

File No. 170808

Committee Item No. _____

Board Item No. 16

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: _____

Date: _____

Board of Supervisors Meeting

Date: September 26, 2017

Cmte Board

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| <input type="checkbox"/> | <input type="checkbox"/> | Award Letter |
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OTHER (Click text of checked items for a direct link to the document)

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| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <u>Appeal Letter - July 3, 2017</u> |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <u>Appellant Response Letter - September 21, 2017</u> |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <u>Planning Response Letter - September 18, 2017</u> |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <u>Project Sponsor Letter - July 19, 2017</u> |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <u>Planning Response Letter - July 17, 2017</u> |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <u>Supplemental Appeal Letter - July 14, 2017</u> |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <u>Hearing Notice and Clerical Documents</u> |
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Prepared by: Brent Jalipa

Date: September 21, 2017

Prepared by: _____

Date: _____

West Bay Law
Law Office of J. Scott Weaver

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO

2017 JUL -3 AM 9:03

#Y u

July 3, 2017

Clerk, San Francisco Board of Supervisors
#1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102

**Re: Case No. 2015-004454PRV 1726-1730 Mission Street
Appeal of the June 1, 2017 Planning Commission Decisions**

Dear Members of the Board of Supervisors:

Our Mission No Eviction appeals the decisions of the Planning Commission Made on June 1, 2017 regarding the proposed project at 1726-30 Mission Street (hereafter "proposed project") proposed by applicant Our Mission No Eviction appeals the following decisions of the Planning Commission made on June 1, regarding the project proposed for 1726-30 Mission Street (hereafter "Proposed Project").

- 1) Adoption of CEQA findings under Section 15183 of the CEQA guidelines and Public Resources Code Section 21083.3.1, and adoption of a Community Plan Exemption.

The Final Motion for the relevant appeal is attached as **Exhibit A**. Evidence in support of the appeals is attached as **Exhibits B-D** and is also contained in the letters submitted to the Planning Department objecting to the approval of the Project and the Community Plan Exemption, incorporated here by reference. **Exhibit E** contains the \$578 appeal fee for the CEQA appeal.

1. Appeal of the adoption of the Community Plan Exemption and CEQA Findings

The appeal of the adoption of the Community Plan Exemption and CEQA Findings are filed on the following bases.

- The CEQA findings did not take into account the potential cumulative impacts of this project along with nearly 2,000 other units constructed, entitled, or in the pipeline for the area along Mission Street, beginning at the intersection of Mission and South Van Ness Avenue and continuing to 16th Street, and including one block on either side of Mission Street (hereafter “Mission Gateway” which was not considered in the Eastern Neighborhoods Plain EIR (PEIR). Potential impacts with respect to traffic and circulation, noise, air quality, recreation and open space, impacts on SRO Hotels, and overall gentrification and displacement impacts on businesses, residents, and nonprofits within the Mission Gateway.
- The Proposed Project does not qualify for a Community Plan Exemption under Section 15183 of the CEQA Guidelines and Public Resources Code Section 21083.3 because the approval is based upon an out of date 2008 EIR prepared for the Eastern Neighborhoods Area Plan and the EIR’s analysis and determination can no longer be relied upon to support the claimed exemption in the areas of, *inter alia*, direct, indirect, and cumulative impacts to: land use, consistency with area plans and policies, land use, recreation and open space, traffic and circulation, transit and transportation, health and safety, and impacts relative to the Mission Gateway.
- The PEIR’s projections for housing, including this project and those in the pipeline, have been exceeded when cumulative impacts are considered, i.e., “past, present, and reasonably foreseeable probable future projects.” (Guidelines, § 15355)
- The claimed community benefits of the Eastern Neighborhoods Area Plan, outlined in the 2008 PEIR, its approvals and the Statement of Overriding Considerations have not been fully funded, implemented, or are underperforming and the determinations and findings for the proposed Project that rely on the claimed benefits to override impacts outlined in the PEIR are not supported. The City should

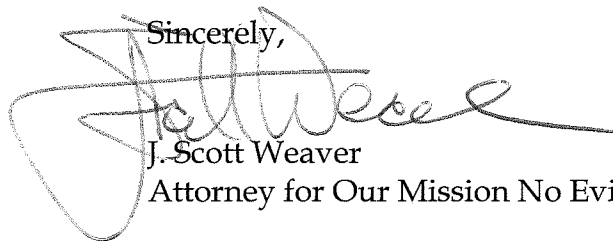
have conducted Project level review based upon up to date data and the actual community benefits that have accrued since the adoption of the 2008 plan and did not.

- Substantial changes in circumstances require major revisions to the Eastern Neighborhoods Area Plan EIR due to the involvement of new significant environmental effects and an increase in the severity of previously identified significant impacts; there is new information of substantial importance that would change the conclusions set forth in said EIR and the requirements of the Mitigation Monitoring and Reporting Report.
- The CEQA findings are inadequate and incomplete and are not supported by substantial evidence.
- The Proposed Project is inconsistent with the General Plan and the Mission Area Plan.

2. Pattern and Practice

The City is engaging in a pattern and practice of approving residential projects in the Mission based upon a Community Plan Exemption that improperly tiers off of an out of date Eastern Neighborhoods Area Plan EIR instead of conducting project level environmental review. This results in the approval of projects with unexamined environmental affects to the detriment of Mission residents.

Sincerely,

A handwritten signature in black ink, appearing to read "J. Scott Weaver". The signature is stylized and cursive, with a large loop at the end.

J. Scott Weaver
Attorney for Our Mission No Eviction

EXHIBIT A

EXHIBIT A

EXHIBIT A

EXHIBIT A



SAN FRANCISCO PLANNING DEPARTMENT

REGISTRATION
BOARD OF SUPERVISORS
SAN FRANCISCO

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Subject to: (Select only if applicable)

- Affordable Housing (Sec. 415)
- First Source Hiring (Admin. Code)
- Transportation Sustainability Fee (Sec. 411A)
- Residential Child Care Fee (Sec. 414A)
- Eastern Neighborhoods Impact Fee (Sec. 423)
- Other

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Planning Commission Motion No. 19931

HEARING DATE: JUNE 1, 2017

Case No.: 2014-002026ENX
 Project Address: 1726-1730 Mission Street
 Zoning: UMU (Urban Mixed Use) District
 68-X Height and Bulk District
 Block/Lot: 3532/004A and 005
 Project Sponsor: Jody Knight – Reuben, Junius & Rose , LLP
 One Bush Street, Suite 600
 San Francisco, CA 94104
 Staff Contact: Linda Ajello Hoagland – (415) 575-6823
linda.ajellohaoagland@sfgov.org

ADOPTING FINDINGS RELATING TO A LARGE PROJECT AUTHORIZATION, PURSUANT TO PLANNING CODE SECTION 329 AND PLANNING COMMISSION RESOLUTION NO. 19865-MISSION 2016 INTERIM ZONING CONTROLS, TO DEMOLISH A 11,200 SQUARE FOOT, TWO-STORY INDUSTRIAL BUILDING, AND TO CONSTRUCT A SIX-STORY, 66-FOOT-TALL, 33,589 SQUARE FOOT MIXED-USE BUILDING WITH 40 DWELLING UNITS, APPROXIMATELY 2,250 SQUARE FEET OF GROUND FLOOR PDR (PRODUCTION, DISTRIBUTION AND REPAIR) AND 22 OFF-STREET PARKING SPACES FOR THE PROJECT AT 1726-1730 MISSION STREET WITHIN THE UMU (URBAN MIXED-USE) ZONING DISTRICT AND A 68-X HEIGHT AND BULK DISTRICT, AND ADOPTING FINDINGS UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.

PREAMBLE

On July 14, 2015, Jody Knight (hereinafter "Project Sponsor"), on behalf of Sustainable Living LLC (Property Owner), filed an application with the Planning Department (hereinafter "Department") for a Large Project Authorization for the proposed project at 1726-1730 Mission Street, Lots 004A, 005, Block 3532 (hereinafter "subject property"), pursuant to Planning Code Section 329 and the Mission 2016 Interim Zoning Controls, to demolish an 11,200 square-foot (sq. ft.), two-story, approximately 20-foot-tall industrial building and to construct a six-story, 66-foot-tall 35,893 sq. ft. mixed-use building with 40 dwelling units, 2,250 sq. ft. of ground floor PDR (Production Distribution and Repair) and 22 below off-street parking spaces within the UMU (Urban Mixed-Use) Zoning District, and 68-X Height and Bulk District.

On May 18, 2017, the San Francisco Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting on Large Project Authorization Application No. 2014-002026ENX. At this public hearing, the Commission continued the project to the public hearing on June 1, 2017.

The environmental effects of the Project were determined by the San Francisco Planning Department to have been fully reviewed under the Eastern Neighborhoods Area Plan Environmental Impact Report (hereinafter "EIR"). The EIR was prepared, circulated for public review and comment, and, at a public hearing on August 7, 2008, by Motion No. 17661, certified by the Commission as complying with the California Environmental Quality Act (Cal. Pub. Res. Code Section 21000 et seq., (hereinafter "CEQA")). The Commission has reviewed the Final EIR, which has been available for this Commission's review as well as public review.

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

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

On May 24, 2017, the Department determined that the proposed application did not require further environmental review under Section 15183 of the CEQA Guidelines and Public Resources Code Section 21083.3. The Project is consistent with the adopted zoning controls in the Eastern Neighborhoods Area Plan and was encompassed within the analysis contained in the Eastern Neighborhoods Final EIR. Since the Eastern Neighborhoods Final EIR was finalized, there have been no substantial changes to the Eastern Neighborhoods Area Plan and no substantial changes in circumstances that would require major revisions to the Final EIR due to the involvement of new significant environmental effects or an increase in the severity of previously identified significant impacts, and there is no new information of substantial importance that would change the conclusions set forth in the Final EIR. The file for this project, including the Eastern Neighborhoods Final EIR and the Community Plan Exemption certificate, is

available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, San Francisco, California.

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

The Planning Department Commission Secretary is the custodian of records; the file for Case No. 2014-002026ENX is located at 1650 Mission Street, Suite 400, San Francisco, California.

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

MOVED, that the Commission hereby authorizes the Large Project Authorization requested in Application No. 2014-002026ENX, subject to the conditions contained in "EXHIBIT A" of this motion, based on the following findings:

FINDINGS

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

1. The above recitals are accurate and constitute findings of this Commission.
2. **Site Description and Present Use.** The project site is on the west side of Mission Street, between Duboce Avenue and 14th Street in the Urban Mixed Use (UMU) Zoning District. The property is currently developed with a two-story, 11,200 square foot industrial building that is 20 feet in height. The subject properties are located mid-block with a combined street frontage of approximately 78 feet on Mission Street. The existing industrial building occupies the entire street frontage and is built to the front property line. In total, the site is approximately 7,800 square feet.
3. **Surrounding Properties and Neighborhood.** The Project Site is located in the UMU Zoning District along a mixed-use corridor within the Mission Area Plan. The Project Site is bounded by Duboce and 13th Streets to the north, 14th Street to the south, Woodward Street to the west and Mission Street to the east. The surrounding neighborhood is characterized by a wide variety of residential, commercial, retail, PDR and public uses. The adjacent properties to the north and south include three-story, multi-family residential uses, three- and four-story multi-family residential uses to the west and across Mission Street to the east is a four-story commercial building. The surrounding properties are located within the: Urban Mixed Use (UMU); Residential Mixed, Low Density (RM-1); and Production Distribution and Repair, General (PDR-1-G). There is one school (San Francisco Friends School) located within 1,000 feet of the Project Site. Access to Highway 101 and Interstate 80 is about one block to the east at the on- and off-ramps located at South Van Ness Avenue and the Central Freeway. The Project Site is located

along Mission Street, which is a high injury pedestrian and vehicular corridor. Other zoning districts in the vicinity of the Project Site include: PDR-1-G (Production, Distribution, and Repair - General); RM-1 (Residential Mixed - Low Density); NCT-3 (Moderate Scale Neighborhood Commercial Transit); and, P (Public).

4. **Project Description.** The Project consists of merging the two existing lots into a single 7,800 square-foot (sq. ft.) lot, demolition of a two-story industrial building, and construction of a six-story, 66-foot tall, 35,893 sq. ft. mixed-use building with 40 dwelling units, approximately 2,250 sq. ft. of ground floor PDR (Production Distribution and Repair) use, and 22 off-street parking spaces. One parking space would be handicap accessible, and the other 21 parking spaces would be housed in mechanical stackers. A garage door would be provided on Mission Street. The northernmost of the two existing curb cuts would be retained, and the other curb cut at the south end of the project site would be removed. The project would provide a total of 68 bicycle parking spaces, which would consist of 60 Class 1 spaces in the garage, and eight Class 2 spaces on the Mission Street sidewalk. Usable open space for the residents of the proposed project would be provided in the form of a common roof deck. Four new trees would be planted adjacent to the subject property along Mission Street.
5. **Public Comment.** The Department has received one letter of support from San Francisco Housing Action Coalition (SFHAC), and four letters opposing the project, expressing concern over the height of the project, impacts to light and air to adjacent residential properties, increased vehicular traffic and construction noise.
6. **Planning Code Compliance:** The Commission finds that the Project is consistent with the relevant provisions of the Planning Code in the following manner:
 - A. **Permitted Uses in UMU Zoning Districts.** Planning Code Sections 843.20 state that residential use is a principally permitted use within the UMU Zoning District. PDR uses listed in Planning Code Sections 843.70-843.87 are principally, conditionally or not permitted.

The Project would construct new residential and retain PDR uses within the UMU Zoning District; therefore, the Project complies with Planning Code Sections 843.20 and 843.70-843.87. Depending on the specific PDR tenant, they will comply as principally permitted PDR uses per Sec. 843.70-843.87 or seek a Conditional Use, as required by the Planning Code.
 - B. **Floor Area Ratio.** Planning Code Section 124 establishes a FAR (Floor Area Ratio) of 5:1 for properties within the UMU Zoning District and a 68-X Height and Bulk District.

The subject lots are 7,800 sq. ft. in total, thus resulting in a maximum allowable floor area of 39,000 sq. ft. for non-residential uses. The Project would construct approximately 2,250 sq. ft. of PDR space, and would comply with Planning Code Section 124.
 - C. **Rear Yard.** Planning Code Section 134 requires a minimum rear yard equal to 25 percent of the total lot depth of the lot to be provided at every residential level.

The Project provides a 1,950 square foot rear yard at the first residential level and would comply with Planning Code Section 134. The Project occupies a mid-block with frontage on Mission Street. The subject lot does not currently contribute to a pattern of mid-block open space, and the addition of the proposed code-complying rear yard would help to preserve light and air to neighboring residential dwellings.

- D. **Usable Open Space.** Planning Code Section 135 requires a minimum of 80 sq. ft. of open space per dwelling unit, if not publically accessible, or 54 sq. ft. of open space per dwelling unit, if publically accessible. Private usable open space shall have a minimum horizontal dimension of six feet and a minimum area of 36 sq. ft. is located on a deck, balcony, porch or roof, and shall have a minimum horizontal dimension of 10 feet and a minimum area of 100 sq. ft. if located on open ground, a terrace or the surface of an inner or outer court. Common usable open space shall be at least 15 feet in every horizontal dimension and shall be a minimum are of 300 sq. ft.

For the proposed 40 dwelling units, the Project is required to provide 3,830 sq. ft. of common open space. In total, the Project exceeds the requirements for open space by providing a total of approximately 4,695 sq. ft. of Code-complying usable open space. The Project would construct common open space roof deck (measuring approximately 3,925 sq. ft.) as well as four private second floor terraces in the rear yard (measuring approximately 770 sq. ft. Therefore, the Project complies with Planning Code Section 135.

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

The subject lot is not located in close proximity to an Urban Bird Refuge as defined in Section 139, and the Project meets the requirements for feature-related hazards.

- F. **Dwelling Unit Exposure.** Planning Code Section 140 requires that at least one room of all dwelling units face onto a public street, rear yard or other open area that meets minimum requirements for area and horizontal dimensions. To meet exposure requirements, a public street, public alley, side yard or rear yard must be at least 25 feet in width.

The Project organizes the dwelling units to have exposure on Mission Street or the code-complying rear yard. As proposed, 20 dwelling units face the rear yard and 20 units face Mission Street; therefore, the Project complies with Planning Code Section 140.

- G. **Street Frontage in Mixed Use Districts.** Planning Code Section 145.1 requires off-street parking at street grade on a development lot to be set back at least 25 feet on the ground floor; that no more than one-third of the width or 20 feet, whichever is less, of any given street frontage of a new structure parallel to and facing a street shall be devoted to parking and loading ingress or egress; that space for active uses be provided within the first 25 feet of building depth on the ground floor; that non-residential uses have a minimum floor-to-floor height of 17 feet; that the floors of street-fronting interior spaces housing non-residential active uses and lobbies be as close as possible to the level of the adjacent sidewalk at the

principal entrance to these spaces; and that frontages with active uses that are not residential or PDR be fenestrated with transparent windows and doorways for no less than 60 percent of the street frontage at the ground level.

The off-street parking is located below grade and is accessed through one 12-ft wide garage entrance located along Mission Street. The Project features active uses on the ground floor with a residential lobby, and replacement PDR space. The ground floor ceiling height of the non-residential uses are at least 17-ft. tall for frontage along Mission Street. Therefore, the Project complies with Planning Code Section 145.1.

- H. **Off-Street Parking.** Planning Section 151.1 of the Planning Code allows off-street parking at a maximum ratio of .75 per dwelling unit.

For the 40 dwelling units, the Project is allowed to have a maximum of 30 off-street parking spaces. Currently, the Project provides 22 off-street parking spaces via mechanical lifts, and one handicap parking space. Therefore, the Project complies with Planning Code Section 151.1.

- I. **Bicycle Parking.** Planning Section 155.2 of the Planning Code requires one Class 1 bicycle parking space per dwelling unit and one Class 2 bicycle parking spaces for every 20 dwelling units. Additional bicycle parking requirements apply based on classification of non-residential uses, at least two Class 2 spaces are required for retail uses.

The Project includes 40 dwelling units; therefore, the Project is required to provide 40 Class 1 bicycle parking spaces and two Class 2 bicycle parking spaces for residential uses and 2 Class 2 spaces for the ground floor non-residential uses. The Project will provide 62 Class 1 bicycle parking spaces and 8 Class 2 bicycle parking spaces, which exceeds the requirement. Therefore, the Project complies with Planning Code Section 155.2.

- J. **Transportation Demand Management (TDM) Plan.** Pursuant to Planning Code Section 169 and the TDM Program Standards, the Project shall finalize a TDM Plan prior to Planning Department approval of the first Building Permit or Site Permit. As currently proposed, the Project must achieve a target of 14 points.

The Project submitted a completed Environmental evaluation Application prior to September 4, 2016. Therefore, the Project must only achieve 50% of the point target established in the TDM Program Standards, resulting in a target of 7 points. As currently proposed, the Project will achieve its required 7 points through the following TDM measures:

- *Bicycle Parking (Option D)*
- *Bicycle Repair Station*
- *Delivery Supportive Amenities*
- *Family TDM Amenities (Option A)*
- *Real Time Transportation Information Displays*
- *On-site Affordable Housing (Option C)*
- *Unbundle Parking (Location B)*
- *Parking Supply (Option B)*

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

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

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

For the 40 dwelling units, the Project is required to provide at least 16 two-bedroom units or 12 three-bedroom units. The Project provides one-bedroom units and 20 two-bedroom. Therefore, the Project meets and exceeds the requirements for dwelling unit mix.

- M. **Shadow.** Planning Code Sections 147 and 295 restricts net new shadow, cast by structures exceeding a height of 40 feet, upon property under the jurisdiction of the Recreation and Park Commission. Any project in excess of 40 feet in height and found to cast net new shadow must be found by the Planning Commission, with comment from the General Manager of the Recreation and Parks Department, in consultation with the Recreation and Park Commission, to have no adverse impact upon the property under the jurisdiction of the Recreation and Park Commission.

The Planning Department prepared a preliminary shadow fan analysis and determined that the proposed project would not cast shadows on any parks or open spaces at any time during the year. The preliminary shadow fan analysis accounts for the 14-foot-tall elevator penthouse on the roof of the proposed building.

- N. **Transportation Sustainability Fee.** Planning Code Section 411A establishes the Transportation Sustainability Fee (TSF) and is applicable to project that are the following: (1) More than twenty new dwelling units; (2) New group housing facilities, or additions of 800 gross square feet or more to an existing group housing facility; (3) New construction of a Non-Residential use in excess of 800 gross square feet, or additions of 800 gross square feet or more to an existing Non-Residential use; or (4) New construction of a PDR use in excess of 1,500 gross square feet, or additions of 1,500 gross square feet or more to an existing PDR use; or (5) Change or Replacement of Use, such that the rate charged for the new use is higher than the rate charged for the existing use, regardless of whether the existing use previously paid the TSF or TIDF; (6) Change or Replacement of Use from a Hospital or a Health Service to any other use.

The Project includes more than twenty dwelling units, and the replacement of PDR space; therefore, the TSF, as outlined in Planning Code Section 411A, applies.

- O. **Inclusionary Affordable Housing Program in UMU Zoning District.** Planning Code Section 415 sets forth the requirements and procedures for the Inclusionary Affordable Housing Program. Under Planning Code Section 415.3, these requirements would apply to projects that consist of 10 or more units, where the first application (EE or BPA) was applied for on or after July 18, 2006. Pursuant to Planning Code Section 419 the current Inclusionary Affordable Housing Program requirement for the On-site Affordable Housing Alternative in the UMU Zoning District for Tier B is to provide 17.5% of the proposed dwelling units as affordable. This requirement is subject to change under pending legislation to modify Planning Code Section 415 which is currently under review by the Board of Supervisors (Board File Nos.161351 and 170208). The proposed changes to Section 415, which include but are not limited to modifications to the amount of inclusionary housing required onsite or offsite, the methodology of fee calculation, and dwelling unit mix requirements, will become effective after approval by the Board of Supervisors

The Project Sponsor has demonstrated that it is eligible for the On-Site Affordable Housing Alternative under Planning Code Section 415.5 and 415.6, and has submitted a 'Affidavit of Compliance with the Inclusionary Affordable Housing Program: Planning Code Section 415,' to satisfy the requirements of the Inclusionary Affordable Housing Program by providing the affordable housing on-site instead of through payment of the Affordable Housing Fee. In order for the Project Sponsor to be eligible for the On-Site Affordable Housing Alternative, the Project Sponsor must submit an 'Affidavit of Compliance with the Inclusionary Affordable Housing Program: Planning Code Section 415,' to the Planning Department stating that any affordable units designated as on-site units shall be sold as ownership units and will remain as ownership units for the life of the project. The Project Sponsor submitted such Affidavit on April 24, 2017. The EE application was submitted on February 6, 2015. Pursuant to Planning Code Sections 415.3, 415.6 and 419, the current on-site requirement is 17.5%. 7 units (4 one-bedroom and 3 two-bedroom) of the 40 units provided will be affordable units. If the Project becomes ineligible to meet its Inclusionary Affordable Housing Program obligation through the On-site Affordable Housing Alternative, it must pay the Affordable Housing Fee with interest, if applicable.

- P. **Residential Childcare Impact Fee.** Planning Code Section 414A is applicable to any residential development citywide that results in the addition of a residential unit.

The Project includes approximately 27,145 sq. ft. new residential use and 2,250 sq. ft. of PDR use. The proposed Project is subject to fees as outlined in Planning Code Section 414A.

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

The Project includes approximately 35,893 gross square feet of new development consisting of approximately 27,145 sq. ft. of residential use and 2,250 sq. ft. of PDR use. These uses are subject to Eastern Neighborhood Infrastructure Impact Fees Tier 1 for residential and Tier 2 for non-residential, as outlined in Planning Code Section 423.

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

A. Overall building mass and scale.

The Project would construct a new six-story mixed-use building on the west side of Mission Street. The scale of the Project is appropriate from an urban design perspective because it recognizes the significance of this location along the Mission Street transit corridor, where the height limits were increased to 68 feet, as part of the Eastern Neighborhoods Area Plan. These increased height limits provide the opportunity to support the City's housing goals and public transit infrastructure. Overall, the Project's massing also recognizes the existing block pattern as it relates to the street frontage and block wall along Mission Street. The Project's rear yard location contributes positively to the irregular pattern of interior block open space in the subject block. The adjacent properties to the north and south include three-story, multi-family residential uses, three- and four-story multi-family residential uses to the west and across Mission Street to the east is a four-story commercial building. The neighborhood is characterized by a wide variety of residential, commercial, retail, PDR and public uses. In addition, the Project includes projecting vertical and horizontal elements, which provide modulation along the street facades. Thus, the Project is appropriate for a mid-block lot and consistent with the mass and scale of the intent of the height-bulk and zoning changes from 50-X to 68-X and M-1 to UMU, which occurred as part of the Eastern Neighborhoods Area Plan.

B. Architectural treatments, facade design and building materials.

The Mission is one of the City's most distinctive neighborhoods as identified in the City's General Plan. The proposed facade design and architectural treatments with various vertical and horizontal elements and a pedestrian scale ground floor which is consistent with the unique identity of the Mission. The new building's character ensures the best design of the times with high-quality building materials (including white ceramic frit glass, French balconies with metal mesh guardrails and Swisspearl panels) that relates to the surrounding structures that make-up the Mission's distinct character while acknowledging and respecting the positive attributes of the older buildings. It also provides an opportunity for an increased visual interest that enhances and creates a special identity with a unique image of its own in the neighborhood. Overall, the Project offers an architectural treatment, which provides for contemporary, yet contextual, architectural design that appears consistent and compatible with the surrounding neighborhood

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

The Project is consistent with the development density established for the Project Site in the Eastern Neighborhoods Area Plan. The building's ground floor PDR, and residential lobby proposes a 55% active street frontage which will enhance and offer an effective and engaging connection between the public and private areas. It will enliven the sidewalk offering a sense of security and encouraging positive activities that will benefit, not just the immediate areas, but the overall neighborhood as well.

It provides a code compliant rear yard open space at the rear yard to face the adjacent buildings' rear yard, enhancing the natural light exposure and overall livability of the neighbors' units even without an established mid-block open space. The singular driveway on Mission Street and the proposed independently accessible mechanical parking spaces in the basement reduces vehicular queuing and minimizes potential conflicts with pedestrians and bicyclists. Overall, the design of the lower floors enhances the pedestrian experience and accommodates new street activity.

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

The Project provides the required open space for the 40 dwelling units through common open space located on the roof deck. In addition, the Project includes private open space for four dwelling units, which are in addition to the required open space. In total, the Project provides approximately 4,695 sq. ft. of open space, which exceeds the required amount for the dwelling units.

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

Planning Code Section 270.2 does not apply to the Project, and no mid-block alley or pathway is required.

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

In compliance with Planning Code Section 138.1, the Project provides four street trees along Mission Street. The Project will also add bicycle parking along the sidewalk in front of the Project for public use. These improvements will enhance the public realm.

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

Since the subject lot has one street frontage, automobile access is limited to the one entry/exit (measuring 12-ft wide) along Mission Street, minimizing impacts to pedestrian and vehicular traffic along Mission Street. Pedestrian access is provided to the residences via a lobby and two secondary exits directly to the sidewalk. The Project includes ground floor PDR along Mission Street with an independent pedestrian entry from Mission Street.

- H. Bulk limits.

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

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

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

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

HOUSING ELEMENT

Objectives and Policies

OBJECTIVE 1

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

Policy 1.1

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

Policy 1.8

Promote mixed use development, and include housing, particularly permanently affordable housing, in new commercial, institutional, or other single use development projects.

The Project is a higher density mixed-use development on an underutilized lot along a primary vehicular transit corridor. The Project Site is an ideal infill site that is currently a vacant PDR use. The proposed Project would add 40 units of housing to the site with a dwelling unit mix of one-bedroom, and two-bedroom units. The Project Site was rezoned to UMU as part of a long range planning goal to create a cohesive, higher density residential and mixed-use neighborhood. The Project includes seven on-site affordable housing units for ownership, which complies with the UMU District's goal to provide a higher level of affordability.

OBJECTIVE 4

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

Policy 4.1

Develop new housing, and encourage the remodeling of existing housing, for families with children.

Policy 4.4

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

Policy 4.5

Ensure that new permanently affordable housing is located in all of the City's neighborhoods, and encourage integrated neighborhoods, with a diversity of unit types provided at a range of income levels.

The Project will add 40 dwelling units to the City's housing stock, and meets the affordable housing requirements by providing for seven on-site permanently affordable units for ownership.

OBJECTIVE 11

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

Policy 11.1

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

Policy 11.2

Ensure implementation of accepted design standards in project approvals.

Policy 11.3

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

Policy 11.4

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

Policy 11.6

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

Policy 11.8

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

The Project would construct a new six-story mixed-use building on the west side of Mission Street. The scale of the Project is appropriate from an urban design perspective because it recognizes the significance of this location along the Mission Street transit corridor, where the height limits were increased to 68 feet, as part of the Eastern Neighborhoods Area Plan. These increased height limits provide the opportunity to support the City's housing goals and public transit infrastructure. Overall, the Project's massing also recognizes the existing block pattern as it relates to the street frontage along Mission Street. The Project's rear yard location contributes to the pattern of interior block open space in the subject block. The neighborhood is characterized by a wide variety of commercial, retail, PDR, public and residential uses. In addition, the Project includes projecting vertical and horizontal architectural elements, which provide vertical and horizontal modulation along the street facades. Thus, the Project is appropriate for a mid-block lot and consistent with the mass and scale of the intent of the height-bulk and zoning changes from 50-X to 68-X and M-1 to UMU, which occurred as part of the Eastern Neighborhoods Area Plan.

OBJECTIVE 12

BALANCE HOUSING GROWTH WITH ADEQUATE INFRASTRUCTURE THAT SERVES THE CITY'S GROWING POPULATION.

Policy 12.2

Consider the proximity of quality of life elements, such as open space, child care, and neighborhood services, when developing new housing.

The Project is located in proximity to many neighborhood amenities. The Project is located on Mission Street and near Valencia Street, which provide a variety of retail establishments, fitness gyms, small grocery stores, and cafes. The Project is also located near the SoMa West Skate and Dog Park, and the Brick & Mortar Music Hall.

OBJECTIVE 13

PRIORITIZE SUSTAINABLE DEVELOPMENT IN PLANNING FOR AND CONSTRUCTING NEW HOUSING.

Policy 13.1

Support "smart" regional growth that locates new housing close to jobs and transit.

Policy 13.3

Promote sustainable land use patterns that integrate housing with transportation in order to increase transit, pedestrian, and bicycle mode share.

The Project Site is located within a quarter mile of several local transit lines including Muni lines 14, 14R, 49, and 55. The 16th Street & Mission Bart Station is slightly more than a quarter mile to the south on Mission Street. Residential mixed-use development at this site would support a smart growth and sustainable land use pattern in locating new housing in the urban core close to jobs and transit. Furthermore, the bicycle network in the Mission District is highly developed and utilized. The Project provides an abundance of bicycle parking on-site in addition to vehicle parking.

RECREATION AND OPEN SPACE ELEMENT

Objectives and Policies

OBJECTIVE 1:

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

Policy 1.9:

Preserve sunlight in public open spaces.

The Planning Department prepared a preliminary shadow fan analysis and determined that the proposed project would not cast shadows on any parks or open spaces at any time during the year.

OBJECTIVE 2:

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

Policy 2.11:

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

The Project proposes landscaped open space at the rear of the second level, and the roof deck has potential for planters and additional landscaping.

**OBJECTIVE 3:
IMPROVE ACCESS AND CONNECTIVITY TO OPEN SPACE**

Policy 3.6:
Maintain, restore, expand and fund the urban forest.

The proposed Project will add to the urban forest with the addition of street trees.

TRANSPORTATION ELEMENT

Objectives and Policies

**OBJECTIVE 24:
IMPROVE THE AMBIENCE OF THE PEDESTRIAN ENVIRONMENT.**

Policy 24.2:
Maintain and expand the planting of street trees and the infrastructure to support them.

Policy 24.4:
Preserve pedestrian-oriented building frontages.

The Project will install new street trees along Mission Street. Frontages are designed with transparent glass and intended for active spaces oriented at the pedestrian level.

**OBJECTIVE 28:
PROVIDE SECURE AND CONVENIENT PARKING FACILITIES FOR BICYCLES.**

Policy 28.1:
Provide secure bicycle parking in new governmental, commercial, and residential developments.

Policy 28.3:
Provide parking facilities which are safe, secure, and convenient.

The Project includes 62 Class 1 bicycle parking spaces in secure and convenient location.

**OBJECTIVE 34:
RELATE THE AMOUNT OF PARKING IN RESIDENTIAL AREAS AND NEIGHBORHOOD COMMERCIAL DISTRICTS TO THE CAPACITY OF THE CITY'S STREET SYSTEM AND LAND USE PATTERNS.**

Policy 34.1:

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

Policy 34.3:

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

Policy 34.5:

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

The Project has a parking to dwelling unit ratio of .55 space per unit, which is the permitted ratio of .75 per unit. The parking spaces are accessed by one ingress/egress point measuring 12-ft. wide from Mission Street. Parking is adequate for the Project and complies with maximums prescribed by the Planning Code. The Project will also reduce the number of curb cuts; currently there are two existing curb cuts, and only one curb cut is proposed. Triple car stackers are utilized to provide more space for 62 bicycle parking spaces, and resident amenities such as car seat storage, a bicycle repair station, and a real-time transit display in the lobby. Such amenities will help to promote alternative modes of transportation, and reduce the need for on-street and off-street automobile parking spaces.

URBAN DESIGN ELEMENT

Objectives and Policies

OBJECTIVE 4:

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

Policy 4.4:

Design walkways and parking facilities to minimize danger to pedestrians.

Policy 4.13:

Improve pedestrian areas by providing human scale and interest.

Policy 4.15:

Protect the livability and character of residential properties from the intrusion of incompatible new buildings.

As the Project Site has only one street frontage, it will provide only one vehicular access point for the Project, reducing potential conflict with pedestrians and bicyclists. The garage security gate is recessed to provide queue space to reduce the potential of arriving cars blocking sidewalks and impeding the path of pedestrians. The 17-foot ground floor heights and active use will enhance the pedestrian experience and the

site will be further improved through the removal of a curbcut, and the addition of street trees. Currently, the site contains a vacant industrial building formerly occupied by Home Sausage Company.

COMMERCE AND INDUSTRY ELEMENT

Objectives and Policies

OBJECTIVE 4:

IMPROVE THE VIABILITY OF EXISTING INDUSTRY IN THE CITY AND THE ATTRACTIVENESS OF THE CITY AS A LOCATION FOR NEW INDUSTRY.

Policy 4.3:

Carefully consider public actions that displace existing viable industrial firms.

Policy 4.4:

When displacement does occur, attempt to relocate desired firms within the city.

The Project will be replacing approximately 2,250 square feet of PDR space. The building is currently unoccupied, therefore displacement will not occur.

MISSION AREA PLAN

Objectives and Policies

Land Use

OBJECTIVE 1.1

STRENGTHEN THE MISSION'S EXISTING MIXED USE CHARACTER, WHILE MAINTAINING THE NEIGHBORHOOD AS A PLACE TO LIVE AND WORK.

Policy 1.1.7

Permit and encourage greater retail uses on the ground floor on parcels that front 16th Street to take advantage of transit service and encourage more mixed uses, while protecting against the wholesale displacement of PDR uses.

Policy 1.1.8

While continuing to protect traditional PDR functions that need large, inexpensive spaces to operate, also recognize that the nature of PDR businesses is evolving gradually so that their production and distribution activities are becoming more integrated physically with their research, design and administrative functions.

The Project will provide 2,250 square feet of replacement PDR space on the ground floor of the building while also providing new housing on a site where none currently exists. Therefore strengthening the mixed use character and maintaining the neighborhood as a place to live and work.

OBJECTIVE 1.2

IN AREAS OF THE MISSION WHERE HOUSING AND MIXED-USE IS ENCOURAGED, MAXIMIZE DEVELOPMENT POTENTIAL IN KEEPING WITH NEIGHBORHOOD CHARACTER.

Policy 1.2.1

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

Policy 1.2.2

For new construction, and as part of major expansion of existing buildings in neighborhood commercial districts, require ground floor commercial uses in new housing development. In other mixed-use districts encourage housing over commercial or PDR where appropriate.

Policy 1.2.3

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

The Project will replace a vacant industrial building with a new mixed-use building with ground floor PDR space and residential units above, consistent with the existing residential, commercial and PDR uses in the neighborhood. Additionally, the Project complies with the applicable building height and bulk guidelines and with the bedroom mix requirements.

Housing

OBJECTIVE 2.3

ENSURE THAT NEW RESIDENTIAL DEVELOPMENTS SATISFY AN ARRAY OF HOUSING NEEDS WITH RESPECT TO TENURE, UNIT MIX AND COMMUNITY SERVICES.

Policy 2.3.3

Require that a significant number of units in new developments have two or more bedrooms, except Senior Housing and SRO developments unless all Below Market Rate units are two or more bedrooms.

Policy 2.3.5

Explore a range of revenue-generating tools including impact fees, public funds and grants, assessment districts, and other private funding sources, to fund community and neighborhood improvements.

Policy 2.3.6

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

The Project includes 20 one-bedroom and 20 two-bedroom units of which 7 will be Below Market Rate (BMR). Three of the BMR units will be two-bedroom units. Furthermore, the Project will be subject to the Eastern Neighborhood Impact Fee, Transportation Sustainability Fee and Residential Childcare Fee.

OBJECTIVE 2.6

CONTINUE AND EXPAND THE CITY'S EFFORTS TO INCREASE PERMANENTLY AFFORDABLE HOUSING PRODUCTION AND AVAILABILITY.

Policy 2.6.1

Continue and strengthen innovative programs that help to make both rental and ownership housing more affordable and available.

The Project will create forty residential units, seven of which are BMR units, on a site where no housing currently exists, thus increasing affordable housing production and availability.

Built Form

OBJECTIVE 3.1

PROMOTE AN URBAN FORM THAT REINFORCES THE MISSION'S DISTINCTIVE PLACE IN THE CITY'S LARGER FORM AND STRENGTHENS ITS PHYSICAL FABRIC AND CHARACTER.

Policy 3.1.6

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

Policy 3.1.8

New development should respect existing patterns of rear yard open space. Where an existing pattern of rear yard open space does not exist, new development on mixed-use-zoned parcels should have greater flexibility as to where open space can be located.

The Project will replace an unremarkable concrete industrial building with a well-articulated, contemporary, mixed-use building. The Project will be constructed with high quality materials and within the allowed height limits for the zoning district to respect the surrounding buildings. The existing buildings on the Project site are built out to the rear property line leaving no rear yard open space. The Project will provide a conforming rear yard open space, thus improving the existing pattern of rear yard open space which exists on the adjacent properties.

OBJECTIVE 3.2

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

Policy 3.2.1

Require high quality design of street-facing building exteriors.

Policy 3.2.2

Make ground floor retail and PDR uses as tall, roomy and permeable as possible.

Policy 3.2.3

Minimize the visual impact of parking.

Policy 3.2.4

Strengthen the relationship between a building and its fronting sidewalk.

The Project is largely residential, but includes a moderately-sized ground floor PDR component along Mission Street. The Project provides the mix of uses encouraged by the Area Plan for this location. In addition, the Project is located within the prescribed height and bulk limits, and includes the appropriate dwelling-unit mix, since 50% or 20 of the 40 units are two-bedroom dwelling units. The Mission is one of the City's most distinctive neighborhoods as identified in the City's General Plan. The new building's character ensures the best design of the times with high-quality building materials that relates to the surrounding structures that make-up the Mission's distinct character while acknowledging and respecting the positive attributes of the older buildings. It also provides an opportunity for an increased visual interest that enhances and creates a special identity with a unique image of its own in the neighborhood. Overall, the Project offers an architectural treatment that is contemporary, yet contextual, and that is consistent and compatible with the surrounding neighborhood. The Project minimizes the off-street parking to a single entrance along Mission Street.

8. **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:

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

Currently, the existing building on the Project Site is vacant. Although the Project would remove this use, the Project does provide for a new PDR space of 2,250 square feet at the ground level. The Project improves the urban form of the neighborhood by adding new residents, visitors, and employees to the neighborhood, which would assist in strengthening nearby retail uses.

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

No housing exists on the Project Site. The Project will provide up to 40 new dwelling units, thus resulting in a significant increase in the neighborhood housing stock. The Project offers an architectural treatment that is contemporary, yet contextual, and an architectural design that is consistent and compatible with the surrounding neighborhood. For these reasons, the Project would protect and preserve the cultural and economic diversity of the neighborhood.

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

The Project will not displace any affordable housing because there is currently no housing on the site. The Project will comply with the City's Inclusionary Housing Program, therefore increasing the stock of affordable housing units in the City.

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

The Project Site is served by public transportation. Future residents would be afforded close proximity to bus or rail transit. The Project also provides sufficient off-street parking at a ratio of .55 per dwelling unit, and sufficient bicycle parking for residents and their guests.

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

The Project is consistent with the Mission Area Plan, which encourages mixed-use development along Mission Street. The Project does not involve the creation of commercial office development. The Project would enhance opportunities for resident employment and ownership in industrial and service sectors by providing for new housing and PDR space, which will increase the diversity of the City's housing supply (a top priority in the City) and provide new potential neighborhood-serving uses and employment opportunities.

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

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

- G. That landmarks and historic buildings be preserved.

There are no landmarks or historic buildings on the Project Site.

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

The Planning Department prepared a preliminary shadow fan analysis and determined that the proposed project would not cast shadows on any parks or open spaces at any time during the year.

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

and the First Source Hiring Administrator agree, the approval of the Employment Program may be delayed as needed.

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

10. The Project is consistent with and would promote the general and specific purposes of the Code provided under Section 101.1(b) in that, as designed, the Project would contribute to the character and stability of the neighborhood and would constitute a beneficial development.
11. The Commission hereby finds that approval of the Large Project Authorization would promote the health, safety and welfare of the City.

DECISION

That based upon the Record, the submissions by the Applicant, the staff of the Department and other interested parties, the oral testimony presented to this Commission at the public hearings, and all other written materials submitted by all parties, the Commission hereby **APPROVES Large Project Authorization Application No. 2014-002026ENX** subject to the following conditions attached hereto as "EXHIBIT A" in general conformance with plans on file, dated May 1, 2017, and stamped "EXHIBIT B", which is incorporated herein by reference as though fully set forth.


The Planning Commission hereby adopts the MMRP attached hereto as Exhibit C and incorporated herein as part of this Motion by this reference thereto. All required mitigation measures identified in the Eastern Neighborhoods Plan EIR and contained in the MMRP are included as conditions of approval.

APPEAL AND EFFECTIVE DATE OF MOTION: Any aggrieved person may appeal this Section 329 Large Project Authorization to the Board of Appeals within fifteen (15) days after the date of this Motion No. 19931. The effective date of this Motion shall be the date of adoption of this Motion if not appealed (after the 15-day period has expired) OR the date of the decision of the Board of Appeals if appealed to the Board of Appeals. For further information, please contact the Board of Appeals at (415) 575-6880, 1660 Mission, Room 3036, San Francisco, CA 94103.

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

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

I hereby certify that the Planning Commission ADOPTED the foregoing Motion on June 1, 2017.


Jonas P. Ionin
Commission Secretary

AYES: Hillis, Johnson, Koppel, Moore, Richards
NAYS: Fong, Melgar
ADOPTED: June 1, 2017

EXHIBIT A

AUTHORIZATION

This authorization is for a Large Project Authorization to allow the demolition of an existing two-story industrial building and new construction of a six-story mixed-use building with 40 dwelling units and 2,250 sq. ft. of ground floor PDR space located at 1726-1730 Mission Street, Block 3532, Lots 004A and 005, pursuant to Planning Code Section 329 and Planning Commission Resolution No. 19865 (Mission 2016 Interim Zoning Controls), within the UMU Zoning District and a 68-X Height and Bulk District; in general conformance with plans, dated May 1, 2017, and stamped "EXHIBIT B" included in the docket for Record No. 2014-002026ENX and subject to conditions of approval reviewed and approved by the Commission on June 1, 2017 under Motion No. 19931. This authorization and the conditions contained herein run with the property and not with a particular Project Sponsor, business, or operator.

RECORDATION OF CONDITIONS OF APPROVAL

Prior to the issuance of the building permit or commencement of use for the Project the Zoning Administrator shall approve and order the recordation of a Notice in the Official Records of the Recorder of the City and County of San Francisco for the subject property. This Notice shall state that the project is subject to the conditions of approval contained herein and reviewed and approved by the Planning Commission on June 1, 2017 under Motion No. 19931.

PRINTING OF CONDITIONS OF APPROVAL ON PLANS

The conditions of approval under the 'Exhibit A' of this Planning Commission Motion No. 19931 shall be reproduced on the Index Sheet of construction plans submitted with the Site or Building permit application for the Project. The Index Sheet of the construction plans shall reference to the Conditional Use authorization and any subsequent amendments or modifications.

SEVERABILITY

The Project shall comply with all applicable City codes and requirements. If any clause, sentence, section or any part of these conditions of approval is for any reason held to be invalid, such invalidity shall not affect or impair other remaining clauses, sentences, or sections of these conditions. This decision conveys no right to construct, or to receive a building permit. "Project Sponsor" shall include any subsequent responsible party.

CHANGES AND MODIFICATIONS

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

Conditions of Approval, Compliance, Monitoring, and Reporting

PERFORMANCE

1. **Validity.** The authorization and right vested by virtue of this action is valid for three (3) years from the effective date of the Motion. The Department of Building Inspection shall have issued a Building Permit or Site Permit to construct the project and/or commence the approved use within this three-year period.

