOPY ABOVE

155'
TOP OF ROOF SLAB

750-754
PACIFIC AVE.

97'-6"

1200-06 STOCKTON ST.

15TH FLOOR ROOF DECK BELOW

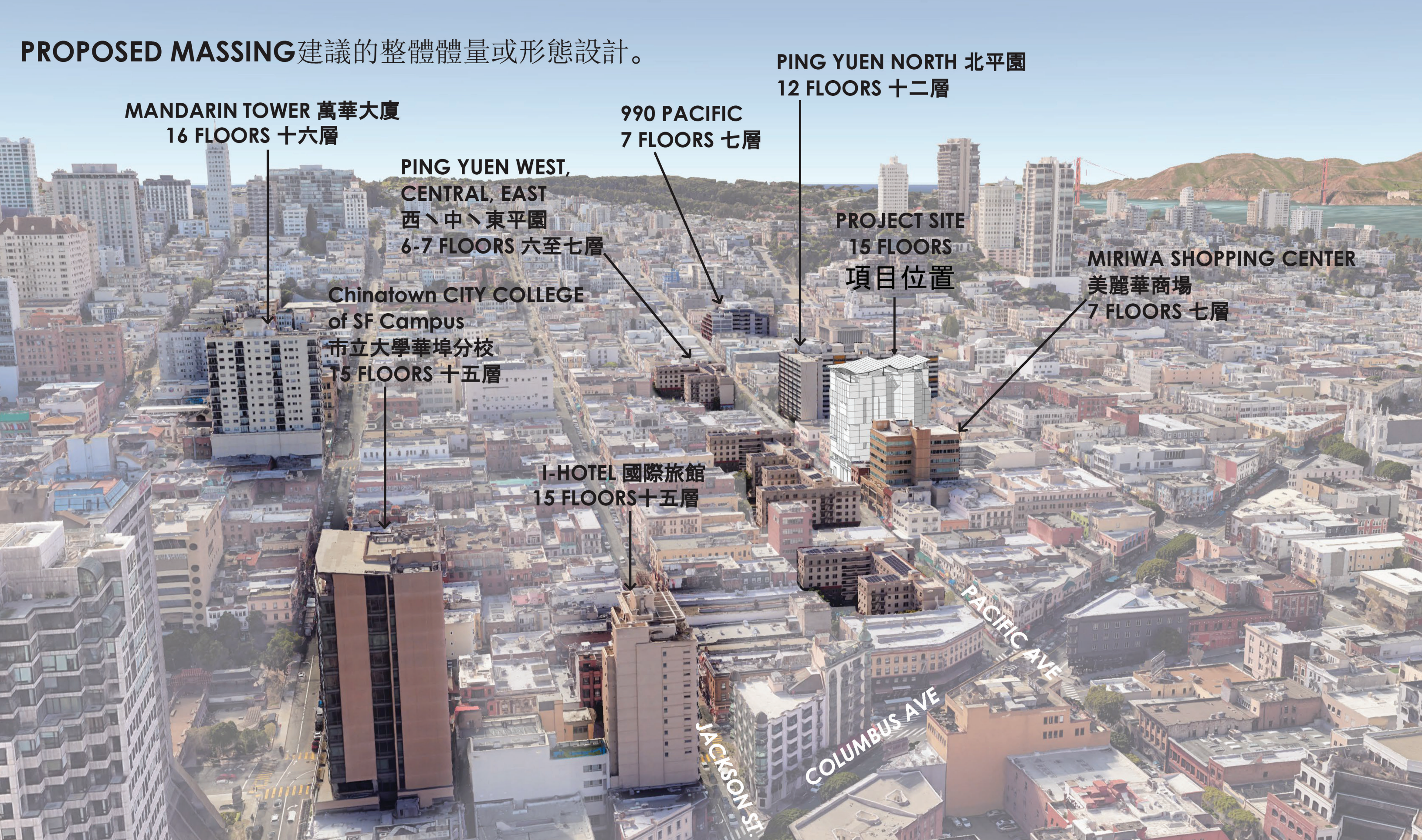
89'-6"

PACIFIC AVE.

NEW ASIA SENIOR HOUSING - SITE PLAN



PROPOSED MASSING 建議的整體體量或形態設計。



MANDARIN TOWER 萬華大廈
16 FLOORS 十六層

PING YUEN WEST,
CENTRAL, EAST
西、中、東平園
6-7 FLOORS 六至七層

990 PACIFIC
7 FLOORS 七層

PING YUEN NORTH 北平園
12 FLOORS 十二層

PROJECT SITE
15 FLOORS
項目位置

MIRIWA SHOPPING CENTER
美麗華商場
7 FLOORS 七層

Chinatown CITY COLLEGE
of SF Campus
市立大學華埠分校
15 FLOORS 十五層

I-HOTEL 國際旅館
15 FLOORS 十五層

JACKSON ST.