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

2. **Expiration and Renewal.** Should a Building or Site Permit be sought after the three (3) year period has lapsed, the project sponsor must seek a renewal of this Authorization by filing an application for an amendment to the original Authorization or a new application for Authorization. Should the project sponsor decline to so file, and decline to withdraw the permit application, the Commission shall conduct a public hearing in order to consider the revocation of the Authorization. Should the Commission not revoke the Authorization following the closure of the public hearing, the Commission shall determine the extension of time for the continued validity of the Authorization.

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

3. **Diligent Pursuit.** Once a site or Building Permit has been issued, construction must commence within the timeframe required by the Department of Building Inspection and be continued diligently to completion. Failure to do so shall be grounds for the Commission to consider revoking the approval if more than three (3) years have passed since this Authorization was approved.

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

4. **Extension.** All time limits in the preceding three paragraphs may be extended at the discretion of the Zoning Administrator where implementation of the project is delayed by a public agency, an appeal or a legal challenge and only by the length of time for which such public agency, appeal or challenge has caused delay.

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

5. **Conformity with Current Law.** No application for Building Permit, Site Permit, or other entitlement shall be approved unless it complies with all applicable provisions of City Codes in effect at the time of such approval.

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

6. **Mitigation Measures.** Mitigation measures described in the MMRP for the Eastern Neighborhoods Plan EIR (Case No. 2014-002026ENV) attached as Exhibit C are necessary to

avoid potential significant effects of the proposed project and have been agreed to by the Project Sponsor.

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

DESIGN

7. **Final Materials.** The Project Sponsor shall continue to work with Planning Department on the building design. Final materials, glazing, color, texture, landscaping, and detailing shall be subject to Department staff review and approval. The architectural addenda shall be reviewed and approved by the Planning Department prior to issuance.
For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org
8. **Garbage, Composting and Recycling Storage.** Space for the collection and storage of garbage, composting, and recycling shall be provided within enclosed areas on the property and clearly labeled and illustrated on the building permit plans. Space for the collection and storage of recyclable and compostable materials that meets the size, location, accessibility and other standards specified by the San Francisco Recycling Program shall be provided at the ground level of the buildings.
For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org
9. **Rooftop Mechanical Equipment.** Pursuant to Planning Code 141, the Project Sponsor shall submit a roof plan to the Planning Department prior to Planning approval of the building permit application. Rooftop mechanical equipment, if any is proposed as part of the Project, is required to be screened so as not to be visible from any point at or below the roof level of the subject building.
For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org
10. **Lighting Plan.** The Project Sponsor shall submit an exterior lighting plan to the Planning Department prior to Planning Department approval of the building / site permit application.
For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org
11. **Transformer Vault.** The location of individual project PG&E Transformer Vault installations has significant effects to San Francisco streetscapes when improperly located. However, they may not have any impact if they are installed in preferred locations. Therefore, the Planning Department recommends the following preference schedule in locating new transformer vaults, in order of most to least desirable:
 - a. On-site, in a basement area accessed via a garage or other access point without use of separate doors on a ground floor façade facing a public right-of-way;
 - b. On-site, in a driveway, underground;

- c. On-site, above ground, screened from view, other than a ground floor façade facing a public right-of-way;
- d. Public right-of-way, underground, under sidewalks with a minimum width of 12 feet, avoiding effects on streetscape elements, such as street trees; and based on Better Streets Plan guidelines;
- e. Public right-of-way, underground; and based on Better Streets Plan guidelines;
- f. Public right-of-way, above ground, screened from view; and based on Better Streets Plan guidelines;
- g. On-site, in a ground floor façade (the least desirable location).

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

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

PARKING AND TRAFFIC

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

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

13. **Parking Maximum.** Pursuant to Planning Code Section 151.1, the Project shall provide no more than 30 off-street parking spaces. Per the Project Description, the Project Sponsor has specified that they will provide no more than 22 off-street parking spaces.

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

14. **Bicycle Parking.** Pursuant to Planning Code Sections 155.1, 155.4, and 155.5, the Project shall provide no fewer than 44 bicycle parking spaces (40 Class 1 spaces for the residential portion of the Project and 4 Class 2 spaces for both the residential and commercial/PDR portion of the Project).

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

15. **Managing Traffic During Construction.** The Project Sponsor and construction contractor(s) shall coordinate with the Traffic Engineering and Transit Divisions of the San Francisco Municipal Transportation Agency (SFMTA), the Police Department, the Fire Department, the Planning Department, and other construction contractor(s) for any concurrent nearby Projects to manage traffic congestion and pedestrian circulation effects during construction of the Project. *For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org*

PROVISIONS

16. **Anti-Discriminatory Housing.** The Project shall adhere to the requirements of the Anti-Discriminatory Housing policy, pursuant to Administrative Code Section 1.61. *For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org*
17. **First Source Hiring.** The Project shall adhere to the requirements of the First Source Hiring Construction and End-Use Employment Program approved by the First Source Hiring Administrator, pursuant to Section 83.4(m) of the Administrative Code. The Project Sponsor shall comply with the requirements of this Program regarding construction work and on-going employment required for the Project. *For information about compliance, contact the First Source Hiring Manager at 415-581-2335, www.onestopSF.org*
18. **Transportation Sustainability Fee.** The Project is subject to the Transportation Sustainability Fee (TSF), as applicable, pursuant to Planning Code Section 411A. *For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org*
19. **Child Care Fee - Residential.** The Project is subject to the Residential Child Care Fee, as applicable, pursuant to Planning Code Section 414A. *For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org*
20. **Eastern Neighborhoods Infrastructure Impact Fee.** The Project is subject to the Eastern Neighborhoods Infrastructure Impact Fee, as applicable, pursuant to Planning Code Section 423. *For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org*

MONITORING

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

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

OPERATION

22. **Garbage, Recycling, and Composting Receptacles.** Garbage, recycling, and compost containers shall be kept within the premises and hidden from public view, and placed outside only when being serviced by the disposal company. Trash shall be contained and disposed of pursuant to garbage and recycling receptacles guidelines set forth by the Department of Public Works. *For information about compliance, contact Bureau of Street Use and Mapping, Department of Public Works at 415-554-5810, <http://sfdpw.org>*
23. **Sidewalk Maintenance.** The Project Sponsor shall maintain the main entrance to the building and all sidewalks abutting the subject property in a clean and sanitary condition in compliance with the Department of Public Works Streets and Sidewalk Maintenance Standards. *For information about compliance, contact Bureau of Street Use and Mapping, Department of Public Works, 415-695-2017, <http://sfdpw.org>*
24. **Community Liaison.** Prior to issuance of a building permit to construct the project and implement the approved use, the Project Sponsor shall appoint a community liaison officer to deal with the issues of concern to owners and occupants of nearby properties. The Project Sponsor shall provide the Zoning Administrator with written notice of the name, business address, and telephone number of the community liaison. Should the contact information change, the Zoning Administrator shall be made aware of such change. The community liaison shall report to the Zoning Administrator what issues, if any, are of concern to the community and what issues have not been resolved by the Project Sponsor. *For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org*
25. **Lighting.** All Project lighting shall be directed onto the Project site and immediately surrounding sidewalk area only, and designed and managed so as not to be a nuisance to adjacent residents. Nighttime lighting shall be the minimum necessary to ensure safety, but shall in no case be directed so as to constitute a nuisance to any surrounding property. *For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org*

ENTERTAINMENT COMMISSION – NOISE ATTENUATION CONDITIONS

26. **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 April 5, 2016. These conditions state:
- a) **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.

- b) **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.
- c) **Design Considerations:**
 - i. 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.
 - ii. 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.
- d) **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.
- e) **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.

INCLUSIONARY HOUSING REQUIREMENTS

27. **Affordable Units.** The following Inclusionary Affordable Housing Requirements are those in effect at the time of Planning Commission action. In the event that the requirements change, the Project Sponsor shall comply with the requirements in place at the time of issuance of first construction document. This requirement is subject to change under pending legislation to modify Planning Code Section 415 which is currently under review by the Board of Supervisors (Board File Nos. 161351 and 170208). The proposed changes to Section 415, which include but are not limited to modifications to the amount of inclusionary housing required onsite or offsite, the methodology of fee calculation, and dwelling unit mix requirements, will become effective after approval by the Board of Supervisors.

- a) **Number of Required Units.** Pursuant to Planning Code Section 419, the Project is currently required to provide 17.5% of the proposed dwelling units as affordable to qualifying households. The Project contains 40 units; therefore, 7 affordable units are currently required. The Project Sponsor will fulfill this requirement by providing the 7 affordable units on-site. If the Project is subject to a different requirement if the Charter Amendment is approved and

new legislative requirements take effect, the Project will comply with the applicable requirements at the time of compliance. If the number of market-rate units change, the number of required affordable units shall be modified accordingly with written approval from Planning Department staff in consultation with the Mayor's Office of Housing and Community Development ("MOHCD").

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

- b) **Unit Mix.** The Project contains 20 one-bedroom, and 20 two-bedroom units; therefore, the required affordable unit mix is 3 one-bedroom, and 4 two-bedroom units. If the market-rate unit mix changes, the affordable unit mix will be modified accordingly with written approval from Planning Department staff in consultation with MOHCD.

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

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

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

- d) **Phasing.** If any building permit is issued for partial phasing of the Project, the Project Sponsor shall have designated not less than seventeen and one half percent (17.5%), or the applicable percentage as discussed above, of the each phase's total number of dwelling units as on-site affordable units.

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

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

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

- f) **Other Conditions.** The Project is subject to the requirements of the Inclusionary Affordable Housing Program under Section 415 et seq. of the Planning Code and City and County of San Francisco Inclusionary Affordable Housing Program Monitoring and Procedures Manual ("Procedures Manual"). The Procedures Manual, as amended from time to time, is incorporated herein by reference, as published and adopted by the Planning Commission, and as required by Planning Code Section 415. Terms used in these conditions of approval and not otherwise defined shall have the meanings set forth in the Procedures Manual. A

copy of the Procedures Manual can be obtained at the 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>. As provided in the Inclusionary Affordable Housing Program, the applicable Procedures Manual is the manual in effect at the time the subject units are made available for sale.

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

- (i) The affordable unit(s) shall be designated on the building plans prior to the issuance of the first construction permit by the Department of Building Inspection ("DBI"). The affordable unit(s) shall (1) reflect the unit size mix in number of bedrooms of the market rate units, (2) be constructed, completed, ready for occupancy and marketed no later than the market rate units, and (3) be evenly distributed throughout the building; and (4) be of comparable overall quality, construction and exterior appearance as the market rate units in the principal project. The interior features in affordable units should be generally the same as those of the market units in the principal project, but need not be the same make, model or type of such item as long they are of good and new quality and are consistent with then-current standards for new housing. Other specific standards for on-site units are outlined in the Procedures Manual.
- (ii) If the units in the building are offered for sale, the affordable unit(s) 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 ninety (90) percent of Area Median Income under the income table called "Maximum Income by Household Size derived from the Unadjusted Area Median Income for HUD Metro Fair Market Rent Area that contains San Francisco " but these income levels are subject to change under a proposed Charter amendment and pending legislation if the voters approve the Charter Amendment at the June 7, 2016 election. If the Project is subject to a different income level requirement if the Charter Amendment is approved and new legislative requirements take effect, the Project will comply with the applicable requirements. The initial sales price of such units shall be calculated according to the Procedures Manual. Limitations on (i) reselling; (ii) renting; (iii) recouping capital improvements; (iv) refinancing; and (v) procedures for inheritance apply and are set forth in the Inclusionary Affordable Housing Program and the Procedures Manual.
- (iii) The Project Sponsor is responsible for following the marketing, reporting, and monitoring requirements and procedures as set forth in the Procedures Manual. MOHCD shall be responsible for overseeing and monitoring the marketing of affordable units. The Project Sponsor must contact MOHCD at least six months prior to the beginning of marketing for any unit in the building.

- (iv) Required parking spaces shall be made available to initial buyers or renters of affordable units according to the Procedures Manual.
- (v) 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.
- (vi) The Project Sponsor has demonstrated that it is eligible for the On-site Affordable Housing Alternative under Planning Code Section 415.6 instead of payment of the Affordable Housing Fee, and has submitted the *Affidavit of Compliance with the Inclusionary Affordable Housing Program: Planning Code Section 415* to the Planning Department stating that any affordable units designated as on-site units shall be sold as ownership units and will remain as ownership units for the life of the Project.
- (vii) If the Project Sponsor fails to comply with the Inclusionary Affordable Housing Program requirement, the Director of DBI shall deny any and all site or building permits or certificates of occupancy for the development project until the Planning Department notifies the Director of compliance. A Project Sponsor's failure to comply with the requirements of Planning Code Section 415 et seq. shall constitute cause for the City to record a lien against the development project and to pursue any and all available remedies at law.
- (viii) If the Project becomes ineligible at any time for the On-site Affordable Housing Alternative, the Project Sponsor or its successor shall pay the Affordable Housing Fee prior to issuance of the first construction permit. If the Project becomes ineligible after issuance of its first construction permit, the Project Sponsor shall notify the Department and MOHCD and pay interest on the Affordable Housing Fee and penalties, if applicable.

EXHIBIT B

EXHIBIT B

EXHIBIT B

EXHIBIT B

Exhibit B Link to Planning Commission Hearing June 1, 2017

http://sanfrancisco.granicus.com/MediaPlayer.php?view_id=20&clip_id=28002

Beginning at 6:09.

EXHIBIT C

EXHIBIT C

EXHIBIT C

EXHIBIT C

Exhibit C Link to Eastern Neighborhoods Plan EIR

<http://sf-planning.org/area-plan-eirs>

(scroll down)

EXHIBIT D

EXHIBIT D

EXHIBIT D

EXHIBIT D

West Bay Law
Law Office of J. Scott Weaver

May 30, 2017

Commissioners,
San Francisco Planning Commission
1650 Mission Street, Room 400
San Francisco, CA 94103

Re: Case No. 2015-004454PRV 1726-1730 Mission Street

I am unable to attend the meeting scheduled for June 1, 2017 and therefore make this submission for your consideration of the above referenced matter.

The developer proposes a 6 story 69 foot tall building with 36 units along with a 29 car parking garage. The project seeks both Conditional Use and Large Project Authorizations. This project is situated on Mission Street between Duboce Avenue and 14th Street. This area is the “Gateway to the Mission”, an already gentrifying area and one that is seeing numerous projects, proposed, entitled, and/or built in the immediate vicinity. The Department has not carefully evaluated the project from the standpoint of its cumulative impacts on an area that already faces challenges with respect to traffic and circulation, noise, air quality, recreation, and open space, and displacement – especially of its SRO tenants.

Context.

The proposed project (36 units) is being built in conjunction with a number of other projects currently in the pipeline for the area. Pipeline projects between the intersection of South Van Ness and Mission, and 16th and Mission and one block either side of Mission (eight blocks) are: 130 Otis Street (220 units), 1601 Mission Street (354 units), 1801 Mission Street (54 units), 1863 Mission Street (36 units), 1900 Mission Street (9 units), 1924 Mission Street (13 units), 1979 Mission Street (331 units), 198 Valencia (28 units), 235 Valencia (50 units), 80 Julian (9 units), 1463 Stevenson (45 units), and 1500 15th Street, (184 units – density bonus).

Additionally, there are two affordable housing projects, one at 1950 Mission Street (157 units), and one at 490 South Van Ness Avenue (133 units). Total number of pipeline units, including the proposed project are within two blocks either side of sausage factory is 1,659 units.

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Built after 2008, but equally applicable to any cumulative analysis are 1880 Mission Street (202 units), 1501 15th Street (40 units), 380 14th Street (29 units) and 411 Valencia (16) 1587 15th (26 units) 1972 units.

This is extraordinary in such a small geographic area. The total number of units contemplated under the most ambitious scenario for the Mission in the Eastern Neighborhoods Plan was 2054 units, with a Preferred Project at 1696 units. To provide a sense of proportionality, the Mission Area Plan is approximately 72 blocks, whereas the number of blocks considered above is eight.

This project, when looked at cumulatively results in significant impacts on the immediate area, including impacts on traffic, circulation, air quality, noise, and open space, as well as socio-economic impacts on this a working class neighborhood and an especially vulnerable SRO Hotel population.¹ Once these projects are in place, existing SRO tenants will be ousted and replaced by will be gone, replaced by tourists, and

Cumulative Impacts Require Examination

Under Public Resources Code Section 21083 subdivision (b)(2).) "The possible effects of a project are individually limited but cumulatively considerable. As used in this paragraph 'cumulatively considerable' means that the incremental effects of an individual project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects." Stated otherwise, a lead agency shall require an EIR be prepared for a project when the record contains substantial evidence that the "project has possible environmental effects that are individually limited but cumulatively considerable." (Guidelines section 15065 subdivision (a) (3).)

Therefore, the impact of the proposed project should be evaluated in conjunction with the cumulative impacts it and the additional 2,000 plus units would have on the eight block area immediately surrounding it. **No such evaluation has been done, and is necessary given the extraordinary number of units being proposed for such a small area.**

For example, anyone who drives down Mission Street in the immediate area of the project has observed slow, backed up traffic. Addition of these units will only make matters worse and will cause further congestion affecting both the automobile drivers and commuters traveling along the many bus lines that travel through the area. Further, the intersection of Duboce Avenue and South Van Ness, one block away, is severely backed up – especially during commute hours. It is also a very dangerous area from the standpoint of pedestrian safety.

¹ We believe that the next wave of gentrification will result in a significant reduction in traditional SRO residents as Hotel owners "upgrade" their units. Currently there are hundreds of SRO units within the area between Duboce and 16th Street, Valencia and South Van Ness Avenue.

Other issues to consider are noise (the 101 Freeway crosses Mission Street very close to the proposed project), Open space is virtually non-existent, yet the thousands of people who would move to the area would require it, and recreation (other than the local bars, there is none).

Finally, we cannot overlook the gentrification impacts on the already gentrifying neighborhood which would effectively wipe out small mom and pop businesses and SRO Hotels as we know them.

CLOSER ENVIRONMENTAL REVIEW IS REQUIRED

Presumably, this and many of the other projects mentioned above received (or anticipate receiving) a Community Plan Exemption based on the Eastern Neighborhoods PEIR². The use of the PEIR is inappropriate in this instance for several reasons. exemption was in error because 1) the eight-year-old PEIR is no longer viable due to unanticipated circumstances on the ground, and 2) the PEIR did not consider impacts on this eight block area, nor could it have anticipated the intense level of development along this gateway to the Mission.

Substantial New Information Negates the Exemption From Environmental Review.

The Department has issued a Community Plan Exemption which allows the Department to use the Eastern Neighborhoods Plan EIR (PEIR) instead of a project EIR - except with respect to areas of concern unique to the project. The use of the PEIR in this way presupposes that it is sufficiently current to address all areas required under CEQA.

Unfortunately, circumstances on the ground have rendered the 2008 PEIR out of date, and it cannot be a reliable measure of environmental impacts of market rate development in the Mission. It is well recognized that the Mission has already experienced extensive displacement of its residents, so much so, that it is now in an advanced stage gentrification. <http://missionlocal.org/2015/09/sf-mission-gentrification-advanced/> Should the project proceed, it will cause significant economic and social changes in the immediate area that will result in physical changes, not the least of which is displacement of residents and businesses which will affect air quality, traffic and transportation, as well as negative impacts on the immediate neighborhood (See CEQA guidelines, 15604 (e)).

The demand for affordable housing has increased significantly since the PEIR, and the glut of luxury housing only makes matters worse. The most recent Nexus Study, commissioned by the Planning Department, concluded that the production of 100 market rate rental units generates a demand of 24 lower income households through goods and services demanded by the market rate tenants. The affordable housing proposed by the project does not meet this demand.

² We recognize that two projects, 30 Otis Street and 1601 Mission are outside the area studied under the Eastern Neighborhoods PEIR.

When substantial new information becomes available, CEQA Guidelines require comprehensive analysis of these issues. (CEQA Guidelines Sec. 15183). The situation on the ground has changed substantially since the PEIR was prepared in 2008.

- The PEIR did not anticipate the “advanced gentrification” of the neighborhood, along with the extensive displacement of Latino families and businesses, the reverse commute to distant areas, and that impact on greenhouse gas emissions and on traffic congestion.
- Along similar lines, at the time the PEIR was prepared, research regarding the extent of increased automobile traffic and greenhouse gas emissions was not available. There is now solid evidence that upper income residents are twice as likely to own a car and half as likely to use public transit. (See Exhibit 3)
- The unanticipated additional demand for affordable housing due to the overbuild of luxury housing.
- The unexpected disappearance of Redevelopment money to fund affordable housing, without new resources compensating for the loss.
- The PEIR was prepared during a recessionary period. Since then, both rents and evictions have increased dramatically, especially impacting the Mission. This has led to the development of luxury units and high end retail that was not anticipated in the PEIR.
- The PEIR assumed that the Eastern Neighborhoods Plan and the Mission Plan would meet their goals of providing over 60% low, moderate, and middle income housing. This goal has not come close to materializing, further exacerbating the problems of displacement.
- The PEIR did not anticipate the impact of tech shuttles from a traffic standpoint, nor from that of the demand for housing. The specter of living within a few blocks of a free ride to work has caused many tech employees to move to areas where the shuttles stop – predominantly in the Mission. As such we have high earning employees exacerbating the already high demand for housing. The anti-eviction mapping project has documented the connection between shuttle stops and higher incidences of nofault evictions. (<http://www.antievictionmappingproject.net/techbusevictions.html>)
- The cumulative housing production in the Mission (built and in the pipeline) now exceeds projections under any of the three scenarios envisioned when the Eastern Neighborhoods Plan created. According to Planning Department Data, projects

containing 2,451 housing units have either been completed or are under environmental review as of 2/23/16. Option A of the PEIR envisioned 782 units, Option B 1,118 units and Option C 2054 units, with a Preferred Project at 1696 units.

These changed circumstances render the current PEIR obsolete. Further, cumulative impacts have not been adequately addressed due to the obsolescence of the PEIR. The Community Plan Exemption is therefore no longer relevant.

CONDITIONAL USE SHOULD BE DENIED

In addition to exemption from environmental review, the applicant is seeking Condition Use authorization under the Interim Controls instituted by the Commission on January 14, 2016.

Planning Code Section 303(c)(1) requires a grant of conditional use only upon a finding that “the proposed use or feature, at the size and intensity contemplated and at the proposed location, will provide a development that is necessary or desirable for, and compatible with, the neighborhood or the community.”

The project as proposed is not necessary or desirable for and compatible with the community. Conditional use should be denied for several reasons: 1) the project is inconsistent with the stated purposes of the Eastern Neighborhoods Plan and the Mission Plan, 2) the proposed project does not comply with Interim Controls or MAP 2020 guidelines.

The Proposed Project is Inconsistent with the Stated Purposes of the Eastern Neighborhoods Plan and the Mission Plan.

In evaluating the desirability of the proposed project, the Commission should evaluate it in light of its inconsistency with the objectives of the Eastern Neighborhoods and Mission Plans. The EIR for the Eastern Neighborhoods Plan reflected the Eastern Neighborhood objectives as follows:

- *Reflect Local Values:* To develop a rezoning proposal that reflects the land use needs and priorities of each neighborhoods’ stakeholders and that meets citywide goals for residential and industrial land use.

- *Increase Housing:* To identify appropriate locations for housing in the City’s industrially zoned land to meet a citywide need for more housing, and affordable housing in particular. (emphasis supplied)

• *Maintain Some Industrial Land Supply*: To retain an adequate supply of industrial land to meet the current and future needs of the City’s production, distribution, and repair businesses and the city’s economy.

• *Improve the Quality of All Existing Areas with Future Development*: To improve the quality of the residential and nonresidential places that future development will create over that which would occur under the existing zoning.

The Mission Area Plan was even more specific in its land use policy: to protect “established areas of residential, commercial, and PDR, and ensuring that areas that have become mixed-use over time develop in such a way that they contribute positively to the neighborhood. A place for living and working also means a place where affordably priced housing is made available, a diverse array of jobs is protected, and where goods and services are oriented to the needs of the community.”

Mission-wide goals include:

- Increase the amount of affordable housing.
- Preserve and enhance the existing Production, Distribution and Repair businesses.
- Preserve and enhance the unique character of the Mission’s distinct commercial areas.
- Minimize displacement.

In light of these goals, the Commission must consider; the loss of PDR, the minimal community benefits conferred – including minimal affordable housing, and the cumulative impacts of this and similar projects.

The Proposed Project Does Not Comply with Interim Controls or MAP 2020 Objectives.

Under the Interim Controls, the sponsor is required to evaluate, from a socio-economic perspective, how the proposed project would affect existing and future residents, business and community serving providers in the area. (Interim Controls, IV.C(1)). The sponsor completely avoided any meaningful evaluation, in light of the massive number of units scheduled to come on line in the foreseeable future.

In the preamble to the Interim Controls, the Commission found that they were consistent with the eight priority policies of section 101.1 of the Planning Code including: 1) preserving and enhancing neighborhood employment and ownership of neighborhood-serving businesses; 2) preserving, existing neighborhood character and economic and cultural diversity; and 3) preserving and enhancing affordable housing.

Likewise, the stated purpose of the MAP 2020 Planning Process is to “retain low to moderate income residents and community-serving businesses (including Production,

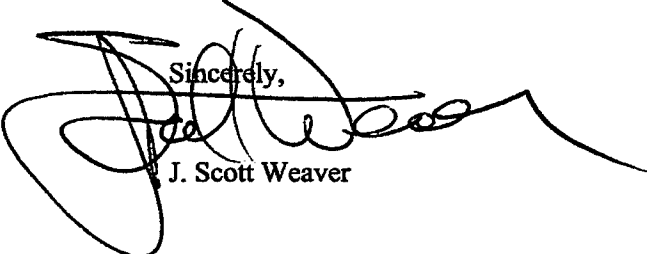
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Distribution, and Repair) artists and nonprofits in order to strengthen and preserve the socioeconomic diversity of the Mission neighborhoods”.

The cumulative impacts of this and other predominantly luxury development projects create a result 180 degrees opposite the purposes of Interim Controls and the MAP 2020 process. The commission cannot make an informed decision as to whether the project, both individually and cumulatively, is “necessary or desirable for and compatible with the neighborhood or community. For that reason, the Commission should require evaluation of these impacts.

More Rigorous Evaluation is Requested.

More rigorous of this and the other related projects listed above is necessary, not only in light of the CEQA issues raised by the lack of cumulative impact study, but also in terms of the goals of the Eastern Neighborhoods Plan and MAP 2020.

Sincerely,

J. Scott Weaver

JSW:sme
cc Plaza 16 Coalition
bcc numerous



SAN FRANCISCO PLANNING DEPARTMENT

MEMO

DATE: 12 May 2017
TO: Honorable Members of the San Francisco Board of Supervisors
FROM: John Rahaim
Director of Planning
RE: **HOUSING BALANCE REPORT No. 5**
1 January 2007 – 31 December 2016

1650 Mission St.
Suite 400
San Francisco,
CA 94103-2479

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

SUMMARY

This report is submitted in compliance with Ordinance No. 53-15 requiring the Planning Department to monitor and report on the housing balance between new market rate and new affordable housing production. One of the stated purposes of the Housing Balance is "to ensure that data on meeting affordable housing targets Citywide and within neighborhoods informs the approval process for new housing development." This report is the fifth in the series and covers the ten-year period from 1 January 2007 through 31 December 2016.

The "Housing Balance" is defined as the proportion of all new affordable housing units to the total number of all new housing units for a 10-year "Housing Balance Period." In addition, a calculation of "Projected Housing Balance" which includes residential projects that have received approvals from the Planning Commission or Planning Department but have not yet received permits to commence construction will be included.

In the 2007-2016 Housing Balance Period, 22% of net new housing produced was affordable. By comparison, the expanded Citywide Cumulative Housing Balance is 23%, although this varies by districts. Distribution of the Cumulative Housing Balance over the 11 Board of Supervisor Districts ranges from -197% (District 4) to 67% (District 5). This variation, especially with negative housing balances, is due to the larger number of units permanently withdrawn from rent control protection relative to the number of total net new units and net affordable units built in those districts.

The Projected Housing Balance Citywide is 14%. Three major development projects were identified in the ordinance for exclusion in the projected housing balance calculations until site permits are obtained. Remaining phases for these three projects will add up to 22,000 net units including over 4,900 affordable units; this would increase the projected housing balance to 20% if included in the calculations.

Memo

BACKGROUND

On 21 April 2015, the Board of Supervisors passed Ordinance No. 53-15 amending the *Planning Code* to include a new *Section 103* requiring the Planning Department to monitor and report on the Housing Balance between new market rate housing and new affordable housing production. The *Housing Balance Report* will be submitted bi-annually by April 1 and October 1 of each year and will also be published on a visible and accessible page on the Planning Department's website. *Planning Code Section 103* also requires an annual hearing at the Board of Supervisors on strategies for achieving and maintaining the required housing balance in accordance with the City's housing production goals. (See *Appendix A* for complete text of Ordinance No. 53-15.)

The stated purposes for the Housing Balance Monitoring and Reporting are: a) to maintain a balance between new affordable and market rate housing Citywide and within neighborhoods; b) to make housing available for all income levels and housing need types; c) to preserve the mixed-income character of the City and its neighborhoods; d) to offset the withdrawal of existing housing units from rent stabilization and the loss of single-room occupancy hotel units; e) to ensure the availability of land and encourage the deployment of resources to provide sufficient housing affordable to households of very low, low, and moderate incomes; f) to ensure adequate housing for families, seniors and the disabled communities; g) to ensure that data on meeting affordable housing targets Citywide and within neighborhoods informs the approval process for new housing development; and h) to enable public participation in determining the appropriate mix of new housing approvals.

Specifically, the *Housing Balance Report* will supplement tracking performance toward meeting the goals set by the City's *Housing Element* and Proposition K. Housing production targets in the City's *Housing Element*, adopted in April 2015, calls for 28,870 new units built between 2015 and 2022, 57%¹ of which should be affordable. As mandated by law, the City provides the State Department of Housing and Community Development an annual progress report.² In November 2014, San Francisco's voters endorsed Proposition K, which set a goal of 33% of all new housing units to be affordable. In addition, Mayor Ed Lee set a goal of creating 30,000 new and rehabilitated homes by 2020; he pledged at least 30% of these to be permanently affordable to low-income families as well as working, middle income families.³

This *Housing Balance Report* was prepared from data gathered from previously published sources including the Planning Department's annual *Housing Inventory* and quarterly *Pipeline Report* data, San Francisco Rent Board data, and the Mayor's Office of Housing and Community Development's *Weekly Dashboard*.

¹ The Ordinance inaccurately stated that "22% of new housing demands to be affordable to households of moderate means"; San Francisco's Regional Housing Needs Assessment (RHNA) allocation for moderate income households is 19% of total production goals.

² Printed annual progress reports submitted by all California jurisdictions can be accessed here – <http://www.hcd.ca.gov/community-development/housing-element/annual-progress-reports/index.php> .-- or by calling HCD at 916-263-2911 for the latest reports as many jurisdictions now file reports online.

³ For more information on and tracking of 30K by 2020, see <http://sfmayor.org/housing> .

CUMULATIVE HOUSING BALANCE CALCULATION

Planning Code Section 103 calls for the Housing Balance “be expressed as a percentage, obtained by dividing the cumulative total of extremely low, very low, low, and moderate income affordable housing (all units 0-120% AMI) minus the lost protected units, by the total number of net new housing units within the Housing Balance Period.” The ordinance requires that the “Cumulative Housing Balance” be provided using two calculations: a) one consisting of net housing built within a 10 year Housing Balance period, less units withdrawn from protected status, plus net units in projects that have received both approvals from the Planning Commission or Planning Department and site permits from the Department of Building Inspection, and b) the addition of net units gained through acquisition and rehabilitation of affordable units, HOPE SF and RAD units. “Protected units” include units that are subject to rent control under the City’s Residential Rent Stabilization and Arbitration Ordinance. Additional elements that figure into the Housing Balance include completed HOPE SF and RAD public housing replacement, substantially rehabilitated units, and single-room occupancy hotel units (SROs). The equation below shows the second, expanded calculation of the Cumulative Housing Balance.

$$\begin{array}{r}
 \text{[Net New Affordable Housing +} \\
 \text{Completed Acquisitions \& Rehabs + Completed} \\
 \text{HOPE SF + RAD Public Housing Replacement +} \\
 \text{Entitled \& Permitted Affordable Units]} \\
 \text{– [Units Removed from Protected Status]} \\
 \hline
 \text{[Net New Housing Built + Net Entitled \& Permitted Units]}
 \end{array}
 =
 \begin{array}{l}
 \text{CUMULATIVE} \\
 \text{HOUSING} \\
 \text{BALANCE}
 \end{array}$$

The first “Housing Balance Period” is a ten-year period starting with the first quarter of 2005 through the last quarter of 2014. Subsequent housing balance reports will cover the 10 years preceding the most recent quarter. This report covers January 2007 (Q1) through December 2016 (Q4).

Table 1A below shows the Cumulative Housing Balance for 10 year 2007 Q1 – 2016 Q4 period is 14% Citywide. With the addition of RAD units, the expanded Cumulative Housing Balance is 23%. In comparison, the expanded Cumulative Housing Balance for 10 year 2006 Q1 – 2015 Q4 period was 18%. The Board of Supervisors recently revised the ordinance to include Owner Move-Ins (OMIs) in the Housing Balance calculation. Although OMIs were not specifically called out by in the original Ordinance in the calculation of the Housing Balance, these were included in earlier reports because this type of no-fault eviction results in the loss of rent controlled units either permanently or for a period of time.

Table 1A
Cumulative Housing Balance Calculation, 2007 Q1 – 2016 Q4

| BoS Districts | Net New Affordable Housing Built | Acquisitions & Rehabs and Small Sites Completed | Units Removed from Protected Status | Total Entitled Affordable Units Permitted | Total Net New Units Built | Total Entitled Units | Cumulative Housing Balance |
|-----------------|----------------------------------|---|-------------------------------------|---|---------------------------|----------------------|----------------------------|
| BoS District 1 | 170 | - | (496) | 4 | 340 | 114 | -70.9% |
| BoS District 2 | 37 | 24 | (315) | 11 | 871 | 271 | -21.3% |
| BoS District 3 | 205 | 6 | (372) | 16 | 951 | 302 | -11.6% |
| BoS District 4 | 10 | - | (437) | 7 | 115 | 98 | -197.2% |
| BoS District 5 | 709 | 293 | (398) | 196 | 1,744 | 598 | 34.2% |
| BoS District 6 | 3,239 | 1,155 | (135) | 960 | 17,158 | 6,409 | 22.1% |
| BoS District 7 | 99 | - | (220) | - | 530 | 104 | -19.1% |
| BoS District 8 | 97 | 17 | (655) | 17 | 1,115 | 416 | -34.2% |
| BoS District 9 | 217 | 319 | (582) | 17 | 1,034 | 237 | -2.3% |
| BoS District 10 | 1,353 | 24 | (249) | 274 | 4,281 | 2,034 | 22.2% |
| BoS District 11 | 30 | - | (323) | 9 | 180 | 297 | -59.5% |
| TOTALS | 6,166 | 1,838 | (4,182) | 1,511 | 28,319 | 10,880 | 13.6% |

Table 1B below shows the Expanded Cumulative Housing Balances for Board of Supervisor Districts ranging from -197% (District 4) to 67% (District 5). Negative balances in Districts 1 (-71%), 2 (-23%), 3 (-12%), 4 (-197%), 8 (-35%), and 11 (-60%) resulted from the larger numbers of units removed from protected status relative to the net new affordable housing and net new housing units built in those districts.

Table 1B
Expanded Cumulative Housing Balance Calculation, 2007 Q1 – 2016 Q4

| BoS Districts | Net New Affordable Housing Built | Acquisitions & Rehabs and Small Sites Completed | RAD Program and Hope SF Replacement Units | Units Removed from Protected Status | Total Entitled Affordable Units Permitted | Total Net New Units Built | Total Entitled Units | Expanded Cumulative Housing Balance |
|-----------------|----------------------------------|---|---|-------------------------------------|---|---------------------------|----------------------|-------------------------------------|
| BoS District 1 | 170 | - | 144 | (496) | 4 | 340 | 114 | -39.2% |
| BoS District 2 | 37 | 24 | 251 | (315) | 11 | 871 | 271 | 0.7% |
| BoS District 3 | 205 | 6 | 577 | (372) | 16 | 951 | 302 | 34.5% |
| BoS District 4 | 10 | - | - | (437) | 7 | 115 | 98 | -197.2% |
| BoS District 5 | 709 | 293 | 806 | (398) | 196 | 1,744 | 598 | 68.6% |
| BoS District 6 | 3,239 | 1,155 | 561 | (135) | 960 | 17,158 | 6,409 | 24.5% |
| BoS District 7 | 99 | - | 110 | (220) | - | 530 | 104 | -1.7% |
| BoS District 8 | 97 | 17 | 330 | (655) | 17 | 1,115 | 416 | -12.7% |
| BoS District 9 | 217 | 319 | 268 | (582) | 17 | 1,034 | 237 | 18.8% |
| BoS District 10 | 1,353 | 24 | 436 | (249) | 274 | 4,281 | 2,034 | 29.1% |
| BoS District 11 | 30 | - | - | (323) | 9 | 180 | 297 | -59.5% |
| TOTALS | 6,166 | 1,838 | 3,483 | (4,182) | 1,511 | 28,319 | 10,880 | 22.5% |

PROJECTED HOUSING BALANCE

Table 2 below summarizes residential projects that have received entitlements from the Planning Commission or the Planning Department but have not yet received a site or building permit. Overall projected housing balance at the end of 2016 is 16%. This balance is expected to change as several major projects have yet to declare how their affordable housing requirements will be met. In addition, three entitled major development projects – Treasure Island, ParkMerced, and Hunters Point – are not included in the accounting until applications for building permits are filed or issued as specified in the ordinance. Remaining phases from these three projects will yield an additional 22,000 net new units; 22% (or 4,900 units) would be affordable to low and moderate income households.

The Projected Housing Balance does not account for affordable housing units that will be produced as a result of the Inclusionary Housing Fee paid in a given reporting cycle. Those affordable housing units are produced several years after the Fee is collected. Units produced through the Fee typically serve lower income households than do the inclusionary units, including special needs populations requiring services, such as seniors, transitional aged youth, families, and veterans.

Table 2
Projected Housing Balance Calculation, 2016 Q4

| BoS District | Very Low Income | Low Income | Moderate | TBD | Total Affordable Units | Net New Units | Total Affordable Units as % of Net New Units |
|-----------------|-----------------|--------------|------------|------------|------------------------|---------------|--|
| BoS District 1 | - | - | - | - | - | 19 | 0.0% |
| BoS District 2 | - | - | - | - | - | 25 | 0.0% |
| BoS District 3 | - | - | 14 | - | 14 | 190 | 7.4% |
| BoS District 4 | - | - | - | - | - | 14 | 0.0% |
| BoS District 5 | - | - | 28 | 3 | 31 | 275 | 11.3% |
| BoS District 6 | - | 158 | 103 | 52 | 313 | 3,664 | 8.5% |
| BoS District 7 | - | - | - | 284 | 284 | 1,057 | 26.9% |
| BoS District 8 | - | 5 | 3 | - | 8 | 84 | 9.5% |
| BoS District 9 | - | 132 | 8 | 1 | 141 | 722 | 19.5% |
| BoS District 10 | - | 985 | - | 168 | 1,153 | 6,008 | 19.2% |
| BoS District 11 | - | - | - | - | - | 1 | 0.0% |
| TOTALS | - | 1,280 | 156 | 508 | 1,944 | 12,059 | 16.1% |

CUMULATIVE HOUSING BALANCE ELEMENTS

Because the scope covered by the Housing Balance calculation is broad, each element – or group of elements – will be discussed separately. The body of this report will account for figures at the Board of Supervisor district level. The breakdown of each element using the Planning Department District geographies, as required by *Section 103*, is provided separately in an *Appendix B*. This is to ensure simple and uncluttered tables in the main body of the report.

Affordable Housing and Net New Housing Production

Table 3 below shows housing production between 2007 Q1 and 2016 Q4. This ten-year period resulted in a net addition of over 28,300 units to the City’s housing stock, including almost 6,170 affordable units. A majority of net new housing units and affordable units built in the ten year

reporting period were in District 6 (17,160 or 61% and 3,240 or 53% respectively). District 10 follows with about 4,280 (15%) net new units, including over 1,350 (22%) affordable units.

The table below also shows that almost 22% of net new units built between 2007 Q1 and 2016 Q4 were affordable units, mostly (61%) in District 6. While District 1 saw modest gains in net new units built, half of these were affordable (50%).

Table 3
New Housing Production by Affordability, 2007 Q1 – 2016 Q4

| BoS District | Very Low | Low | Moderate | Middle | Total Affordable Units | Total Net Units | Affordable Units as % of Total Net Units |
|-----------------|--------------|--------------|--------------|-----------|------------------------|-----------------|--|
| BoS District 1 | 170 | | | - | 170 | 340 | 50.0% |
| BoS District 2 | | | 37 | - | 37 | 871 | 4.2% |
| BoS District 3 | 161 | 2 | 42 | - | 205 | 951 | 21.6% |
| BoS District 4 | | | 10 | - | 10 | 115 | 8.7% |
| BoS District 5 | 439 | 174 | 96 | - | 709 | 1,744 | 40.7% |
| BoS District 6 | 1,982 | 727 | 507 | 23 | 3,239 | 17,158 | 18.9% |
| BoS District 7 | 70 | 29 | | - | 99 | 530 | 18.7% |
| BoS District 8 | | 82 | 15 | - | 97 | 1,115 | 8.7% |
| BoS District 9 | 138 | 40 | 39 | - | 217 | 1,034 | 21.0% |
| BoS District 10 | 404 | 561 | 388 | - | 1,353 | 4,281 | 31.6% |
| BoS District 11 | | 13 | 17 | - | 30 | 180 | 16.7% |
| TOTAL | 3,364 | 1,628 | 1,151 | 23 | 6,166 | 28,319 | 21.8% |

It should be noted that units affordable to Extremely Very Low Income (EVLI) households are included under the Very Low Income (VLI) category because certain projects that benefit homeless individuals and families – groups considered as EVLI – have income eligibility caps at the VLI level.

Acquisition and Rehabilitation of Affordable Housing Units

Table 4 below lists the number of units that have been rehabilitated and/or acquired between 2007 Q1 and 2016 Q4 to ensure permanent affordability. These are mostly single-room occupancy hotel units that are affordable to extremely very low and very low income households.

Table 4a
Acquisitions and Rehabilitation of Affordable Housing, 2007-2016

| BoS District | No. of Buildings | No. of Units |
|---------------------|-------------------------|---------------------|
| BoS District 2 | 1 | 24 |
| BoS District 5 | 2 | 290 |
| BoS District 6 | 13 | 1,127 |
| BoS District 9 | 2 | 319 |
| TOTALS | 18 | 1,760 |

Small Sites Program

The San Francisco Small Sites Program (SSP) is an initiative of the Mayor’s Office of Housing and Community Development (MOHCD) to acquire small rent-controlled buildings (with four to 25 units) where tenants are at risk of eviction through the Ellis Act or owner move-ins. Since its inception in 2014, some 13 buildings with 78 units have been acquired.

Table 4b
Small Sites Program, 2014-2016

| BoS District | No. of Buildings | No. of Units |
|---------------------|-------------------------|---------------------|
| Bos District 3 | 1 | 6 |
| BoS District 5 | 1 | 3 |
| BoS District 6 | 3 | 28 |
| BoS District 8 | 4 | 17 |
| BoS District 9 | 4 | 24 |
| TOTALS | 13 | 78 |

RAD Program

The San Francisco Housing Authority's Rental Assistance Demonstration (RAD) program preserves at risk public and assisted housing projects. According to the Mayor's Office, RAD Phase I transferred 1,425 units to developers in December 2015. An additional 2,028 units were transferred as Phase II in 2016.

Table 5
RAD Affordable Units, 2016-2017

| BoS District | No of Buildings | No of Units |
|---------------------|------------------------|--------------------|
| BoS District 1 | 2 | 144 |
| BoS District 2 | 3 | 251 |
| BoS District 3 | 4 | 577 |
| BoS District 5 | 7 | 806 |
| BoS District 6 | 4 | 561 |
| BoS District 7 | 1 | 110 |
| BoS District 8 | 4 | 330 |
| BoS District 9 | 2 | 268 |
| BoS District 10 | 2 | 436 |
| BoS District 11 | - | - |
| TOTALS | 29 | 3,483 |

Units Removed From Protected Status

San Francisco's Residential Rent Stabilization and Arbitration Ordinance protects tenants and preserves affordability of about 175,000 rental units by limiting annual rent increases. Landlords can, however, terminate tenants' leases through no-fault evictions including condo conversion, owner move-in, Ellis Act, demolition, and other reasons that are not the tenants' fault. The Housing Balance calculation takes into account units permanently withdrawn from rent stabilization as loss of affordable housing. The following no-fault evictions affect the supply of rent controlled units by removing units from the rental market: condo conversion, demolition, Ellis Act, and owner move-ins (OMIs). It should be noted that initially, OMIs were not specifically called out by the Ordinance to be included in the calculation. However, because owner move-ins have the effect of the losing rent controlled units either permanently or for a substantial period of time, these numbers are included in the Housing Balance calculation as intended by the legislation's sponsors. Some of these OMI units may return to being rentals and will still fall under the rent control ordinance. On 14 November 2016, the Board of Supervisors amended Planning Code Section 103 to include OMIs as part of the housing balance calculation.

Table 6 below shows the distribution of no-fault eviction notices issued between January 2007 and December 2016. Eviction notices have been commonly used as proxy for evictions. Owner Move-In and Ellis Out notices made up the majority of no fault evictions (55% and 32% respectively). Distribution of these no-fault eviction notices is almost evenly dispersed, with Districts 8 and 9 leading (16% and 14%, respectively).

Table 6
Units Removed from Protected Status, 2007 Q1 – 2016 Q4

| BoS District | Condo Conversion | Demolition | Ellis Out | Owner Move-In | Units Removed from Protected Status |
|-----------------|------------------|------------|-----------|---------------|-------------------------------------|
| BoS District 1 | 3 | 26 | 160 | 307 | 496 |
| BoS District 2 | 17 | 13 | 86 | 199 | 315 |
| BoS District 3 | 6 | 10 | 238 | 118 | 372 |
| BoS District 4 | - | 87 | 76 | 274 | 437 |
| BoS District 5 | 17 | 21 | 125 | 235 | 398 |
| BoS District 6 | 1 | 76 | 46 | 12 | 135 |
| BoS District 7 | - | 31 | 37 | 152 | 220 |
| BoS District 8 | 19 | 43 | 262 | 331 | 655 |
| BoS District 9 | 4 | 61 | 209 | 308 | 582 |
| BoS District 10 | 2 | 29 | 45 | 173 | 249 |
| BoS District 11 | - | 81 | 44 | 198 | 323 |
| TOTALS | 69 | 478 | 1,328 | 2,307 | 4,182 |

Entitled and Permitted Units

Table 7 lists the number of units that have received entitlements from the Planning Commission or the Planning Department. These pipeline projects have also received site permits from the Department of Building Inspection and most are under construction as of the final quarter of 2016. Over half of these units are being built in or will be built in District 6 (59%). Fourteen percent of units that have received Planning entitlements and site permits from the DBI will be affordable.

Table 7
Permitted Units, 2016 Q4

| BoS District | Very Low Income | Low Income | Moderate | TBD | Total Affordable Units | Net New Units | Total Affordable Units as % of Net New Units |
|-----------------|-----------------|------------|------------|----------|------------------------|---------------|--|
| BoS District 1 | - | - | 4 | - | 4 | 114 | 3.5% |
| BoS District 2 | - | - | 11 | - | 11 | 271 | 4.1% |
| BoS District 3 | - | 12 | 4 | - | 16 | 302 | 5.3% |
| BoS District 4 | - | - | 7 | - | 7 | 98 | 7.1% |
| BoS District 5 | 108 | 50 | 38 | - | 196 | 598 | 32.8% |
| BoS District 6 | 235 | 483 | 242 | - | 960 | 6,409 | 15.0% |
| BoS District 7 | - | - | - | - | - | 104 | 0.0% |
| BoS District 8 | - | 10 | - | 7 | 17 | 416 | 4.1% |
| BoS District 9 | - | 12 | 5 | - | 17 | 237 | 7.2% |
| BoS District 10 | - | 245 | 28 | 1 | 274 | 2,034 | 13.5% |
| BoS District 11 | - | - | 9 | - | 9 | 297 | 3.0% |
| TOTALS | 343 | 812 | 348 | 8 | 1,511 | 10,880 | 13.9% |

PERIODIC REPORTING AND ONLINE ACCESS

This report complies with *Planning Code Section 103* requirement that the Planning Department publish and update the *Housing Balance Report* bi-annually on April 1 and October 1 of each year. *Housing Balance Reports* are available and accessible online, as mandated by the ordinance, by going to this link: <http://www.sf-planning.org/index.aspx?page=4222>.

ANNUAL HEARING

An annual hearing on the Housing Balance before the Board of Supervisors will be scheduled by April 1 of each year. This year's Housing Balance Report will be scheduled to be heard before the Board of Supervisors before the end of June 2017. The Mayor's Office of Housing and Community Development, the Mayor's Office of Economic and Workforce Development, the Rent Stabilization Board, the Department of Building Inspection, and the City Economist will present strategies for achieving and maintaining a housing balance consistent with the City's housing goals at this annual hearing. The ordinance also requires that MOHCD will determine the amount of funding needed to bring the City into the required minimum 33% should the cumulative housing balance fall below that threshold.

APPENDIX A
Ordinance 53-15

AMENDED IN COMMITTEE
4/6/15

FILE NO. 150029

ORDINANCE NO. 53-15

1 [Planning Code - City Housing Balance Monitoring and Reporting]

2

3 Ordinance amending the Planning Code to require the Planning Department to monitor
4 the balance between new market rate housing and new affordable housing, and publish
5 a bi-annual Housing Balance Report; requiring an annual hearing at the Board of
6 Supervisors on strategies for achieving and maintaining the required housing balance
7 in accordance with San Francisco's housing production goals; and making
8 environmental findings, Planning Code, Section 302 findings, and findings of
9 consistency with the General Plan, and the eight priority policies of Planning Code,
10 Section 101.1.

11

12 NOTE: Unchanged Code text and uncodified text are in plain Arial font.
13 Additions to Codes are in *single-underline italics Times New Roman font*.
14 Deletions to Codes are in ~~italics Times New Roman font~~.
15 Board amendment additions are in Arial font.
16 Board amendment deletions are in ~~Arial font~~.
17 Asterisks (* * * *) indicate the omission of unchanged Code
18 subsections or parts of tables.

19

Be it ordained by the People of the City and County of San Francisco:

20

Section 1. Findings.

21

(a) The Planning Department has determined that the actions contemplated in this
22 ordinance comply with the California Environmental Quality Act (California Public Resources
23 Code Sections 21000 et seq.). Said determination is on file with the Clerk of the Board of
24 Supervisors in File No. 150029 and is incorporated herein by reference. The Board of
25 Supervisors affirms this determination.

26

(b) On March 19, 2015, the Planning Commission, in Resolution No. 19337, adopted
findings that the actions contemplated in this ordinance are consistent, on balance, with the

Supervisor Kim
BOARD OF SUPERVISORS

Page 1

1 adopts these findings as its own. A copy of said Resolution is on file with the Clerk of the
2 Board of Supervisors in File No. 150029, and is incorporated herein by reference.

3 (c) Pursuant to Planning Code Section 302, this Board finds that this Planning Code
4 Amendment will serve the public necessity, convenience, and welfare for the reasons set forth
5 in Planning Commission Resolution No. 150029 and the Board incorporates such reasons
6 herein by reference.

7

8 Section 2. The Planning Code is hereby amended by adding new Section 103 to read
9 as follows:

10 **SEC. 103. HOUSING BALANCE MONITORING AND REPORTING.**

11 **(a) Purposes.** *To maintain a balance between new affordable and market rate housing City-*
12 *wide and within neighborhoods, to make housing available for all income levels and housing need*
13 *types, to preserve the mixed income character of the City and its neighborhoods, to offset the*
14 *withdrawal of existing housing units from rent stabilization and the loss of single-room-occupancy*
15 *hotel units, to ensure the availability of land and encourage the deployment of resources to provide*
16 *sufficient housing affordable to households of very low, low, and moderate incomes, to ensure adequate*
17 *housing for families, seniors and the disabled community, to ensure that data on meeting affordable*
18 *housing targets City-wide and within neighborhoods informs the approval process for new housing*
19 *development, and to enable public participation in determining the appropriate mix of new housing*
20 *approvals, there is hereby established a requirement, as detailed in this Section 103, to monitor and*
21 *regularly report on the housing balance between market rate housing and affordable housing.*

22 **(b) Findings.**

23 *(1) In November 2014, the City voters enacted Proposition K, which established City*
24 *policy to help construct or rehabilitate at least 30,000 homes by 2020. More than 50% of this housing*
25 *would be affordable for middle-class households, with at least 33% affordable for low- and moderate-*

1 income households, and the City is expected to develop strategies to achieve that goal. This section
2 103 sets forth a method to track performance toward the City's Housing Element goals and the near-
3 term Proposition K goal that 33% of all new housing shall be affordable housing, as defined herein.

4 (2) The City's rent stabilized and permanently affordable housing stock serves very low-
5 low-, and moderate-income families, long-time residents, elderly seniors, disabled persons and others.
6 The City seeks to achieve and maintain an appropriate balance between market rate housing and
7 affordable housing City-wide and within neighborhoods because the availability of decent housing and
8 a suitable living environment for every San Franciscan is of vital importance. Attainment of the City's
9 housing goals requires the cooperative participation of government and the private sector to expand
10 housing opportunities to accommodate housing needs for San Franciscans at all economic levels and to
11 respond to the unique needs of each neighborhood where housing will be located.

12 (3) For tenants in unsubsidized housing, affordability is often preserved by the
13 Residential Rent Stabilization and Arbitration Ordinance's limitations on the size of allowable rent
14 increases during a tenancy. As documented in the Budget and Legislative Analyst's October 2013
15 Policy Analysis Report on Tenant Displacement, San Francisco is experiencing a rise in units
16 withdrawn from rent controls. Such rises often accompany periods of sharp increases in property
17 values and housing prices. From 1998 through 2013, the Rent Board reported a total of 13,027 no-fault
18 evictions (i.e., evictions in which the tenant had not violated any lease terms, but the owner sought to
19 regain possession of the unit). Total evictions of all types have increased by 38.2% from Rent Board
20 Year (i.e. from March through February) 2010 to Rent Board Year 2013. During the same period, Ellis
21 Act evictions far outpaced other evictions, increasing by 169.8% from 43 in Rent Board Year 2010 to
22 116 in Rent Board Year 2013. These numbers do not capture the large number of owner buyouts of
23 tenants, which contribute further to the loss of rent-stabilized units from the housing market. Any fair
24 assessment of the affordable housing balance must incorporate into the calculation units withdrawn
25 from rent stabilization.

1 (4) Pursuant to Government Code Section 65584, the Association of Bay Area
2 Governments (ABAG), in coordination with the California State Department of Housing and
3 Community Development (HCD), determines the Bay Area's regional housing need based on regional
4 trends, projected job growth, and existing needs. The regional housing needs assessment (RHNA)
5 determination includes production targets addressing housing needs of a range of household income
6 categories. For the RHNA period covering 2015 through 2022, ABAG has projected that at least 38%
7 of new housing demands for San Francisco will be from very low and low income households
8 (households earning under 80% of area median income), and another 22% of new housing demands to
9 be affordable to households of moderate means (earning between 80% and 120% of area median
10 income). Market-rate housing is considered housing with no income limits or special requirements
11 attached.

12 (5) The Housing Element of the City's General Plan states: "Based on the growing
13 population, and smart growth goals of providing housing in central areas like San Francisco, near jobs
14 and transit, the State Department of Housing and Community Development (HCD), with the
15 Association of Bay Area Governments (ABAG), estimates that in the current 2015-2022 Housing
16 Element period San Francisco must plan for the capacity for roughly 28,870 new units, 57% of which
17 should be suitable for housing for the extremely low, very low, low and moderate income households to
18 meet its share of the region's projected housing demand." Objective 1 of the Housing Element states
19 that the City should "identify and make available for development adequate sites to meet the City's
20 housing needs, especially permanently affordable housing." Objective 7 states that San Francisco's
21 projected affordable housing needs far outpace the capacity for the City to secure subsidies for new
22 affordable units.

23 (6) In 2012, the City enacted Ordinance 237-12, the "Housing Preservation and
24 Production Ordinance," codified in Administrative Code Chapter 10E.4, to require Planning
25 Department staff to regularly report data on progress toward meeting San Francisco's quantified

1 production goals for different household income levels as provided in the General Plan's Housing
2 Element. That Ordinance requires data on the number of units in all stages of the housing production
3 process at various affordability levels to be included in staff reports on all proposed projects of five
4 residential units or more and in quarterly housing production reports to the Planning Commission. The
5 Planning Department has long tracked the number of affordable housing units and total number of
6 housing units built throughout the City and in specific areas and should be able to track the ratio called
7 for in this Section 103.

8 (7) As the private market has embarked upon, and government officials have urged, an
9 ambitious program to produce significant amounts of new housing in the City, the limited remaining
10 available land makes it essential to assess the impact of the approval of new market rate housing
11 developments on the availability of land for affordable housing and to encourage the deployment of
12 resources to provide such housing.

13 **(c) Housing Balance Calculation.**

14 (1) For purposes of this Section 103, "Housing Balance" shall be defined as the
15 proportion of all new housing units affordable to households of extremely low, very low, low or
16 moderate income households, as defined in California Health & Safety Code Sections 50079.5 et seq.,
17 as such provisions may be amended from time to time, to the total number of all new housing units for a
18 10 year Housing Balance Period.

19 (2) The Housing Balance Period shall begin with the first quarter of year 2005 to the
20 last quarter of 2014, and thereafter for the ten years prior to the most recent calendar quarter.

21 (3) For each year that data is available, beginning in 2005, the Planning Department
22 shall report net housing construction by income levels, as well as units that have been withdrawn from
23 protection afforded by City law, such as laws providing for rent-controlled and single resident
24 occupancy (SRO) units. The affordable housing categories shall include net new units, as well as
25 existing units that were previously not restricted by deed or regulatory agreement that are acquired for

1 preservation as permanently affordable housing as determined by the Mayor's Office of Housing and
2 Community Development (MOHCD) (not including refinancing or other rehabilitation under existing
3 ownership), protected by deed or regulatory agreement for a minimum of 55 years. The report shall
4 include, by year, and for the latest quarter, all units that have received Temporary Certificates of
5 Occupancy within that year, a separate category for units that obtained a site or building permit, and
6 another category for units that have received approval from the Planning Commission or Planning
7 Department, but have not yet obtained a site or building permit to commence construction (except any
8 entitlements that have expired and not been renewed during the Housing Balance Period). Master
9 planned entitlements, including but not limited to such areas as Treasure Island, Hunters Point
10 Shipyards and Park Merced, shall not be included in this latter category until individual building
11 entitlements or site permits are approved for specific housing projects. For each year or approval
12 status, the following categories shall be separately reported:

13 (A) Extremely Low Income Units, which are units available to individuals or
14 families making between 0-30% Area Median Income (AMI) as defined in California Health & Safety
15 Code Section 50106, and are subject to price or rent restrictions between 0-30% AMI;

16 (B) Very Low Income Units, which are units available to individuals or families
17 making between 30-50% AMI as defined in California Health & Safety Code Section 50105, and are
18 subject to price or rent restrictions between 30-50% AMI;

19 (C) Lower Income Units, which are units available to individuals or families
20 making between 50-80% AMI as defined in California Health & Safety Code Section 50079.5, and are
21 subject to price or rent restrictions between 50-80% AMI;

22 (D) Moderate Income Units, which are units available to individuals or families
23 making between 80-120% AMI, and are subject to price or rent restrictions between 80-120% AMI;

24 (E) Middle Income Units, which are units available to individuals or families
25 making between 120-150% AMI, and are subject to price or rent restrictions between 120-150% AMI;

1 (F) Market-rate units, which are units not subject to any deed or regulatory
 2 agreement with price restrictions:

3 (G) Housing units withdrawn from protected status, including units withdrawn
 4 from rent control (except those units otherwise converted into permanently affordable housing),
 5 including all units that have been subject to rent control under the San Francisco Residential Rent
 6 Stabilization and Arbitration Ordinance but that a property owner removes permanently from the
 7 rental market through condominium conversion pursuant to Administrative Code Section 37.9(u)(9),
 8 demolition or alterations (including dwelling unit mergers), or permanent removal pursuant to
 9 Administrative Code Section 37.9(a)(10) or removal pursuant to the Ellis Act under Administrative
 10 Code Section 37.9(a)(13):

11 (H) Public housing replacement units and substantially rehabilitated units
 12 through the HOPE SF and Rental Assistance Demonstration (RAD) programs, as well as other
 13 substantial rehabilitation programs managed by MOHCD.

14 (4) The Housing Balance shall be expressed as a percentage, obtained by dividing the
 15 cumulative total of extremely low, very low, low and moderate income affordable housing units (all
 16 units 0-120% AMI) minus the lost protected units, by the total number of net new housing units within
 17 the Housing Balance Period. The Housing Balance shall also provide two calculations:

18 (A) the Cumulative Housing Balance, consisting of housing units that have
 19 already been constructed (and received a Temporary Certificate of Occupancy or other certificate that
 20 would allow occupancy of the units) within the 10-year Housing Balance Period, plus those units that
 21 have obtained a site or building permit. A separate calculation of the Cumulative Housing Balance
 22 shall also be provided, which includes HOPE SF and RAD public housing replacement and
 23 substantially rehabilitated units (but not including general rehabilitation / maintenance of public
 24 housing or other affordable housing units) that have received Temporary Certificates of Occupancy
 25

1 within the Housing Balance Period. The Housing Balance Reports will show the Cumulative Housing
2 Balance with and without public housing included in the calculation; and

3 (B) the Projected Housing Balance, which shall include any residential project
4 that has received approval from the Planning Commission or Planning Department, even if the
5 housing project has not yet obtained a site or building permit to commence construction (except any
6 entitlements that have expired and not been renewed during the Housing Balance period). Master
7 planned entitlements shall not be included in the calculation until individual building entitlements or
8 site permits are approved.

9 (d) **Bi-annual Housing Balance Reports.** Within 30 days of the effective date of this
10 Section 103 By June 1, 2015, the Planning Department shall calculate the Cumulative and Projected
11 Housing Balance for the most recent two quarters City-wide, by Supervisorial District, Plan Area, and
12 by neighborhood Planning Districts, as defined in the annual Housing Inventory, and publish it as an
13 easily visible and accessible page devoted to Housing Balance and Monitoring and Reporting on the
14 Planning Department's website. By August September 1st and February March 1st of each year, the
15 Planning Department shall publish and update the Housing Balance Report, and present this report at
16 an informational hearing to the Planning Commission and Board of Supervisors, as well as to any
17 relevant body with geographic purview over a plan area upon request, along with the other quarterly
18 reporting requirements of Administrative Code Chapter 10E.4. The annual report to the Board of
19 Supervisors shall be accepted by resolution of the Board, which resolution shall be introduced
20 by the Planning Department. The Housing Balance Report shall also be incorporated into the
21 Annual Planning Commission Housing Hearing and Annual Report to the Board of Supervisors
22 required in Administrative Code Chapter 10E.4.

23 (e) **Annual Hearing by Board of Supervisors.**

24 (1) The Board of Supervisors shall hold a public Housing Balance hearing on an annual
25 basis by April 1 of each year, to consider progress towards the City's affordable housing goals.

1 including the goal of a minimum 33% affordable housing to low and moderate income households, as
2 well as the City's General Plan Housing Element housing production goals by income category. The
3 first hearing shall occur no later than 30 days after the effective date of this ordinance, and by April 1
4 of each year thereafter.

5 (2) The hearing shall include reporting by the Planning Department, which shall present
6 the latest Housing Balance Report City-wide and by Supervisorial District and Planning District; the
7 Mayor's Office of Housing and Community Development, the Mayor's Office of Economic and
8 Workforce Development, the Rent Stabilization Board, by the Department of Building Inspection, and
9 the City Economist on strategies for achieving and maintaining a housing balance in accordance with
10 San Francisco's housing production goals. If the Cumulative Housing Balance has fallen below 33% in
11 any year, MOHCD shall determine how much funding is required to bring the City into a minimum
12 33% Housing Balance and the Mayor shall submit to the Board of Supervisors a strategy to accomplish
13 the minimum of 33% Housing Balance. City Departments shall at minimum report on the following
14 issues relevant to the annual Housing Balance hearing: MOHCD shall report on the annual and
15 projected progress by income category in accordance with the City's General Plan Housing Element
16 housing production goals, projected shortfalls and gaps in funding and site control, and progress
17 toward the City's Neighborhood Stabilization goals for acquiring and preserving the affordability of
18 existing rental units in neighborhoods with high concentrations of low and moderate income
19 households or historically high levels of evictions; the Planning Department shall report on current
20 and proposed zoning and land use policies that affect the City's General Plan Housing Element
21 housing production goals; the Mayor's Office of Economic and Workforce Development shall report on
22 current and proposed major development projects, dedicated public sites, and policies that affect the

23
24
25

1 City's General Plan Housing Element housing production goals; the Rent Board shall report on the
2 withdrawal or addition of rent-controlled units and current or proposed policies that affect these
3 numbers; the Department of Building Inspection shall report on the withdrawal or addition of
4 Residential Hotel units and current or proposed policies that affect these numbers; and the City
5 Economist shall report on annual and projected job growth by the income categories specified in the
6 City's General Plan Housing Element.

7 (3) All reports and presentation materials from the annual Housing Balance hearing
8 shall be maintained by year for public access on the Planning Department's website on its page
9 devoted to Housing Balance Monitoring and Reporting.

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Section 4. Effective Date. This ordinance shall become effective 30 days after enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board of Supervisors overrides the Mayor's veto of the ordinance.

APPROVED AS TO FORM:
DENNIS J. HERRERA, City Attorney

By: 
MARLENA BYRNE
Deputy City Attorney

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Supervisor Kim
BOARD OF SUPERVISORS

Page 10



City and County of San Francisco
Tails
Ordinance

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 150029

Date Passed: April 21, 2015

Ordinance amending the Planning Code to require the Planning Department to monitor the balance between new market rate housing and new affordable housing, and publish a bi-annual Housing Balance Report; requiring an annual hearing at the Board of Supervisors on strategies for achieving and maintaining the required housing balance in accordance with San Francisco's housing production goals; and making environmental findings, Planning Code, Section 302, findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

April 06, 2015 Land Use and Transportation Committee - AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE

April 06, 2015 Land Use and Transportation Committee - RECOMMENDED AS AMENDED

April 14, 2015 Board of Supervisors - PASSED, ON FIRST READING

Ayes: 11 - Avalos, Breed, Campos, Christensen, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee

April 21, 2015 Board of Supervisors - FINALLY PASSED

Ayes: 11 - Avalos, Breed, Campos, Christensen, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee

File No. 150029

I hereby certify that the foregoing Ordinance was FINALLY PASSED on 4/21/2015 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

Mayor

4/21/2015

Date Approved

APPENDIX B

CUMULATIVE HOUSING BALANCE REPORT No 5 TABLES BY PLANNING DISTRICTS

Table 1A
Cumulative Housing Balance Calculation, 2007 Q1 – 2016 Q4

| Planning Districts | New Affordable Housing Built | Acquisitions & Rehabs and Small Sites Completed | Units Removed from Protected Status | Total Entitled Affordable Units Permitted | Total Net New Units Built | Total Entitled Permitted Units | Cumulative Housing Balance |
|--------------------|------------------------------|---|-------------------------------------|---|---------------------------|--------------------------------|----------------------------|
| 1 Richmond | 170 | | (569) | 54 | 513 | 175 | -50.1% |
| 2 Marina | 2 | 24 | (180) | 2 | 282 | 160 | -34.4% |
| 3 Northeast | 191 | 6 | (384) | 12 | 753 | 271 | -17.1% |
| 4 Downtown | 1,682 | 851 | (119) | 304 | 5,630 | 2,124 | 35.1% |
| 5 Western Addition | 621 | 293 | (207) | 142 | 1,809 | 448 | 37.6% |
| 6 Buena Vista | 190 | 5 | (239) | 30 | 899 | 437 | -1.0% |
| 7 Central | 18 | | (384) | - | 348 | 51 | -91.7% |
| 8 Mission | 345 | 347 | (540) | 16 | 1,504 | 469 | 8.5% |
| 9 South of Market | 1,815 | 304 | (125) | 933 | 13,814 | 5,871 | 14.9% |
| 10 South Bayshore | 753 | | (76) | 1 | 1,807 | 322 | 31.8% |
| 11 Bernal Heights | 240 | 8 | (184) | - | 73 | 20 | 68.8% |
| 12 South Central | 10 | | (375) | 10 | 128 | 307 | -81.6% |
| 13 Ingleside | 119 | | (179) | - | 547 | 93 | -9.4% |
| 14 Inner Sunset | - | | (189) | - | 103 | 36 | -136.0% |
| 15 Outer Sunset | 10 | | (432) | 7 | 109 | 96 | -202.4% |
| TOTALS | 6,166 | 1,838 | (4,182) | 1,511 | 28,319 | 10,880 | 13.6% |

Table 1B
Expanded Cumulative Housing Balance Calculation, 2007 Q1 – 2016 Q4

| Planning Districts | New Affordable Housing Built | Acquisitions & Rehabs and Small Sites Completed | RAD Program & HopeSF Replacement Units | Units Removed from Protected Status | Total Entitled Affordable Units Permitted | Total Net New Units Built | Total Entitled Permitted Units | Expanded Cumulative Housing Balance |
|--------------------|------------------------------|---|--|-------------------------------------|---|---------------------------|--------------------------------|-------------------------------------|
| 1 Richmond | 170 | | 144 | (569) | 54 | 513 | 175 | -29.2% |
| 2 Marina | 2 | 24 | 138 | (180) | 2 | 282 | 160 | -3.2% |
| 3 Northeast | 191 | 6 | 577 | (384) | 12 | 753 | 271 | 39.3% |
| 4 Downtown | 1,682 | 851 | 285 | (119) | 304 | 5,630 | 2,124 | 38.7% |
| 5 Western Addition | 621 | 293 | 919 | (207) | 142 | 1,809 | 448 | 78.3% |
| 6 Buena Vista | 190 | 5 | 132 | (239) | 30 | 899 | 437 | 8.8% |
| 7 Central | 18 | | 107 | (384) | - | 348 | 51 | -64.9% |
| 8 Mission | 345 | 347 | 91 | (540) | 16 | 1,504 | 469 | 13.1% |
| 9 South of Market | 1,815 | 304 | 276 | (125) | 933 | 13,814 | 5,871 | 16.3% |
| 10 South Bayshore | 753 | | 436 | (76) | 1 | 1,807 | 322 | 52.3% |
| 11 Bernal Heights | 240 | 8 | 268 | (184) | - | 73 | 20 | 357.0% |
| 12 South Central | 10 | | - | (375) | 10 | 128 | 307 | -81.6% |
| 13 Ingleside | 119 | | - | (179) | - | 547 | 93 | -9.4% |
| 14 Inner Sunset | - | | 110 | (189) | - | 103 | 36 | -56.8% |
| 15 Outer Sunset | 10 | | - | (432) | 7 | 109 | 96 | -202.4% |
| TOTALS | 6,166 | 1,838 | 3,483 | (4,182) | 1,511 | 28,319 | 10,880 | 22.5% |

Table 2
Projected Housing Balance Calculation, 2016 Q4

| BoS District | Very Low Income | Low Income | Moderate | TBD | Total Affordable Units | Net New Units | Total Affordable Units as % of Net New Units |
|--------------------|-----------------|--------------|------------|------------|------------------------|---------------|--|
| 1 Richmond | - | - | - | - | - | 19 | 0.0% |
| 2 Marina | - | - | - | - | - | 20 | 0.0% |
| 3 Northeast | - | - | 8 | - | 8 | 143 | 5.6% |
| 4 Downtown | - | - | 96 | - | 96 | 2,024 | 4.7% |
| 5 Western Addition | - | 65 | 11 | 3 | 79 | 133 | 59.4% |
| 6 Buena Vista | - | - | 20 | - | 20 | 172 | 11.6% |
| 7 Central | - | - | - | - | - | 48 | 0.0% |
| 8 Mission | - | 5 | 8 | 18 | 31 | 1,304 | 2.4% |
| 9 South of Market | - | 154 | 13 | 34 | 201 | 3,173 | 6.3% |
| 10 South Bayshore | - | 141 | - | 168 | 309 | 3,032 | 10.2% |
| 11 Bernal Heights | - | - | - | - | - | 4 | 0.0% |
| 12 South Central | - | - | - | 1 | 1 | 916 | 0.1% |
| 13 Ingleside | - | 915 | - | 284 | 1,199 | 1,021 | 117.4% |
| 14 Inner Sunset | - | - | - | - | - | 36 | 0.0% |
| 15 Outer Sunset | - | - | - | - | - | 14 | 0.0% |
| TOTALS | - | 1,280 | 156 | 508 | 1,944 | 12,059 | 16.1% |

Table 3
New Housing Production by Affordability, 2007 Q1 – 2016 Q4

| Planning Districts | Very Low | Low | Moderate | Middle Income | Total Affordable Units | Total Net Units | Affordable Units as % of Total Net Units |
|--------------------|--------------|--------------|--------------|---------------|------------------------|-----------------|--|
| 1 Richmond | 170 | - | - | - | 170 | 513 | 33.1% |
| 2 Marina | - | - | - | - | - | 282 | 0.0% |
| 3 Northeast | 161 | 2 | 28 | - | 191 | 753 | 25.4% |
| 4 Downtown | 1,048 | 338 | 273 | 23 | 1,682 | 5,630 | 29.9% |
| 5 Western Addition | 367 | 174 | 80 | - | 621 | 1,809 | 34.3% |
| 6 Buena Vista | 72 | 64 | 54 | - | 190 | 899 | 21.1% |
| 7 Central | - | 18 | - | - | 18 | 348 | 5.2% |
| 8 Mission | 214 | 62 | 69 | - | 345 | 1,504 | 22.9% |
| 9 South of Market | 724 | 628 | 463 | - | 1,815 | 13,814 | 13.1% |
| 10 South Bayshore | 298 | 300 | 155 | - | 753 | 1,807 | 41.7% |
| 11 Bernal Heights | 240 | - | - | - | 240 | 73 | 328.8% |
| 12 South Central | - | 10 | - | - | 10 | 128 | 7.8% |
| 13 Ingleside | 70 | 32 | 17 | - | 119 | 547 | 21.8% |
| 14 Inner Sunset | - | - | - | - | - | 103 | 0.0% |
| 15 Outer Sunset | - | - | 10 | - | 10 | 109 | 9.2% |
| TOTALS | 3,364 | 1,628 | 1,149 | 23 | 6,164 | 28,319 | 21.8% |

Table 4a
Acquisitions and Rehabilitation of
Affordable Housing, 2007 Q1 – 2016 Q4

| Planning District | No. of Buildings | No. of Units |
|--------------------------|-------------------------|---------------------|
| 2 Marina | 1 | 24 |
| 4 Downtown | 6 | 826 |
| 5 Western Addition | 2 | 290 |
| 8 Mission | 2 | 319 |
| 9 South of Market | 7 | 301 |
| TOTALS | 18 | 1,760 |

Table 4b
Small Sites Program Acquisitions – 2015 - 2016

| Planning District | No. of Buildings | No. of Units |
|--------------------------|-------------------------|---------------------|
| 3 Northeast | 1 | 6 |
| 4 Downtown | 2 | 25 |
| 5 Western Addition | 1 | 3 |
| 6 Buena Vista | 1 | 5 |
| 8 Mission | 5 | 28 |
| 9 South of Market | 1 | 3 |
| 11 Bernal Heights | 2 | 8 |
| TOTALS | 13 | 78 |

Table 5
RAD Affordable Units

| Planning District | No of Buildings | No of Units |
|--------------------------|------------------------|--------------------|
| 1 Richmond | 2 | 144 |
| 2 Marina | 2 | 138 |
| 3 Northeast | 4 | 577 |
| 4 Downtown | 3 | 285 |
| 5 Western Addition | 8 | 919 |
| 6 Buena Vista | 2 | 132 |
| 7 Central | 1 | 107 |
| 8 Mission | 1 | 91 |
| 9 South of Market | 1 | 276 |
| 10 South Bayshore | 2 | 436 |
| 11 Bernal Heights | 2 | 268 |
| 12 South Central | - | - |
| 13 Ingleside | - | - |
| 14 Inner Sunset | 1 | 110 |
| 15 Outer Sunset | - | - |
| TOTALS | 29 | 3,483 |

Table 6
Units Removed from Protected Status, 2007 Q1 – 2016 Q4

| Planning District | Condo Conversion | Demolition | Ellis Out | Owner Move-In | Total Units Permanently Lost |
|--------------------------|-------------------------|-------------------|------------------|----------------------|-------------------------------------|
| 1 Richmond | 4 | 31 | 193 | 341 | 569 |
| 2 Marina | 11 | 5 | 35 | 129 | 180 |
| 3 Northeast | 11 | 11 | 232 | 130 | 384 |
| 4 Downtown | - | 68 | 47 | 4 | 119 |
| 5 Western Addition | 7 | 10 | 63 | 127 | 207 |
| 6 Buena Vista | 4 | 11 | 94 | 130 | 239 |
| 7 Central | 17 | 23 | 132 | 212 | 384 |
| 8 Mission | 2 | 33 | 258 | 247 | 540 |
| 9 South of Market | 3 | 20 | 35 | 67 | 125 |
| 10 South Bayshore | - | 13 | 8 | 55 | 76 |
| 11 Bernal Heights | 4 | 28 | 45 | 107 | 184 |
| 12 South Central | - | 83 | 39 | 253 | 375 |
| 13 Ingleside | - | 40 | 21 | 118 | 179 |
| 14 Inner Sunset | 6 | 15 | 54 | 114 | 189 |
| 15 Outer Sunset | - | 87 | 72 | 273 | 432 |
| Totals | 69 | 478 | 1,328 | 2,307 | 4,182 |

Table 7
Entitled and Permitted Units, 2017 Q4

| Planning District | Very Low Income | Low Income | Moderate | TBD | Total Affordable Units | Net New Units | Total Affordable Units as % of Net New Units |
|--------------------------|------------------------|-------------------|-----------------|------------|-------------------------------|----------------------|---|
| 1 Richmond | - | 50 | 4 | - | 54 | 175 | 30.9% |
| 2 Marina | - | - | 2 | - | 2 | 160 | 1.3% |
| 3 Northeast | - | 12 | - | - | 12 | 271 | 4.4% |
| 4 Downtown | 83 | 207 | 14 | - | 304 | 2,124 | 14.3% |
| 5 Western Addition | 108 | - | 34 | - | 142 | 448 | 31.7% |
| 6 Buena Vista | - | 10 | 13 | 7 | 30 | 437 | 6.9% |
| 7 Central | - | - | - | - | - | 51 | 0.0% |
| 8 Mission | - | 12 | 4 | - | 16 | 469 | 3.4% |
| 9 South of Market | 152 | 521 | 260 | - | 933 | 5,871 | 15.9% |
| 10 South Bayshore | - | - | - | 1 | 1 | 322 | 0.3% |
| 11 Bernal Heights | - | - | - | - | - | 20 | 0.0% |
| 12 South Central | - | - | 10 | - | 10 | 307 | 3.3% |
| 13 Ingleside | - | - | - | - | - | 93 | 0.0% |
| 14 Inner Sunset | - | - | - | - | - | 36 | 0.0% |
| 15 Outer Sunset | - | - | 7 | - | 7 | 96 | 7.3% |
| TOTALS | 343 | 812 | 348 | 8 | 1,511 | 10,880 | 13.9% |



**SAN FRANCISCO
PLANNING DEPARTMENT**

MEMO

1650 Mission St.
Suite 400
San Francisco,
CA 94103-2479

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

**RESIDENTIAL PIPELINE
ENTITLED HOUSING UNITS 2017 Q1**

State law requires each city and county to adopt a Housing Element as a part of its general plan. The State Department of Housing and Community Development (HCD) determines a Regional Housing Need (RHNA) that the Housing Element must address. The need is the minimum number of housing units that a region must plan for in each RHNA period.

This table represents completed units and development projects in the current residential pipeline to the first quarter of 2017 (Q1). The total number of entitled units is tracked by the San Francisco Planning Department and is updated quarterly in coordination with the *Quarterly Pipeline Report*. Subsidized housing units – including moderate and low income units – as well as inclusionary units are tracked by the Mayor’s Office of Housing; these are also updated quarterly.

| | RHNA Production Goals 2015 - 2022 | New Units Built 2015 Q1 to 2017 Q1 | Entitled by Planning in 2017 Q1 Pipeline* | Percent of RHNA Goals Built and Entitled by Planning |
|---------------------------------------|--|---|--|---|
| Total Units | 28,869 | 9,170 | 23,773 | 114.1% |
| Above Moderate (> 120% AMI) | 12,536 | 7,486 | 19,740 | 217.2% |
| Moderate Income (80 - 120% AMI) | 5,460 | 384 | 761 | 21.0% |
| Low Income (< 80% AMI) | 10,873 | 1,300 | 3,104 | 40.5% |
| <i>Affordability to be Determined</i> | | | 168 | |


** This column does not include three entitled major development projects with a remaining total of 22,680 net new units: Hunters' Point, Treasure Island and ParkMerced. However, phases of these projects will be included when applications for building permits are filed and proceed along the development pipeline. These three projects will include about 4,920 affordable units (22% affordable).*

June 9, 2017

Dear San Francisco Board of Supervisors,

I authorize attorney Scott Weaver to represent Our Mission No Eviction in our CEQA appeal of the recently approved development at 1726 Mission St, case 2014-002026ENV/2014-002026ENX.

Sincerely,



Roberto Hernandez, Founder
Our Mission No Eviction

For Department Use Only

Application received by Planning Department:

By: [Signature]

Date: _____

Submission Checklist:

- APPELLANT AUTHORIZATION
- CURRENT ORGANIZATION REGISTRATION
- MINIMUM ORGANIZATION AGE
- PROJECT IMPACT ON ORGANIZATION
- WAIVER APPROVED WAIVER DENIED



**SAN FRANCISCO
PLANNING
DEPARTMENT**

FOR MORE INFORMATION:

Call or visit the San Francisco Planning Department

Central Reception

1650 Mission Street, Suite 400
San Francisco CA 94103-2479

TEL: 415.558.6378

FAX: 415.558.6409

WEB: <http://www.sfplanning.org>

Planning Information Center (PIC)

1660 Mission Street, First Floor
San Francisco CA 94103-2479

TEL: 415.558.6377

*Planning staff are available by phone and at the PIC counter.
No appointment is necessary.*

WEST BAY LAW
WARTELLE, WEAVER & SCHREIBER
A PROFESSIONAL CORPORATION
369 PINE ST. STE. 506 415-693-0504
SAN FRANCISCO, CA 94104

WELLS FARGO BANK, N.A.
www.wellsfargo.com
11-4288/1210

20936

7-3-17

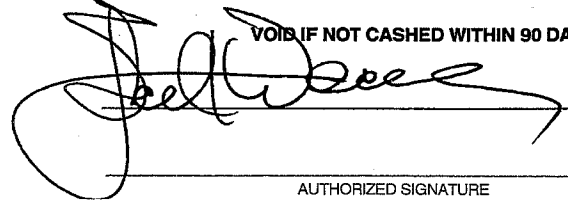
PAY TO THE
ORDER OF

S.F. Planning Department
Five Hundred Seventy Eight and 1/2

\$ 578⁰⁰/₁₀₀

DOLLARS

VOID IF NOT CASHED WITHIN 90 DAYS



AUTHORIZED SIGNATURE

MEMO

THIS DOCUMENT MUST HAVE A COLORED BACKGROUND, ULTRAVIOLET FIBERS AND AN ARTIFICIAL WATERMARK ON THE BACK - VERIFY FOR AUTHENTICITY.

WEST BAY LAW WARTELLE, WEAVER & SCHREIBER A PROFESSIONAL CORPORATION

20936

RECORDS SECTION
BOARD OF SUPERVISORS
SAN FRANCISCO
2017 JUL -3 AM 9:03
BY DL

WEST BAY LAW WARTELLE, WEAVER & SCHREIBER A PROFESSIONAL CORPORATION

20936

CASE NUMBER:
For Staff Use only

BOARD OF SUPERVISORS
SAN FRANCISCO

2017 JUL -3 AM 9:03

APPLICATION FOR Board of Supervisors Appeal Fee Waiver

1. Applicant and Project Information

| | |
|---|---------------------------------|
| APPLICANT NAME: J. Scott Weaver | |
| APPLICANT ADDRESS: 4104 24th St. #957 San Francisco, CA 94114 | TELEPHONE: (415) 317-0832 |
| | EMAIL: j.scottweaver@aol.com |

| | |
|--|---------------------------------|
| NEIGHBORHOOD ORGANIZATION NAME: Our Mission No Eviction | |
| NEIGHBORHOOD ORGANIZATION ADDRESS: c/o J Scott Weaver 4104 24th St #957 San Francisco, CA 94114 | TELEPHONE: (415) 317-0832 |
| | EMAIL: j.scottweaver@aol.com |

| | | |
|--|----------------------------------|--|
| PROJECT ADDRESS: 1726-30 Mission St | | |
| PLANNING CASE NO.: 2015-004454 PRU | BUILDING PERMIT APPLICATION NO.: | DATE OF DECISION (IF ANY): June 1, 2017 |

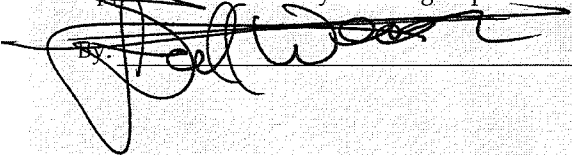
2. Required Criteria for Granting Waiver

(All must be satisfied; please attach supporting materials)

- The appellant is a member of the stated neighborhood organization and is authorized to file the appeal on behalf of the organization. Authorization may take the form of a letter signed by the President or other officer of the organization.
- The appellant is appealing on behalf of an organization that is registered with the Planning Department and that appears on the Department's current list of neighborhood organizations.
- The appellant is appealing on behalf of an organization that has been in existence at least 24 months prior to the submittal of the fee waiver request. Existence may be established by evidence including that relating to the organization's activities at that time such as meeting minutes, resolutions, publications and rosters.
- The appellant is appealing on behalf of a neighborhood organization that is affected by the project and that is the subject of the appeal.

For Department Use Only

Application received by Planning Department:

By: 

Date: _____

Submission Checklist:

- APPELLANT AUTHORIZATION
- CURRENT ORGANIZATION REGISTRATION
- MINIMUM ORGANIZATION AGE
- PROJECT IMPACT ON ORGANIZATION

- WAIVER APPROVED WAIVER DENIED



**SAN FRANCISCO
PLANNING
DEPARTMENT**

**FOR MORE INFORMATION:
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San Francisco CA 94103-2479

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1660 Mission Street, First Floor
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TEL: **415.558.6377**
*Planning staff are available by phone and at the PIC counter.
No appointment is necessary.*

From: [BOS Legislation, \(BOS\)](#)
To: jscottweaver@aol.com; jknight@reubenlaw.com
Cc: [Givner, Jon \(CAT\)](#); [Stacy, Kate \(CAT\)](#); [Jensen, Kristen \(CAT\)](#); [Rahaim, John \(CPC\)](#); [Sanchez, Scott \(CPC\)](#); [Gibson, Lisa \(CPC\)](#); [Rodgers, AnMarie \(CPC\)](#); [Starr, Aaron \(CPC\)](#); [Navarrete, Joy \(CPC\)](#); [Lynch, Laura \(CPC\)](#); [Jain, Devyani \(CPC\)](#); [Ajello Hoagland, Linda \(CPC\)](#); [BOS-Supervisors](#); [BOS-Legislative Aides](#); [Calvillo, Angela \(BOS\)](#); [Somera, Alisa \(BOS\)](#); [Goldstein, Cynthia \(BOA\)](#); [Li, Michael \(CPC\)](#); [BOS Legislation, \(BOS\)](#)
Subject: APPELLANT RESPONSE LETTER: Exemption Determination Appeal - Proposed Project at 1726-1730 Mission Street - Appeal Hearing on September 26, 2017
Date: Thursday, September 21, 2017 1:35:55 PM
Attachments: [image001.png](#)

Good afternoon,

Please find linked below an appeal response letter received by the Office of the Clerk of the Board from J. Scott Weaver, of West Bay Law, on behalf of the Appellants, regarding the proposed project at 1726-1730 Mission Street.

[Appellant's Response Letter - September 21, 2017](#)

Please note that the appeal hearing for this matter is noticed and scheduled for a 3:00 p.m. special order before the Board on September 26, 2017.

I invite you to review the entire matter on our [Legislative Research Center](#) by following the link below:

[Board of Supervisors File No. 170808](#)

Thank you,

Brent Jalipa

Legislative Clerk

Board of Supervisors - Clerk's Office

1 Dr. Carlton B. Goodlett Place, Room 244

San Francisco, CA 94102

(415) 554-7712 | Fax: (415) 554-5163

brent.jalipa@sfgov.org | www.sfbos.org



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Disclosures: *Personal information that is provided in communications to the Board of Supervisors is subject to disclosure under the California Public Records Act and the San Francisco Sunshine Ordinance. Personal information provided will not be redacted. Members of the public are not required to provide personal identifying information when they communicate with the Board of Supervisors and its committees. All written or oral communications that members of the public submit to the Clerk's Office regarding pending legislation or hearings will be made available to all members of the public for inspection and copying. The Clerk's Office does not redact any information from these submissions. This means that personal information—including names, phone numbers, addresses and similar information that a member of the public elects to submit to the Board and its committees—may appear on the Board of Supervisors' website or in other public documents that members of the public may inspect or copy.*

**West Bay Law
Law Office of J. Scott Weaver**

September 21, 2017

President London Breed and San Francisco Board of Supervisors
San Francisco City Hall
1 Dr. Carlton B Goodlett Pl. #244
San Francisco, CA 94102

***Re: Board of Supervisors File No. 170808, Appeal of Planning Department
Case No. 2014-002026ENV, 1726 Mission Street***

Dear Supervisor Breed and Members of the Board.

By injecting an irrelevant and terribly flawed study, the Planning Department Reply to Our Mission No Eviction's appeal presents nothing more than a distraction from the issues raised by appellants. Yet the Department has said nothing to dispute Appellants essential arguments, thus conceding their merit. The undisputed facts are as follows:

1. The Department concedes that it has not properly analyzed cumulative impacts of 1924 new units built, entitled, or under review in a small eight block area on each side of Mission Street, from South Van Ness Avenue to Sixteenth Street.
2. The Department admits s that CEQA requires such a cumulative impacts analysis, including that of traffic and circulation, pedestrian safety, noise, recreation and open space, and land use.
3. The Department concedes that the number of units built, entitled, or under environmental review under the Eastern Neighborhoods Plan far exceeds the number anticipated under the PEIR. Attachment A evidences over 3,465 units either built, entitled, or under environmental review. The PEIR anticipated no more than 2,054 units. This calls into question the applicability of PEIR use for a Community Plan Exemption. Moreover, we can no longer ignore the fact that underlying assumptions of the Eastern Neighborhoods Plan have, for the most part, proven to be incorrect. It cannot be denied that he Plan needs to be restructured so as to achieve its stated purposes.
4. The Department acknowledged that Substantial New Information became available since the PEIR, including overbuild of housing, steep increases in the price of housing, overbuild of luxury housing, and changed transportation modes such as tech shuttles and so-called "ride sharing".