COLUMBUS AVE

PACIFIC AVE

NEW ASIA SENIOR HOUSING - PROPOSED MASSING - AERIAL VIEW





EXHIBIT D



PRELIMINARY PLANNING DEVELOPMENT IMPACT FEE STATEMENT

1/24/2025

Project Address: **758 and 772 Pacific Avenue**
Assessor's Block/Lot: **0161 / 014-015**
Zoning District: **CHINATOWN- RESIDENTIAL- NEIGHBORHOOD COMMERCIAL (CRNC) / 65-N**
Planning Record Number: **2024-004990PRJ**
Staff Contact: Jonathan Vimr, Senior Planner, Jonathan.Vimr@sfgov.org, 628-652-7319

Project Description

The project proposes to demolish the existing one-story commercial building (previously D.B.A. New Asia and currently operating as a Chinese grocery store under a Temporary Use Authorization) at 772 Pacific Ave as well as a two-story building containing a ground floor retail space and one dwelling unit above, and construct a 15-story, 155' tall senior housing project constituting 175 dwelling units that will be used for 100% affordable senior housing. There will also be a banquet hall in the basement, ground floor, and mezzanine level. The 758 and 772 Pacific Avenue parcels will be combined, with the City and County of San Francisco purchasing the 758 Pacific parcel from the Chinatown Community Development Corporation (CCDC) for the lot merger, and then leasing the combined site to CCDC.

Development Impact Fees

The Project Application for the above address has been reviewed by the Planning Department. This Preliminary Development Impact Fee Statement indicates the applicable development impact fees in the Planning Code and an estimate of the fee total, calculated using the 2024 Development Impact Fee Register. It does not include impact fees assessed by other City permitting agencies. Modifications to the project, including but not limited to increases or decreases to certain use sizes, or the introduction of new uses to the project following Planning Approval, may result in changes to these fees. The [San Francisco Citywide Development Impact Fee Register](#) is adjusted yearly and becomes effective at the beginning of the year on January 1.

At least one of the required impact fees noted below is eligible for the Temporary Fee Reduction Program as described in [Planning Code Section 403](#). The fees shown below are reflective of rates that are in effect at time of the Final Approval, as defined in Planning Code Section 401; they do not factor in any eligible fee reductions as those will be calculated by the Department of Building Inspection's Fee Collection Unit at a later date.

When the Planning Department determines that a project is subject to development impact fees established in the Planning Code, with the exception of the Inclusionary Housing Fee as set forth in Section 415 et seq., the assessment shall be based on the types of fees and the rates of those fees in effect at the time of Final Approval. After Final Approval, the City shall not impose subsequently established development impact fees or increase the rate of existing fees on the development project, including annual inflation adjustments pursuant to Planning Code Section 409, except as provided in Planning Code Section 402(e)(1)-(2).

For questions about eligibility for the City's "Fee Deferral Program" as provided by Section 107A.13.3 of the SF Building Code, please contact the Department of Building Inspection, DBICustomerService@sfgov.org, for more information.

Impact Fee and Planning Code Section		Fee Calculation and Applicability Triggers	Fee
411A	Transportation Sustainability Fee (TSF)*	Greater than 20 new dwelling units. Greater than 800 gsf addition or new construction of non-residential use. Existing use of the site constitutes 16,853 gsf of commercial and residential use. New construction of 175 dwelling units and 130,531 square feet of residential use and new construction of 13,872 square feet of non-residential use. New residential with the greater than 99-unit residential use at \$12.87 per square foot. New non-residential at \$26.56 per square foot.	\$2,048,373.29
414A	Child-Care for Residential	At least one net new residential unit or greater than 800 gross square feet (gsf), or additional group housing or residential care space. 175 new dwelling units and 130,531 gsf of residential use, with first 9 units at \$1.36 per square foot and the remaining 166 units at \$2.69 per square foot.	\$443.84
415	Inclusionary Affordable Housing Program	N/A	N/A as the project provides 100% affordable on-site housing. See Section 415.3(f)(4) for more information

*Please note that the project sponsor has submitted a request for a TSF fee waiver as the project is a 100% affordable housing development. This request is currently undergoing review by the Zoning Administrator.