President London Breed and Board of Supervisors,
September 21, 2017
Page Two

5. Finally, the Department conceded that the Traffic Analysis done for the Proposed Project lacked Critical Information – including its failure to consider cumulative impacts.

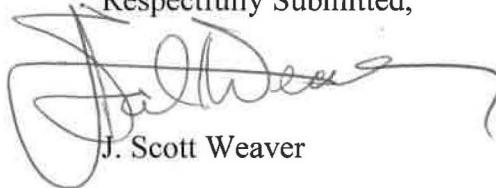
The Department's submission is an attempt to deflect from these issues. Although the submission is irrelevant to the issues raised, we cannot let its presentation to you go unanswered. The report attached to the reply was prepared at the request of this Board after the appeal of the 1515 South Van Ness Project, and later used with respect to the 2675 Folsom Street project. The Department contracted with ALH to prepare a report, which was completed in a matter of only 3-4 months. The South Van Ness and Folsom Projects were settled before the Board could review the report or determine if the ALH Report had any merit at all.

ALH hastily prepared its findings based on cherry-picked data and without regard for many requests from community stakeholders that it look at specific issues present in the Cultural District. It is therefore not surprising that ALH claimed no negative impacts from gentrification – a baffling conclusion given that it defies everything we have observed on the ground over the years.

Perhaps most exemplary of the error in this report was the heavy reliance on a report by Rachel Meltzer, *Gentrification and Small Business, Threat or Opportunity*. After reading this report it appeared to us that ALH, in its haste to reach a "no impact" conclusion, either intentionally or negligently misread the underlying data in the report. We contacted Ms. Meltzer, and she concurred with us: the underlying data demonstrated that gentrifying communities of color suffer greater business loss than non-gentrifying communities of color.

Many other fallacies, shortcomings, and errors in logic are described in attached Exhibit B should the Board choose to consider for any purpose the Planning Department's submission.

Respectfully Submitted,



J. Scott Weaver

JSW:sme

EXHIBIT A

EXHIBIT A

EXHIBIT A

Mission Projects Completed or Under Environmental Review
 2008-2/23/16 (Planning Dept Data.)

| | | |
|---------------------------------|--------------|-----------------|
| 3418 26 th Street | 13 units | |
| 80 Julian Street | 8 units | |
| 411 Valencia Street | 16 units | |
| 490 South Van Ness | 72 (add | + 15 units* |
| 3240 18 th Street | 16 units | |
| 1875 Mission Street | 38 units | |
| 1501 15 th St | 40 units | |
| 480 Potrero | 84 units | |
| 2550-58 Mission | 114 units | |
| 1450 15 th Street | 23 units | |
| 346 Potrero | 72 units | |
| 1785 15 th Street | 8 units | |
| 1801-63 Mission Street | 54 units | |
| 2600 Harrison Street | 20 units | |
| 1924 Mission Street | 12 units | |
| 600 South Van Ness | 27 units | |
| 2000-2070 Bryant | 254 subtract | - 60 units* |
| 2000-2070 Bryant (affordable) | | add +130 units* |
| 1298 Valencia Street | 35 units | |
| 1198 Valencia Street | 52 units | |
| 1050 Valencia Street | 16 units | |
| 1979 Mission Street | 331 units | |
| 2675 Folsom Street | 117 units | |
| 1900 Mission Street | 11 units | |
| 2750 19 th Street | 60 units | |
| 1515 South Van Ness | 160 subtract | -3 units* |
| 3140 16 th Street | 28 units | |
| 2799 24 th Street | 8 units | |
| 2435 16 th Street | 53 units | |
| 3357-59 26 th Street | 8 units | |
| 1726-30 Mission Street | 36 add | +4 units* |
| 3314 Cesar Chavez | 52 units | |
| 1798 Bryant Street | 131 units | |
| 2918-24 Mission Street | 38 add | +37 units* |
| 793 South Van Ness | 54 add | +19 units* |
| 953 Treat | 8 units | |
| 3620 Cesar Chavez | 28 units | |

| | | |
|--------------------------------------|-------------|--------------------|
| 344 14 th /1463 Stevenson | 45 units | |
| 1950 Mission Street | 157 units | |
| 1296 Shotwell | 96 units | |
| Subtotal | 2,451 units | |
| Adjustment* | +142 units | |
| TOTAL | | 2,593 units |

Mission Projects completed since 2008 not included in total above.

| | | |
|--|-----------|------------------|
| 1880 Mission Street/ 1600 15 th Street (Vara) | 202 units | |
| 380 14 th Street | 29 units | |
| 411 Valencia Street | 16 units | |
| Subtotal | | 247 units |

Current Mission Pipeline Projects Not included above.

| | | |
|---|-----------|------------------|
| 235 Valencia Street | 50 units | |
| 1500 15 th Street/398 Valencia | 184 units | |
| 3700 20 th Street | 25 units | |
| 3420 18 th Street | 16 units | |
| 2632 Mission Street | 16 units | |
| 606 Capp Street | 20 units | |
| 2100 Mission Street | 29 units | |
| 2070 Folsom Street | 127 units | |
| 1990 Folsom Street | 158 units | |
| Subtotal | | 625 units |

GRAND TOTAL 3,465 units

Proposed project approved in 2008 1,696 units

Number studied under EIR project options:

Option A – 762

Option B – 1,118

Option C – 2,054

* Adjustments to project size made after February 23, 2016

EXHIBIT B

EXHIBIT B

EXHIBIT B

West Bay Law
Law Office of J. Scott Weaver

April 17, 2017

President London Breed and San Francisco Board of Supervisors
San Francisco City Hall
1 Dr. Carlton B Goodlett Pl #244
San Francisco, CA 94102

**Re: Re: Case No. 2014-000601 CUA, 2014-000601ENX- 2675 Folsom Street
Appeal of the September 22, 2016 Planning Commission Decisions.
Response to Socioeconomic Analysis.**

Dear Supervisor Breed,

This is the second of two submissions made today, April 17, 2017 pertaining to the Appeal of the project at 2675 Folsom Street. This submission pertains to the numerous flaws contained in a Report prepared in conjunction with this project.

The ALH Consultants, at behest of the San Francisco Planning Department, recently completed a report regarding the impact of luxury development on the physical environment of the Calle 24 Latino Cultural District. We have given initial review of the report and see it as a work of advocacy as opposed to an even-handed treatment of the available information.

The ALH Report is Misleading, Flawed, and Ignores Critical Information Regarding the Calle 24 Latino Cultural District.

The ALH Report and the Planning Department's Summary are flawed in several respects, and their conclusions must be viewed with skepticism. While thorough critique will be forthcoming, we wanted to provide some initial observations as this report was prepared in conjunction with the upcoming Appeal of the proposed project at 2675 Folsom Street.

The Report lacks any understanding or appreciation for the unique challenges of the Calle 24 Latino Cultural District, challenges facing its businesses, the trajectory of gentrification and displacement, and its culture and history. Instead, it attempts to superimpose macroeconomic concepts and statistical averaging on a small and unique economic and ethnic ecosystem, and draws conclusions without regard to that uniqueness.

4104 24th Street # 957 • San Francisco, CA 94114 • (415) 317-0832

Hon. London Breed, President
Board of Supervisors
April 17, 2017
Page Two

In fact, the report seems to say that the gentrification will do the opposite of what we have observed in the past, and that accelerated gentrification will no longer have the ravaging impacts that we have witnessed. Market rate development is, by definition, gentrification because it brings large numbers of very high wage earners into poor neighborhoods. In this instance, in a working class, Latino, transit-oriented neighborhood. Right now, over a thousand gentrifiers are slated to move within easy walking distance of the LCD alone, and more than three times that number in the Mission as a whole.

As pointed out in the Report, The Eastern Neighborhoods EIR conceded that displacement would be a “secondary effect” of gentrification¹ yet, without any evidence, the Report suggests that effects such as these are a thing of the past, and that the new wave of even more well-heeled gentrifiers will not cause increased rents in neighboring areas or lead to evictions. The Report appears to predict that discount groceries, panaderias, and other mom and pop businesses will be destinations of choice for these new residents, and that their consumer choices will no longer fuel a demand for high end restaurants or consumer goods.

Unfortunately, our experiences in SOMA, Hayes Valley, the Fillmore and large swaths of Bayview undermine this narrative. As stated earlier, the ALH Report and Planning’s summary of it must be viewed with skepticism. The Report seems to suffer from constant switching from regional to hyperlocal environments and selects data suited to prove its thesis.

In their research brief *Housing Production, Filtering and Displacement: Untangling the Relationships*, (May, 2016) Miriam Zuk and Karen Chapple cautioned that markets behave differently at regional and at local levels, that the “filtering” process took much longer than previously thought, and that “more detailed analysis is needed to clarify the complex relationship between development, affordability at a local scale,” and that “By looking at data from the region and drilling down to local case studies, we also see that housing market dynamics and their impact on displacement operate differently at these different scales.”

More recent studies have confirmed what many of us had already known to be true: that is large scale “market rate” development has a destabilizing impact on gentrifying communities – especially communities of color. This is especially true where there is a significant income differential between the current residents and those coming into the community. In addition, a very recent study out of UC Berkeley has concluded that gentrification of transit rich neighborhoods both causes displacement and leads to greater automobile use.

¹ The PEIR does not seem to have quantified the extent of such gentrification, and, one would hope, did not anticipate the high rate of gentrification and displacement that we have witnessed since 2008.

Hon. London Breed, President
Board of Supervisors
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The ALH Discussion of Commercial Displacement Misreads Available Data and Omits Critical Information with Respect to the Calle 24 Latino Cultural District.

With respect to commercial displacement, the conclusion of ALH and, by implication, the Department and the City Controller, is based, in part, on a misreading of the Meltzer Report² on which ALH strongly relied. That report made a general conclusion that market rate development did not lead to business displacement over all. The conclusion of Meltzer, as with many like studies, was based on aggregated data from a variety of communities without regard to their important individual characteristics such as race/ethnicity, income disparities, neighborhood transit richness, and recent changes in zoning.

When we drill down to Meltzer's individual study areas, the conclusion is opposite the generalized one in the report. Meltzer's data found: 1) There was lower business retention (greater business loss) in gentrifying communities of color than in non-gentrifying communities of color, and 2) Business retention was lower in gentrifying communities of color than in gentrifying white communities. In other words, both race and the trajectory of gentrification impact business loss. Throughout its Report, ALH ignores characteristics of the LCD micro environment and mistakenly defaults to generalized conclusions.

ALH also ignored the importance of the role that consumer preference plays with respect to commercial displacement. Meltzer discussed the significance of changes in consumer preferences in influencing commercial displacement – correlating consumer preferences with “population characteristics such as income, educational attainment, and race/ethnicity.” If the local consumer base changes, then, on net, the local businesses could suffer. (P. 56) ALH chose to overlook basic differentiating characteristics of Calle 24 businesses including, the nature of their goods and services, demographic features of their customer base (such as race, income and employment status), their current profit margins, the term of business leases, their rent structures, and the potential upside rent potential that a more high-end consumer base could support³.

Finally, the Report undertakes an analysis of the square footage of available retail space to urge that Latino oriented mom and pop concerns would not be affected by gentrification. By this approach, ALH erroneously treats all commercial space as if it were fungible: (i.e. that a panaderia is the equivalent to a high-end coffee shop with its \$6.00 croissants, that a taqueria should be treated the same as a *Flour and Water* type restaurant, or that discount store goods are equal are the same as the \$240 gym bags we see on Valencia Street. The failure to make these

² Rachel Meltzer, *Gentrification and Small Businesses, threat or Opportunity*, *Cityscape: A Journal of Policy Development and Research*, Volume 18, Number 3, 216, Pages 72-26 found at <https://www.huduser.gov/portal/periodicals/cityscape/vol18num3/ch3.pdf>

³ Realtors are now boasting “Valencia Street prices” for Calle 24 commercial rents.

Hon. London Breed, President
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distinctions is illustrative of the Report's failure to examine the unique features of the LCD itself. Such a failure is critical in this instance because the very subject matter of the Report was supposed to be impacts on the Latino Cultural District.

The ALH Discussion Regarding Residential Displacement Ignored the Growing Data Linking Gentrification to Displacement in Certain Types of Neighborhoods.

There is a growing body of evidence linking luxury housing to the displacement of residents and businesses in sensitive neighborhoods such as the Mission. Gentrification is the introduction of the "gentry class" of high-earners into a working-class neighborhood, along with the accompanying neighborhood changes to the composition and character of the community. Currently, households in the LCD earn approximately \$40,000 to \$50,000 whereas new residents will earn over \$140,000 per years. There are three factors that have been identified that link gentrification to displacement. They are: 1) As discussed above, communities of color are more vulnerable to displacement than non-communities of color- especially where there are substantial income differentials between the existing residents and newcomers.***⁴ 2) Transit rich districts are more vulnerable to displacement – especially where there has been a net population loss, and 3) Development friendly zoning changes contribute to displacement in communities of color.

A very recent study lead by Karen Chapple of UC Berkeley⁵ (2017) concludes that Transit Oriented Development (exemplified by Mission projects such as 2675 Folsom St) is connected to gentrification and the displacement of low-income households:

Overall, we find that TOD has a significant impact on the stability of the surrounding neighborhood, leading to increases in housing costs that change the composition of the area, including the loss of low-income households. (Abstract, P v)

Another recent report, Leo Goldberg's 2015 MIT study,⁶ analyzed the impact of zoning changes in low income NYC neighborhoods and concluded that rezonings facilitated growth at the expense of low and moderate-income renters and were thereby "associated with residential displacement at the city's core while, at the same time, serving to exclude low-income

⁴ Atkinson, Rowland *Gentrification and displacement in Greater London: an empirical and theoretical analysis*. (1997). PhD thesis, University of Greenwich, P 151

⁵ Chappel, *Developing a New Methodology for Analyzing Potential Displacement*, (2017) may be found at http://www.urbandisplacement.org/sites/default/files/images/arb_tod_report_13-310.pdf

⁶ Goldberg, *Game of Zones* may be found at <https://dspace.mit.edu/bitstream/handle/1721.1/98935/921891223-MIT.pdf?sequence=1>

Hon. London Breed, President
Board of Supervisors
April 17, 2017
Page Five

households in the periphery. Goldberg stated, “development interests spurred rezonings in commercial and industrial areas as well as gentrifying neighborhoods, induc(ed) a sharp increase in housing costs and residential dislocation.” (at P 3)

Goldberg’s was consistent with the Meltzer data showing that race/ethnicity matters. The Goldberg report found a substantial increase in white populations in upzoned areas and a decrease in Black and Latino populations in those same areas – even though Latino population throughout the City increased by 10%. (P. 66-67)

Finally, Goldberg weighed in on the “Densification means displacement” debate. Goldberg found that upzoning-induced real estate speculation contributed to higher rents and displacement in poorer communities. As to the viability of supply side solutions in markets such as New York’s or San Francisco’s, he concluded that overall distortions of those markets foreclosed any meaningful impact of market rate development on rent or displacement relief.

While filtering is generally theorized to support affordability across class groups, evidence from tight housing markets suggests that for supply to keep pace with demand – without which filtering cannot occur – a politically and technically unrealistic amount of housing would have to be built. (P. 77)

In this reality, rents on vacant San Francisco units will continue to be well out of reach for most San Francisco residents. In communities such as the Mission, where gentrification is already a serious problem, market housing such as that proposed at 2675 Folsom Street will reinforce the realtor narrative of the Mission as an “up and coming” location, with fancy restaurants, little crime, near public transit, and is “the place to be”.

The Further Gentrification of the Mission Will Lead to Deteriorating in Air Quality.

Chapple’s latest study also investigated the relationship between gentrification and auto use (Vehicle Miles Traveled) near rail stations under various conditions, and found an increase in VMT was likely to occur in transit rich neighborhoods such as the Mission:

- Local Vehicle Miles Traveled are likely to increase in the station area when gentrification is occurring.
- Regional Vehicle Miles Traveled are also likely to increase “if gentrification results in a reduction in the population living near rail and if those rail station areas have good transit service, high density, and other well-known features of supportive Transit Oriented Development.”

Hon. London Breed, President
Board of Supervisors
April 17, 2017
Page Six

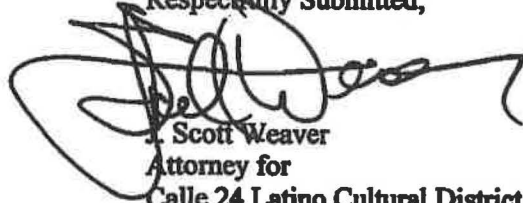
Between 2000 and 2012, the Mission lost 4.8 percent of its population, while median income increased by 48 percent (gentrification), and households with cars increased from 37 percent to 64 percent.⁷ The Mission has already lost 8,000 Latinos over the past 15 years, along with nearly a third of its families and countless family-serving businesses. It has become less dense due to the exodus of families no longer able to afford the rents.

Conclusion.

It is clear that the ALH Report is one-sided, flawed, and has ignored critical information specific to the LCD. Critical corridors such as the LCD and the Mission St corridor need special consideration through policies that encourage development that is not harmful to the community, consideration that was completely lacking in the Report.

The City has begun to take some helpful steps forward in this direction through programs such as MAP 2020, the creation of the Latino Cultural District, on the ground work through offices such as OEWD, and direct and indirect support for neighborhood nonprofits. These are helpful opening steps, however luxury developers are a strong and persistent economic force. The will to address these challenges will only come after we address head on the issue of gentrification's role in causing displacement. The ALH Report, if accepted would set us 180 degrees in the wrong direction.

Respectfully Submitted,



J. Scott Weaver
Attorney for
Calle 24 Latino Cultural District Council

JSW:sme

⁷ Appellant's Exhibits at Pages 347, 348

West Bay Law
Law Office of J. Scott Weaver

September 12, 2017

Commissioners,
San Francisco Planning Commission
1650 Mission Street, Room 400
San Francisco, CA 94103

Re: Case No 2014.0376CUA, 2918 Mission Street

The proposed project is right across the street from the Calle 24 Latino Cultural District, and it is undeniable that, as proposed, it will have a significant impact on the District.

A little less than a year ago, the Calle 24 Latino Cultural District Council appealed this Commission's approval of the proposed project at 1515 South Van Ness Avenue. The Board of Supervisors determined that before considering the environmental impacts of the proposed project, it was necessary for the Planning Department to study the impacts of gentrification on social and economic displacement in the Calle 24 Latino Cultural District. The Department contracted with pro-development consultancy ALH consultants,

ALH hastily prepared its findings, based on cherry-picked data and without regard for many requests from community stakeholders that they look at specific issues that were pertinent to the Cultural District. The conclusion was the predictable it will not cause displacement or have no negative impacts on residents and businesses in the district – a conclusion that defies everything that we are seeing on the ground, including members of the Planning Department. Nevertheless, with little time, we were forced to put together a brief critique of the report, which is attached to this letter for your reference.

Perhaps most exemplary of the error in this report (and there are many pointed out in the attached) was the heavy reliance on a report by Rachel Meltzer, *Gentrification and Small Business, Threat or Opportunity* Pages 72-26 found at <https://www.huduser.gov/portal/periodicals/cityscpc/vol18num3/ch3.pdf>. After reading this report, it appeared to us that ALH in its haste to reach a “no impact” conclusion, either intentionally, or negligently misread the underlying data in the report. We contacted Ms. Meltzer, and she concurred with us: the underlying data demonstrated that gentrifying communities of color suffer greater business loss than non-gentrifying communities of color. We have the emails to prove it.

The Board of Supervisors never considered the attached nor the testimony that was intended accompany it, because both the 1515 South Van Ness and 2675 Folsom Street matters were settled prior to the hearing.

We believe that because ALH failed to seriously consider displacement impacts associated with gentrification in the Calle 24 Latino Cultural District¹ the analysis required by the Board of Supervisors remains unmet. For that reason, we are again requesting an independent analysis if these impacts

In addition to whatever evaluation that the Department may deem appropriate, we are requesting that the Department evaluate the proposed project, both individually and cumulatively, with respect to the potential impacts of the extensive market rate development on the existing residents, businesses, and non-profits in the Calle 24 Latino Cultural District. This inquiry should address the concerns stated above and include, but not be limited to, the following:

- The amount of income that households will be required to have in order to afford the market rents of the proposed project.
- The amount of anticipated disposable income of the households moving into the market rate units at the proposed project.
- The consumer preferences for goods and services of households moving into the market rate units at the proposed project, as compared to those Latino residents in the LCD earning 50% AMI.
- The potential venues where those consumer preferences are likely to be met.
- The short and long term impacts on neighborhood serving Latino businesses that new market rent paying households, with higher disposable incomes, will have on commercial rents in the Latino Cultural District – both from the standpoint of the proposed project and from the standpoint of the cumulative impact of the projects listed above.
- The short and long term impact that rents at the proposed project (and cumulative proposed projects) will have on rents of vacant resident units in the immediate areas.
- The short and long term impact that the proposed project (and cumulative proposed projects) will have on displacement of Latinos and families now living in the Calle 24 Latino Cultural District.

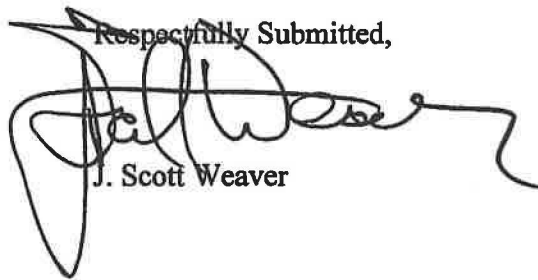
¹ The Calle 24 Latino Cultural District was recently designated a cultural district by the State of California.

San Francisco Planning Commission
September 12, 2017
Page Three

- The housing alternatives of residents now living in the Calle 24 Latino Cultural District should they be displaced.
- The short and long term impact that the proposed project (and cumulative proposed projects) will have on the percentage of Latino residents and businesses living and working in the Calle 24 Latino Cultural District.
- Mitigation alternatives that, if employed, would stabilize commercial rents in the Latino Cultural District.

I apologize for once again being compelled to make this request.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "J. Scott Weaver", written over the typed name.

J. Scott Weaver

JSW:sme

From: [BOS Legislation, \(BOS\)](#)
To: jscottweaver@aol.com; jknight@reubenlaw.com
Cc: [Givner, Jon \(CAT\)](#); [Stacy, Kate \(CAT\)](#); [Jensen, Kristen \(CAT\)](#); [Rahaim, John \(CPC\)](#); [Sanchez, Scott \(CPC\)](#); [Gibson, Lisa \(CPC\)](#); [Rodgers, AnMarie \(CPC\)](#); [Starr, Aaron \(CPC\)](#); [Navarrete, Joy \(CPC\)](#); [Lynch, Laura \(CPC\)](#); [Jain, Devyani \(CPC\)](#); [Ajello Hoagland, Linda \(CPC\)](#); [BOS-Supervisors](#); [BOS-Legislative Aides](#); [Calvillo, Angela \(BOS\)](#); [Somera, Alisa \(BOS\)](#); [Goldstein, Cynthia \(BOA\)](#); [Li, Michael \(CPC\)](#); [BOS Legislation, \(BOS\)](#)
Subject: SUPPLEMENTAL APPEAL RESPONSE: Exemption Determination Appeal - Proposed Project at 1726-1730 Mission Street - Appeal Hearing on September 26, 2017
Date: Monday, September 18, 2017 12:10:40 PM
Attachments: [image001.png](#)

Good afternoon,

Please find linked below a supplemental appeal response letter received by the Office of the Clerk of the Board from the Planning Department, regarding the proposed project at 1726-1730 Mission Street.

[Planning Supplemental Appeal Response Letter - September 18, 2017](#)

Please note that the appeal hearing for this matter is noticed and scheduled for a 3:00 p.m. special order before the Board on September 26, 2017.

I invite you to review the entire matter on our [Legislative Research Center](#) by following the link below:

[Board of Supervisors File No. 170808](#)

Thank you,

Brent Jalipa

Legislative Clerk

Board of Supervisors - Clerk's Office

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BY *AB*

Appeal of Community Plan Evaluation 1726-1730 Mission Street Project

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DATE: September 18, 2017

TO: Angela Calvillo, Clerk of the Board of Supervisors

FROM: Lisa Gibson, Environmental Review Officer – (415) 575-9032
Joy Navarrete, Senior Environmental Planner – (415) 575-9040
Michael Li, Environmental Coordinator – (415) 575-9107

RE: File No. 170808, Planning Department Case No. 2014-002026ENV – Appeal of the Community Plan Evaluation for the 1726-1730 Mission Street Project. Block/Lot: 3532/004A and 005

PROJECT SPONSOR: Jody Knight, Reuben, Junius & Rose, on behalf of Sustainable Living, LLC – (415) 567-9000

APPELLANT: J. Scott Weaver, Law Office of J. Scott Weaver, on behalf of Our Mission No Eviction – (415) 317-0832

HEARING DATE: September 26, 2017

ATTACHMENTS: A – Socioeconomic Analysis, Appeal of Community Plan Exemption for 2675 Folsom Street, March 13, 2017

INTRODUCTION

This memorandum and the attached documents are a response to a supplemental letter of appeal submitted on July 14, 2017 following the July 3, 2017 letter of appeal to the Board of Supervisors (the Board) regarding the Planning Department's (the "Department") issuance of a Community Plan Evaluation (CPE) under the *Eastern Neighborhoods Rezoning and Area Plan Final Environmental Impact Report*

(“Eastern Neighborhoods PEIR or PEIR”)¹ in compliance with the California Environmental Quality Act (“CEQA”) for the 1726-1730 Mission Street Project (the “Project”).

The Department, pursuant to CEQA, the CEQA Guidelines, 14 Cal. Code of Reg. Sections 15000 *et seq.*, and Chapter 31 of the San Francisco Administrative Code, determined that the Project is consistent with the development density established by zoning, community plan, and general plan policies in the Eastern Neighborhoods Rezoning and Area Plans (the “Eastern Neighborhoods Area Plans”) for the project site, for which a Programmatic EIR was certified, and issued the CPE for the Project on May 24, 2017. The Department determined that the Project would not result in new significant environmental effects, or effects of greater severity than were already analyzed and disclosed in the PEIR, and that the Project is therefore exempt from further environmental review beyond what was conducted in the CPE Initial Study and the Eastern Neighborhoods PEIR in accordance with CEQA Section 21083.3 and CEQA Guidelines Section 15183.

The decision before the Board is whether to uphold the Planning Department’s determination that the Project is exempt from further environmental review (beyond what was conducted in the CPE Initial Study and the PEIR) pursuant to CEQA Section 21083.3 and CEQA Guidelines Section 15183 and deny the appeal, or to overturn the Department’s CPE determination for the Project and return the CPE to the Department for additional environmental review.

CONCERNS RAISED AND PLANNING DEPARTMENT RESPONSES:

In general, the Supplemental Appeal Letter does not raise any new primary concerns but expands upon previously raised concerns. The Supplemental Appeal Letter repeats the appellant’s concerns regarding cumulative impacts on the Mission Area Plan, and that the Project does not qualify for a Community Plan Evaluation under Section 15183 of the CEQA Guidelines and Public Resources Code Section 21083.3 because the approval is based upon an out of date 2008 EIR prepared for the Eastern Neighborhoods Area Plan. Please refer to Response 1 in the Original Appeal Response, which states that the appeal does not identify new substantial information that was not known at the time the Eastern Neighborhoods PEIR was certified establishing that the Project would result in significant impacts that were not discussed in the Eastern Neighborhoods PEIR or in more severe adverse impacts than discussed in the PEIR.

The new concerns raised in the Supplemental Appeal Letter are cited in the issue summary below, followed by the Department’s response. The new concerns are identified as Appeal Issue 5 to reflect the

¹ The Eastern Neighborhoods Rezoning and Area Plan Final EIR (Planning Department Case No. 2004.0160E), State Clearinghouse No. 2005032048) was certified by the Planning Commission on August 7, 2008. The project site is within the Eastern Neighborhoods Rezoning and Area Plan project area.

numbering of the issues addressed in the Department's Original Appeal Response, which ended with Appeal Issue 4.

Concern 5: The appellant alleges that the CPE reliance on the PEIR is improper because substantial new information affecting environmental analysis has become available. There have been numerous changes on the ground having direct, indirect and cumulative impact on the environment.

The appellant also alleges that the proposed project would result in potentially significant traffic impacts that were not known or considered at the time the Eastern Neighborhoods PEIR.

Response 5: This response addresses concerns about gentrification of the Mission District and related displacement of existing residents and local businesses. However, these socioeconomic effects are generally beyond the scope of the CEQA environmental review process. Under CEQA, socioeconomic effects may be considered only to the extent that a link can be established between anticipated socioeconomic effects of a proposed action and adverse physical environmental impacts.

The Department agrees with the appellant that the Mission is undergoing socioeconomic changes that are affecting existing residents, local small businesses, employment, and the character of the Mission community. The Department is actively engaging with the community, the Board, the Mayor's Office, and other City departments in initiatives designed to ease the socioeconomic pressures on the community. These efforts include the 2016 Mission Interim Controls, the Calle 24 Special Use District, MAP2020, and a broader citywide analysis of socioeconomic trends.

However, the Department disagrees with the appellant's position that development under the Eastern Neighborhoods rezoning and area plans such as the 1726-1730 Mission Street project are responsible for residential or commercial displacement. As shown in the attached analysis (Attachment A) prepared for the 2675 Folsom Street CEQA appeal, the appellant's contention that the proposed project would cause or contribute to socioeconomic effects that would in turn result in significant impacts on the physical environment that were not previously identified in the Eastern Neighborhoods PEIR is contrary to the evidence. Based on the available data and expert opinion presented in the academic literature, it appears that the fundamental causes of gentrification and displacement in the Mission and elsewhere in San Francisco are likely related to broader economic and social trends, such as the mismatch between the supply and demand for housing at all levels, the strength of the regional economy, low unemployment, high wages, favorable climate, and a preference for urban lifestyles and shorter commutes. These issues are clearly beyond the scope and reach of the environmental review process for individual projects under CEQA.

Finally, the issues raised by the appellant are not new. The Population, Housing, Business Activity, and Employment section of the Eastern Neighborhoods PEIR included a thorough analysis of these issues, examining, among other things, whether development under the rezoning and area plans would cause or contribute to gentrification or displacement. The impacts of growth afforded under the rezoning and area plans on the physical environment are evaluated and disclosed in both the plan-level and project-level CEQA documents under the relevant resource topics such as transportation, air quality, noise, parks and open space, and public services. The appellant has not demonstrated that the Department's CEQA determination for the 1726-1730 Mission Street project is not supported by substantial evidence. The Department therefore recommends that the Board reject the appeal and uphold the Department's CEQA

determination for the proposed project in accordance with CEQA section 21080.3 and CEQA Guidelines section 15183.

Attachment A
Socioeconomic Analysis,
Appeal of Community Plan Exemption for
2675 Folsom Street,
March 13, 2017



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APPEAL OF COMMUNITY PLAN EXEMPTION 2675 FOLSOM STREET PROJECT

DATE: March 13, 2017

TO: Angela Calvillo, Clerk of the Board of Supervisors

FROM: Lisa M. Gibson, Acting Environmental Review Officer – (415) 575-9032
Chris Kern, Senior Environmental Planner – (415) 575-9037
Joy Navarrete, Senior Environmental Planner – (415) 575-9040
Justin Horner, Environmental Coordinator – (415) 575-9023

RE: File No. 161146, Planning Department Case No. 2014.000601ENV – Appeal of the Community Plan Exemption for the 2675 Folsom Street Project. Block/Lot: 3639/006, 007

PROJECT SPONSOR: Muhammad Nadhiri, Axis Development Corporation – (415) 992-6997

APPELLANT: J. Scott Weaver, Law Office of J. Scott Weaver, on behalf of the Calle 24 Latino Cultural District Community Council – (415) 317-0832

HEARING DATE: March 21, 2017

ATTACHMENTS: Appendix A – Socio-Economic Effects of Market-Rate Development on the Calle 24 Latino Cultural District, San Francisco, CA
Appendix B – Eastern Neighborhoods / Mission District Transportation and Demographic Trends

1 INTRODUCTION

This memorandum and the attached documents are supplements to the Planning Department's (the "Department") November 29, 2016 responses to letters of appeal to the Board of Supervisors (the "Board") regarding the Department's issuance of a Community Plan Exemption ("CPE") under the Eastern Neighborhoods Rezoning and Area Plan Final Environmental Impact Report ("Eastern Neighborhoods PEIR or PEIR")¹ in compliance with the California Environmental Quality Act ("CEQA")

¹ [The Eastern Neighborhoods Rezoning and Area Plan Final EIR](#) (Planning Department Case No. 2004.0160E), State Clearinghouse No. 2005032048) was certified by the Planning Commission on August 7, 2008. The project site is within the Eastern Neighborhoods Rezoning and Area Plan project area.

for the 2675 Folsom Street project. Specifically, this memorandum expands on the Planning Department's previous response to the appellant's contentions concerning socioeconomic impacts.

On October 21, 2016, J. Scott Weaver, on behalf of the Calle 24 Latino Cultural District Community Council ("the appellant"), filed an appeal of the Planning Department's CEQA determination for the proposed project. On November 28, 2016, the Planning Department provided a response to the CEQA appeal. On November 29, 2016, the Board of Supervisors opened a hearing on the appeal of the CPE and continued the hearing to December 13, 2016, to allow additional time for the Department to prepare an analysis of potential socioeconomic effects of the proposed project within the Calle 24 Latino Cultural District.² The Board voted on December 13, 2016, to continue the appeal hearing to January 10, 2017, and on January 10, 2017, the Board continued the hearing to March 21, 2017, to provide additional time to allow the Department to complete the aforementioned socioeconomic impact analysis.

The decision before the Board is whether to uphold the Planning Department's determination that the proposed project is exempt from further environmental review (beyond what was conducted in the CPE Checklist) pursuant to CEQA section 21083.3 and CEQA Guidelines section 15183³ and deny the appeal, or to overturn the Department's CPE determination for the project and return the CPE to the Department for additional environmental review.

² The Calle 24 Latino Cultural District is the area bound by Mission Street to the west, Potrero Street to the East, 22nd Street to the North and 25th Street to the South, including the 24th Street commercial corridor from Bartlett Street to Potrero Avenue.

³ 14 Cal. Code of Reg. Section 15000 *et seq.*, (CEQA Guidelines). The CEQA Guidelines are state regulations, developed by the California Office of Planning and Research and adopted by the California Secretary for Resources. They are "prescribed by the Secretary for Resources to be followed by all state and local agencies in California in the implementation of the California Environmental Quality Act." (CEQA Guidelines Section 15000.)

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2 EXECUTIVE SUMMARY

This memorandum addresses concerns about gentrification of the Calle 24 Latino Cultural District and related displacement of existing residents and local businesses. The Planning Department acknowledges that gentrification and displacement are occurring in the Mission District and other San Francisco neighborhoods, and is devoting substantial resources aimed at addressing these socioeconomic issues with the community, Planning Commission, elected leaders, and City partners to undertake a series of policy and implementation efforts. However, these socioeconomic effects are generally beyond the scope of the CEQA⁴ environmental review process. Under CEQA, socioeconomic effects may be considered only to the extent that a link can be established between anticipated socioeconomic effects of a proposed action and adverse physical environmental impacts.

CEQA mandates streamlined review for projects like the 2675 Folsom Street project that are consistent with the development density established by existing zoning, community plan, or general plan policies for which an environmental impact report (“EIR”) was certified. Accordingly, additional environmental review for such projects shall not be required except to examine whether there are project-specific significant impacts that are peculiar to the project or its site. Pursuant to CEQA Guidelines section 15183(a): “This streamlines the review of such projects and reduces the need to prepare repetitive environmental studies.” As such, the additional analysis presented in this memorandum is limited to examining whether the project would cause or contribute to socioeconomic effects that would in turn lead to significant physical impacts beyond those identified in the Program EIR certified for the adoption of the Eastern Neighborhoods Rezoning and Area Plans (“Eastern Neighborhoods PEIR”).

The Eastern Neighborhoods PEIR included an extensive analysis of the socioeconomic effects of the area plans and rezoning generally concluding that: (1) the rezoning would have secondary socioeconomic effects, (2) these effects would be more severe without the rezoning, and (3) these socioeconomic effects would not in turn lead to significant physical environmental impacts. The PEIR identifies improvement measures to address less than significant effects of potential displacement of some neighborhood-serving uses. Thus, the concerns about the socioeconomic effects of development under the area plans and rezoning are not new and were not overlooked by the plan-level EIR.

The Planning Department worked with ALH Urban & Regional Economics to prepare analyses of retail supply and demand, commercial and residential displacement, as well as a review of the relevant academic literature to evaluate whether gentrification and displacement of existing residents or businesses can be attributed to market-rate residential and mixed-use development under the Eastern

⁴ California Environmental Quality Act (CEQA), Public Resources Code Section 21000 *et seq.*

Neighborhoods rezoning and area plans. Neither these analyses nor the literature establishes empirical evidence supporting the position that market-rate development under the rezoning and area plans is responsible for residential or commercial displacement.

The department also conducted additional analysis to evaluate whether the proposed project would cause or contribute to significant impacts on the physical environment related to population growth, such as transportation, air quality, and greenhouse gas emissions, beyond those identified in the Eastern Neighborhoods PEIR. This analysis, like that previously provided in the community plan exemption (“CPE”) prepared for the project, is based on current data and modelling and uses the Planning Department’s latest environmental impact analysis standards and methodologies. The analysis includes a report prepared by transportation consultant Fehr & Peers assessing transportation and demographic trends in the Mission District. This analysis shows that cumulative impacts on traffic congestion are the same or slightly less severe than anticipated in the Eastern Neighborhoods PEIR. In addition, current data provided by the San Francisco Municipal Transportation Agency (“SFMTA”) show that transit capacity on most lines serving the Eastern Neighborhoods is better than previously anticipated. This is due largely to SFMTA’s implementation of a number of major transportation system improvements that were assumed to be infeasible at the time that the Eastern Neighborhoods PEIR was certified. Thus, there is no evidence that transportation and related air quality, greenhouse gas, and other impacts in the Eastern Neighborhoods plan areas are substantially more severe than the Eastern Neighborhoods PEIR disclosed.

In conclusion, the Planning Department’s determination that the 2675 Folsom Street project would not result in new or substantially more severe significant effects on the physical environment than were already disclosed in the Eastern Neighborhoods PEIR is valid. The department therefore recommends that the Board reject the appeal and uphold the department’s CEQA determination in accordance with CEQA section 21080.3 and CEQA Guidelines section 15183.

3 BACKGROUND

The central issues raised by the appellant focus on gentrification of the Mission and displacement of both Mission residents and local small businesses.⁵ As discussed in this supplemental appeal response, these socioeconomic issues, while real, are largely beyond the scope of CEQA environmental impact analysis.

Because the intent of CEQA is to provide information about the physical environmental impacts of a proposed action, public agencies have very limited authority under CEQA to address the non-physical effects of an action, such as social or economic effects, through the CEQA environmental review process.

The basic purposes of CEQA are to⁶:

1. Inform governmental decision makers and the public about the potential, significant environmental effects of proposed activities.
2. Identify the ways that environmental damage can be avoided or significantly reduced.
3. Prevent significant, avoidable damage to the environment by requiring changes in projects through the use of alternatives or mitigation measures when the governmental agency finds the changes to be feasible.
4. Disclose to the public the reasons why a governmental agency approved the project in the manner the agency chose if significant environmental effects are involved.

These objectives are achieved through the preparation of informational reports for review by the public and adoption by public agencies. A public agency's adoption of a CEQA environmental review document (e.g., certification of a final environmental impact report or adoption of a community plan evaluation) is the agency's determination that the informational requirements of CEQA have been satisfied, but is neither a judgement of the merits of the subject project, nor an approval of the project itself. Rather, the adoption of a CEQA document is an agency's determination that the document provides sufficient information about the potential environmental effects of a project to inform subsequent discretionary actions on the project, such as consideration of whether to grant a conditional use permit for the project.

The focus of CEQA is on *physical* environmental impacts, such as impacts of a project on air quality, water quality, or wildlife habitat. CEQA Guidelines section 15131(a) states:

Economic or social effects shall not be treated as significant effects on the environment. An EIR may trace a chain of cause and effect from a proposed decision on a project through anticipated economic or social changes resulting from the project to physical changes caused in turn by the economic or social changes. The intermediate economic or social changes need not be analyzed in any detail greater than necessary to trace the chain of cause and effect. The focus of the analysis shall be on the physical changes.

Moreover, CEQA section 21082.2 states, in part:

⁵ *Gentrification* is a process associated with increased investment in existing neighborhoods and the related influx of residents of higher socioeconomic status and increased property values. The effects of gentrification on residential, cultural, social, and political displacement have been the subject of substantial economic and planning research and analysis in the U.S. since at least the 1970s.

⁶ CEQA Guidelines section 15002.

- (a) The lead agency shall determine whether a project may have a significant effect on the environment based on substantial evidence in light of the whole record.
- (b) The existence of public controversy over the environmental effects of a project shall not require preparation of an environmental impact report if there is no substantial evidence in light of the whole record before the lead agency that the project may have a significant effect on the environment.
- (c) Argument, speculation, unsubstantiated opinion or narrative, evidence which is clearly inaccurate or erroneous, or evidence of social or economic impacts which do not contribute to, or are not caused by, physical impacts on the environment, is not substantial evidence. Substantial evidence shall include facts, reasonable assumptions predicated upon facts, and expert opinion supported by facts.

[Emphasis added.]

CEQA Guideline section 15360 defines the term *environment* as follows:

“Environment” means the physical conditions which exist within the area which will be affected by a proposed project including land, air, water, minerals, flora, fauna, ambient noise, and objects of historical or aesthetic significance. The area involved shall be the area in which significant effects would occur either directly or indirectly as a result of the project. The “environment” includes both natural and man-made conditions.

Neither the CEQA statute nor the CEQA Guidelines provide an express definition of non-physical effects such as social or economic effects. However, the Planning Department understands non-physical social and economic effects under CEQA to include for example changes in demographics, changes in property ownership or occupancy, and changes in the types of retail businesses in a neighborhood. Such changes are not impacts on the physical environment as defined in CEQA Guidelines section 15360.

Recognizing that CEQA is not an effective or appropriate tool for managing the socioeconomic changes affecting the Mission and other San Francisco neighborhoods, the Planning Department is devoting substantial resources outside of the CEQA process towards this end. The Department is working with the community, Planning Commission, elected leaders, and City partners to undertake a series of policy and implementation efforts aimed at addressing socioeconomic issues. While economic displacement is a citywide phenomenon, the Department recognizes the heightened effects are acutely felt in communities of color, families, and neighborhoods that have historically been havens for immigrants and others seeking opportunity or freedom. The Department is at work on its Racial and Ethnic Equity Action Plan to train staff on these issues, and has been especially engaged in efforts with District 9 former Supervisor Campos and the Mayor’s Office to preserve the viability of the Latino community in the Mission, including the Mission 2016 Interim Zoning Controls, and Calle 24 Special Use District, which is developing commercial controls to help preserve the commercial character of the LCD, and 24th Street in particular.

The most robust effort to date, the Mission Action Plan 2020 (“MAP2020”) is a major and unprecedented collaboration between the City family and Mission community organizations and residents. MAP2020 has involved an ongoing dialogue with community members, City agencies, and elected leaders over the past two years. The Department has taken an innovative approach to building a set of broad strategies to preserve, strengthen and protect existing residents, community services, local businesses, and the Mission’s unique character. The most significant of these efforts is to provide nearly 1,000 affordable housing units in the neighborhood. The Planning Commission endorsed MAP2020 on March 2, 2017, and the Department will continue to work with the Board to advance its specific strategies through legislation in the spring and summer of 2017.

In addition, the Planning Department is undertaking a broader socioeconomic analysis of displacement and gentrification issues citywide with a focus on equity. City staff acknowledges that such an analysis is beyond the scope of environmental review under CEQA, but wish to inform decision-makers and the public that the Planning Department is working to address the socioeconomic issues of affordability, economic displacement, and gentrification through land use planning and policy efforts.

4 APPROACH TO ANALYSIS

The analysis provided in this memorandum examines whether the proposed project would cause, either individually or cumulatively, socioeconomic changes within the Calle 24 Latino Cultural District that would in turn lead to significant physical environmental impacts beyond those identified in the Eastern Neighborhoods PEIR. The analysis consists of three parts.

The first part of this analysis examines whether the proposed project would *cause* gentrification or displacement, either individually or cumulatively. It is not enough under CEQA to show only that economic or social changes are occurring in the project area. Rather, the analysis must examine whether the project, either individually or in combination with other past, present, and reasonably foreseeable future projects, would cause these socioeconomic effects. The analysis need proceed further only if it establishes, based on substantial evidence, that the proposed project would cause the socioeconomic effects claimed by the appellant.

If the analysis determines that the project would cause gentrification or displacement, either individually or cumulatively, then the analysis must consider the second question: Would the economic or social effects attributable to the project result in a significant adverse physical impact on the environment? Changes in the types of businesses, cost of housing, or demographics in a project area are not considered physical environmental impacts under CEQA. These are examples of social and economic effects, not physical environmental impacts. As stated above, the focus of CEQA is on physical environmental impacts. Examples of physical impacts that could be linked to social or economic effects include impacts on transportation and related air quality, greenhouse gas, and noise impacts where such impacts are a direct or indirect result of social or economic changes.

Finally, if the analysis traces a chain of cause and effect establishing that the proposed project would result in significant adverse physical environmental impacts as a direct or indirect result of socioeconomic changes, the analysis must consider whether such impacts would constitute new or substantially more severe significant impacts than were identified in the Eastern Neighborhoods PEIR.

Because the proposed project is consistent with the development density established for the project site under the Eastern Neighborhoods area plans and rezoning, consideration of the potential socioeconomic impacts of the proposed project must be limited to significant physical impacts that are peculiar to the project or the project site in accordance with CEQA section 21083.3 and CEQA Guidelines section 15183.

CEQA Guidelines section 15183 states, in part:

- (a) CEQA mandates that projects which are consistent with the development density established by existing zoning, community plan, or general plan policies for which an EIR was certified shall not require additional environmental review, except as might be necessary to examine whether there

are project-specific significant effects which are peculiar to the project or its site. This streamlines the review of such projects and reduces the need to prepare repetitive environmental studies.

- (b) In approving a project meeting the requirements of this section, a public agency shall limit its examination of environmental effects to those which the agency determines, in an initial study or other analysis:
- (1) Are peculiar to the project or the parcel on which the project would be located,
 - (2) Were not analyzed as significant effects in a prior EIR on the zoning action, general plan, or community plan, with which the project is consistent,
 - (3) Are potentially significant off-site impacts and cumulative impacts which were not discussed in the prior EIR prepared for the general plan, community plan or zoning action, or
 - (4) Are previously identified significant effects which, as a result of substantial new information which was not known at the time the EIR was certified, are determined to have a more severe adverse impact than discussed in the prior EIR.

Accordingly, the analysis below examines whether socioeconomic effects of the proposed project would result in significant adverse impacts on the physical environment that:

- Are peculiar to the project or the parcel on which the project would be located
- Were not analyzed as significant effects in the Eastern Neighborhoods PEIR
- Are potentially significant off-site impacts and cumulative impacts which were not discussed in the Eastern Neighborhoods PEIR, or
- Are previously identified significant effects which, as a result of substantial new information which was not known at the time the Eastern Neighborhoods PEIR was certified, are determined to have a more severe adverse impact than discussed in the PEIR

5 EASTERN NEIGHBORHOODS PLAN-LEVEL SOCIOECONOMIC EFFECTS

To evaluate whether socioeconomic effects that might be caused or exacerbated by the proposed project would result in new or more severe significant environmental impacts than were previously identified in the Eastern Neighborhoods PEIR, it is necessary to first review how such effects are addressed in the PEIR. The Eastern Neighborhoods PEIR included a thorough analysis of the socioeconomic effects of the rezoning and area plans. Specifically, the Population, Housing, Business Activity, and Employment section of the PEIR examines whether adoption of the area plans and rezoning would cause or substantially contribute to gentrification and the displacement of existing residents and businesses in the Eastern Neighborhoods plan areas, and if so, whether such effects would result in significant adverse

impacts on the physical environment⁷. A socioeconomic impact study prepared as a background report to the PEIR⁸ provides the basis for this analysis.

The PEIR determined that the adoption and implementation of the area plans and rezoning would induce substantial growth and concentration of population in San Francisco. In fact, one of the four citywide goals that serve as the “project sponsor’s objectives” for the Eastern Neighborhood Rezoning and Area Plans is:

Increase Housing: To identify appropriate locations for housing in the City’s industrially zoned land to meet a citywide need for more housing, and affordable housing in particular.

Notably, unlike other sections of the PEIR that base their analysis on *projected* growth through 2025, the Population, Housing, Business Activity, and Employment section considers the *total* housing supply potential of up to 26,500 new housing units on undeveloped parcels and soft sites under the rezoning. The analysis of potential gentrification and displacement effects in the PEIR is based on this full build out scenario, which assumes substantially greater population growth than the 2025 projections used to assess potential impacts on transportation, air quality and other growth-related impacts on the physical environment.⁹

The PEIR determined that the increase in population expected as a secondary effect of the rezoning and area plans would not, in itself, result in adverse physical effects, and would serve to advance some key City policy objectives, such as decreasing the air quality impacts of development by coordination of land use and transportation decisions (General Plan Air Quality Element Objective 3); provision of new housing, especially permanently affordable housing, in appropriate locations that meets identified housing needs and takes into account the demand for affordable housing created by employment demand (Housing Element Objective 1); encouragement of higher residential density in areas adjacent to downtown, in underutilized commercial and industrial areas proposed for conversion to housing, and in neighborhood commercial districts where higher density will not have harmful effects, especially if the higher density provides a significant number of units that are affordable to lower income households (Housing Element Policy 1.1); identification of opportunities for housing and mixed-use districts near downtown and former industrial portions of the City (Housing Element Policy 1.2); identification of opportunities for housing and mixed use districts near downtown and former industrial portions of the City (Housing Element Policy 1.3); establishment of public transit as the primary mode of transportation in San Francisco and as a means through which to guide future development and improve regional mobility and air quality (Transportation Element Objective 11); and giving first priority to improving transit service throughout the city, providing a convenient and efficient system as a preferable alternative to automobile use (Transportation Element Objective 20).

⁷ City and County of San Francisco, *Eastern Neighborhoods Rezoning and Area Plans, Final EIR*, p. 175-252, August 7, 2008.

⁸ Hausrath Economics Group, *San Francisco’s Eastern Neighborhoods Rezoning – Socioeconomic Impacts*, March 29, 2007.

⁹ City and County of San Francisco, *Eastern Neighborhoods Rezoning and Area Plans, Final EIR*, p. 240-241, August 7, 2008.

Moreover, the PEIR concluded that implementation of the plans would result in more housing options and a broader range of housing prices and rents, compared to conditions under the No-Project scenario. The PEIR determined that the rezoning and area plans could result in a better match between housing supply and demand in San Francisco than would otherwise be the case without the rezoning while potentially providing benefits such as a reduction in traffic and vehicle emissions if San Francisco workers could live closer to their jobs. The PEIR anticipated that the population increase expected from the rezoning could also generate economic growth by increasing demand for neighborhood-serving retail and personal services, although some existing businesses could be displaced by other businesses that might better serve new residents. The PEIR also determined that the additional population would increase demand for other City services (parks, libraries, health care and human services, police and fire protection, schools, and childcare).¹⁰

Second, the PEIR determined that none of the proposed rezoning options would result in the direct displacement of residents, given that the rezoning would not lead to the demolition of existing residential development and would result in a substantial increase in residential units throughout the plan areas. As stated above, the PEIR determined that the rezoning would result in less displacement because of housing demand than otherwise expected under the No-Project scenario, because the addition of more new housing in the Eastern Neighborhoods would provide some relief for housing market pressures without directly affecting existing residents.

However, the PEIR recognized that residential displacement is not solely a function of housing supply, and that adoption of the area plans and rezoning could result in indirect, secondary effects on neighborhood character—through gentrification—that could result in some displacement of existing residents over time. The PEIR disclosed that the replacement of former industrial uses with housing could result in gentrification of existing nearby residential areas and displacement of lower income households. The PEIR also observed, however, that the rezoning could help to ameliorate the potential effects of residential displacement by increasing the supply of affordable dwelling units sized to accommodate families.

The PEIR also disclosed that as a result of the rezoning and area plans, the real estate market would favor residential, retail, and other higher-value uses, leading to PDR displacement, either to other locations in the city or outside San Francisco, and to some business closures. While this was an existing trend prior to adoption of the area plans and rezoning, the PEIR anticipated that this trend would accelerate in areas rezoned for non-PDR uses. The PEIR further anticipated that displacement of PDR businesses would result in some San Franciscans, including Eastern Neighborhoods residents, with limited education, skills, and language abilities losing opportunities for local, higher wage jobs, which in turn could increase demand for affordable housing in San Francisco.

The PEIR concluded that adoption and implementation of the area plans and rezoning would not create a substantial demand for additional housing in San Francisco, or substantially reduce the housing supply. As stated above, the PEIR determined that adoption of the area plans and rezoning would not substantially increase the overall economic growth potential in San Francisco and would not result in

¹⁰ Ibid. p. 240-250

substantially more primary employment growth than otherwise expected in the city or the region, because most of the employment growth that would result from new housing in the Eastern Neighborhoods would be in neighborhood-serving retail and services, which are employment categories that tend to respond to increased population, not employment that precedes or leads to population growth.

Instead, the PEIR determined that implementation of the rezoning and area plans would increase the housing supply potential in the Eastern Neighborhoods and citywide, compared to conditions under the No-Project scenario without implementation of the proposed rezoning and area plans. The PEIR determined that by increasing housing supply relative to demand, more housing choices, and more (relatively) affordable housing units would be developed than without the rezoning, and that the Inclusionary Affordable Housing Program would require below-market-rate units to be developed in conjunction with market-rate projects. Therefore, housing prices and rents for both new and existing housing would generally be lower than would be the case with the more limited housing supply potential in these areas under the prior zoning and continuation of existing market trends. Additionally, the PEIR determined that the area plans and rezoning would reduce pressure to convert existing rental housing stock to relatively affordable for-sale housing (such as through condominium conversions and the tenants-in-common process), compared to No-Project conditions.

Still, the PEIR anticipated that for-sale housing in the Eastern Neighborhoods (and citywide) is likely to remain too expensive for most residents, underscoring the importance of providing and maintaining below-market-rate housing. A possible secondary impact of the area plans and rezoning would be a reduction in the number of sites where City-funded and other subsidized affordable housing units could be built, particularly on new development sites. The PEIR determined however, that maintaining the previous less-restrictive zoning would result in continued increase in land values in the Eastern Neighborhoods, which would also result in elimination of potential affordable housing sites, albeit on a more *ad hoc* basis. Nevertheless, the PEIR included Improvement Measure D-2: Affordable Housing Production and Retention, to reduce the less-than-significant physical effects of potential displacement of existing residents as a secondary effect of the rezoning.

The PEIR also determined that the rezoning would result in economic impacts that could displace existing neighborhood-serving businesses because, despite potential increases in business activity, some smaller, marginally profitable, and locally owned businesses would be likely to be displaced as economic conditions change, landlords begin to increase commercial rents, and more strongly capitalized businesses seek to locate in higher-priced neighborhoods. The PEIR identified improvement measures that could reduce the less-than-significant physical effects of potential displacement of neighborhood serving uses (i.e., Improvement Measure D-1: Support for Local, Neighborhood-Serving Businesses; Improvement Measure D-2: Affordable Housing Production and Retention; Improvement Measure D-3: Affordable Housing Sites; Improvement Measure D-4: Support for PDR Businesses; Improvement Measure D-5: Support for PDR Workers). The PEIR also notes that physical environmental impacts resulting from the growth under the rezoning and area plans are addressed under the relevant sections of the PEIR, such as transportation, air quality, noise, parks and open space, and public services.¹¹

¹¹ Ibid p. 239

In summary, the Eastern Neighborhoods PEIR identified the potential effects of the rezoning and area plans on housing supply and affordability, gentrification, displacement, locally owned businesses, and PDR use, and evaluated whether these socioeconomic effects would result in significant impacts on the physical environment consistent with the requirements of CEQA. The appellant's contention that these socioeconomic effects represent new information or changed circumstances that the Eastern Neighborhoods PEIR failed to consider is therefore incorrect.

6 PROJECT-LEVEL SOCIOECONOMIC EFFECTS

The proposed project at 2675 Folsom Street would demolish three existing warehouses and construct a mixed-use building with 100 market rate and 17 below market rate residential units (15 percent) and 5,200 square feet of PDR space. Because it would not directly displace any existing residents, the proposed project would not result in any related socioeconomic effects.¹²

The appellant contends, however, that even in the absence of direct displacement the project would have indirect displacement effects on existing residents and businesses as a result of gentrification pressures in the Calle 24 Latino Cultural District. As discussed above, the Eastern Neighborhoods PEIR analyzed the possibility that the increase in market rate housing anticipated under the area plans and rezoning could result in indirect displacement of existing residents and businesses as a secondary effect of gentrification and found that these socioeconomic effects would not result in significant physical environmental impacts. Because, as discussed in Section 5 above, the Eastern Neighborhoods PEIR identified potential cumulative gentrification and displacement effects of development under the rezoning and area plans, any such effects attributable to the proposed project would not be peculiar to the project or its site.

In the appellant's letter, the argument that market rate development may cause displacement through gentrification in the Latino Cultural District is primarily supported in two ways. The appellant asserts that displacement of "mom and pop Latino owned and operated concerns" with "high end restaurants, clothing and accessory stores, and personal trainer gyms and yoga studios," (p. 7) along Valencia Street was caused by new market rate development. The appellant also argues that a research brief by UC Berkeley's Institute for Governmental Studies ("IGS") supports the position that market rate development causes displacement.

6.1 COMMERCIAL GENTRIFICATION

The first part of the appellant's argument—the assertion that the project would contribute to or accelerate the "Valenciazation" (p. 7) of the Calle 24 District—is presented only as a theoretical possibility, without

¹² As reported in the project-specific CPE, the proposed project would result in the net loss of 25,322 square feet of warehouse (PDR) space, which represents a considerable contribution to the significant unavoidable cumulative impact on land use within the Eastern Neighborhoods plan areas resulting from the loss of PDR space.

empirical evidence as to the causes of the changes along Valencia Street. The transition of Valencia Street to a regional shopping, dining, and entertainment destination has been underway at least since the early 2000s, predating the recent uptick in residential development in the corridor. The types of “gentrifying” businesses cited by the appellants, such as “high end restaurants, clothing and accessory stores, and personal trainer gyms and yoga studios,” have been in operation along Valencia Street since well before the adoption of the Mission Area Plan. For example, the French bistro Garcon opened in 2005, the flagship store of the Weston boutique has been on Valencia Street since 2003, and the Yoga Tree studio opened in 2002. During the five-year period preceding the opening of Garcon (2001-2005), the number of market-rate units on Valencia increased by 108 (2.5% above the number of units in 2001) while the housing stock citywide expanded by 3.4%. While it is clear that the mix of businesses along Valencia has changed in recent decades, there is no evidence that market rate residential development caused the displacement of “mom and pop” businesses with upscale shopping and dining establishments.

The relatively slow pace of residential development on Valencia (compared to the rest of the city) is also evident over a longer time period. Market rate units along Valencia Street increased by 318 between 2001 and 2015, or roughly 7.9 percent, while the growth of market rate units citywide during the same period has been roughly 9.1 percent. A 2015 report by the City’s Office of Economic Analysis finds, through the analysis of census microdata, that 97 percent of all high-income households new to San Francisco move into existing housing.¹³ As the stock of new market rate housing units on the Valencia corridor has only expanded by roughly 0.5 percent each year over the past 15 years, it is more likely that the shift towards higher end retail along the corridor was caused by an influx of higher income residents into the existing housing stock. Therefore, appellant’s position that new market rate units caused the changes in that corridor and that the project would contribute to a similar process in the Calle 24 District is not supported by empirical evidence.

Although the appellant does not provide evidence in support of the contention that the proposed project would lead to the displacement of Latino-owned businesses, the Planning Department engaged ALH Urban & Regional Economics to evaluate the potential effects of new development under the Eastern Neighborhoods rezoning and area plans on existing businesses in the Calle 24 District.¹⁴ The results of this analysis are summarized below, and the full report is attached as Appendix A.

ALH found that there is little existing literature or study of commercial gentrification effects of new development, but cites a 2016 case study analysis in New York City, which indicates that: “The results of gentrification are mixed and show that gentrification is associated with both business retention and

¹³ City and County of San Francisco Office of the Controller, “Potential Effects of Limiting Market-Rate Housing in the Mission”, September 10, 2015.

¹⁴ Amy Herman, ALH Urban & Regional Economics, *Socio-Economic Effects of Market-Rate Development on the Calle 24 Latino Cultural District, San Francisco, CA*, February 2017.

disruption.”¹⁵ The study further found that most businesses stay in place, and “displacement is no more prevalent in the typical gentrifying neighborhood than in non-gentrifying neighborhoods.”¹⁶ The study concludes that: “The fact that displacement is not systematically higher in New York City’s gentrifying neighborhoods bodes well for cities experiencing less aggressive gentrification; however, cities with less vibrant neighborhood retail markets could be more vulnerable to gentrification-induced displacement.”¹⁷ These findings are similar to the conclusions in the Eastern Neighborhoods PEIR as discussed in Section 5 above.

Based on this study, ALH suggests that it is reasonable to conclude that commercial displacement is no more likely to occur in the Calle 24 District than in other San Francisco neighborhoods not experiencing gentrification. ALH also notes that the study suggests that opportunity exists for neighborhoods to gain quality-of-life services through new businesses and retain more businesses under conditions of gentrification, perhaps due to new and increased spending power locally, recognizing, however, that in “neighborhoods where services grow and/or change, the new products, price points, or cultural orientation could be more alienating than useful for incumbent residents.”¹⁸

ALH observes that this latter point is similar to the appellant’s concern about the “Valenciazation” of the Calle 24 District. However, as discussed above, the changes in the commercial character of the Valencia Street corridor occurred during a period with a limited amount of new market rate development on or near Valencia Street. This suggests that other factors may be more directly associated with commercial gentrification in the Mission than market rate residential development. Thus, in the absence of evidence, and supported by the limited existing academic literature, ALH does not accept the appellant’s premise that market rate residential development causes gentrification of commercial space.

Nevertheless, at the Planning Department’s direction, ALH conducted an analysis of the effects of development anticipated under the Eastern Neighborhoods rezoning and area plans on retail supply and demand within the Calle 24 District. The results of this analysis are summarized below, and the complete analysis is presented in Appendix A.

ALH’s analysis considers entitled projects and projects in the pipeline (i.e., projects with filed permit applications but not yet approved) within a three to four block radius of the Calle 24 District. ALH

¹⁵ Rachel Meltzer, *Gentrification and Small Business: Threat or Opportunity?*, *Cityscape: A Journal of Policy Development and Research*, Volume 18, Number 3, 2016, page 57. See <https://www.huduser.gov/portal/periodicals/cityscpe/vol18num3/index.html>.

¹⁶ *Ibid.*

¹⁷ *Ibid* p. 80.

¹⁸ *Ibid.*

conservatively estimates¹⁹ demand for retail services that could be generated by new residential development within this study area. Although the focus of the appellant's concern is on market rate development, the analysis estimates retail demand of all residential development, both market rate and below market rate.

ALH estimates that new residential development within the study area would generate demand for a total of 34,400 square feet of neighborhood-oriented retail and commercial space, representing 3.6 percent of the existing approximately 480,000 square feet of commercial base within the Calle 24 District. The largest share of the total demand includes services, followed by grocery stores (food and beverage stores), and restaurants and bars (food services and drinking places). The remaining increments are relatively small, all less than 4,000 square feet. ALH notes that a large portion of this demand comprises grocery store demand, which could help support the Grocery Outlet store currently under construction at 1245 South Van Ness, the location of the defunct DeLano's Market closed since 2010, as well as other existing small markets in the area. ALH also observes that because residents of new development within the study area would not likely shop and dine exclusively within the Calle 24 District, some portion of new demand for neighborhood-oriented services would be expressed outside of the study area.

New development under the Eastern Neighborhoods rezoning and area plans would create a total of approximately 30,400 square feet of net new retail space within the study area. Thus, there is essentially equilibrium between the amount of neighborhood-oriented retail demand and net new retail space resulting from anticipated development within the study area. Because not all neighborhood-oriented demand is likely to be expressed for only the retail space in the Calle 24 District, there would likely be a relative surplus of net new neighborhood-oriented retail space relative to new demand. ALH therefore concludes that demand for retail services generated by new residential development within the study area would not result in substantial pressure on the existing retail base in the Calle 24 District.

This commercial displacement finding is reinforced by analysis regarding the existing balance between retail supply and demand in the Calle 24 District as well as the larger Mission District as a whole. As noted above, the Calle 24 District is estimated to have 480,000 square feet of retail space. The Mission District has 3,022,780 square feet of retail space.²⁰ Demand analysis for existing households in the Mission and Calle 24 District indicates that both areas are characterized by retail attraction, meaning they attract more retail sales, or demand, than is supportable by their population bases (see Exhibits 10 through 13 of Appendix A). The demand analysis for each area was prepared using the same methodology and assumptions as for the Calle 24 District pipeline households.

¹⁹ The ALH retail demand estimate is considered conservative for purposes of this analysis because assumptions made in the analysis (e.g., average household income and spending patterns) are more likely to result in overestimation rather than underestimation of the actual retail demand that could be generated.

²⁰ San Francisco Planning Department, *Mission Area Plan Monitoring Report: 2011- 2015*, Table 2.1.1, page 9.

The retail demand analyses are summarized in **Table 1**, which indicates that for the Mission as a whole, residents are estimated to generate total retail demand for 1.1 million square feet, with just under 500,000 square feet of this amount comprising neighborhood-oriented demand. Comparable figures for existing Calle 24 District households are 325,500 square feet of total demand, including 141,500 square feet of neighborhood-oriented demand.

| Table 1: Retail Inventory and Demand Mission and Calle 24 Latino Cultural District | | | | | |
|--|------------------|-----------------------|-----------------------|-------------------|-----------------------|
| | | Square Feet Supported | | Supply Multiplier | |
| Area | Retail Inventory | Total | Neighborhood Oriented | Total | Neighborhood Oriented |
| Mission District | 3,022,780 | 1,134,500 | 493,200 | 2.7 | 6.1 |
| Calle 24 District | 480,000 | 325,500 | 141,500 | 1.5 | 3.4 |
| Sources: San Francisco Planning Department, <i>Mission Area Plan Monitoring Report: 2011-2015</i> , Table 2.1.1, page 9 ALH Urban & Regional Economics | | | | | |

These demand estimates indicate that the supply of retail in the Mission as a whole and the Calle 24 District outstrip locally-generated demand. In the Mission, the total retail supply is more than 2.5 times the amount of retail supportable by its residents. In the Calle 24 District, the figure is smaller at 1.5 times, but is still strongly suggestive of retail attraction, meaning that the existing retail base is attracting clientele from a broader geographic area. This is especially the case considering that neighborhood-oriented demand is only a small subset of total demand, with the supply of neighborhood-oriented businesses in both areas greatly exceeding demand for neighborhood retail.

The San Francisco Controller’s Office peer reviewed the ALH report, and concurred with its conclusions, stating: “There is no reason to believe that development in the pipeline would increase commercial rents in the neighborhood, considering that new development in the pipeline would raise the neighborhood’s supply of commercial space, as well as demand.”²¹

In summary, neither the relevant literature, nor the available evidence support the appellant’s contention that the proposed project would result, either individually or cumulatively, in commercial gentrification within the Calle 24 Latino Cultural District.

6.2 RESIDENTIAL DISPLACEMENT

ALH reviewed numerous studies and papers to identify the existing published research that best address the relationships between housing production, housing cost, and displacement. Based upon this review of the literature and related studies, five papers stand out in regards to their consideration of this issue.

²¹ City and County of San Francisco, Office of the Controller, *Review of ALH Socioeconomics Report*, February 22, 2017.

These papers were authored by state and local policy analysts as well as urban planning academics, and include the following:

Mac Taylor, Legislative Analyst, California Legislative Analyst's Office, "California's High Housing Costs: Causes and Consequences," March 17, 2015. <http://www.lao.ca.gov/reports/2015/finance/housing-costs/housing-costs.pdf>

Mac Taylor, Legislative Analyst, California Legislative Analyst's Office, "Perspectives on Helping Low-Income Californians Afford Housing," (February 2016). <http://www.lao.ca.gov/Reports/2016/3345/Low-Income-Housing-020816.pdf>

City and County of San Francisco, Office of the Controller-Office of Economic Analysis, "Potential Effects of Limiting Market-Rate Housing in the Mission," (September 10, 2015). http://sfcontroller.org/sites/default/files/FileCenter/Documents/6742-mission_moratorium_final.pdf

Miriam Zuk, Karen Chapple, "Housing Production, Filtering and Displacement: Untangling the Relationships," University of California, Berkeley, Institute of Governmental Studies Research Brief (May 2016). http://www.urbandisplacement.org/sites/default/files/images/udp_research_brief_052316.pdf

Paavo Monkkonen, Associate Professor Urban Planning, University of California Los Angeles, "Understanding and Challenging Opposition to Housing Construction in California's Urban Areas," Housing, Land Use and Development Lectureship & White Paper, December 1, 2016. <http://uccs.ucdavis.edu/uccs-crre-housing-policy-brief-white-paper>

Appendix A includes a synopsis of the findings from each of these studies most specifically addressing housing production and housing costs, with an emphasis, if possible, on rental housing, as this is most applicable to the Calle 24 District and San Francisco.

The findings from the five studies identified above support the conclusion that housing production does not result in increased costs of the existing housing base, but rather helps suppress existing home prices and rents. In addition, through filtering²², new home development makes other units available for households with lower incomes than those occupying newer units, although the rate at which this filtering occurs can vary, depending upon the housing market dynamics. Further, the studies find that both market-rate and affordable housing development help to suppress price appreciation and reduce displacement, with affordable housing having double the protective effect of market-rate housing, although the rate at which this occurs in small, localized areas requires further analysis to best understand the relationship between development, affordability, and displacement at the local level.

²² *Filtering* is the process by which the cost of older market rate housing stock is suppressed through the increased availability of newer market rate development.

The appellant references one of the studies reviewed by ALH (the Zuk and Chapple brief) to argue that the proposed project would cause displacement. However, as further discussed in Appendix A, the Zuk and Chapple brief does not support this conclusion. As the appellant's letter itself highlights, the brief stresses the importance of building both market rate and subsidized housing in order to ease displacement pressures at the regional scale. The report finds "that market-rate housing built in the 1990s significantly reduces the incidence of displacement from 2000 to 2013",²³ and states further: "These findings provide further support for continuing the push to ease housing pressures by producing more housing at all levels of affordability throughout strong-market regions."²⁴ Another way of phrasing these findings is that if the project was not built, displacement pressures in the city and region would increase, as the project includes both market rate and affordable units, both of which have an attenuating effect on displacement, according to the study. Zuk and Chapple find that the effect at finer grained scales (such as the census block group level) is "insignificant"²⁵, meaning that neither a positive nor a negative impact could be detected. Thus, the Zuk and Chapple brief does not support the appellant's contention that development like the proposed project causes displacement.

The San Francisco Controller's Office concurred with ALH's analysis, stating: "There is no reason to believe that new housing increases the market rents of vacant rental units or the sales prices of for-sale units."²⁶

In addition to ALH's review of the relevant research, the Planning Department undertook exploratory analysis to test the proposition that market rate development has caused displacement at a finer grained scale (the census tract) in San Francisco over the past 15 years and has similarly found no clear cause and effect relationship. A statistical simple correlation analysis between new units added between 2000 and 2015 by census tract and eviction notices served between 2011 and 2015 shows only a weak *negative* correlation, that is census tracts with *more* development saw *fewer* evictions.^{27,28} This analysis uses the

²³ Miriam Zuk & Karen Chapple, *Housing Production, Filtering and Displacement: Untangling the Relationships*, University of California, Berkeley, Institute of Governmental Studies Research Brief (May 2016), page 6.

²⁴ *Ibid* p. 3.

²⁵ *Ibid* p. 7.

²⁶ City and County of San Francisco, Office of the Controller, *Review of ALH Socioeconomics Report*, February 22, 2017.

²⁷ The Planning Department analyzed both "no fault" and "for cause" evictions, since "for cause" evictions currently make up a majority of all cases. This relationship holds for both types of evictions.

²⁸ This analysis standardized evictions in census tracts across the city by dividing them by the total number of rental units in the census tract in order to compare relative rates of evictions between tracts and not to compare absolute numbers of evictions, since tracts with greater amounts of rental housing would be assumed to have a proportionately greater absolute number of evictions.

frequency of eviction notices as an appropriate proxy and indicator for overall displacement pressure. In order to detect whether new market rate housing “signals” the desirability of neighborhoods and attracts high-income residents in a later period, staff correlated eviction notices given between 2011 and 2015 with new market rate units built during four periods (2001 to 2005, 2006 to 2010, 2011 to 2015, and 2001 to 2015). Each showed a weak and non-statistically significant correlation between evictions and new development and a very low “goodness of fit”, meaning that to the extent that a correlation exists, new market rate development explains very little of the variability of evictions across neighborhoods. In the absence of a statistically significant correlation between these two variables, the causal relationship between new market rate development and evictions/displacement claimed by the appellants is extremely speculative (if not unlikely) and is not supported by any empirical evidence in the record.

6.3 CONCLUSION

Neither the relevant published research nor available data support the appellant’s contention that the proposed project would result, either individually or cumulatively, in indirect displacement of existing residents or businesses as a secondary effect of gentrification. Moreover, even if the proposed project could have these effects, this would not represent a new or more severe impact that is peculiar to the project or its site because the Eastern Neighborhoods PEIR included a detailed analysis of this topic. Finally, to the extent that the proposed project would cause or contribute to gentrification or displacement effects identified in the Eastern Neighborhoods PEIR, these socioeconomic effects would not in and of themselves constitute environmental impacts under CEQA.

7 PHYSICAL ENVIRONMENTAL IMPACTS

Pursuant to CEQA Guidelines section 15131(a): “[a]n EIR may trace a chain of cause and effect from a proposed decision on a project through anticipated economic or social changes resulting from the project to physical changes caused in turn by the economic or social changes. The intermediate economic or social changes need not be analyzed in any detail greater than necessary to trace the chain of cause and effect. The focus of the analysis shall be on the physical changes.” Accordingly, the following analysis examines the appellant’s claim that the proposed project would result in *physical* changes to the environment as a consequence of gentrification and displacement that were not analyzed as significant effects in the Eastern Neighborhoods PEIR.

As discussed above, the Eastern Neighborhoods PEIR determined that adoption and implementation of the area plans and rezoning would result in economic impacts that could potentially displace existing businesses and residents, and identifies improvement measures that could reduce the less-than-significant physical effects of potential displacement of neighborhood serving businesses and residents. Although the PEIR did not establish a causal link between potential displacement effects and significant physical environmental impacts, the PEIR did identify physical environmental impacts related to growth under the area plans and rezoning. The PEIR analyses the physical environmental impacts caused by

growth anticipated under the area plans and rezoning in the relevant resource topic sections, such as transportation, air quality, noise, and parks and open space.

The appellant claims that the proposed project would cause or contribute to socioeconomic effects that would in turn cause significant physical environmental impacts beyond those identified in the Eastern Neighborhoods PEIR. Specifically, the appellant contends that the proposed project, through gentrification and displacement, would have significant cumulative impacts on traffic, parking, health and safety, and greenhouse gasses, and on aesthetic, historic, and cultural aspect of the Calle 24 Latino Cultural District. Since, as shown above, there is no evidence to support the appellant's claim that the proposed project would cause or contribute to gentrification or displacement effects, it follows that there is also no evidence to establish a causal link between gentrification and displacement and physical environmental impacts beyond those identified in the Eastern Neighborhoods PEIR. Notwithstanding the above, the following analysis tests the appellant's claims by examining whether, regardless of the cause, physical impacts are occurring within the Calle 24 Latino Cultural District beyond those anticipated in the Eastern Neighborhoods PEIR.

7.1 TRANSPORTATION

Pursuant to the requirements of CEQA section 21083.3 and CEQA Guidelines section 15183, the CPE checklist prepared for the 2675 Folsom Street project evaluates whether the proposed project would result in significant impacts on transportation, either individually or cumulatively, beyond those identified in the Eastern Neighborhoods PEIR.²⁹ This analysis is supported by a 222-page project-specific transportation impact study, that evaluates the project-level and cumulative impacts of the proposed project on vehicle miles traveled, transit, bicycle and pedestrian safety (including pick up and drop off at the nearby Cesar Chavez Elementary School), loading, and emergency services and access.³⁰ Contrary to the appellant's contentions, the project-specific transportation impact analysis does not rely on "outdated" information. Instead, the analysis uses the latest transportation models, forecasting, and impact assessment methodologies, incorporating up-to-date transportation, population, growth, and demographic data to evaluate the effects of the proposed project on both existing and 2040 cumulative transportation conditions. Based on this analysis, the CPE determines that the proposed project would not result in significant impacts on transportation beyond those identified in the Eastern Neighborhoods PEIR.

Even though the analysis provided in the CPE fully satisfies the requirements of CEQA and no further analysis of the transportation impacts of the proposed project is required, the Planning Department worked with transportation consultants at Fehr & Peers to explore the appellant's claims that the proposed project would cause or contribute to new or substantially more severe transportation impacts than were identified in the Eastern Neighborhoods PEIR due to new information or changed

²⁹ San Francisco Planning Department, *2675 Folsom Street Project Community Plan Exemption Checklist*, pp. 17-21, September 20, 2016.

³⁰ Fehr & Peers, *2675 Folsom Street Transportation Impact Study*, April 2016.

circumstances not previously considered. This analysis compares the transportation impacts anticipated in the Eastern Neighborhoods PEIR with up-to-date transportation impact data and models. As summarized below and further detailed in Appendix B, the results of this analysis demonstrate that current transit and traffic conditions are generally better than the Eastern Neighborhoods PEIR anticipated would be the case by this time. The PEIR anticipated there would be less transit capacity and correspondingly higher capacity utilization (crowding) on the Muni lines serving the Mission and estimated that a slightly higher percentage of new trips would be made by private vehicles than current data demonstrate. In addition, while the Mission has undergone significant demographic and economic change, residents on average still own around the same number of vehicles, and use non-auto modes at similar rates as they did prior to adoption of the rezoning and area plans.

7.1.1 Transit

The Eastern Neighborhoods PEIR determined that population growth under the rezoning and area plans would result in significant cumulative impacts on transit. Specifically, the PEIR anticipated that daily transit trips between 2000 and 2025 would increase by approximately 254,000 trips or about 20 percent over baseline conditions within San Francisco as a whole and by approximately 28,000 daily trips or approximately 38 percent in the Eastern Neighborhoods. The PEIR determined that without increases in peak-hour capacity, population growth in the Eastern Neighborhoods would result in significant cumulative impacts on transit capacity. The PEIR identified Mitigation Measures E-5 through E-11 to address impacts and transit capacity. These measures call for:

- Transit corridor improvements (e.g., along Mission Street between 14th and Cesar Chavez streets, 16th Street between Mission and Third streets, Bryant Street or other parallel corridor between Third and Cesar Chavez streets, a north-south corridor through portions of SoMa west of Fifth Street, and service connecting Potrero Hill with SoMa and downtown)
- Implementing service recommendations from the Transit Effectiveness Project, Better Streets Plan and Bicycle Plan when available and as feasible
- Providing additional funding for Muni maintenance and storage facilities
- Increasing passenger amenities, such as expanded installation of the Next Bus service and new bus shelters
- Expanding use of transit preferential street technologies to prioritize transit circulation, and
- Expanding the Transportation Demand Management program to promote the use of alternate modes of transportation.

The PEIR determined that while these measures would reduce operating impacts and improve transit service within the Eastern Neighborhoods, the adverse effects to transit could not be fully mitigated. Also, given the inability to determine the outcome of the Transit Effectiveness Program, Better Streets Plan, Bicycle Plan, and other plans and programs that were in process at the time that the PEIR was certified and uncertainty regarding future funding of these plans and programs, the PEIR determined that the feasibility of these mitigation measures could not be assured. Thus, the PEIR determined that cumulative impacts on transit under the rezoning and area plans would be significant and unavoidable.

Since the certification of the Eastern Neighborhoods PEIR, the City has implemented many of the plans, programs, and improvements identified in Eastern Neighborhoods PEIR Mitigation Measures E-5 through E-11 as summarized below.

In compliance with a portion of Mitigation Measure E-5: Enhanced Transit Funding, the City adopted impact fees for development in Eastern Neighborhoods that go towards funding transit and complete streets projects. In addition, the Board of Supervisors approved amendments to the San Francisco Planning Code, referred to as the Transportation Sustainability Fee (Ordinance 200-154, effective December 25, 2015).^[1] The fee updated, expanded, and replaced the prior Transit Impact Development Fee, which is in compliance with portions of Mitigation Measure E-5: Enhanced Transit Funding. With respect to Mitigation Measures E-5: Enhanced Transit Funding and Mitigation Measure E-11: Transportation Demand Management, on February 7, 2017 the Board of Supervisors adopted amendments to the planning code, referred to as the Transportation Demand Management Program.^[2] Additionally, SFMTA has sought grants through local Proposition A funds directly supporting the 14 Mission Rapid Project, the Potrero Avenue Project for the 9 San Bruno and 9R San Bruno Rapid routes (currently under construction), and the 16th Street Transit Priority Project for the 22 Fillmore (expected construction between 2017 and 2020). The SFMTA also pursued funding from the Federal Transit Administration and the Metropolitan Transportation Commission for the transit corridor projects for the 14 Mission along Mission Street and for the 22 Fillmore along 16th Street. In compliance with all or portions of Mitigation Measure E-6: Transit Corridor Improvements, Mitigation Measure E-7: Transit Accessibility, Mitigation Measure E-9: Rider Improvements, and Mitigation Measure E-10: Transit Enhancement, the SFMTA is implementing NextBus, Customer First, and the Transit Effectiveness Project, which was approved by the SFMTA Board of Directors in March 2014. There are about 850 NextBus displays throughout the City with strong coverage throughout the Mission District. Customer First improved lighting and shelters at stops. The Transit Effectiveness Project is now called Muni Forward and includes system-wide review, evaluation, and recommendations to improve service and increase transportation efficiency.

In addition, Muni Forward also includes transit service improvements to various routes with the Eastern Neighborhoods Plan area the service improvements include the creation of new routes such as the implementation of Route 55 on 16th Street between the intersection of 16th and Mission Streets and Mission Bay, changes to route alignment such as for the 27 Bryant, the elimination of underused existing routes or route segments, changes to the frequency and hours of transit service, changes to the transit vehicle type on specific routes, and changes to the mix of local/limited/express services on specific routes. Many of the service improvements analyzed as part of Muni Forward in the Transit Effectiveness Project EIR have been implemented, but some are receiving further study.

^[1] Two additional files were created at the Board of Supervisors for TSF regarding hospitals and health services, grandfathering, and additional fees for larger projects: see Board file nos. 151121 and 151257.

^[2] San Francisco Board of Supervisors. 2017. BOS File 160925. Available online at <https://sfgov.legistar.com/LegislationDetail.aspx?ID=2830460&GUID=EFCB06B2-19CB-4777-B3A5-1638670C3A2C> accessed February 21, 2017. Additional information is available at the Planning Department web page for TDM at <http://sf-planning.org/shift-transportation-demand-management-tdm> accessed February 21, 2017.

Mitigation Measure E-7 also identifies implementing recommendations of the Bicycle Plan and Better Streets Plan. As part of the San Francisco Bicycle Plan, adopted in 2009, a series of minor, near-term, and long-term bicycle facility improvements are planned within the Eastern Neighborhoods, including along 2nd Street, 5th Street, 17th Street, Townsend Street, Illinois Street, and Cesar Chavez Street. The minor improvements consist of a toolkit of treatments implemented on an as-needed basis to support bicycling in the city such as shared lane markings called sharrows and the provision of bicycle parking within the public right-of-way including bicycle racks on sidewalks and on-street bicycle corrals. Most near-term improvements have been implemented as indicated above. With the implementation of bicycle facilities as part of the Bicycle Plan and envisioned as part of the 2013 Bicycle Strategy, San Francisco has experienced an increase in bicycle ridership. Since 2006, the SFMTA has conducted annual bicycle counts during peak commute hours at various intersections throughout the city.³¹ While the bicycle counts at any one intersection may fluctuate from year to year, the most recent counts from 2015 demonstrate that the overall the number of bicyclists in the city, including in the Mission District, have increased over the counts from 2008, when the Eastern Neighborhoods PEIR was certified. For example, at the intersection of 17th and Valencia Streets in the p.m. peak there were 485 cyclists in 2008 compared with 1,219 in 2015, and at the intersection of 23rd Street and Potrero Avenue in the p.m. peak there were 50 cyclists in 2008 compared with 106 in 2015.

The San Francisco Better Streets Plan, adopted in 2010, describes a vision for the future of San Francisco's pedestrian realm and calls for streets that work for all users. The Better Streets Plan requirements were codified in section 138.1 of the planning code and new projects constructed in the Eastern Neighborhoods Plan area are subject to varying requirements, dependent on project size.

Another effort which addresses transit accessibility, Vision Zero, was adopted by various City agencies in 2014. Vision Zero focuses on building better and safer streets through education, evaluation, enforcement, and engineering. The goal is to eliminate all traffic fatalities by 2024. Vision Zero projects within the Eastern Neighborhoods Plan areas include pedestrian intersection treatments along Mission Street from 18th to 23rd streets, the Potrero Avenue Streetscape Project from Division to Cesar Chavez streets, and the Howard Street Pilot Project, which includes pedestrian intersection treatments from 4th to 6th streets.

Overall, compared to the transit service analyzed in the Eastern Neighborhoods PEIR, current transit service has increased by 8 percent in the a.m. peak hour, 14 percent during midday, and 6 percent in the p.m. peak hour. As a result, the significant impacts identified in the Eastern Neighborhoods PEIR on transit capacity have not materialized. The following analysis compares the impacts on transit capacity anticipated in the Eastern Neighborhoods PEIR with current and projected future transit conditions in light of the transit system improvements described above.

The SFMTA Board has adopted an 85-percent capacity utilization performance standard for transit vehicle loads, meaning that Muni transit lines should operate at or below 85 percent of transit vehicle capacity. This performance standard more accurately reflects actual operations and the likelihood of "pass-ups" (i.e., vehicles not stopping to pick up more passengers). The Planning Department applies this

³¹ SFMTA. 2009-2016. Bike Reports Available online at <https://www.sfmta.com/about-sfmta/reports/bike-reports>. Accessed February 21, 2017.

standard as a CEQA threshold of significance for determining peak period transit demand impacts to the SFMTA lines. **Table 2** shows the capacity utilization for the 11 Muni lines serving the Eastern Neighborhoods plan areas under the 2000 CEQA baseline and the 2025 no project and with project cumulative scenarios as reported in the Eastern Neighborhoods PEIR. The last two columns of the table show 2013 capacity utilization on these same lines based on SFMTA data and the SF-CHAMP³² 2040 cumulative scenario based on current model inputs. As shown in **Table 2**, capacity utilization on the Muni bus and light rail lines serving the Eastern Neighborhoods is generally lower than the PEIR baseline conditions, and the anticipated 2040 cumulative conditions are better than the anticipated 2025 cumulative conditions.

³² The San Francisco Chained Activity Modeling Process (“SF-CHAMP”) is a regional travel demand model designed to assess the impacts of land use, socioeconomic, and transportation system changes on the performance of the local transportation system. The San Francisco County Transportation Authority developed SF-CHAMP to reflect San Francisco’s unique transportation system and socioeconomic and land use characteristics. It uses San Francisco residents’ observed travel patterns, detailed representations of San Francisco’s transportation system, population and employment characteristics, transit line boardings, roadway volumes, and the number of vehicles available to San Francisco households to produce measures relevant to transportation and land use planning. Using future year transportation, land use, and socioeconomic inputs, the model forecasts future travel demand.

| Table 2: Muni Capacity Utilization at Maximum Load Point Weekday PM Peak Hour Inbound/Outbound | | | | | | | |
|---|--------------------------|-----------------------|---------------------|---------------------|---------------------|--------------------|------------------|
| Line | EN PEIR 2000 Baseline | EN 2025 No Project | EN 2025 Option A | EN 2025 Option B | EN 2025 Option C | SFMTA Fall 2013 | SF-CHAMP 2040 |
| 9-San Bruno | 94%/110% | 120%/151% | 134%/151% | 135%/149% | 148%/165% | 57%/68% | 61%/84% |
| 12-Folsom | 94%/30% | 109%/42% | 112%/42% | 113%/41% | 120%/52% | 73%/57% | N/A ¹ |
| 14-Mission | 47%/86% | 60%/113% | 62%/113% | 63%/112% | 69%/122% | 49%/40% | 39%/76% |
| 22-Fillmore | 82%/85% | 95%/102% | 98%/102% | 100%/101% | 107%/109% | 61%/58% | 68%/83% |
| 26-Valencia | 26%/76% | 33%/89% | 33%/89% | 33%/90% | 35%/94% | N/A ² | N/A ² |
| 27-Bryant | 86%/57% | 111%/78% | 118%/78% | 119%/77% | 126%/84% | 60%/46% | 63%/55% |
| 33-Stanyan | 68%/56% | 87%/74% | 89%/74% | 91%/73% | 97%/81% | 53%/42% | 63%/55% |
| 48-Quintara | 87%/72% | 112%/94% | 113%/94% | 115%/93% | 119%/100% | 57%/65% | 67%/63% |
| 49-Van Ness-Mission | 73%/93% | 85%/112% | 89%/112% | 91%/111% | 100%/121% | 48%/47% | N/A ³ |
| 53-Southern Heights | 27%/31% | 34%/44% | 35%/44% | 35%/43% | 37%/48% | N/A ⁴ | N/A ⁴ |
| 67-Bernal Heights | 67%/68% | 86%/88% | 87%/88% | 87%/88% | 88%/88% | 15%/46% | 22%/66% |

¹ Under Muni-Forward, the 12-Folsom may be replaced by the 10 Sansome on a portion of the route and by the 27 Bryant on the remainder of the route.
² The 26-Valencia route was eliminated in December 2009.
³ The 49-Van Ness-Mission will change to limited stop/rapid service at the time that the Van Ness BRT service commences.
⁴ The 53-Southern Heights route was eliminated in December 2009.

Bold text denotes significant impact based on exceedance of 85-percent capacity utilization significance threshold.

Sources:
 Eastern Neighborhoods PEIR p. 282
 San Francisco Planning Department, *Transit Data for Transportation Impact Studies*, May 15, 2015.
 SFCTA, *SF-CHAMP model run for Central Corridor 2040 Cumulative Scenario*, November 12, 2013.

In conclusion, as a result of substantial increases in transit capacity, the cumulative impacts on transit resulting from growth under the Eastern Neighborhoods rezoning and area plans is *less* severe rather than more severe than anticipated in the PEIR. As such, it is evident that the demographic changes occurring in the Mission have not resulted in significant impacts on transit service that were not anticipated in the Eastern Neighborhoods PEIR. Therefore, the proposed project would not result in significant impacts, either individually or cumulatively, on transit beyond those identified in the PEIR.

7.1.2 Traffic Congestion

At the time that the Eastern Neighborhoods PEIR was certified in 2008, the Planning Department considered increased traffic congestion as measured by the level of service metric to be a physical environmental impact under CEQA. However, in 2013, the state legislature amended CEQA adding Chapter 2.7: Modernization for Transportation Analysis of Transit Oriented Infill Projects. Accordingly, CEQA section 21099(b)(1) requires that the State Office of Planning and Research (OPR) develop revisions to the state CEQA Guidelines establishing criteria for determining the significance of transportation impacts of projects that promote the “reduction of greenhouse gas emissions, the development of multimodal transportation networks, and a diversity of land uses.” CEQA section 21099(b)(2) states that upon certification of the revised CEQA Guidelines for determining transportation impacts pursuant to

section 21099(b)(1), automobile delay, as described solely by level of service (LOS) or similar measures of vehicular capacity or traffic congestion, shall not be considered a significant impact on the environment under CEQA.

In January 2016, OPR published for public review and comment a *Revised Proposal on Updates to the CEQA Guidelines on Evaluating Transportation Impacts in CEQA*³³ (proposed transportation impact guidelines) recommending that transportation impacts for projects be measured using a vehicle miles traveled (“VMT”) metric. VMT measures the amount and distance that a project might cause people to drive, accounting for the number of passengers within a vehicle.

OPR’s proposed transportation impact guidelines provides substantial evidence that VMT is an appropriate standard to use in analyzing transportation impacts to protect environmental quality and a better indicator of greenhouse gas, air quality, and energy impacts than automobile delay. Acknowledging this, San Francisco Planning Commission Resolution 19579, adopted on March 3, 2016:

- Found that automobile delay, as described solely by LOS or similar measures of vehicular capacity or traffic congestion, shall no longer be considered a significant impact on the environment pursuant to CEQA, because it does not measure environmental impacts and therefore it does not protect environmental quality.
- Directed the Environmental Review Officer to remove automobile delay as a factor in determining significant impacts pursuant to CEQA for all guidelines, criteria, and list of exemptions, and to update the Transportation Impact Analysis Guidelines for Environmental Review and Categorical Exemptions from CEQA to reflect this change.
- Directed the Environmental Planning Division and Environmental Review Officer to replace automobile delay with VMT criteria which promote the reduction of greenhouse gas emissions, the development of multimodal transportation networks, and a diversity of land uses; and consistent with proposed and forthcoming changes to the CEQA Guidelines by OPR.

Planning Commission Resolution 19579 became effective immediately for all projects that had not received a CEQA determination as of March 3, 2016, and for all projects that have previously received CEQA determinations, but require additional environmental analysis. Therefore, the CPE for the proposed project does not consider whether the proposed project would have significant impacts either individually or cumulatively on traffic congestion as measured by LOS. Instead, in accordance with CEQA section 21099 and Planning Commission Resolution 19579, the CPE evaluates whether the proposed project would result in significant impacts on VMT. As stated in the CPE checklist and supported by the project-specific transportation impact study, the proposed project would not have a significant impact either individually or cumulatively on VMT. As noted above, this analysis uses the latest transportation models and impact assessment methodologies, incorporating up-to-date transportation, population, growth, and demographic data to evaluate the effects of the proposed project on both existing and 2040 cumulative transportation conditions. Based on this analysis, the CPE concludes that the project would not have a significant impact on traffic that is peculiar to the project or

³³ This document is available online at: https://www.opr.ca.gov/s_sb743.php.

the project site, and that no further environmental review of the project's effects on traffic congestion is required in accordance with CEQA section 21083.3 and CEQA Guidelines section 15183.

Even though, as discussed above, the CPE establishes that the proposed project would not have significant impacts either individually or cumulatively related to increased VMT, the following analysis further examines the appellant's contentions that the project would have substantially more severe impacts on traffic than were identified in the Eastern Neighborhoods PEIR.

7.1.3 Travel Behavior

The appellant contends that gentrification and displacement that the proposed project would contribute to are resulting in increased traffic due to "reverse commutes," stating:

"The PEIR did not anticipate the "advanced gentrification" of the neighborhood, along with the extensive displacement of Latino families and businesses, the reverse commute to distant areas, and that impact on greenhouse gas emissions and on traffic congestion... Due to the unexpected rise in rents throughout the Bay Area, displaced residents are now required to commute distances as far as Vallejo and Tracy, distances was [sic] not contemplated in the PEIR for the Eastern Neighborhoods."

As presented in Appendix B and summarized below, updated local and regional transportation modeling, census data, and traffic counts at representative intersections in the Mission do not support the appellant's claim that increased commute distances by displaced workers is causing significant cumulative transportation impacts beyond those anticipated under the Eastern Neighborhoods PEIR.

Many factors affect travel behavior, including land-use density and diversity, design of the transportation network, access to regional destinations, distance to high-quality transit, development scale, demographics, and transportation demand management. Typically, low-density development located in areas with poor access to non-private vehicular modes of travel generate more automobile travel compared to development located in urban areas, where a higher density mix of land uses and travel options other than private vehicles are available. Given these travel behavior factors, San Francisco has a lower ratio of VMT per household than the San Francisco Bay Area regional average.

The San Francisco County Transportation Authority uses the SF-CHAMP model to estimate VMT by private automobiles and taxis for different land use types. The SF-CHAMP model assigns all predicted trips within, across, and to or from San Francisco onto the roadway network and the transit system by mode and transit carrier for a particular scenario. For example, the 2040 SF-CHAMP model run assigns trips to and from each of the 981 transportation analysis zones across San Francisco based on the land use development that is projected. Trips that cross San Francisco, but do not have an origin or destination in the city are projected using inputs from the regional transportation model. SF-CHAMP models travel behavior based on the following inputs:

- Projected land use development (based on the Planning Department's pipeline) and population and employment numbers – as provided by the Planning Department, based on the Association

of Bay Area Governments (“ABAG”) Projections (currently the Projections 2013 (Sustainable Communities Strategy).

- Observed behavior from the California Household Travel Survey 2010-2012
- Census data regarding automobile ownership rates and county-to-county worker flows
- Observed vehicle counts and transit boardings.

Neither SF-CHAMP nor the regional travel model³⁴ explicitly link low-income workers living in one area with lower paying jobs in another area, or high-income workers with high-paying jobs for that matter; this level of analysis is generally considered to be more fine-grained than is appropriate for regional travel forecasts. Instead, household-job links are established using existing research on typical commute patterns and distances, including the distribution of workers living in a given area who travel longer distances to work, and so forth³⁵. Based on the model inputs, which as noted above include development in the Planning Department’s pipeline, both regional average and local San Francisco VMT is expected to decrease in the future.

Regardless of the model assumptions, some households will move from San Francisco and have increased commute distances, while others may change jobs and have decreased commute distances. However, the model indicates that overall aggregate regional growth is expected to reduce the average distance that a typical worker travels between home and work. The Transportation Authority estimates that existing average VMT per household is 17.2 for the region and 5.9 for the project area (Transportation Analysis Zone 170). VMT per household is expected to decrease to 16.1 for the region and to 5.3 for the project area by 2040³⁶. Employment data shows that the share of Bay Area residents living more than 10 miles from their employer increased from 2004 to 2014; over the same period, the absolute number of individuals living more than 10 miles from their employer also increased. As such, a larger number of individuals are likely driving alone to work across longer distances. This does not, however, translate into a higher share of individuals driving alone to work; the regional drive alone commute modeshare is at its lowest point since 1960, based on census data. Moreover, the Eastern Neighborhoods PEIR anticipated traffic impacts due to increased vehicle trips associated with population growth.

The Eastern Neighborhoods PEIR determined that increased vehicle trips resulting from population growth and development under the rezoning and area plans would result in level of service impacts at representative intersections in the Mission. Of the 13 study intersections in the Mission, the PEIR determined that significant LOS impacts would occur at three intersections during the weekday p.m. peak hour under rezoning Option A, five under Option B, and four under Option C. The PEIR also

³⁴ SF-CHAMP is built using the regional travel model, and adding additional detail to TAZs located within San Francisco.

³⁵For additional detail on the process of developing the travel model, see the MTC documentation at: <http://mtcgis.mtc.ca.gov/foswiki/Main/Development>

³⁶ Schwartz, Michael, Coper, Drew, *Quantification of Impacts under CEQA following new guidelines from the Governor’s Office of Planning and Research*, February 2016. Kosinski, Andy, *VMT Analysis for 2675 Folsom Street, Case No 2014-000601*, April 2016.

determined that three additional intersections in the Mission would operate at unacceptable levels of service under both the no project and each of the three rezoning options by 2025.

To test the appellant's assertion that traffic conditions in the Mission are worse than anticipated in the PEIR, Fehr & Peers worked with Planning to select four of the intersections studied in the Mission for the Eastern Neighborhoods PEIR and conduct one-day p.m. peak hour turning movement counts in December 2016³⁷. In order to present a representative count of vehicles, these intersection counts do not include Mission Street due to the installation of bus-only lanes (which act to divert some private vehicle traffic from Mission Street) in 2015. These counts were then compared to the level of traffic expected in the PEIR based on the total change in housing units constructed in the Mission from 2011 to 2015. Full turning movement volumes and estimated calculations are included in Appendix B.

As shown in Appendix B, on average, observed traffic volumes in 2016 were around 5 to 10 percent *lower* than expected in the Eastern Neighborhoods PEIR and the percentage of estimated development completed; this indicates traffic volumes similar to or slightly below PEIR projections³⁸. At three of the four intersections counted, total traffic volume had in fact decreased from the 2000 baseline count data. The exception is at 16th Street and South Van Ness, where there was an increase in traffic volume traveling northbound and southbound. This likely reflects shifts from other north/south streets such as Mission Street that have seen changes in their roadway configurations that were not anticipated by the analysis in the Eastern Neighborhoods PEIR.

7.1.4 Private Car Ownership and Driving Rates in the Mission

The appellant contends that gentrification and displacement are also resulting in increased traffic and related impacts because higher income correlates with higher private car ownership and driving rates. Again, available evidence does not support the underlying premise that the proposed project would cause or contribute to gentrification or displacement in the first place. Moreover, the appellant's claim that the rate of private car ownership in the Mission has increased, and that this is causing significant cumulative traffic and greenhouse gas impacts beyond those anticipated under the Eastern Neighborhoods PEIR is not supported by the available evidence.

Partially due to the in-migration of higher income earners, the median household living in the Mission in 2014 has a significantly higher income than the median household living there in 2000. Median annual income increased from around \$67,000 to around \$74,000 during that time (in 2014 inflation-adjusted dollars). This reflects the migration patterns partially discussed above, as well as some level of general increases in incomes over that time. The same pattern can be seen by examining the share of all households with incomes above \$100,000, which has more than doubled from 2000 to 2014.

³⁷ While vehicle counts are typically not taken in December due to changes in travel patterns during that time, schedule constraints necessitated immediate counts. Counts were collected on a weekday with average weather, while area schools were still in session.

³⁸ Projected traffic volumes for EIR Option A (at 30% complete) and the No Project scenario were similar to those for Option C, and were on average higher than the observed 2016 traffic volumes.

However, although the typical household has a higher income, automobile availability on a per capita basis has not increased over the same period. The same percentage of households have zero cars available (39 percent to 40 percent of households), and the average number of vehicles available per household has remained nearly constant over that same period. Similarly, the share of Mission residents commuting to work by driving alone has also remained steady, at 25 percent to 29 percent. Due to population growth, this does result in more vehicles and more people driving alone compared to in 2000; however, the Eastern Neighborhoods PEIR transportation impact analysis accounted for this growth, and as discussed above, observed traffic volumes in 2016 were around 5 to 10 percent lower on average than expected in the Eastern Neighborhoods PEIR.

In addition to census data, the Planning Department has conducted three case studies at residential developments built in the past ten years in the Mission neighborhood. These sites are located at 2558 Mission Street, 555 Bartlett Street, and 1600 15th Street. Each building consists of newer, market-rate housing, although 555 Bartlett Street and 1600 15th Street each include between 15 and 20 percent onsite below market rate units. Surveys at these sites were conducted in 2014 and 2015 during the extended a.m. and p.m. peak hours, and consisted of intercepting individuals at all project entrances and exits to inquire about their mode choice. In addition, person counts and vehicle counts were conducted at all entrances. Results from these surveys are shown by site in **Table 4**.

| Table 3: Comparison of Shifts in Income and Automobile Travel Indicators | | | | | | |
|---|---|--|--|---|---|---|
| Mission Residents | | | | | | |
| Year | Median Household Income (2014 Dollars) | Average Household Income (2014 Dollars) | Share of Households with Income Above \$100,000 (nominal) | Share of Commuters Driving Alone to Work | Share of Households with Zero Cars Available | Vehicles Available per Household |
| 2000 | \$67,000 | \$81,000 | 15% | 29 % | 39% | 0.85 |
| 2004 - 2009 | \$70,000 | \$98,000 | 31% | 25 % | 40% | 0.82 |
| (% Change from 2000) | + 4% | +21% | + 106% | - 14% | <1% | -3% |
| 2009 – 2014 | \$74,000 | \$109,000 | 40% | 27 % | 40% | 0.82 |
| (% Change from 2000) | + 10% | +35% | + 166% | - 7% | <1% | -3% |

Source: Decennial Census, 2000, Tables H044, P030, DP3; American Community Survey, 5-year averages, 2009 & 2014, Tables S1901, S0802, B25044; Fehr & Peers, 2016.

| Table 4: Observed Mode Splits at Residential Developments in the Mission | | | | | | | | |
|--|-------------|---------|------|------------|------|---------|------|-----------------|
| Address | Drive Alone | Carpool | Walk | Taxi / TNC | Bike | SF Muni | BART | Private Shuttle |
| 1600 15th St¹ (596 total person trips) | 19% | 15% | 33% | 4% | 5% | 7% | 16% | 2% |
| 555 Bartlett Street² (183 total person trips) | 25% | 28% | 19% | 3% | 6% | 4% | 14% | 1% |
| 2558 Mission Street³ (288 total person trips) | 13% | 13% | 38% | 8% | 1% | 7% | 17% | 4% |

¹ Survey conducted August 13, 2014.
² Survey conducted August 27, 2014.
³ Survey conducted July 9, 2015.

Based on trips made between 7 a.m. – 10 a.m. and 3 p.m. – 7 p.m. on a typical weekday in the summer. Total number of trips represented all counted person trips; response rates to survey varied between sites. Final percentages are imputed from survey responses and vehicle counts.

Source: SF Planning, 2015; Fehr & Peers, 2016

The three sites showed a drive alone mode share that ranged from 13 percent to 25 percent, all of which are below the average drive alone commute mode for the area (of around 27 percent; see **Table 3**). The total auto mode share (drive alone + carpool + taxi/TNC) ranges from 34 percent to 56 percent of all trips, which is similar to the total auto mode share for all trips as modeled by SF-CHAMP (ranging from 31 percent to 53 percent for key transportation analysis zones in the Mission).³⁹ Thus, the available evidence demonstrates that new or substantially more severe impacts on the Latino Cultural District are not occurring as a result of increased private vehicle ownership.

7.1.5 Commuter Shuttles

The appellant states that the increase in commuter shuttles since the Eastern Neighborhoods PEIR was certified constitutes substantial new information and/or changed circumstances that “render the current PEIR obsolete,” stating:

³⁹ SF-CHAMP auto mode share is based on the Central SoMa 2012 Baseline model run; the presented mode shares are for the analysis zones where each of the case study developments is located.

“The PEIR did not anticipate the impact of tech shuttles from a traffic standpoint, nor from that of the demand for housing. The specter of living within a few blocks of a free ride to work has caused many tech employees to move to areas where the shuttles stop – predominantly in the Mission. As such we have high earning employees exacerbating the already high demand for housing. The anti-eviction mapping project has documented the connection between shuttle stops and higher incidences of no fault evictions.”

CEQA Guidelines section 15183(b)(4) provides that in conducting the streamlined environmental review mandated for projects that are consistent with the development density established under an adopted community plan or zoning, a public agency must limit its examination of environmental effects to those which the agency determines are previously identified significant effects which, as a result of substantial new information which was not known at the time the EIR was certified, are determined to have a more severe adverse impact than discussed in the prior EIR. Accordingly, the increase in the use of commuter shuttles since the certification of the Eastern Neighborhoods PEIR is relevant only to the extent that the proposed project, either individually or cumulatively, would result in more severe adverse impacts than were identified in the Eastern Neighborhoods PEIR because of the increase in shuttles. Thus, whether or not commuter shuttles cause or exacerbate displacement as the appellant contends, which is a matter of substantial debate⁴⁰, is not relevant to determining if the proposed project would have new or more severe impacts on the physical environment than previously identified. Nevertheless, by increasing the supply of both market rate and below market rate housing, the proposed project along with other housing development under the Eastern Neighborhoods rezoning and area plans would serve to alleviate market pressures from any increased demand for housing attributable to commuter shuttles. Regardless, as discussed above, any such effects are socioeconomic in nature, and are not in and of themselves significant impacts on the physical environment.

7.1.5.1 San Francisco Commuter Shuttle Program

The number of privately operated shuttles in San Francisco has grown in recent years. Numerous employers, educational institutions, medical facilities, office buildings, and transportation management associations offer shuttle service to their employees, students, and clients. Some development projects are required to provide shuttle services as part of their conditions of approval (and the impacts of their shuttle services are considered within the development project’s environmental review), and an employer may comply with San Francisco’s Commuter Benefits Ordinance and the Bay Area’s Commuter Benefits Program by offering a free commute shuttle to employees. The majority of the commuter shuttles are closed systems that provide service to a specific population and are not open to the general public. Most shuttles are provided for free to employees (or students, tenants, etc.). There are two distinct markets within the shuttle sector: those that operate within San Francisco (intra-city) and those that operate between San Francisco and another county (inter-city regional). Shuttles support local San Francisco and regional goals by decreasing single occupancy vehicle trips, vehicle miles traveled, and private vehicle ownership.

⁴⁰ According to rider surveys conducted as part of the environmental review for SFMTA’s Commuter Shuttle Program, only 5 percent of shuttle riders would move closer to their jobs if shuttles were unavailable.

Prior to August 2014, San Francisco did not regulate commuter shuttle activity on city streets. Shuttles operated throughout the city on both large arterial streets, such as Van Ness Avenue and Mission Streets, and smaller residential streets. Shuttles loaded and unloaded passengers in a variety of zones, including passenger loading (white) zones, Muni bus stops (red) zones, and other vacant curb space. When curb space was unavailable, shuttles often would load or unload passengers within a travel lane. The lack of rules and guidelines for where and when loading and unloading activities were permitted, and the lack of vacant space in general, resulted in confusion for shuttle operators and neighborhood residents, inconsistent enforcement, and real and perceived conflicts with other transportation modes.

To address these issues, in January 2014, the SFMTA Board of Directors approved an 18-month pilot program to test sharing of designated Muni zones and establish permitted commuter shuttle-only passenger loading (white) zones for use by eligible commuter shuttles that paid a fee and received a permit containing the terms and conditions for use of the shared zones. The pilot program began in August 2014, and created a network of shared stops for use by Muni and commuter shuttle buses that applied to participate, and restricted parking for some hours of the day in certain locations to create passenger loading (white) zones exclusively for the use of permitted commuter shuttles.

Based on information collected through the pilot program, SFMTA developed and adopted a Commuter Shuttle Program effective February 2016. As required under CEQA, the Planning Department conducted a detailed evaluation of the potential environmental effects of the Commuter Shuttle Program prior to its adoption.⁴¹ The environmental review for the shuttle program concluded that the program would not have significant environmental impacts, including impacts on traffic, transit, bicycles, pedestrians, loading, air quality, greenhouse gas emissions, and noise. According to this review, the availability of commuter shuttles:

- Reduces the number of commuters who drive alone to work
- Reduces regional VMT
- Reduces regional emissions of ROG, PM₁₀, and PM_{2.5}
- Increases regional NO_x emissions, but not in excess of the applicable CEQA significance threshold
- Reduces greenhouse gas emissions
- Increases health risk from exposure to diesel exhaust, but not in excess of the applicable CEQA significance thresholds
- Increases traffic noise but not in excess of applicable CEQA significance thresholds

Thus, the available evidence demonstrates that the increased use of commuter shuttles has not resulted in new or substantially more severe significant impacts on transportation than previously identified in the Eastern Neighborhoods PEIR.

⁴¹ San Francisco Planning Department, Case No. 2015-007975ENV, October 22, 2015.

7.1.6 Parking

In accordance with CEQA section 21099 parking shall not be considered in determining if a project has the potential to result in significant environmental effects, provided the project meets all of the following three criteria:

- a) The project is in a transit priority area;
- b) The project is on an infill site; and
- c) The project is residential, mixed-use residential, or an employment center.

The proposed project meets each of the above three criteria and thus, the appellant's concerns regarding impacts of the proposed project on parking are not subject to review under CEQA.

7.1.7 Conclusion

Based on the evidence and analysis presented above, the transportation impacts resulting from planned growth under the Eastern Neighborhoods rezoning and area plans appear to be less severe than expected in the Eastern Neighborhoods PEIR. Therefore, socioeconomic effects of the proposed project would not result in an increase in the severity of previously identified significant impacts on transportation as a result of substantial new information that was not known at the time the Eastern Neighborhoods PEIR was certified.

7.2 AESTHETIC IMPACTS

In accordance with CEQA section 21099 – Modernization of Transportation Analysis for Transit Oriented Projects – aesthetics shall not be considered in determining if a project has the potential to result in significant environmental effects, provided the project meets all of the following three criteria:

- a) The project is in a transit priority area;
- b) The project is on an infill site; and
- c) The project is residential, mixed-use residential, or an employment center.

The proposed project meets each of the above three criteria and thus, the environmental review for the proposed project does not consider aesthetic effects.

7.3 HISTORIC AND CULTURAL IMPACTS

The Calle 24 Latino Cultural District is the area bound by Mission Street to the west, Potrero Street to the East, 22nd Street to the North and 25th Street to the South, including the 24th Street commercial corridor from Bartlett Street to Potrero Avenue. The district is defined as a region and community linked together by similar cultural or heritage assets, and offering a visitor experiences that showcase those resources.⁴²

⁴² Garo Consulting for the Calle 24 Latino Cultural District Community Council, Calle 24 Latino Cultural District Report on the Community Planning Process Report, December 2014. <http://www.calle24sf.org/wp-content/uploads/2016/02/LCD-final-report.pdf>, accessed June 8, 2016.

The district hosts longstanding activities, traditions, or organizations that have proven to bridge more than one generation, or approximately 25 years. Cultural heritage assets identified within the district fall under the following themes: cultural events; arts and culture - installations and public art, organizations and venues, and retail; religion; services and non-profits; food and culinary arts; and parks. Cultural heritage assets as such are not eligible for designation to local, state, and national historical resource registries. Cultural heritage assets may be associated with a physical property, but they are immaterial elements that are not eligible for listing on local, state, and federal registries of historic properties, and thus are not considered historical resources under CEQA or state or local landmarking law. Therefore, any effects that the proposed project might have on the cultural heritage assets within the Calle 24 Latino Cultural District (assuming those assets are not linked to a physical eligible historical resource) would be considered social or economic effects, and not impacts on the physical environment.

The appellant incorrectly characterizes economic and social effects as physical environmental impacts, stating:

“Here, the cumulative impacts of the proposed project and other projects poses the risk of accelerated Valenciaization [sic] of the LCD. Here, mom and pop Latino owned and operated concerns are at risk of being replaced by high end restaurants, clothing and accessory stores, and personal trainer gyms and yoga studios. This is a change in the physical environment...”

As discussed above in Section 5.1 Commercial Gentrification, the appellant’s claim that the proposed project would cause or contribute to commercial gentrification is not supported by empirical evidence. However, even if the project would lead to such effects, this would not constitute a physical environmental impact. The replacement of existing retail businesses with other retail businesses that the appellant claims the project would cause may constitute a change in the character of the 24th Street commercial corridor. Contrary to the appellant’s assertion, such a change is an economic and social effect that shall not be treated as a significant effect on the environment per CEQA Guidelines section 15131(a) (see Section 3.0 Approach to Analysis above).

7.4 GREENHOUSE GAS IMPACTS

The appellant claims that the proposed project would cause or contribute to displacement of lower income residents leading to increased transportation impacts, which in turn would result in significant greenhouse gas impacts that were not identified in the Eastern Neighborhoods PEIR. As discussed above, the appellant’s claim that the proposed project would cause displacement that would lead to new or more severe transportation impacts is not supported by the available evidence. As such, there is no basis for the appellant’s assertions regarding greenhouse gas impacts.

Moreover, unlike the PEIR, which was certified prior to the addition of greenhouse gas impacts to the Planning Department’s CEQA initial study checklist, the CPE includes an assessment of the proposed project’s greenhouse gas emissions. This analysis uses the Planning Department’s current greenhouse gas impact assessment methodology, which evaluates projects for conformity with San Francisco’s *Strategies*

to Address Greenhouse Gas Emissions.⁴³ The analysis presented in the CPE demonstrates that the proposed project would not result in a significant impact either individually or cumulatively due to greenhouse gas emissions not previously identified in the Eastern Neighborhoods PEIR. The appellant has not shown that this determination is not supported by substantial evidence.

7.5 AIR QUALITY IMPACTS

The appellant claims that the proposed project would cause or contribute to displacement of lower income residents leading to increased transportation impacts, which in turn would result in significant air quality impacts that were not identified in the Eastern Neighborhoods PEIR. As discussed above, the appellant's claim that the proposed project would cause displacement that would lead to new or more severe transportation impacts is not supported by the available evidence. As such, there is no basis for the appellant's assertions regarding air quality impacts.

The CPE evaluates whether the proposed project would result in significant impacts on air quality beyond those identified in the Eastern Neighborhoods PEIR. This analysis applies current air quality regulations and modelling to update the analysis conducted for the Eastern Neighborhoods PEIR. As presented in the CPE checklist, this up-to-date, project-specific analysis demonstrates that the proposed project would not result in new or more severe impacts on air quality than previously identified in the Eastern Neighborhoods PEIR. The appellant has not shown that this determination is not supported by substantial evidence.

8 CONCLUSION

The Planning Department agrees with the appellant that the Mission is undergoing socioeconomic changes that are affecting existing residents, local small businesses, employment, and the character of the Mission community. The department is actively engaging with the community, the Board of Supervisors, the Mayor's Office, and other City departments in initiatives designed to ease the socioeconomic pressures on the community. These efforts include the 2016 Mission Interim Controls, the Calle 24 Special Use District, MAP2020, and a broader citywide analysis of socioeconomic trends.

However, the Planning Department disagrees with the appellant's position that development under the Eastern Neighborhoods rezoning and area plans such as the 2675 Folsom Street project are responsible for residential or commercial displacement. As shown in the above analysis, the appellant's contention that the proposed project would cause or contribute to socioeconomic effects that would in turn result in significant impacts on the physical environment that were not previously identified in the Eastern Neighborhoods PEIR is contrary to the evidence. Based on the available data and expert opinion presented in the academic literature, it appears that the fundamental causes of gentrification and displacement in the Mission and elsewhere in San Francisco are likely related to broader economic and social trends, such as the mismatch between the supply and demand for housing at all levels, the strength of the regional economy, low unemployment, high wages, favorable climate, and a preference for urban

⁴³ San Francisco Planning Department, *Strategies to Address Greenhouse Gas Emissions in San Francisco*, November 2010. Available at http://sfmea.sfplanning.org/GHG_Reduction_Strategy.pdf, accessed March 3, 2016.

lifestyles and shorter commutes. These issues are clearly beyond the scope and reach of the environmental review process for individual projects under CEQA.

Finally, the issues raised by the appellant are not new. The Population, Housing, Business Activity, and Employment section of the Eastern Neighborhoods PEIR included a thorough analysis of these issues, examining, among other things, whether development under the rezoning and area plans would cause or contribute to gentrification or displacement. The impacts of growth afforded under the rezoning and area plans on the physical environment are evaluated and disclosed in both the plan level and project level CEQA documents under the relevant resource topics such as transportation, air quality, noise, parks and open space, and public services. The appellant has not demonstrated that the department's CEQA determination for the 2675 Folsom Street project is not supported by substantial evidence. The Planning Department therefore recommends that the Board reject the appeal and uphold the department's CEQA determination for the proposed project in accordance with CEQA section 21080.3 and CEQA Guidelines section 15183.

From: [BOS Legislation, \(BOS\)](#)
To: jscottweaver@aol.com; jknight@reubenlaw.com
Cc: [Givner, Jon \(CAT\)](#); [Stacy, Kate \(CAT\)](#); [Byrne, Marlena \(CAT\)](#); [Jensen, Kristen \(CAT\)](#); [Rahaim, John \(CPC\)](#); [Sanchez, Scott \(CPC\)](#); [Gibson, Lisa \(CPC\)](#); [Rodgers, AnMarie \(CPC\)](#); [Starr, Aaron \(CPC\)](#); [Navarrete, Joy \(CPC\)](#); [Lynch, Laura \(CPC\)](#); [Ajello Hoagland, Linda \(CPC\)](#); [BOS-Supervisors](#); [BOS-Legislative Aides](#); [Calvillo, Angela \(BOS\)](#); [Somera, Alisa \(BOS\)](#); [Goldstein, Cynthia \(BOA\)](#); [BOS Legislation, \(BOS\)](#)
Subject: APPEAL RESPONSE: Exemption Determination Appeal - Proposed Project at 1726-1730 Mission Street - Appeal Hearing on July 25, 2017
Date: Thursday, July 20, 2017 9:11:45 AM
Attachments: [image001.png](#)

Good morning,

Please find linked below an appeal response letter received by the Office of the Clerk of the Board from Jody Knight of Reuben, Junius & Rose, LLP, representing the Project Sponsor, regarding the proposed project at 1726-1730 Mission Street.

[Project Sponsor Response Letter - July 19, 2017](#)

Please note that the appeal hearing for this matter is noticed and scheduled for a 3:00 p.m. special order before the Board on July 25, 2017.

I invite you to review the entire matter on our [Legislative Research Center](#) by following the link below:

[Board of Supervisors File No. 170808](#)

Thank you,

Brent Jalipa

Legislative Clerk

Board of Supervisors - Clerk's Office
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Click [here](#) to complete a Board of Supervisors Customer Service Satisfaction form

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REUBEN, JUNIUS & ROSE, LLP

July 19, 2017

Delivered Via E-Mail

President London Breed and Supervisors
San Francisco Board of Supervisors
1 Dr. Carlton B. Goodlett Place
City Hall, Room 244
San Francisco, CA 94102
BOS.Legislation@sfgov.org

**RECEIVED AFTER THE ELEVEN-DAY
DEADLINE, BY NOON, PURSUANT TO ADMIN.
CODE, SECTION 31.16(b)(5)**

**(Note: Pursuant to California Government Code, Section
65009(b)(2), information received at, or prior to, the public
hearing will be included as part of the official file.)**

**Re: 1726-1730 Mission Street
Opposition to Appeal of the Community Plan Exemption (“CPE”)
Planning Department Case No.: 2014-002026ENV
Hearing Date: July 25, 2017
Our File No.: 8584.01**

Dear President Breed and Supervisors:

This office represents Sustainable Living LLC (“**Project Sponsor**”), which proposes to replace a building located at 1726-1732 Mission Street (the “**Site**”) currently used for owner storage and office space with ground-floor PDR space and 40 mixed-income residential units above, half of which will feature two bedrooms (the “**Project**”). The Project proposes a six-story, 68-foot tall mixed use building on an infill site on Mission Street between 13th and 14th Streets within easy walking distance to numerous transit options. It will provide inclusionary units on-site and add much-needed PDR space to the Mission.

The Planning Department’s July 17, 2017 Appeal of Community Plan Evaluation for 1726-1730 Mission Street Project Memorandum (“**Planning Department Memorandum**”) comprehensively discusses why this Appeal is without merit under CEQA. The Planning Department Memorandum explains that CEQA Section 21083.3 mandates that projects that are consistent with the development density established by the existing zoning, community plan or general plan policies for which an Environmental Impact Report (“**EIR**”) was certified shall not require additional environmental review except as might be necessary to examine whether there are project-specific effects that are peculiar to the project or its site that were not disclosed as

James A. Reuben | Andrew J. Junius | Kevin H. Rose | Daniel A. Frattin | John Kevlin
Tuija I. Catalano | Jay F. Drake | Matthew D. Visick | Lindsay M. Petrone | Sheryl Reuben¹
Thomas Tunny | David Silverman | Melinda A. Sarjapur | Mark H. Loper | Jody Knight
Chloe V. Angelis | Corie A. Edwards | Coryn E. Millstagle | Jared Eigerman^{2,3} | John McInerney III²

1. Also admitted in New York 2. Of Counsel 3. Also admitted in Massachusetts

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significant effects in the prior EIR. Decisions on the significance of environmental effects caused by a project must be based on “substantial evidence in the record.”

The careful environmental review conducted for this Project by Planning Department staff and technical experts over the course of almost two and a half years did not identify impacts peculiar to the Project or Project Site that were not disclosed in the Eastern Neighborhoods Programmatic Environmental Impact Report (“**EN PEIR**”), and a Community Plan Exemption (“**CPE**”) was properly issued on May 24, 2017. (Certificate of Determination, Case No. 2014-002026ENV.) Appellant has entirely failed to meet its burden to establish that environmental review and issuance of the CPE was not supported by substantial evidence in the record.

The Planning Commission has reviewed and approved the Project, and the appeal process is not intended to revisit an entitlement approval. However, by way of background, below are the benefits of the Project and a discussion of the danger to this and other similarly-sized projects of granting the current CEQA appeal.

A. THE CODE-COMPLIANT PROJECT PROVIDES MUCH-NEEDED HOUSING AND PDR SPACE IN THE MISSION

The Project provides numerous benefits to the Mission and the City at large, including the following:

1. **The Project proposes to provide a large PDR space for one or more tenants.** The Site does not currently house any PDR uses. Although 900 square feet of ground floor retail was originally contemplated, at the request of the Planning Department and neighborhood groups, the space be enlarged (with parking reduced) and converted to 2,250 square feet of PDR space. New construction PDR space is severely lacking throughout San Francisco and particularly in the Mission; the Project would address this shortage.
2. **The Project contributes housing to the City, including affordable units on-site.** The Project will comply with the inclusionary housing ordinance by providing on-site affordable ownership units. Based on current rates, 7 of its 40 total units will be affordable to low-income households. The Project proposes an even mix of one-bedroom and two-bedroom units, adding 20 family-friendly units to the City’s housing stock. The Project will also contribute significant impact fees to the City.
3. **The Project is completely Code-compliant.** Unlike the majority of projects approved by the Planning Commission—and in particular new ground-up projects on relatively small lots in dense parts of the city—the Project is completely Code compliant. A significant

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change was made when the Project expanded the previously-proposed 15-foot rear yard to a Code-complaint 25-foot rear yard. The Project has been carefully designed to minimize negative impacts on neighboring buildings.

4. **The Project maximizes transportation by bike and public transit.** The Project is within easy walking distance to both the 16th and Mission Bart Station and the Van Ness Muni stop. It is also on the 14 and 49 bus routes and near numerous other bus routes. In recognition of the transit rich nature of the area and in response to concerns about increased traffic, proposed parking for the Project was reduced from 34 to 22 spaces and bike parking was increased from 40 spaces to 70 spaces. Additional Transportation Demand Management (“TDM”) measures include a bike repair station, package delivery, family amenity car seat storage, and real time transportation information displays to promote car-free living.
5. **The Project is carefully designed to be compatible with the area.** As was found by the Planning Commission, the Project, designed by Stanley Saitowitz, is both compatible with the existing buildings on the block and of our time. The strong vertical rhythm of the front façade, provided through deep recesses that are framed by extruded aluminum louvers, uses the same design language as the adjacent buildings with their vertical residential bays. The louvers provide sun shading and acoustic baffling from the nearby freeway and offer privacy in the units from the busy street below by blocking angle of sight from the curb. Furthermore, the louvers visually break up the glass windows into smaller sections, a scale that is in keeping with the character of the neighborhood. The façade is further modulated by a strong horizontal break that matches several of the adjacent parapets and acknowledges the presence of these smaller scale buildings. Within the larger bays there is a finer grain of modulation and materiality. A metal mesh provides both fall protection and a shift in grid scale while a narrower horizontal louver at balustrade height reinforces the human scale. The glass along the ground floor will provide a connection between the new life provided by the building and the streetfront. The Project Sponsor continues to explore how to maximize connections between the PDR and the streetfront, so that the PDR use is truly a neighborhood space.
6. **The Project has undergone significant neighbor and community vetting.** The Project Sponsor has been committed to neighborhood engagement since the outset of the entitlement process. It has conducted numerous community meetings and follow-up discussions with interested parties, including neighbors along Woodward Street and community representatives. In addition to increasing the size of the rear yard, the Project Sponsor is partnering with Friends of the Urban Forest to sponsor new greening along Woodward Street and is adding a green wall to the rear of the building. Based on these

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measures, the Project Sponsor is proud to have received a support letter from the adjacent neighbors on Woodward Street (**Exhibit A**). It also has the support of the San Francisco Housing Action Coalition (**Exhibit B**) and the operator of the nearby Brick and Mortar and Crafty Fox (**Exhibit C**). The Project also has the support of the Mission Dolores Neighborhood Association, with an endorsement letter to follow. To ensure that the PDR space will be feasible for future makers, the Project Sponsor has met with SF Made and neighborhood groups to discuss its programming and design. The Project team continues to work with neighborhood groups to look for a PDR tenant which will be compatible with the residential use and serve the neighborhood and City at large.

B. APPELLANT HAS NOT PROVEN THAT THE CPE FAILS TO CONFORM TO THE REQUIREMENTS OF CEQA

Appellant has incorrectly claimed that the EN PEIR is out of date; that community benefits outlined in the EN PEIR have not been fully implemented and should not be relied on; that the CEQA findings for the Project are inadequate; and that development under the EN PEIR has exceeded what was analyzed. In other words, the gist of Appellant's argument is that the EN PEIR is out of date and that individual projects should no longer rely on it.

The Planning Department Memorandum responds to each of Appellant's claims in detail, and the Department's response is hereby incorporated.

Pursuant to CEQA Section 21166, a Supplemental or Subsequent EIR is only required if one or more of the following events occurs:

- a. Substantial changes are proposed the Eastern Neighborhoods that requires major revisions to the EN PEIR;
- b. Substantial changes to the circumstances under which the Eastern Neighborhoods Rezoning is being undertaken that require major revisions to the EN PEIR¹; and/or,
- c. New information, which was not known and could not have been known at the time the EN PEIR was certified as complete, becomes available and indicates that a project will have significant effects not previously considered or that significant effects previously examined will be more severe than previously shown.²

¹ This standard is only met where evidence shows "new significant environmental effects or a substantial increase in the severity of previously identified significant effects." 14 Cal. Code Regs. § 15162, subd. (a)(2).

² New CEQA analysis cannot be required if the new information presented could have been known at the time the original EIR was prepared. See *Citizens for a MegaplexFree Alameda v. City of Alameda* (2007) 149 CA4th 91, 113

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None of these three statutory standards have been met. The Planning Department Memorandum explains that the EN PEIR did consider potential cumulative impacts related to land use, transportation, and cultural resources and mitigation measures were adopted to address those impacts.

Review on appeal of a CPE is “limited to whether the project conforms to the requirements of CEQA for an exemption.” (Admin. Code § 31.16(e)(3).) As stated previously, CEQA requires that a project which is consistent “with the development density established by existing zoning, community plan, or general plan policies for which an EIR was certified” shall be eligible for a CPE. Additional environmental review should only be conducted for such projects if there are project-specific impacts that were not evaluated in the community plan EIR, and if those impacts cannot be mitigated “by the imposition of uniformly applied development policies or standards.” (CEQA Guidelines § 15183(a)-(c).)

The Project is fully Code-compliant with the UMU zoning controls and provides the mix of PDR and residential uses contemplated by that zoning designation. Further, and as discussed in the Planning Department Memorandum, environmental review was undertaken in order to evaluate the potential for significant environmental impacts that could result from the Project. This review included transportation, noise, geology, and hazardous materials studies. In the CPE, the Planning Department identified and updated five mitigation measures from the EN PEIR related to archeological resources, noise, air quality, and hazardous materials. “With implementation of these mitigation measures the proposed project would not result in significant impacts beyond those analyzed in the Eastern Neighborhoods PEIR.” (See CPE, at page 9.)

C. GRANTING CEQA APPEALS WILL KILL SMALL TO MEDIUM-SIZE INFILL PROJECTS

It is illustrative that the recent CEQA challenges to other entitled development projects in the Mission make generally identical arguments regardless of the specifics of the project being opposed. Therefore, the goal of these challenges appears to be a blanket blockade of new market-rate housing production rather than an analysis of project-specific environmental impacts.

The Project contains 40 dwelling units that are affordable by design, with only 27,145 square-foot of residential space and 22 parking spaces. It involves demolition of a rundown building that

(a petitioner failed to establish why a report that was not available at the time the mitigated negative declaration was prepared could not have been prepared earlier with the exercise of reasonable diligence); *Citizens for Responsible Equitable Env'tl Dev. v City of San Diego* (2011) 196 CA4th 515, 531 (impacts relating to global warming caused by greenhouse gas emissions are not new information, because that information had been available at the time the EIR was certified in 1994).

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San Francisco Board of Supervisors
July 19, 2017
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has not been used for PDR since 2002, and has never been used for residential dwelling units. There is no displacement of any type of tenant. The Project is situated in an area lacking in active street life and is outside of the Calle 24 Latino Cultural Heritage District. The argument that the Project would have specific significant adverse environmental impacts requiring further environmental review is entirely without merit and unsupported by Appellant's Memorandum.

If this Project is distinguishable from other small to medium-size mixed-use projects in the Eastern Neighborhoods Plan area, it is because it even more clearly does not cause environmental impacts beyond those identified in the PEIR – it is Code-complaint, does not involve tenant displacement, provides both PDR space and on-site affordable housing units, and is on a small-footprint lot on a block in need of additional street life. Requiring further environmental review to be conducted for the Project is unnecessary and unsupported by the law, and it would discourage both this beneficial infill development and similar small to medium-size projects, further exacerbating the shortage of housing in San Francisco.

Appellant has not provided substantial evidence to meet its burden to overturn the City's decision to issue a CPE for the Project. Therefore, we respectfully request that you deny the appeal.

Very truly yours,

REUBEN, JUNIUS & ROSE, LLP



Jody Knight

Enclosures: Exhibits

cc: Supervisor Sandra Lee Fewer
Supervisor Mark Farrell
Supervisor Aaron Peskin
Supervisor Katy Tang
Supervisor Jane Kim
Supervisor Norman Yee
Supervisor Jeff Sheehy

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Supervisor Hillary Ronen
Supervisor Malia Cohen
Supervisor Ahsha Safai
Angelia Cavillo, Clerk of the Board
Brent Jalipa, Legislative Clerk
Lisa Lew, Legislative Clerk
Michael Li, Environmental Planner, Planning Department
Lisa Gibson, Environmental Review Officer, Planning Department

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Opposition to CPE Appeal Brief.Final [submitted 7.19.17]

Exhibit List

- Exhibit A - 19-29 Woodward Street Residents Support Letter
- Exhibit B - San Francisco Housing Coalition Support Letter
- Exhibit C - Brick and Mortar and Crafty Fox Support Letter

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EXHIBIT A

May 26, 2017

San Francisco Planning Commission
1650 Mission Street, Suite 400
San Francisco, CA 94103

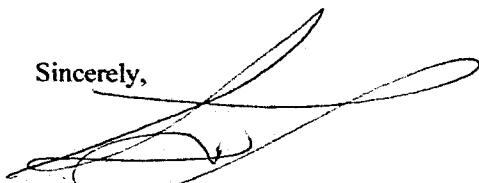
Dear President Hillis and Planning Commissioners,

On behalf of the property owners of 19-29 Woodward Street, we are pleased to submit our support for the proposed 1726 Mission Street project. The 19-29 Woodward Street rear property line abuts the rear property line of 1726 Mission Street. We had the opportunity to meet with the project team on several occasions to discuss our concerns and those concerns have been addressed by the following provisions of the project.

- The project sponsor has partnered with Friends of the Urban Forest to fund up to \$14,000 in beautification improvements on Woodward Street, including replacement and/or planting of new trees and new sidewalk landscaping;
- The project sponsor will fully enclose the car stackers and there will be no noise coming from their operation audible outside the development;
- The project sponsor will build, irrigate and maintain in perpetuity a 'living wall' at the rear of the property, facing our Woodward Street apartments;
- The project sponsor will landscape, irrigate (as needed) and maintain in perpetuity the open space over the car stacker and first story space between the living wall and the new building with an attractive garden, including some large trees and shrubs to give a little privacy as well as decorative plants and grasses with the intent of beautification as well as functionality;
- The project sponsor will set the enclosed space of the levels above the first story of the building back 25 feet from the living wall, preserving our access to sunlight;
- The project sponsor will have committed to no additional fencing at the property line that would raise the height of our backyard barrier;
- The project sponsor has committed to continuing to communicate and, upon approval by the City, work to minimize the time and impact of the building process on our neighborhood.

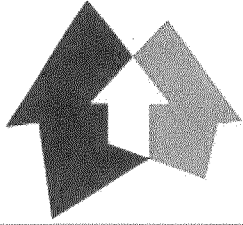
Based on this, we urge the Planning Commission to approve the proposed 1726 Mission Street project.

Sincerely,

A handwritten signature in black ink, consisting of several overlapping loops and a long horizontal stroke extending to the right.

19-29 Woodward Street Residents

EXHIBIT B



Project Address: 1726 Mission Street

Project Sponsor: Sustainable Living, LLC

Date of SFHAC Review: June 22, 2016

Grading Scale

1= Fails to meet project review guideline criteria
2= Meets some project review guideline criteria
3= Meets basic project review guideline criteria

4 = Exceeds basic project review guideline criteria
5 = Goes far beyond what is required

Criteria for SFHAC Endorsement

1. The development must have been presented to the SFHAC Project Review Committee
2. The Project must score a minimum of 3/5 on any given guideline

| <i>Guideline</i> | <i>Comments</i> | <i>Grade</i> |
|---|---|--------------|
| Land Use | The building that currently occupies the site is abandoned, making it highly underutilized. Housing is a significantly better use, particularly given its proximity to transit, jobs and neighborhood amenities. | 4 |
| Affordability | The project sponsor has stated that the below-market-rate units will most likely be located on-site. It is expected 16 or 17 percent of the homes will be subsidized. We would support any efforts that could be made to increase those percentages. | 3 |
| Density | Our members believe the project sponsor has utilized the building envelope effectively. It is unlikely more well-designed homes could be accommodated in the building unless they were on the ground floor. | 4 |
| Community Input | It is our members' impression that the project sponsor has done an adequate job of reaching out to neighbors, particularly those within the immediate vicinity of the site. We encourage additional community outreach, however. | 3 |
| Urban Design | We appreciate how the architect has designed the light courts and are especially supportive that the project has achieved a 25 percent rear yard setback, which is usually very difficult to do at most sites in San Francisco. Some of our members said that they would prefer the building to be a bit more contextual with the surrounding neighborhood, but there was no consensus on this. | 4 |
| Parking & Alternative Transportation | We would prefer more bike parking and less car parking in the building. Typically, we encourage one bike parking space per bedroom. Given the site's proximity to the 16th Street BART Station and neighborhood amenities, the car parking count should be reduced. | 3 |

| | | |
|-------------------------------|---|--------------|
| Environmental Features | The project sponsor has stated they will meet the City's Green Point Rating System. We encourage the project sponsor to incorporate additional features to green the building, especially water conservation and recycling. | 3 |
| Preservation | There are no structures of significant cultural or historic merit on or near the site that would be impacted by the proposed project. | N/A |
| Additional Comments | There are no comments to add. | N/A |
| Final Comments | The San Francisco Housing Action Coalition endorses the proposed project at 1726 Mission Street, with the minor reservation above regarding excessive parking. | 3.4/5 |

EXHIBIT C

PARISH ENTERTAINMENT GROUP

THE ROCK STEADY
THEROCKSTEADY.COM

PLACE PIGALLE
PLACEPIGALLESE.COM

The Crafty Fox
ALSO ENTERTAINMENT
CRAFTYFOXSE.COM

SIERRA VALLEY LODGE
SIERRAVALLEYLodge.NET

THE SPEAKER BOX CAFE
THESPEAKERBOXCAFE.COM

THE NEW PARISH
THENEWPARISH.COM

LEO'S
CLUBLEOS.COM

BRICK & MORTAR
BRICKANDMORTARMUSIC.COM

May 31, 2017

San Francisco Planning Commission
1650 Mission Street, 4th Floor
San Francisco, CA 94103

Dear President Hillis and Planning Commissioners:

I operate Brick & Mortar Music Hall at 1710 Mission Street and the Crafty Fox at 1700 Mission, on the same block as the proposed development at 1726-1732 Mission as well as own the building at 1700 Mission and 11 Duboce. I write to express my full support of this proposed Project. The addition of 40 dwelling units to an underutilized Site will benefit retail uses in the area, including Brick & Mortar and the Crafty Fox by increasing the vibrancy and street life of the area. I am also encouraged by the commitment to the nightlife aspect of the neighborhood by the developers.

The Project also proposes to improve the block by adding street trees and bicycle parking and removing one of the existing curb cuts. The owners have agreed to make disclosures to purchasers of the residential units about the urban nature of the location, including the presence of a music venue on the street, in order to minimize any conflicts between the land uses. With that disclosure, I believe that the proposed Project and Brick & Mortar and the Crafty Fox will be mutually beneficial, with the Project providing additional customers, and the businesses providing food, drink and entertainment to new residents. Therefore, I urge you to approve the Project.

Sincerely,



Jason Perkins
Managing Partner
Parish Entertainment Group

From: BOS Legislation, (BOS)
To: jscottweaver@aol.com; jknight@reubenlaw.com
Cc: Givner, Jon (CAT); Stacy, Kate (CAT); Byrne, Marlena (CAT); Jensen, Kristen (CAT); Rahaim, John (CPC); Sanchez, Scott (CPC); Gibson, Lisa (CPC); Rodgers, AnMarie (CPC); Starr, Aaron (CPC); Navarrete, Joy (CPC); Lynch, Laura (CPC); Jain, Devyani (CPC); Aiello Hoagland, Linda (CPC); BOS-Supervisors; BOS-Legislative Aides; Calvillo, Angela (BOS); Somera, Alisa (BOS); Goldstein, Cynthia (BOA); BOS Legislation, (BOS)
Subject: APPEAL RESPONSE: Exemption Determination Appeal - Proposed Project at 1726-1730 Mission Street - Appeal Hearing on July 25, 2017
Date: Monday, July 17, 2017 12:20:36 PM
Attachments: [image001.png](#)

Good afternoon,

Please find linked below an appeal response letter received by the Office of the Clerk of the Board from the Planning Department, regarding the proposed project at 1726-1730 Mission Street.

[Planning Appeal Response Letter - July 17, 2017](#)

Please note that the appeal hearing for this matter is noticed and scheduled for a 3:00 p.m. special order before the Board on July 25, 2017.

I invite you to review the entire matter on our [Legislative Research Center](#) by following the link below:

[Board of Supervisors File No. 170808](#)

Thank you,

Brent Jalipa

Legislative Clerk

Board of Supervisors - Clerk's Office
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102
(415) 554-7712 | Fax: (415) 554-5163
brent.jalipa@sfgov.org | www.sfbos.org



Click [here](#) to complete a Board of Supervisors Customer Service Satisfaction form

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**SAN FRANCISCO
PLANNING DEPARTMENT**

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BOARD OF SUPERVISORS
SAN FRANCISCO

NOV 11: 21
BY 328 7/17/17

1650 Mission St.
Suite 400
San Francisco,
CA 94103-2479

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Fax:
415.558.6409

Planning
Information:
415.558.6377

**Appeal of Community Plan Evaluation
1726-1730 Mission Street Project**

DATE: July 17, 2017
TO: Angela Calvillo, Clerk of the Board of Supervisors
FROM: Lisa Gibson, Environmental Review Officer – (415) 575-9032
Joy Navarrete, Senior Environmental Planner – (415) 575-9040
Michael Li, Environmental Coordinator – (415) 575-9107
RE: File No. 170808, Planning Department Case No. 2014-002026ENV – Appeal of the
Community Plan Evaluation for the 1726-1730 Mission Street Project. Block/Lot:
3532/004A and 005
PROJECT SPONSOR: Jody Knight, Reuben, Junius & Rose, on behalf of Sustainable Living, LLC –
(415) 567-9000
APPELLANT: J. Scott Weaver, Law Office of J. Scott Weaver, on behalf of Our Mission No
Eviction – (415) 317-0832
HEARING DATE: July 25, 2017
ATTACHMENTS: A – July 3, 2017 appeal letter from J. Scott Weaver
B – Planning Commission Motion No. 19931

INTRODUCTION

This memorandum and the attached documents are a response to a letter of appeal to the Board of Supervisors (the Board) regarding the Planning Department's (the "Department") issuance of a Community Plan Evaluation (CPE) under the *Eastern Neighborhoods Rezoning and Area Plan Final*

Environmental Impact Report (“Eastern Neighborhoods PEIR or PEIR”)¹ in compliance with the California Environmental Quality Act (“CEQA”) for the 1726-1730 Mission Street Project (the “Project”).

The Department, pursuant to CEQA, the CEQA Guidelines, 14 Cal. Code of Reg. Sections 15000 *et seq.*, and Chapter 31 of the San Francisco Administrative Code, determined that the Project is consistent with the development density established by zoning, community plan, and general plan policies in the Eastern Neighborhoods Rezoning and Area Plans (the “Eastern Neighborhoods Area Plans”) for the project site, for which a Programmatic EIR was certified, and issued the CPE for the Project on May 24, 2017. The Department determined that the Project would not result in new significant environmental effects, or effects of greater severity than were already analyzed and disclosed in the PEIR, and that the Project is therefore exempt from further environmental review beyond what was conducted in the CPE Initial Study and the Eastern Neighborhoods PEIR in accordance with CEQA Section 21083.3 and CEQA Guidelines Section 15183.

The decision before the Board is whether to uphold the Planning Department’s determination that the Project is exempt from further environmental review (beyond what was conducted in the CPE Initial Study and the PEIR) pursuant to CEQA Section 21083.3 and CEQA Guidelines Section 15183 and deny the appeal, or to overturn the Department’s CPE determination for the Project and return the CPE to the Department for additional environmental review.

PROJECT DESCRIPTION

The project site is on the west side of Mission Street between Duboce Avenue and 14th Street in San Francisco’s Mission neighborhood. The project site consists of two adjacent parcels: Assessor’s Block 3532, Lots 004A and 005. Both lots are rectangular; Lot 004A has an area of 2,800 square feet (sf), and Lot 005 has an area of 5,000 sf. Each lot has an existing curb cut. Lot 004A is occupied by a two-story, 24-foot-tall building that was constructed in 1923. This building is currently vacant; it was previously occupied by a sausage factory. Lot 005 is occupied by a two-story, 24-foot-tall building that was constructed in 1991. This building is currently vacant; it was previously used as an office and storage warehouse for the adjacent sausage factory.

The proposed project consists of merging the two existing lots into a single 7,800-sf lot, demolishing the existing buildings, and constructing a six-story, 66-foot-tall, building containing 40 dwelling units, approximately 2,250 gross square feet (gsf) of production/distribution/repair (PDR) space, and a garage with 22 parking spaces. There would be a 14-foot-tall elevator penthouse on the roof of the proposed

¹ The Eastern Neighborhoods Rezoning and Area Plan Final EIR (Planning Department Case No. 2004.0160E), State Clearinghouse No. 2005032048) was certified by the Planning Commission on August 7, 2008. The project site is within the Eastern Neighborhoods Rezoning and Area Plan project area.

building, resulting in a maximum building height of 80 feet. The dwelling units would be on the second through sixth floors, and the PDR space and the parking garage would be on the ground floor. One parking space would be provided at grade, and the other 21 parking spaces would be housed in mechanical stackers. The two existing curb cuts on Mission Street would be removed, and a garage door and a new 10-foot-wide curb cut and driveway would be provided on Mission Street near the north end of the project site. A total of 70 bicycle parking spaces would be provided; 62 Class 1 spaces would be provided in the ground-floor garage, and eight Class 2 spaces would be provided as bicycle racks on the Mission Street sidewalk adjacent to the project site. Usable open space for the residents of the proposed project would be provided in the form of a common roof deck and private decks.

Construction of the proposed project would take about 14 months. The proposed project would be supported by a mat slab foundation; pile driving would not be required. Construction of the proposed project would require excavation to a depth of about two feet below ground surface (bgs); additional excavation to a depth of about 12 feet bgs at the rear of the project site would be required for the car stackers. About 558 cubic yards of soil would be excavated and removed from the project site.

SITE DESCRIPTION

The project site is on an improved block bounded by Mission Street on the east, 14th Street on the south, Valencia Street on the west, and 13th Street on the north. The project vicinity is characterized by residential, institutional, retail, and PDR uses. The scale of development in the project vicinity varies in height from 15 to 65 feet. There is a four-story residential building (1720-1724 Mission Street) adjacent to and north of the project site, and there is a three-story residential building (1738-1748 Mission Street) adjacent to and south of the project site. The properties that are adjacent to and west of the project site are occupied by three-story residential buildings that front on Woodward Street, an alley that runs parallel to Mission and Valencia streets in the interior of the project block. Other land uses on the project block include three-, four-, and five-story residential buildings, restaurant, retail, entertainment, and PDR uses, a surface parking lot, a gas station, an auto repair garage, and Annunciation Cathedral.

The properties on the east side of Mission Street across from the project site are occupied by a four-story office building with a surface parking lot, an electrical supply and hardware store with a parking garage, and a three-story mixed-use building featuring residential uses above a ground-floor retail use. Other land uses in the project vicinity include U.S. Highway 101 (one-half block north of the project site), the San Francisco Friends School (one block west), and the former San Francisco Armory (one-half block south), which was previously occupied by a film production studio.

The project site is well served by public transportation. Within one-quarter mile of the project site, the San Francisco Municipal Railway (Muni) operates the 14 Mission, 14R Mission Rapid, 49 Van Ness/Mission, and 55 16th Street bus lines and the F Market historic streetcar. The Bay Area Rapid Transit District's 16th Street/Mission station is three blocks south of the project site, just outside the one-quarter-mile radius.

ENVIRONMENTAL REVIEW PROCESS

The environmental evaluation application (Case No. 2014-002026ENV) for the Project was filed by the sponsor, Sustainable Living, LLC, on April 10, 2015. On May 24, 2017, the Department issued a CPE Certificate and Initial Study, based on the following determinations:

1. The proposed project is consistent with the development density established for the project site in the Eastern Neighborhoods Rezoning and Area Plans;
2. The proposed project would not result in effects on the environment that are peculiar to the project or the project site that were not identified as significant effects in the Eastern Neighborhoods PEIR;
3. The proposed project would not result in potentially significant off-site or cumulative impacts that were not identified in the Eastern Neighborhoods PEIR;
4. The proposed project would not result in significant effects, which, as a result of substantial new information that was not known at the time the Eastern Neighborhoods PEIR was certified, would be more severe than were already analyzed and disclosed in the PEIR; and
5. The project sponsor will undertake feasible mitigation measures specified in the Eastern Neighborhoods PEIR to mitigate project-related significant impacts.

The Project was considered by the Planning Commission on June 1, 2017. On that date, the Planning Commission adopted the CPE with approval of the Project under Planning Code Section 329 (Large Project Authorization), which constituted the Approval Action under Chapter 31 of the Administrative Code.

A Large Project Authorization was also approved under Planning Code Section 329 and the Mission 2016 Interim Zoning Controls. In accordance with the Mission 2016 Interim Zoning Controls, which require additional information and analysis regarding the economic and social effects of the proposed project such as housing affordability, displacement, and loss of PDR, the project sponsor prepared such additional analysis, which the Planning Commission reviewed and considered before approving the Large Project Authorization² (see Attachment B to this Appeal Response - Planning Commission Motion No. 19931).

On July 3, 2017, an appeal of the CPE determination was filed by J. Scott Weaver, Law Office of J. Scott Weaver, on behalf of Our Mission No Eviction (Appellant). The three page appeal letter from the

² Mission 2016 Interim Controls Additional Findings for 1726-1730 Mission Street, Case No. 2014-002026ENX, submitted to Linda Ajello Hoagland, San Francisco Planning Department.

Appellant is included as Attachment A to this appeal response ("Appeal Letter"). The Appellant's letter also includes 80 pages of supporting materials that are provided in the file "Appeal.Ltr 070317.pdf," available online as part of Board of Supervisors File No. 170808.

CEQA GUIDELINES

Community Plan Evaluations

CEQA Section 21083.3 and CEQA Guidelines Section 15183 **mandate** that projects that are consistent with the development density established by existing zoning, community plan or general plan policies for which an EIR was certified, **shall not** require additional environmental review except as might be necessary to examine whether there are project-specific effects that are peculiar to the project or its site and that were not disclosed as significant effects in the prior EIR. Guidelines Section 15183 specifies that examination of environmental effects shall be limited to those effects that: a) are peculiar to the project or parcel on which the project would be located; b) were not analyzed as significant effects in a prior EIR on the zoning action, general plan or community plan with which the project is consistent; c) are potentially significant off-site and cumulative impacts which were not discussed in the underlying EIR; or d) are previously identified significant effects which, as a result of substantial information which was not known at the time the EIR was certified, are determined to have a more severe adverse impact than that discussed in the underlying EIR. Guidelines Section 15183(c) specifies that if an impact is not peculiar to the parcel or to the proposed project, has been addressed as a significant effect in the prior EIR, or can be substantially mitigated by the imposition of uniformly applied development policies or standards, then an additional EIR need not be prepared for that project solely on the basis of that impact.

Significant Environmental Effects

In determining the significance of environmental effects caused by a project, CEQA Guidelines Section 15064(f) states that the decision as to whether a project may have one or more significant effects shall be based on substantial evidence in the record of the lead agency. CEQA Guidelines 15064(f)(5) offers the following guidance: "Argument, speculation, unsubstantiated opinion or narrative, or evidence that is clearly inaccurate or erroneous, or evidence that is not credible, shall not constitute substantial evidence. Substantial evidence shall include facts, reasonable assumption predicated upon facts, and expert opinion supported by facts."

SAN FRANCISCO ADMINISTRATIVE CODE

Section 31.16(e)(3) of the Administrative Code states: "The grounds for appeal of an exemption determination shall be limited to whether the project conforms to the requirements of CEQA for an exemption."

San Francisco Administrative Code Section 31.16(b)(6) provides that in reviewing an appeal of a CEQA decision, the Board of Supervisors "shall conduct its own independent review of whether the CEQA decision adequately complies with the requirements of CEQA. The Board shall consider anew all facts,

evidence and issues related to the adequacy, accuracy and objectiveness of the CEQA decision, including, but not limited to, the sufficiency of the CEQA decision and the correctness of its conclusions.”

CONCERNS RAISED AND PLANNING DEPARTMENT RESPONSES:

The three-page Appeal Letter incorporated previous letters from the Appellant that were submitted to the Planning Commission (May 30, 2017), and a variety of studies and reports in support of the appeal. These documents are attached as Exhibit D to the Appeal Letter and may be found in “Appeal Ltr 070317.pdf,” available online as part of Board of Supervisors File No. 170808³. The three-page Appeal Letter contains seven bulleted items expressing the general basis for the appeal. These seven general concerns are listed in order below as Concerns 1 through 4 (the first, third, and fifth bulleted items are included under the discussion of Concern 1).

Concern 1: The Project does not qualify for a Community Plan Exemption under Section 15183 of the CEQA Guidelines and Public Resources Code Section 21083.3 because the approval is based upon an out of date 2008 EIR prepared for the Eastern Neighborhoods Area Plan and the EIR’s analyses and determinations can no longer be relied upon to support the claimed exemption in the areas of, inter alia, direct, indirect, and cumulative impacts to: land use, consistency with area plans and policies, land use, recreation and open space, traffic and circulation, transit and transportation, health and safety, and impacts relative to the Mission Gateway.

Response 1: The appeal does not identify new substantial information that was not known at the time the Eastern Neighborhoods PEIR was certified establishing that the Project would result in significant impacts that were not discussed in the Eastern Neighborhoods PEIR or in more severe adverse impacts than discussed in the PEIR. Therefore, under CEQA Guidelines Section 15183, an additional EIR shall not be prepared for the project. Additionally, absent a change in the Eastern Neighborhoods Rezoning and Area Plans, reopening the Eastern Neighborhoods PEIR is neither warranted nor required under CEQA.

The Appellant alleges that the Department’s determination to issue a CPE for the Project is invalid because substantial changes have occurred with respect to the circumstances under which the Eastern Neighborhoods Area Plans were approved due to the involvement of new significant environmental effects and a substantial increase in the severity of previously identified significant effects in the Eastern Neighborhoods PEIR. Item 1, Bullet 5 of the Appeal Letter states:

“Substantial changes in circumstances require major revisions to the Eastern Neighborhoods Area Plan EIR due to the involvement of new significant environmental effects and an increase in the severity of previously identified significant impacts; there is

³ <https://sfgov.legistar.com/LegislationDetail.aspx?ID=3099187&GUID=FFEC787B-C514-40C2-9909-83F800B0B01A&Options=ID|Text|&Search=170808>

new information of substantial importance that would change the conclusions set forth in said EIR and the requirements of the Mitigation Monitoring and Reporting Report.”

In order to provide context for the response to this concern, a brief review of the Eastern Neighborhoods PEIR and discussion of CEQA’s requirements for when a certified EIR must be revised is provided, before addressing the appeal’s concerns with significant new environmental effects and increased severity of significant effects that were previously identified in the Eastern Neighborhoods PEIR.

Eastern Neighborhoods PEIR and the Project CPE

Eastern Neighborhoods PEIR

As discussed on pages 2 through 4 of the CPE Certificate, the Eastern Neighborhoods PEIR is a comprehensive programmatic report that presents an analysis of the environmental effects of implementation of the Eastern Neighborhoods Rezoning and Area Plans, as well as the potential impacts under several proposed alternatives. According to CEQA Guidelines Section 15168, a program EIR:

... is an EIR which may be prepared on a series of actions that can be characterized as one large project and are related either: (1) geographically; (2) as logical parts in the chain of contemplated actions; (3) in connection with issuance of rules, regulations, plans, or other general criteria to govern the conduct of a continuing program; or (4) as individual activities carried out under the same authorizing statutory or regulatory authority and having generally similar environmental effects which can be mitigated in similar ways.

Use of a program EIR: (1) provides an occasion for a more exhaustive consideration of effects and alternatives than would be practical in an EIR on an individual action; (2) ensures consideration of cumulative impacts that might be slighted in a case-by-case analysis; (3) avoids duplicative reconsideration of basic policy considerations; (4) allows the lead agency to consider broad policy alternatives and program-wide mitigation measures at an early time when the agency has greater flexibility to deal with basic problems or cumulative impacts; and (5) allows reduction in paperwork. Subsequent activities in the program must be examined in the light of the program EIR to determine whether an additional environmental document must be prepared.

The Eastern Neighborhoods PEIR evaluated three rezoning alternatives, two community-proposed alternatives which focused largely on the Mission District, and a “No Project” alternative. The alternative ultimately approved, or the Preferred Project, represented a combination of two of the rezoning alternatives. The Planning Commission adopted the Preferred Project after fully considering the environmental effects of the Preferred Project and the various scenarios discussed in the PEIR.

As discussed on page 5 of the CPE Certificate, the Eastern Neighborhoods PEIR identified significant impacts related to land use, transportation, cultural resources, shadow, noise, air quality, and hazardous materials. Additionally, the PEIR identified significant cumulative impacts related to land use,

transportation, and cultural resources. Mitigation measures were identified that reduced all impacts to less than significant, except for those related to land use (cumulative impacts on PDR use), transportation (program-level and cumulative traffic impacts at nine intersections; program-level and cumulative transit impacts on seven SFMTA lines), cultural resources (cumulative impacts from demolition of historical resources), and shadow (program-level impacts on parks).

On August 7, 2008, the Planning Commission certified the Eastern Neighborhoods PEIR by Motion 17659 and adopted the Preferred Project for final recommendation to the Board of Supervisors. CEQA Guidelines Sec 15162(c) establishes that once a project, in this case the Eastern Neighborhoods Rezoning and Area Plans, is approved:

“[T]he lead agency’s role in that approval is completed unless further discretionary approval on that project is required. Information appearing after an approval does not require reopening of that approval. If after the project is approved, any of the conditions described in subdivision (a) occurs, a subsequent EIR or negative declaration shall only be prepared by the public agency which grants the next discretionary approval for the project, if any.” [Emphasis added.]

Thus, even if the Appellant’s unsubstantiated claims that the build-out of development consistent with the adopted rezoning and area plans somehow constituted new information or changed circumstances resulting in new or more severe impacts on the physical environment than previously disclosed (i.e., the conditions described in subdivision (a) of CEQA Guidelines section 15162(c), the Eastern Neighborhoods PEIR would remain valid under CEQA. Simply stated, unless and until the Eastern Neighborhoods Rezoning and Area Plans themselves are amended or revised, the reopening of the Eastern Neighborhoods PEIR is neither warranted nor required under CEQA.

Project CPE

As discussed above, under the Community Plan Evaluations section, CEQA Guidelines Section 15183 limits future environmental review for projects consistent with the development density established by the Eastern Neighborhoods Rezoning and Area Plans. Lead agencies shall not require additional environmental review except as might be necessary to examine whether there are project-specific significant effects that are peculiar to the project or its site and that were not disclosed as significant effects in the prior EIR. Per CEQA Guidelines Section 15183, “this streamlines the review of such projects and reduces the need to prepare repetitive environmental studies.” That is, lead agencies are not to reanalyze impacts that are attributable to the project site being developed consistent with the Eastern Neighborhoods Rezoning and Area Plans.

In accordance with CEQA Guidelines Section 15183, a project-level environmental review was undertaken as documented in the CPE Initial Study to determine if the 1726-1730 Mission Street Project would result in additional impacts specific to the development proposal or the project site and whether

the proposed development would be within the scope of the Eastern Neighborhoods PEIR, so as to assess whether further environmental review is required.

The CPE Initial Study fully described the proposed project (consistent with CEQA Guidelines Section 15124), its environmental setting (consistent with CEQA Guidelines Section 15125), and its potential impacts to the environment (consistent with CEQA Guidelines Section 15126). Consistent with CEQA Guidelines Section 15183, the CPE Initial Study evaluated whether the proposed project would result in significant impacts that: (1) are peculiar to the project or project site; (2) were not identified as significant project-level, cumulative, or off-site effects in the Eastern Neighborhoods PEIR; or (3) are previously identified significant effects, which as a result of substantial new information that was not known at the time that the Eastern Neighborhoods PEIR was certified, are determined to have a more severe adverse impact than discussed in the PEIR.

Impacts to the environment that might result with implementation of the Project were analyzed in the CPE Initial Study according to the project's potential impacts upon the specific setting for each environmental topic, clearly stated significance criteria, and substantial evidence in the form of topic-specific analyses. The CPE Initial Study prepared for the Project evaluates its potential project-specific environmental effects and incorporates by reference information contained in the Eastern Neighborhoods PEIR. Project-specific studies related to transportation, noise, geology, and hazards were prepared for the Project to determine if it would result in any significant environmental impacts that were not identified in the Eastern Neighborhoods PEIR.

The CPE Initial Study determined that the proposed project would not have a significant impact that was not previously identified and analyzed in the Eastern Neighborhoods PEIR for all CEQA Guidelines Appendix G environmental topics. The CPE Initial Study identified (and updated as needed to conform with current Planning Department practices) five mitigation measures from the Eastern Neighborhoods PEIR to be applied to the Project to avoid impacts previously identified in the PEIR related to archeological resources, noise, air quality, and hazardous materials. Additionally, per CEQA Guidelines 15183, "(a)n effect of a project on the environment shall not be considered peculiar to the project or the parcel...if uniformly applied development policies or standards have been previously adopted by the city or county with a finding that the development policies or standards will substantially mitigate that environmental effect when applied to future projects."

As discussed on pages 14 and 15 of the CPE Initial Study, since the certification of the Eastern Neighborhoods PEIR in 2008, several new policies, regulations, statutes, and funding measures have been adopted, passed, or are underway that have or will implement mitigation measures or further reduce less-than-significant impacts identified in the PEIR. These include, but are not limited to:

- State legislation amending CEQA to eliminate consideration of aesthetics and parking impacts for infill projects in transit priority areas, effective January 2014 (see CPE Initial Study, page 15);

- State legislation amending CEQA and San Francisco Planning Commission resolution replacing level of service (LOS) analysis of automobile delay with vehicle miles traveled analysis, effective March 2016 (see CPE Initial Study, pages 15 and 16);
- The adoption of 2016 interim controls in the Mission District requiring additional information and analysis regarding housing affordability, displacement, loss of PDR and other analyses, effective January 14, 2016 through January 14, 2018 or when permanent controls are in effect, whichever occurs first;
- San Francisco Bicycle Plan update adoption in June 2009, Better Streets Plan adoption in 2010, Transit Effectiveness Project (aka "Muni Forward") adoption in March 2014, Vision Zero adoption by various City agencies in 2014, Proposition A and B passage in November 2014, and the Transportation Sustainability Program (see CPE Initial Study "Transportation and Circulation" section);
- San Francisco ordinance establishing Noise Regulations Related to Residential Uses Near Places of Entertainment, effective June 2015 (see CPE Initial Study "Noise" section);
- San Francisco ordinances establishing Construction Dust Control, effective July 2008, and Enhanced Ventilation Required for Urban Infill Sensitive Use Developments, amended December 2014 (see CPE Initial Study "Air Quality" section);
- San Francisco Clean and Safe Parks Bond passage in November 2012 and San Francisco Recreation and Open Space Element of the General Plan adoption in April 2014 (see CPE Initial Study "Recreation" section);
- Urban Water Management Plan adoption in 2011 and Sewer System Improvement Program process (see CPE Initial Study "Utilities and Service Systems" section);
- Article 22A of the Health Code amendments effective August 2013 (see CPE Initial Study "Hazards and Hazardous Materials" section); and
- San Francisco's "Strategies to Address Greenhouse Gas Emissions", a greenhouse gas emissions reduction strategy prepared November 2010 (See CPE Initial Study "Greenhouse Gas Emissions" section).

In summary, project-level environmental review was conducted, as documented in the CPE Initial Study, in accordance with CEQA Guidelines 15183, which limits any further environmental review for projects, like 1726-1730 Mission Street, that are consistent with the development density established by existing zoning, community plan or general plan policies for which an EIR was certified, except as might be necessary to examine whether there are project-specific effects that are peculiar to the project or its site and that were not disclosed as significant effects in the prior EIR. The environmental analysis in the CPE Initial Study concluded that, with the incorporation of mitigation measures from the Eastern Neighborhoods PEIR and implementation of uniformly applied development policies and standards, there would not be any project-specific effects that are peculiar to the project or its site and that were not disclosed as significant effects in the Eastern Neighborhoods PEIR. Therefore, per CEQA Guidelines Section 15183, no further environmental review may be required, and a Community Plan Evaluation was issued based on the environmental analysis in the CPE Initial Study.

Per CEQA Guidelines Section 15183, if an impact is not peculiar to the parcel or to the project, has been addressed as a significant effect in the prior EIR *or* can be substantially mitigated by the imposition of uniformly applied development policies or standards, then an additional EIR **shall not** be prepared for the project solely on the basis of that impact.

Concern 1 alleges that substantial changes with respect to the circumstances under which the Eastern Neighborhoods Area Plans has been undertaken have occurred, including growth that has exceeded that which was considered in the Eastern Neighborhoods PEIR, the pace of that growth, and impacts associated with displacement of existing residents and businesses. Concern 1 also alleges that there have been substantial increases in the severity of previously identified significant effects including (as noted above), in relation to traffic and transit, parking, air quality, loss of PDR space, and hazardous materials. to the Department responds to each of these concerns as follows:

Population and Housing

In its assertion that the Eastern Neighborhoods PEIR no longer fully discloses the cumulative impacts of Eastern Neighborhood projects, the Appellant states on page 2 of his Appeal Letter:

“The PEIR’s projections for housing, including this project and those in the pipeline, have been exceeded when cumulative impacts are considered, i.e., ‘past, present, and reasonably foreseeable probable future projects.’(Guidelines, § 15355)”

The Appeal Letter incorporates by reference a letter submitted by the Appellant to the Planning Commission on May 30, 2017, which states:

“The proposed project (36 units) is being built in conjunction with a number of other projects currently in the pipeline for the area. Pipeline projects between the intersection of South Van Ness and Mission, and 16th and Mission and one block either side of Mission (eight blocks) are: 130 Otis Street (220 units), 1601 Mission Street (354 units), 1801 Mission Street (54 units), 1863 Mission Street (36 units), 1900 Mission Street (9 units), 1924 Mission Street (13 units), 1979 Mission Street (331 units), 198 Valencia (28 units), 235 Valencia (50 units), 80 Julian (9 units), 1463 Stevenson (45 units), and 1500 15th Street, (184 units - density bonus).

Additionally, there are two affordable housing projects, one at 1950 Mission Street (157 units), and one at 490 South Van Ness Avenue (133 units). Total number of pipeline units, including the proposed project are within two blocks either side of sausage factory is 1,659 units.

Built after 2008, but equally applicable to any cumulative analysis are 1880 Mission Street (202 units), 1501 15th Street (40 units), 380 14th Street (29 units) and 411 Valencia (16) 1587 15th (26 units) 1972 units.

This is extraordinary in such a small geographic area. The total number of units contemplated under the most ambitious scenario for the Mission in the Eastern Neighborhoods Plan was 2054 units, with a Preferred Project at 1696 units. To provide a sense of proportionality, the Mission Area Plan is approximately 72 blocks, whereas the number of blocks considered above is eight.

This project, when looked at cumulatively results in significant impacts on the immediate area, including impacts on traffic, circulation, air quality, noise, and open space, as well as socioeconomic impacts on this a working class neighborhood and an especially vulnerable SRO Hotel population. Once these projects are in place, existing SRO tenants will be ousted and replaced by will be gone, replaced by tourists, and ...”

Although the Eastern Neighborhoods PEIR contained projections of population and housing growth through the year 2025, the PEIR does not include these population and housing projections as a cap or limit to growth within the areas that would be subject to the Eastern Neighborhoods Plans. Rather, the growth projections were based upon the best estimates available at the time the Eastern Neighborhoods PEIR was prepared. Regardless, and as discussed below, growth under the Eastern Neighborhoods Plans to date has not exceeded the growth projections used to support the environmental impact analysis in the Eastern Neighborhoods PEIR.

As of July 2016, projects containing 8,527 dwelling units and 2,205,720 square feet of non-residential space (excluding PDR loss) have completed environmental review or are currently undergoing environmental review within all of the Eastern Neighborhoods plan areas, corresponding to an overall population increase of approximately 22,099 to 25,183 persons. Of the 8,527 dwelling units that are under review or have completed environmental review, building permits have been pulled for 4,321 dwelling units,⁴ or approximately 51 percent of those units (information is not available regarding building permits for non-residential square footage). Thus, the number of units approved, let alone constructed, is well below the PEIR projection.

The Eastern Neighborhoods PEIR projected that implementation of the Mission Area Plan could result in an increase of 1,696 net dwelling units and 700,000 to 3,500,000 sf of non-residential space (excluding PDR loss), corresponding to an overall population increase of approximately 4,719 to 12,207 persons in the area

⁴ This number includes all units approved under CEQA for projects anticipated by the Eastern Neighborhoods PEIR (including CPEs and other types of CEQA documents). Once a project has been approved under CEQA, the building permit process must still be completed. When used in the context of a building permit, the term “pulled” encompasses the different levels of review a permit undergoes from when it is filed (application accepted) to complete (project has been constructed). According to Current Planning staff, projects that are under construction can take up to two years before they are completed and ready for occupancy.

covered by the Mission Area Plan. As of July 2016, projects containing 2,116 dwelling units and 493,373 square feet of non-residential space (excluding PDR loss), including the 1726-1730 Mission Street Project, had been completed, approved or are proposed to complete environmental review within the Mission Plan Area, corresponding to an overall population increase of 5,987 to 6,248 persons. Of the 2,116 dwelling units that are under review or have completed environmental review, building permits have been issued for 590 dwelling units, or approximately 28 percent of those units, well below the PEIR projection.

The growth projections in the PEIR were used as an analytical tool to contextualize the potential environmental impacts of the Eastern Neighborhoods Area Plans. The PEIR assumed a total amount of development resulting from the Eastern Neighborhoods Area Plans consisting of all development types (residential, commercial, etc.), and analyzed impacts based on this total development amount. Although the number of foreseeable dwelling units in the Mission Plan Area may exceed the range of residential development anticipated by the Eastern Neighborhoods PEIR by approximately 420 dwelling units (should all proposed projects be both approved and constructed), the total amount of foreseeable non-residential space in the Mission Plan Area is well below the maximum evaluated in the Eastern Neighborhoods PEIR, as is the overall population increase. Therefore, while more residential development has occurred in this area, less non-residential development has occurred, and the total amount of development and the estimated population increase assumed in the PEIR have not been exceeded.

The Eastern Neighborhoods PEIR utilized growth projections to analyze the physical environmental impacts that could result from development under the Eastern Neighborhoods Plan on Land Use; Population, Housing, Business Activity, and Employment; Transportation; Noise; Air Quality; Parks, Recreation, and Open Space; Utilities/Public Services; and Water. However, the CPE Initial Study prepared for the proposed project does not rely solely on the growth projections considered in the Eastern Neighborhoods PEIR in examining whether the project would have significant impacts that are peculiar to the project or site. The project- and site-specific analysis contained in the CPE Initial Study is based on updated growth projections and related modelling to evaluate project-level and cumulative impacts on traffic and transportation, air quality, and greenhouse gases.

For example, the projected transportation conditions and cumulative effects of project buildout analyzed in the Eastern Neighborhoods PEIR were based on a 2025 horizon year. However, in 2015, the Planning Department updated its cumulative transportation impact analysis for all projects to use a 2040 horizon year. Therefore, the project-specific cumulative transportation impact analysis presented in the CPE Initial Study conducted to determine whether the proposed project would result in new or substantially more severe significant impacts than previously disclosed is based on updated growth projections through year 2040. San Francisco 2040 cumulative conditions were projected using a run of the San Francisco County Transportation Authority's (Transportation Authority) San Francisco Activity Model Process (SF-CHAMP) and includes residential and job growth estimates and reasonably foreseeable transportation investments through 2040.

As another example, as discussed on pages 31 and 32 of the CPE Initial Study, the Project's air quality impacts were screened using screening criteria established by the Bay Area Air Quality District in 2011 and screened using the City's Air Pollutant Exposure Zone mapping. The exposure zone mapping is based on modeling in 2012 of all known air pollutant sources, provides health protective standards for cumulative PM_{2.5} concentration and cumulative excess cancer risk, and incorporates health vulnerability factors and proximity to freeways. As discussed on page 35 of the CPE Initial Study, the Project's greenhouse gas emissions impacts were evaluated against consistency with San Francisco's GHG Reduction Strategy, a strategy that has resulted in a 23.3 percent reduction in GHG emissions in 2012 compared to 1990 levels, exceeding the year 2020 reduction goals outlined in the BAAQMD's 2010 Clean Air Plan.

Eastern Neighborhoods PEIR, Displacement and Cumulative Impacts

The Appellant asserts that the high cost of housing and consequent displacement of residents and businesses represent substantial changes to the circumstances considered in the Eastern Neighborhoods PEIR. In a May 30, 2017, letter to the Planning Commission (Appeal Letter Exhibit D), the Appellant states:

"Unfortunately, circumstances have rendered the 2008 PEIR out of date and it cannot be a reliable measure of environmental impacts of market rate development in the Mission. It is well recognized that the Mission has already experienced extensive displacement of its residents, so much so, that it is now in an advanced stage [of] gentrification."

The Appellant also provides a bullet list of eight items as evidence of changing demographics and economic conditions in the Eastern Neighborhoods and Mission Plan areas purported to represent changed circumstances not considered by the Eastern Neighborhoods PEIR:

- The PEIR did not anticipate the "advanced gentrification" of the neighborhood, the extensive displacement of Latino families, the reverse commute to distant areas.
- At the time the PEIR was prepared, research regarding the extent of increased automobile traffic and greenhouse gas emissions was not available.
- The unanticipated additional demand for affordable housing due to the overdevelopment of luxury housing.
- The unexpected disappearance of Redevelopment [Agency] money to fund affordable housing and no new resources to compensate for the loss.
- The PEIR was prepared during an economic recession and did not anticipate the development of luxury housing and high-end retail projects.
- The PEIR assumed that the Eastern Neighborhoods Plan and the Mission Area Plan meet the goal of providing over 60 percent low-, moderate-, and middle-income housing. This goal has not been met, further exacerbating problems related to displacement.

- The PEIR did not anticipate the impact of tech shuttles on traffic and housing demand, with high-income tech employees moving to neighborhoods like the Mission in which many of the tech shuttle stops are located and increasing the already-high demand for housing.
- The cumulative housing production in the Mission now exceeds the projections under any of the three scenarios analyzed in the PEIR

A response to statements regarding displacement, gentrification and cumulative impacts of market-rate development, including the proposed project, is presented below and in subsequent responses.

Traffic

In Exhibit D of the Appeal Letter, the Appellant notes several transportation-related issues allegedly not anticipated by the Eastern Neighborhoods PEIR, including “reverse commutes to distant areas” and “increased automobile traffic” related to the fact that “upper income residents are twice as likely to own a car and half as likely to use public transit.” No substantial evidence was presented in support of these allegations.

In April 2017, updated traffic counts were conducted at four intersections in the Mission neighborhood (Guerrero Street/16th Street, South Van Ness Avenue/16th Street, Valencia Street/15th Street, and Valencia Street/16th Street) that were analyzed in the Eastern Neighborhoods PEIR.⁵ All four of these intersections are within five blocks of the project site. Compared to traffic volume projections for 2017, the updated traffic counts showed that there were fewer vehicles at three of the intersections (3, 10, and 14 percent decreases) and more vehicles at one intersection (6 percent increase). Overall, there were fewer vehicles at these four intersections (average decrease of 4 percent) when compared to traffic volume projections for 2017.

The travel demand analysis methodology employed in the Eastern Neighborhoods PEIR is provided on pages 267 through 269 of the PEIR. Briefly, the analysis relied upon the San Francisco County Transportation Authority (SFCTA) countywide travel demand forecasting model to develop forecasts for development and growth under the No Project and three zoning options (A, B and C) through the year 2025 in the Eastern Neighborhoods study area. This approach took into account both future development expected within the boundary of the Eastern Neighborhoods Area Plans and the expected growth in housing and employment for the remainder of San Francisco and the nine-county Bay Area. Growth forecasts were prepared for each traffic analysis zone (or TAZ) in the Eastern Neighborhoods study area and the remainder of the City. As the Eastern Neighborhoods PEIR points out on page 268,

⁵ Fehr & Peers, *Updated Eastern Neighborhoods Traffic Counts*, April 17, 2017.

“[n]o separate cumulative model run was undertaken, because, as noted, the 2025 forecasts developed by the Planning Department include growth in the remainder of San Francisco, as well as in the rest of the Bay Area. Thus, each rezoning option effectively is [sic] represents a different cumulative growth scenario for the year 2025, including growth from development that would occur with implementation of the proposed Eastern Neighborhoods Rezoning and Area Plans, as well as other, non-project-generated growth accounted for in the 2025 No-Project scenario.”

As discussed on pages 24 through 26 of the CPE Initial Study for the Project, significant and unavoidable impacts were identified in the Eastern Neighborhoods PEIR for transportation and circulation (specifically, transit). The Appellant provides no evidence that traffic conditions in the area of the Project today represent “changed circumstances” necessitating further environmental review beyond what was conducted in the CPE Initial Study, nor does the Appellant identify specific significant transportation and circulation impacts that would result from the Project that were not already analyzed in the PEIR.

As stated on page 21 of the CPE Initial Study, the Project’s potential impacts related to transportation and circulation were analyzed and presented in a Transportation Circulation Memorandum (see footnote 9 on page 21). As discussed in the CPE Initial Study, the projected transportation conditions and cumulative effects of project buildout analyzed in the Eastern Neighborhoods PEIR were based on a 2025 horizon year. However, in 2015, the Planning Department updated its cumulative transportation impact analysis for all projects to use a 2040 horizon year. Therefore, the project-specific cumulative transportation impact analysis presented in the CPE Initial Study conducted to determine whether the proposed project would result in new or substantially more severe significant impacts than previously disclosed is based on updated growth projections through year 2040. San Francisco 2040 cumulative conditions were projected using a SF-CHAMP model run and includes residential and job growth estimates and reasonably foreseeable transportation investments through 2040.

The potential transportation and circulation impacts of the Project are evaluated under Topic 4 of the CPE Initial Study (pages 21 through 27). As discussed on page 16 of the CPE Initial Study, with the Planning Commission’s adoption of Resolution 19579 on March 3, 2016, the City no longer considers automobile delay, as described solely by level of service or similar measures of vehicular capacity or traffic congestion, to be a significant impact on the environment under CEQA. Consistent with Resolution 19579, the CPE Initial Study provides an analysis of the Project’s anticipated project-specific and cumulative contribution to vehicle miles traveled and induced automobile travel. In both instances, the analysis determined that the Project would not result in a significant project-specific or cumulative impact. Furthermore, as discussed on page 15 of the CPE Initial Study under “Aesthetics and Parking,” the Project qualifies as an infill project: it is in a transit priority area, it is on an infill site, and it is a mixed-use residential project. Consistent with CEQA Section 21099, aesthetics and parking are not considered as significant environmental effects for such infill projects.

The "Transportation and Circulation" section of the CPE Initial Study provides a comprehensive analysis of the Project's anticipated trip generation and its potential effects on transit, pedestrians, bicyclists, loading, and construction traffic. The analysis is based on the Transportation Circulation Memorandum prepared for the proposed project, as stated above, and the analysis and conclusions presented in the Eastern Neighborhoods PEIR. On the basis of the substantial evidence provided by the Transportation Circulation Memorandum and an analysis of the Project's potential transportation and circulation effects in relation to the Eastern Neighborhoods PEIR, the CPE Initial Study concluded on pages 24 through 27 that the Project would not result in significant impacts on transit, pedestrians, and bicycles beyond those identified in the Eastern Neighborhoods PEIR.

The Appellant's contention that the environmental analysis in the CPE Initial Study is flawed because the Eastern Neighborhoods PEIR did not consider traffic and transportation effects resulting from displacement is not based upon substantial evidence; the various reports and studies included with the Appeal Letter do not provide specific technical analysis connecting displacement in the Mission District with observable traffic and transportation effects (noting again that traffic congestion is no longer considered an impact under CEQA).

Conclusion

On page 3 of the Appeal Letter, the Appellant states: "The City is engaging in a pattern and practice of approving residential projects in the Mission based on a Community Plan Exemption that improperly tiers off of an out of date Eastern Neighborhoods Area Plan EIR instead of conducting project level environmental review." This is incorrect. The Planning Department properly relies upon CEQA Guidelines Section 15183 to determine if additional environmental review is required for projects that are consistent with the development density established under existing zoning, community plans, or general plan policies, including the Eastern Neighborhoods Plan, for which an EIR was certified. In accordance with this provision of the CEQA Guidelines, additional environmental review shall not be required for such projects except as might be necessary to examine whether there are project-specific significant effects that are peculiar to the project or its site. The project-level environmental review in the CPE Initial Study determined that the Project would not result in significant effects that are peculiar to the project or its site that were not previously disclosed in the Eastern Neighborhoods PEIR.

The Appellant does not provide substantial evidence to support the contention that the Project would result in significant effects that are peculiar to the project or its site and that were not previously disclosed in the Eastern Neighborhoods PEIR. The Eastern Neighborhoods PEIR did consider the effects of displacement of residents and businesses as a result of the rezoning options considered and found those impacts to be less-than-significant. Contrary to the Appellant's assertion, growth in the Eastern Neighborhoods and Mission Plan areas (as measured by dwelling units and population) do not represent a new significant environmental effect or increased severity of an environmental effect analyzed in the Eastern Neighborhoods PEIR, such that a project-specific EIR would need to be prepared.

Concern 2: The claimed community benefits of the Eastern Neighborhoods Area Plan, outlined in the 2008 PEIR, its approvals and the Statement of Overriding Considerations have not been fully funded, implemented, or are underperforming and the determinations and findings for the proposed Project that rely on the claimed benefits to override impacts outlined in the PEIR are not supported. The City should have conducted Project level review based upon up to date data and the actual community benefits that have accrued since the adoption of the 2008 plan and did not.

Response 2: The Appellant's contentions concerning community benefits are not valid grounds for an appeal of the CPE because they do not demonstrate that the Project would result in significant effects that are peculiar to the project or its site that were not disclosed in the Eastern Neighborhoods PEIR.

As stated above, CEQA Section 21083.3 and CEQA Guidelines Section 15183 mandate that projects that are consistent with the development density established under existing zoning, community plans, or general plan policies for which an EIR was certified shall not require additional environmental review except as might be necessary to examine whether there are project-specific significant effects that are peculiar to the project or its site. The Appellant's contentions concerning the funding and implementation of community benefits do not demonstrate that the project would result in significant effects that are peculiar to the project or its site that were not disclosed in the Eastern Neighborhoods PEIR. Therefore, these contentions do not form a valid ground for an appeal of the determination that the project qualifies for a CPE.

For informational purposes, however, the following discussion about the status of the community benefits identified in the CEQA findings and Statement of Overriding Consideration for the adoption of the Eastern Neighborhoods Area Plans is provided.

The Appellant does not specify which community benefits "have not been fully funded, implemented or are underperforming..." or which findings and determinations for the Project "rely on the claimed benefits to override impacts outlined in the PEIR." Regardless, as the following discussion indicates, community benefits are being provided under the Eastern Neighborhoods Plan through an established process.

The Eastern Neighborhoods Plan included, as an informational item considered by the Planning Commission at the time of the original Eastern Neighborhoods Plans approvals in 2008, a Public Benefits Program detailing a framework for delivering infrastructure and other public benefits as described in an Implementation Document titled Materials for Eastern Neighborhoods Area Plans Initiation Hearing.⁶ The Public Benefits Program consists of:

⁶ San Francisco Planning Department, *Materials for Eastern Neighborhoods Area Plans Initiation Hearing*, Case No. 2004.0160EMTUZ. April 17, 2008. Available at: http://sf-planning.org/sites/default/files/FileCenter/Documents/1507-VOL3_Implementation.pdf, accessed July 14, 2017.

- 1) an Improvements Program that addresses needs for open space, transit and the public realm, community facilities and affordable housing;
- 2) a Funding Strategy that proposes specific funding strategies and sources to finance the various facilities and improvements identified in the Improvements Plan, and matches these sources to estimated costs; and
- 3) a section on Program Administration that establishes roles for the community and City agencies, provides responsibilities for each, and outlines the steps required to implement the program.

Some of the benefits were to be provided through requirements that would be included in changes to the Planning Code. For example, Planning Code Section 423 (Eastern Neighborhoods Community Infrastructure Impact Fee) fees are collected for "Transit", "Complete Streets", "Recreation and Open Space", "Child Care", and in some portions of the Mission District and the South of Market Area, "Affordable Housing". Other benefits were to be funded by fees accrued with development and through other sources of funding. The Public Benefits Program was not intended to be a static list of projects; rather, it was designed to be modified by a Citizens Advisory Committee as needs were identified through time.

The Appellant's assertion that "the claimed benefits to override impacts outlined in the PEIR are not supported," stating that benefits have not been fully funded, implemented, or are underperforming, is incorrect.

In terms of the process for implementing the Public Benefits Program, new development within the Eastern Neighborhoods Plan area, including the Project, are required to pay development impact fees upon issuance of the "first construction document" (either a project's building permit or the first addendum to a project's site permit), which fees are collected to fund approximately 30 percent of the infrastructure improvements planned within the Eastern Neighborhoods Plan area. Additional funding mechanisms for infrastructure improvements are identified through the City's 10-year Capital Plan. Eighty percent of development impact fees must go towards Eastern Neighborhoods priority projects, until those priority projects are fully funded. The fees are dispersed to fund infrastructure improvements within the entirety of the Eastern Neighborhoods Plan area, on a priority basis established by the Eastern Neighborhoods Citizen Advisory Committee (CAC) and the City's Interagency Plan Implementation Committee (IPIC). The IPIC works with the CAC to prioritize future infrastructure improvements. Additionally, the Planning Department and Capital Planning Program are working with the implementing departments to identify additional state and federal grants, general fund monies, or other funding mechanisms such as land-secured financing or infrastructure finance districts to fund the remaining emerging needs. Impact fees are distributed among the following improvement categories: open space, transportation and streetscape, community facilities, childcare, library, and program administration. As stated in the January 2016 Planning Department's Interagency Plan Implementation

Committee Annual Report,⁷ the Planning Department forecasts that pipeline projects, including the proposed project, would contribute approximately \$79.1 million in impact fee revenue within the Eastern Neighborhoods Plan area between fiscal years 2017 and 2021.

Infrastructure projects that are currently underway are also listed in the Planning Department's Interagency Plan Implementation Committee Annual Report. These include various streetscape, roadway, park, and childcare facility improvements. Additionally, a Transportation Sustainability Fee was adopted in November 2015 (BOS File Number 150790) and expenditures of this will shall be allocated according to Table 411A.6A in the Ordinance, which gives priority to specific projects identified in different area plans. These processes and funding mechanisms are intended to provide for implementation of infrastructure improvements to keep pace with development and associated needs of existing and new residents and businesses within the area. The CPE Initial Study provides further information regarding improvements within the Eastern Neighborhoods Plan Area. Regarding transit, as discussed on pages 24 and 25 of the CPE Initial Study, Mitigation Measures E-5 through E-11 in the Eastern Neighborhoods PEIR were adopted as part of the Eastern Neighborhoods Area Plans with uncertain feasibility to address significant transit impacts. While these plan-level measures are not applicable to the Project, each is in some stage of implementation (see discussion on pages 24 and 25 of the CPE Initial Study). Regarding recreation, the funding and planning for several Eastern Neighborhoods parks and open space resources is discussed on pages 37 and 38 of the CPE Initial Study.

Thus, based on the evidence provided, the public benefits included in the Public Benefits Program are in the process of being provided under the Eastern Neighborhoods Area Plans. As is generally the case with development fee-based provision of community benefits, capital facilities are constructed as fees are collected and are rarely provided in advance of development. The Appellant's assertion that the provision of community benefits is so deficient as to render the environmental determinations in the Eastern Neighborhoods PEIR invalid is not supported by substantial evidence. As described above, the CPE does provide an up-to-date description of the provision of transportation and recreation community benefits. For these and other impact analyses, the CPE properly concludes that the Project would not result in a significant impact not previously identified in the Eastern Neighborhoods PEIR.

⁷ *City and County of San Francisco, Interagency Plan Implementation Committee Annual Report*, January 2016. Available at http://www.sf-planning.org/ftp/files/plans-and-programs/plan-implementation/2016_IPIC_Report_FINAL.pdf, accessed July 14, 2017.

Concern 3: The CEQA findings are inadequate and incomplete, fail to adequately describe the Project's components and are not supported by substantial evidence.

Response 3: The CEQA findings adopted by the Planning Commission on June 1, 2017 as part of the Commission's approval of the Large Project Authorization for the Project are not subject to appeal under San Francisco Administrative Code Section.

Per San Francisco Administrative Code Section 31.16(c)(3), (d)(3), and (e)(3), the grounds for appeal of an environmental determination are limited to whether the **environmental determination** is adequate under CEQA. The CEQA findings are findings made as a part of the Project approval action, which is not before the Board of Supervisors in this appeal of the Community Plan Evaluation. Challenging the CEQA findings would appropriately be part of any appeal of the Project's approval action, which was a Large Project Authorization. Regardless, neither state law nor Chapter 31 of the Administrative Code requires that any CEQA findings be made when a project is approved in reliance on a Community Plan Evaluation. Detailed CEQA findings are required to be made only when an EIR has been prepared, there are significant unmitigated environmental impacts associated with the project, and the agency decides to approve the project despite those impacts, pursuant to CEQA Guidelines Section 15091.

Concern 4: The Project is inconsistent with the General Plan and the Mission Area Plan.

Response 4: The Project is consistent with the development density established under the Eastern Neighborhoods Area Plan, and would not result in significant impacts on the physical environment due to conflicts with the General Plan or the Mission Area Plan that are peculiar to the project or the project site.

On page 3 of the Appeal Letter, the Appellant states "The Proposed Project is inconsistent with the General Plan and the Mission Area Plan." In a May 30, 2017 letter to the Planning Commission (Appeal Letter Exhibit D), the Appellant states:

"In evaluating the desirability of the proposed project, the Commission should evaluate it in light of its inconsistency with the objectives of the Eastern Neighborhoods and Mission Plans. The EIR for the Eastern Neighborhoods Plan reflected the Eastern Neighborhood objectives as follows:

- *Reflect Local Values:* To develop a rezoning proposal that reflects the land use needs and priorities of each neighborhoods' stakeholders and that meets citywide goals for residential and industrial land use.
- *Increase Housing:* To identify appropriate locations for housing in the City's industrially zoned land to meet a citywide need for more housing, and affordable housing in particular. [Emphasis added.]
- *Maintain Some Industrial Land Supply:* To retain an adequate supply of industrial land to meet the current and future needs of the City's production, distribution, and repair businesses and the city's economy.

- *Improve the Quality of All Existing Areas with Future Development:* To improve the quality of the residential and nonresidential places that future development will create over that which would occur under the existing zoning.

The Mission Area Plan was even more specific in its land use policy: to protect "established areas of residential, commercial, and PDR, and ensuring that areas that have become mixed-use over time develop in such a way that they contribute positively to the neighborhood. A place for living and working also means a place where affordably priced housing is made available, a diverse array of jobs is protected, and where goods and services are oriented to the needs of the community." [Emphasis added.]

Mission-wide goals include:

- Increase the amount of affordable housing.
- Preserve and enhance the existing Production, Distribution and Repair businesses.
- Preserve and enhance the unique character of the Mission's distinct commercial areas.
- Minimize displacement."

Topic 1(b) in the "Land Use and Land Use Planning" section of the CPE Initial Study limits review of the Project's conflicts with any applicable land use plan, policy, or regulation to those "adopted for the purpose of avoiding or mitigating an environmental effect." Project-related policy conflicts and inconsistencies do not constitute, in and of themselves, significant environmental impacts. The consistency of the Project with those General Plan and Mission Area Plan policies that do not relate to physical environmental issues or result in physical environmental effects (such as those cited above by the Appellant), were considered by the Planning Commission as part of its determination of whether to approve, modify, or disapprove the Project.

As discussed above under Concern 1, the loss of PDR space resulting from implementation of the Eastern Neighborhoods Plan was found to be a significant and unavoidable impact in the Eastern Neighborhoods Plan PEIR. To address that impact, the City created PDR zones in the Eastern Neighborhoods Plan Area, including the Mission Area, in which PDR uses would be protected and competing uses, including residential and office developments, are not permitted, and made findings that the loss of PDR uses and space outside the PDR zoning districts was acceptable and overridden by the other benefits of the Plan.

The Project's contribution to loss of PDR space is disclosed under Topic 1(b) of the CPE Initial Study. As discussed on pages 16 and 17 of the CPE Initial Study, development of the proposed project would result in the net loss of approximately 8,950 square feet of PDR space. This net loss of PDR space would be a considerable contribution to the cumulative loss of PDR space analyzed in the Eastern Neighborhoods PEIR but would not result in significant impacts that were previously not identified or a more severe adverse impact than analyzed in the Eastern Neighborhoods PEIR.

The Planning Department's Citywide Planning and Policy Analysis Division determined that the Project was consistent with the General Plan and with the bulk, density, and land uses as envisioned in the Mission Area Plan. The determination further states:

"The proposed project is consistent with the height, bulk, density, and land uses as envisioned in the Plan. Objective 1.1 of the Plan calls for strengthening the Mission's existing mixed use character, while maintaining the neighborhood as a place to live and work. The proposed project is consistent with this objective by providing a project with production, distribution, and repair (PDR) on the ground floor with residential units above. The project is also consistent with Objective 1.7, "Retain the Mission's role as an important location for production, distribution, and repair activities". As a primarily residential project with PDR, the proposed project is consistent with the determination."

The Citywide determination concludes:

"For the purposes of the Citywide Planning and Policy Analysis division, the project is eligible for consideration of a Community Plan Exemption under California Public Resources Code Sections 21159.21, 21159.23, 21159.24, 21081.2, and 21083.3, and/or Section 15183 of the California Environmental Quality Act (CEQA) Guidelines."

As a general matter, the determination of whether a project is consistent with a specific plan or policy can be subjective, and is best made with a broad understanding of the often-competing policy objectives in a planning document. Consequently, policy consistency determinations are ultimately made by the City's decision-making bodies such as the Planning Commission and the Board of Supervisors independent of the environmental review process, as part of the decision to approve or reject the project. In its approval of the Project's Large Project Authorization, the Planning Commission determined that the project is generally consistent with the objectives and policies of the General Plan, including the Mission Area Plan.

Accordingly, the Project would not result in significant impacts on the physical environment due to inconsistency with the General Plan, the Eastern Neighborhoods Plan, or the Mission Subarea Plan that are peculiar to the project or the project site.

CONCLUSION:

The Appellant has not demonstrated nor provided substantial evidence to support a claim that the CPE fails to conform to the requirements of CEQA for a community plan evaluation pursuant to CEQA Section 21083.3 and CEQA Guidelines Section 15183. The Planning Department conducted necessary studies and analyses, and provided the Planning Commission with the information and documents necessary to make an informed decision, based on substantial evidence in the record, at a noticed public hearing in accordance with the Planning Department's CPE Initial Study and standard procedures, and pursuant to CEQA and the CEQA Guidelines. Therefore, the Planning Department respectfully recommends that the Board of Supervisors uphold the Department's determination for the CPE and reject Appellant's appeal.

Attachment A
July 3, 2017 Appeal Letter

West Bay Law
Law Office of J. Scott Weaver

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July 3, 2017

Clerk, San Francisco Board of Supervisors
#1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102

**Re: Case No. 2015-004454PRV 1726-1730 Mission Street
Appeal of the June 1, 2017 Planning Commission Decisions**

Dear Members of the Board of Supervisors:

Our Mission No Eviction appeals the decisions of the Planning Commission Made on June 1, 2017 regarding the proposed project at 1726-30 Mission Street (hereafter "proposed project") proposed by applicant Our Mission No Eviction appeals the following decisions of the Planning Commission made on June 1, regarding the project proposed for 1726-30 Mission Street (hereafter "Proposed Project").

- 1) Adoption of CEQA findings under Section 15183 of the CEQA guidelines and Public Resources Code Section 21083.3.1, and adoption of a Community Plan Exemption.

The Final Motion for the relevant appeal is attached as **Exhibit A**. Evidence in support of the appeals is attached as **Exhibits B-D** and is also contained in the letters submitted to the Planning Department objecting to the approval of the Project and the Community Plan Exemption, incorporated here by reference. **Exhibit E** contains the \$578 appeal fee for the CEQA appeal.

1. Appeal of the adoption of the Community Plan Exemption and CEQA Findings

The appeal of the adoption of the Community Plan Exemption and CEQA Findings are filed on the following bases.

- The CEQA findings did not take into account the potential cumulative impacts of this project along with nearly 2,000 other units constructed, entitled, or in the pipeline for the area along Mission Street, beginning at the intersection of Mission and South Van Ness Avenue and continuing to 16th Street, and including one block on either side of Mission Street (hereafter "Mission Gateway" which was not considered in the Eastern Neighborhoods Plain EIR (PEIR). Potential impacts with respect to traffic and circulation, noise, air quality, recreation and open space, impacts on SRO Hotels, and overall gentrification and displacement impacts on businesses, residents, and nonprofits within the Mission Gateway.
- The Proposed Project does not qualify for a Community Plan Exemption under Section 15183 of the CEQA Guidelines and Public Resources Code Section 21083.3 because the approval is based upon an out of date 2008 EIR prepared for the Eastern Neighborhoods Area Plan and the EIR's analysis and determination can no longer be relied upon to support the claimed exemption in the areas of, *inter alia*, direct, indirect, and cumulative impacts to: land use, consistency with area plans and policies, land use, recreation and open space, traffic and circulation, transit and transportation, health and safety, and impacts relative to the Mission Gateway.
- The PEIR's projections for housing, including this project and those in the pipeline, have been exceeded when cumulative impacts are considered, i.e., "past, present, and reasonably foreseeable probable future projects." (Guidelines, § 15355)
- The claimed community benefits of the Eastern Neighborhoods Area Plan, outlined in the 2008 PEIR, its approvals and the Statement of Overriding Considerations have not been fully funded, implemented, or are underperforming and the determinations and findings for the proposed Project that rely on the claimed benefits to override impacts outlined in the PEIR are not supported. The City should

have conducted Project level review based upon up to date data and the actual community benefits that have accrued since the adoption of the 2008 plan and did not.

- Substantial changes in circumstances require major revisions to the Eastern Neighborhoods Area Plan EIR due to the involvement of new significant environmental effects and an increase in the severity of previously identified significant impacts; there is new information of substantial importance that would change the conclusions set forth in said EIR and the requirements of the Mitigation Monitoring and Reporting Report.
- The CEQA findings are inadequate and incomplete and are not supported by substantial evidence.
- The Proposed Project is inconsistent with the General Plan and the Mission Area Plan.

2. Pattern and Practice

The City is engaging in a pattern and practice of approving residential projects in the Mission based upon a Community Plan Exemption that improperly tiers off of an out of date Eastern Neighborhoods Area Plan EIR instead of conducting project level environmental review. This results in the approval of projects with unexamined environmental affects to the detriment of Mission residents.

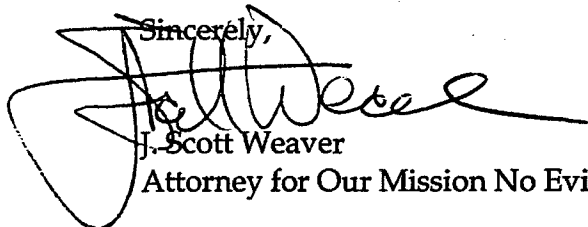
Sincerely,

J. Scott Weaver
Attorney for Our Mission No Eviction

EXHIBIT A

EXHIBIT A

EXHIBIT A

EXHIBIT A



SAN FRANCISCO PLANNING DEPARTMENT

BOARD OF PLANNING
SAN FRANCISCO
2017 JUN -3 AM 9:03

Subject to: (Select only if applicable)

- Affordable Housing (Sec. 415)
- Transportation Sustainability Fee (Sec. 411A)
- Eastern Neighborhoods Impact Fee (Sec. 423)
- First Source Hiring (Admin. Code)
- Residential Child Care Fee (Sec. 414A)
- Other

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Planning Commission Motion No. 19931

HEARING DATE: JUNE 1, 2017

Case No.: 2014-002026ENX
Project Address: 1726-1730 Mission Street
Zoning: UMU (Urban Mixed Use) District
 68-X Height and Bulk District
Block/Lot: 3532/004A and 005
Project Sponsor: Jody Knight – Reuben, Junius & Rose , LLP
 One Bush Street, Suite 600
 San Francisco, CA 94104
Staff Contact: Linda Ajello Hoagland – (415) 575-6823
linda.ajellohaoagland@sfgov.org

ADOPTING FINDINGS RELATING TO A LARGE PROJECT AUTHORIZATION, PURSUANT TO PLANNING CODE SECTION 329 AND PLANNING COMMISSION RESOLUTION NO. 19865-MISSION 2016 INTERIM ZONING CONTROLS, TO DEMOLISH A 11,200 SQUARE FOOT, TWO-STORY INDUSTRIAL BUILDING, AND TO CONSTRUCT A SIX-STORY, 66-FOOT-TALL, 33,589 SQUARE FOOT MIXED-USE BUILDING WITH 40 DWELLING UNITS, APPROXIMATELY 2,250 SQUARE FEET OF GROUND FLOOR PDR (PRODUCTION, DISTRIBUTION AND REPAIR) AND 22 OFF-STREET PARKING SPACES FOR THE PROJECT AT 1726-1730 MISSION STREET WITHIN THE UMU (URBAN MIXED-USE) ZONING DISTRICT AND A 68-X HEIGHT AND BULK DISTRICT, AND ADOPTING FINDINGS UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.

PREAMBLE

On July 14, 2015, Jody Knight (hereinafter "Project Sponsor"), on behalf of Sustainable Living LLC (Property Owner), filed an application with the Planning Department (hereinafter "Department") for a Large Project Authorization for the proposed project at 1726-1730 Mission Street, Lots 004A, 005, Block 3532 (hereinafter "subject property"), pursuant to Planning Code Section 329 and the Mission 2016 Interim Zoning Controls, to demolish an 11,200 square-foot (sq. ft.), two-story, approximately 20-foot-tall industrial building and to construct a six-story, 66-foot-tall 35,893 sq. ft. mixed-use building with 40 dwelling units, 2,250 sq. ft. of ground floor PDR (Production Distribution and Repair) and 22 below off-street parking spaces within the UMU (Urban Mixed-Use) Zoning District, and 68-X Height and Bulk District.

On May 18, 2017, the San Francisco Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting on Large Project Authorization Application No. 2014-002026ENX. At this public hearing, the Commission continued the project to the public hearing on June 1, 2017.

The environmental effects of the Project were determined by the San Francisco Planning Department to have been fully reviewed under the Eastern Neighborhoods Area Plan Environmental Impact Report (hereinafter "EIR"). The EIR was prepared, circulated for public review and comment, and, at a public hearing on August 7, 2008, by Motion No. 17661, certified by the Commission as complying with the California Environmental Quality Act (Cal. Pub. Res. Code Section 21000 et seq., (hereinafter "CEQA"). The Commission has reviewed the Final EIR, which has been available for this Commission's review as well as public review.

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

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

On May 24, 2017, the Department determined that the proposed application did not require further environmental review under Section 15183 of the CEQA Guidelines and Public Resources Code Section 21083.3. The Project is consistent with the adopted zoning controls in the Eastern Neighborhoods Area Plan and was encompassed within the analysis contained in the Eastern Neighborhoods Final EIR. Since the Eastern Neighborhoods Final EIR was finalized, there have been no substantial changes to the Eastern Neighborhoods Area Plan and no substantial changes in circumstances that would require major revisions to the Final EIR due to the involvement of new significant environmental effects or an increase in the severity of previously identified significant impacts, and there is no new information of substantial importance that would change the conclusions set forth in the Final EIR. The file for this project, including the Eastern Neighborhoods Final EIR and the Community Plan Exemption certificate, is

available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, San Francisco, California.

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

The Planning Department Commission Secretary is the custodian of records; the file for Case No. 2014-002026ENX is located at 1650 Mission Street, Suite 400, San Francisco, California.

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

MOVED, that the Commission hereby authorizes the Large Project Authorization requested in Application No. 2014-002026ENX, subject to the conditions contained in "EXHIBIT A" of this motion, based on the following findings:

FINDINGS

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

1. The above recitals are accurate and constitute findings of this Commission.
2. **Site Description and Present Use.** The project site is on the west side of Mission Street, between Duboce Avenue and 14th Street in the Urban Mixed Use (UMU) Zoning District. The property is currently developed with a two-story, 11,200 square foot industrial building that is 20 feet in height. The subject properties are located mid-block with a combined street frontage of approximately 78 feet on Mission Street. The existing industrial building occupies the entire street frontage and is built to the front property line. In total, the site is approximately 7,800 square feet.
3. **Surrounding Properties and Neighborhood.** The Project Site is located in the UMU Zoning District along a mixed-use corridor within the Mission Area Plan. The Project Site is bounded by Duboce and 13th Streets to the north, 14th Street to the south, Woodward Street to the west and Mission Street to the east. The surrounding neighborhood is characterized by a wide variety of residential, commercial, retail, PDR and public uses. The adjacent properties to the north and south include three-story, multi-family residential uses, three- and four-story multi-family residential uses to the west and across Mission Street to the east is a four-story commercial building. The surrounding properties are located within the: Urban Mixed Use (UMU); Residential Mixed, Low Density (RM-1); and Production Distribution and Repair, General (PDR-1-G). There is one school (San Francisco Friends School) located within 1,000 feet of the Project Site. Access to Highway 101 and Interstate 80 is about one block to the east at the on- and off-ramps located at South Van Ness Avenue and the Central Freeway. The Project Site is located

along Mission Street, which is a high injury pedestrian and vehicular corridor. Other zoning districts in the vicinity of the Project Site include: PDR-1-G (Production, Distribution, and Repair - General); RM-1 (Residential Mixed - Low Density); NCT-3 (Moderate Scale Neighborhood Commercial Transit); and, P (Public).

4. **Project Description.** The Project consists of merging the two existing lots into a single 7,800 square-foot (sq. ft.) lot, demolition of a two-story industrial building, and construction of a six-story, 66-foot tall, 35,893 sq. ft. mixed-use building with 40 dwelling units, approximately 2,250 sq. ft. of ground floor PDR (Production Distribution and Repair) use, and 22 off-street parking spaces. One parking space would be handicap accessible, and the other 21 parking spaces would be housed in mechanical stackers. A garage door would be provided on Mission Street. The northernmost of the two existing curb cuts would be retained, and the other curb cut at the south end of the project site would be removed. The project would provide a total of 68 bicycle parking spaces, which would consist of 60 Class 1 spaces in the garage, and eight Class 2 spaces on the Mission Street sidewalk. Usable open space for the residents of the proposed project would be provided in the form of a common roof deck. Four new trees would be planted adjacent to the subject property along Mission Street.
5. **Public Comment.** The Department has received one letter of support from San Francisco Housing Action Coalition (SFHAC), and four letters opposing the project, expressing concern over the height of the project, impacts to light and air to adjacent residential properties, increased vehicular traffic and construction noise.
6. **Planning Code Compliance:** The Commission finds that the Project is consistent with the relevant provisions of the Planning Code in the following manner:
 - A. **Permitted Uses in UMU Zoning Districts.** Planning Code Sections 843.20 state that residential use is a principally permitted use within the UMU Zoning District. PDR uses listed in Planning Code Sections 843.70-843.87 are principally, conditionally or not permitted.

The Project would construct new residential and retain PDR uses within the UMU Zoning District; therefore, the Project complies with Planning Code Sections 843.20 and 843.70-843.87. Depending on the specific PDR tenant, they will comply as principally permitted PDR uses per Sec. 843.70-843.87 or seek a Conditional Use, as required by the Planning Code.
 - B. **Floor Area Ratio.** Planning Code Section 124 establishes a FAR (Floor Area Ratio) of 5:1 for properties within the UMU Zoning District and a 68-X Height and Bulk District.

The subject lots are 7,800 sq. ft. in total, thus resulting in a maximum allowable floor area of 39,000 sq. ft. for non-residential uses. The Project would construct approximately 2,250 sq. ft. of PDR space, and would comply with Planning Code Section 124.
 - C. **Rear Yard.** Planning Code Section 134 requires a minimum rear yard equal to 25 percent of the total lot depth of the lot to be provided at every residential level.

The Project provides a 1,950 square foot rear yard at the first residential level and would comply with Planning Code Section 134. The Project occupies a mid-block with frontage on Mission Street. The subject lot does not currently contribute to a pattern of mid-block open space, and the addition of the proposed code-complying rear yard would help to preserve light and air to neighboring residential dwellings.

- D. **Usable Open Space.** Planning Code Section 135 requires a minimum of 80 sq. ft. of open space per dwelling unit, if not publically accessible, or 54 sq. ft. of open space per dwelling unit, if publically accessible. Private usable open space shall have a minimum horizontal dimension of six feet and a minimum area of 36 sq. ft. is located on a deck, balcony, porch or roof, and shall have a minimum horizontal dimension of 10 feet and a minimum area of 100 sq. ft. if located on open ground, a terrace or the surface of an inner or outer court. Common usable open space shall be at least 15 feet in every horizontal dimension and shall be a minimum are of 300 sq. ft.

For the proposed 40 dwelling units, the Project is required to provide 3,830 sq. ft. of common open space. In total, the Project exceeds the requirements for open space by providing a total of approximately 4,695 sq. ft. of Code-complying usable open space. The Project would construct common open space roof deck (measuring approximately 3,925 sq. ft.) as well as four private second floor terraces in the rear yard (measuring approximately 770 sq. ft. Therefore, the Project complies with Planning Code Section 135.

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

The subject lot is not located in close proximity to an Urban Bird Refuge as defined in Section 139, and the Project meets the requirements for feature-related hazards.

- F. **Dwelling Unit Exposure.** Planning Code Section 140 requires that at least one room of all dwelling units face onto a public street, rear yard or other open area that meets minimum requirements for area and horizontal dimensions. To meet exposure requirements, a public street, public alley, side yard or rear yard must be at least 25 feet in width.

The Project organizes the dwelling units to have exposure on Mission Street or the code-complying rear yard. As proposed, 20 dwelling units face the rear yard and 20 units face Mission Street; therefore, the Project complies with Planning Code Section 140.

- G. **Street Frontage in Mixed Use Districts.** Planning Code Section 145.1 requires off-street parking at street grade on a development lot to be set back at least 25 feet on the ground floor; that no more than one-third of the width or 20 feet, whichever is less, of any given street frontage of a new structure parallel to and facing a street shall be devoted to parking and loading ingress or egress; that space for active uses be provided within the first 25 feet of building depth on the ground floor; that non-residential uses have a minimum floor-to-floor height of 17 feet; that the floors of street-fronting interior spaces housing non-residential active uses and lobbies be as close as possible to the level of the adjacent sidewalk at the

principal entrance to these spaces; and that frontages with active uses that are not residential or PDR be fenestrated with transparent windows and doorways for no less than 60 percent of the street frontage at the ground level.

The off-street parking is located below grade and is accessed through one 12-ft wide garage entrance located along Mission Street. The Project features active uses on the ground floor with a residential lobby, and replacement PDR space. The ground floor ceiling height of the non-residential uses are at least 17-ft. tall for frontage along Mission Street. Therefore, the Project complies with Planning Code Section 145.1.

- H. **Off-Street Parking.** Planning Section 151.1 of the Planning Code allows off-street parking at a maximum ratio of .75 per dwelling unit.

For the 40 dwelling units, the Project is allowed to have a maximum of 30 off-street parking spaces. Currently, the Project provides 22 off-street parking spaces via mechanical lifts, and one handicap parking space. Therefore, the Project complies with Planning Code Section 151.1.

- I. **Bicycle Parking.** Planning Section 155.2 of the Planning Code requires one Class 1 bicycle parking space per dwelling unit and one Class 2 bicycle parking spaces for every 20 dwelling units. Additional bicycle parking requirements apply based on classification of non-residential uses, at least two Class 2 spaces are required for retail uses.

The Project includes 40 dwelling units; therefore, the Project is required to provide 40 Class 1 bicycle parking spaces and two Class 2 bicycle parking spaces for residential uses and 2 Class 2 spaces for the ground floor non-residential uses. The Project will provide 62 Class 1 bicycle parking spaces and 8 Class 2 bicycle parking spaces, which exceeds the requirement. Therefore, the Project complies with Planning Code Section 155.2.

- J. **Transportation Demand Management (TDM) Plan.** Pursuant to Planning Code Section 169 and the TDM Program Standards, the Project shall finalize a TDM Plan prior to Planning Department approval of the first Building Permit or Site Permit. As currently proposed, the Project must achieve a target of 14 points.

The Project submitted a completed Environmental evaluation Application prior to September 4, 2016. Therefore, the Project must only achieve 50% of the point target established in the TDM Program Standards, resulting in a target of 7 points. As currently proposed, the Project will achieve its required 7 points through the following TDM measures:

- *Bicycle Parking (Option D)*
- *Bicycle Repair Station*
- *Delivery Supportive Amenities*
- *Family TDM Amenities (Option A)*
- *Real Time Transportation Information Displays*
- *On-site Affordable Housing (Option C)*
- *Unbundle Parking (Location B)*
- *Parking Supply (OptionB)*

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

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

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

For the 40 dwelling units, the Project is required to provide at least 16 two-bedroom units or 12 three-bedroom units. The Project provides one-bedroom units and 20 two-bedroom. Therefore, the Project meets and exceeds the requirements for dwelling unit mix.

- M. **Shadow.** Planning Code Sections 147 and 295 restricts net new shadow, cast by structures exceeding a height of 40 feet, upon property under the jurisdiction of the Recreation and Park Commission. Any project in excess of 40 feet in height and found to cast net new shadow must be found by the Planning Commission, with comment from the General Manager of the Recreation and Parks Department, in consultation with the Recreation and Park Commission, to have no adverse impact upon the property under the jurisdiction of the Recreation and Park Commission.

The Planning Department prepared a preliminary shadow fan analysis and determined that the proposed project would not cast shadows on any parks or open spaces at any time during the year. The preliminary shadow fan analysis accounts for the 14-foot-tall elevator penthouse on the roof of the proposed building.

- N. **Transportation Sustainability Fee.** Planning Code Section 411A establishes the Transportation Sustainability Fee (TSF) and is applicable to project that are the following: (1) More than twenty new dwelling units; (2) New group housing facilities, or additions of 800 gross square feet or more to an existing group housing facility; (3) New construction of a Non-Residential use in excess of 800 gross square feet, or additions of 800 gross square feet or more to an existing Non-Residential use; or (4) New construction of a PDR use in excess of 1,500 gross square feet, or additions of 1,500 gross square feet or more to an existing PDR use; or (5) Change or Replacement of Use, such that the rate charged for the new use is higher than the rate charged for the existing use, regardless of whether the existing use previously paid the TSF or TIDF; (6) Change or Replacement of Use from a Hospital or a Health Service to any other use.

The Project includes more than twenty dwelling units, and the replacement of PDR space; therefore, the TSF, as outlined in Planning Code Section 411A, applies.

- O. **Inclusionary Affordable Housing Program in UMU Zoning District.** Planning Code Section 415 sets forth the requirements and procedures for the Inclusionary Affordable Housing Program. Under Planning Code Section 415.3, these requirements would apply to projects that consist of 10 or more units, where the first application (EE or BPA) was applied for on or after July 18, 2006. Pursuant to Planning Code Section 419 the current Inclusionary Affordable Housing Program requirement for the On-site Affordable Housing Alternative in the UMU Zoning District for Tier B is to provide 17.5% of the proposed dwelling units as affordable. This requirement is subject to change under pending legislation to modify Planning Code Section 415 which is currently under review by the Board of Supervisors (Board File Nos.161351 and 170208). The proposed changes to Section 415, which include but are not limited to modifications to the amount of inclusionary housing required onsite or offsite, the methodology of fee calculation, and dwelling unit mix requirements, will become effective after approval by the Board of Supervisors

The Project Sponsor has demonstrated that it is eligible for the On-Site Affordable Housing Alternative under Planning Code Section 415.5 and 415.6, and has submitted a 'Affidavit of Compliance with the Inclusionary Affordable Housing Program: Planning Code Section 415,' to satisfy the requirements of the Inclusionary Affordable Housing Program by providing the affordable housing on-site instead of through payment of the Affordable Housing Fee. In order for the Project Sponsor to be eligible for the On-Site Affordable Housing Alternative, the Project Sponsor must submit an 'Affidavit of Compliance with the Inclusionary Affordable Housing Program: Planning Code Section 415,' to the Planning Department stating that any affordable units designated as on-site units shall be sold as ownership units and will remain as ownership units for the life of the project. The Project Sponsor submitted such Affidavit on April 24, 2017. The EE application was submitted on February 6, 2015. Pursuant to Planning Code Sections 415.3, 415.6 and 419, the current on-site requirement is 17.5%. 7 units (4 one-bedroom and 3 two-bedroom) of the 40 units provided will be affordable units. If the Project becomes ineligible to meet its Inclusionary Affordable Housing Program obligation through the On-site Affordable Housing Alternative, it must pay the Affordable Housing Fee with interest, if applicable.

- P. **Residential Childcare Impact Fee.** Planning Code Section 414A is applicable to any residential development citywide that results in the addition of a residential unit.

The Project includes approximately 27,145 sq. ft. new residential use and 2,250 sq. ft. of PDR use. The proposed Project is subject to fees as outlined in Planning Code Section 414A.

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

The Project includes approximately 35,893 gross square feet of new development consisting of approximately 27,145 sq. ft. of residential use and 2,250 sq. ft. of PDR use. These uses are subject to Eastern Neighborhood Infrastructure Impact Fees Tier 1 for residential and Tier 2 for non-residential, as outlined in Planning Code Section 423.

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

A. Overall building mass and scale.

The Project would construct a new six-story mixed-use building on the west side of Mission Street. The scale of the Project is appropriate from an urban design perspective because it recognizes the significance of this location along the Mission Street transit corridor, where the height limits were increased to 68 feet, as part of the Eastern Neighborhoods Area Plan. These increased height limits provide the opportunity to support the City's housing goals and public transit infrastructure. Overall, the Project's massing also recognizes the existing block pattern as it relates to the street frontage and block wall along Mission Street. The Project's rear yard location contributes positively to the irregular pattern of interior block open space in the subject block. The adjacent properties to the north and south include three-story, multi-family residential uses, three- and four-story multi-family residential uses to the west and across Mission Street to the east is a four-story commercial building. The neighborhood is characterized by a wide variety of residential, commercial, retail, PDR and public uses. In addition, the Project includes projecting vertical and horizontal elements, which provide modulation along the street facades. Thus, the Project is appropriate for a mid-block lot and consistent with the mass and scale of the intent of the height-bulk and zoning changes from 50-X to 68-X and M-1 to UMU, which occurred as part of the Eastern Neighborhoods Area Plan.

B. Architectural treatments, facade design and building materials.

The Mission is one of the City's most distinctive neighborhoods as identified in the City's General Plan. The proposed facade design and architectural treatments with various vertical and horizontal elements and a pedestrian scale ground floor which is consistent with the unique identity of the Mission. The new building's character ensures the best design of the times with high-quality building materials (including white ceramic frit glass, French balconies with metal mesh guardrails and Swisspearl panels) that relates to the surrounding structures that make-up the Mission's distinct character while acknowledging and respecting the positive attributes of the older buildings. It also provides an opportunity for an increased visual interest that enhances and creates a special identity with a unique image of its own in the neighborhood. Overall, the Project offers an architectural treatment, which provides for contemporary, yet contextual, architectural design that appears consistent and compatible with the surrounding neighborhood.

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

The Project is consistent with the development density established for the Project Site in the Eastern Neighborhoods Area Plan. The building's ground floor PDR, and residential lobby proposes a 55% active street frontage which will enhance and offer an effective and engaging connection between the public and private areas. It will enliven the sidewalk offering a sense of security and encouraging positive activities that will benefit, not just the immediate areas, but the overall neighborhood as well.

It provides a code compliant rear yard open space at the rear yard to face the adjacent buildings' rear yard, enhancing the natural light exposure and overall livability of the neighbors' units even without an established mid-block open space. The singular driveway on Mission Street and the proposed independently accessible mechanical parking spaces in the basement reduces vehicular queuing and minimizes potential conflicts with pedestrians and bicyclists. Overall, the design of the lower floors enhances the pedestrian experience and accommodates new street activity.

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

The Project provides the required open space for the 40 dwelling units through common open space located on the roof deck. In addition, the Project includes private open space for four dwelling units, which are in addition to the required open space. In total, the Project provides approximately 4,695 sq. ft. of open space, which exceeds the required amount for the dwelling units.

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

Planning Code Section 270.2 does not apply to the Project, and no mid-block alley or pathway is required.

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

In compliance with Planning Code Section 138.1, the Project provides four street trees along Mission Street. The Project will also add bicycle parking along the sidewalk in front of the Project for public use. These improvements will enhance the public realm.

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

Since the subject lot has one street frontage, automobile access is limited to the one entry/exit (measuring 12-ft wide) along Mission Street, minimizing impacts to pedestrian and vehicular traffic along Mission Street. Pedestrian access is provided to the residences via a lobby and two secondary exits directly to the sidewalk. The Project includes ground floor PDR along Mission Street with an independent pedestrian entry from Mission Street.

- H. Bulk limits.

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

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

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

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

HOUSING ELEMENT

Objectives and Policies

OBJECTIVE 1

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

Policy 1.1

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

Policy 1.8

Promote mixed use development, and include housing, particularly permanently affordable housing, in new commercial, institutional, or other single use development projects.

The Project is a higher density mixed-use development on an underutilized lot along a primary vehicular transit corridor. The Project Site is an ideal infill site that is currently a vacant PDR use. The proposed Project would add 40 units of housing to the site with a dwelling unit mix of one-bedroom, and two-bedroom units. The Project Site was rezoned to UMU as part of a long range planning goal to create a cohesive, higher density residential and mixed-use neighborhood. The Project includes seven on-site affordable housing units for ownership, which complies with the UMU District's goal to provide a higher level of affordability.

OBJECTIVE 4

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

Policy 4.1

Develop new housing, and encourage the remodeling of existing housing, for families with children.

Policy 4.4

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

Policy 4.5

Ensure that new permanently affordable housing is located in all of the City's neighborhoods, and encourage integrated neighborhoods, with a diversity of unit types provided at a range of income levels.

The Project will add 40 dwelling units to the City's housing stock, and meets the affordable housing requirements by providing for seven on-site permanently affordable units for ownership.

OBJECTIVE 11

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

Policy 11.1

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

Policy 11.2

Ensure implementation of accepted design standards in project approvals.

Policy 11.3

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

Policy 11.4

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

Policy 11.6

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

Policy 11.8

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

The Project would construct a new six-story mixed-use building on the west side of Mission Street. The scale of the Project is appropriate from an urban design perspective because it recognizes the significance of this location along the Mission Street transit corridor, where the height limits were increased to 68 feet, as part of the Eastern Neighborhoods Area Plan. These increased height limits provide the opportunity to support the City's housing goals and public transit infrastructure. Overall, the Project's massing also recognizes the existing block pattern as it relates to the street frontage along Mission Street. The Project's rear yard location contributes to the pattern of interior block open space in the subject block. The neighborhood is characterized by a wide variety of commercial, retail, PDR, public and residential uses. In addition, the Project includes projecting vertical and horizontal architectural elements, which provide vertical and horizontal modulation along the street facades. Thus, the Project is appropriate for a mid-block lot and consistent with the mass and scale of the intent of the height-bulk and zoning changes from 50-X to 68-X and M-1 to UMU, which occurred as part of the Eastern Neighborhoods Area Plan.

OBJECTIVE 12

BALANCE HOUSING GROWTH WITH ADEQUATE INFRASTRUCTURE THAT SERVES THE CITY'S GROWING POPULATION.

Policy 12.2

Consider the proximity of quality of life elements, such as open space, child care, and neighborhood services, when developing new housing.

The Project is located in proximity to many neighborhood amenities. The Project is located on Mission Street and near Valencia Street, which provide a variety of retail establishments, fitness gyms, small grocery stores, and cafes. The Project is also located near the SoMa West Skate and Dog Park, and the Brick & Mortar Music Hall.

OBJECTIVE 13

PRIORITIZE SUSTAINABLE DEVELOPMENT IN PLANNING FOR AND CONSTRUCTING NEW HOUSING.

Policy 13.1

Support "smart" regional growth that locates new housing close to jobs and transit.

Policy 13.3

Promote sustainable land use patterns that integrate housing with transportation in order to increase transit, pedestrian, and bicycle mode share.

The Project Site is located within a quarter mile of several local transit lines including Muni lines 14,14R, 49, and 55. The 16th Street & Mission Bart Station is slightly more than a quarter mile to the south on Mission Street. Residential mixed-use development at this site would support a smart growth and sustainable land use pattern in locating new housing in the urban core close to jobs and transit. Furthermore, the bicycle network in the Mission District is highly developed and utilized. The Project provides an abundance of bicycle parking on-site in addition to vehicle parking.

RECREATION AND OPEN SPACE ELEMENT

Objectives and Policies

OBJECTIVE 1:

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

Policy 1.9:

Preserve sunlight in public open spaces.

The Planning Department prepared a preliminary shadow fan analysis and determined that the proposed project would not cast shadows on any parks or open spaces at any time during the year.

OBJECTIVE 2:

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

Policy 2.11:

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

The Project proposes landscaped open space at the rear of the second level, and the roof deck has potential for planters and additional landscaping.

**OBJECTIVE 3:
IMPROVE ACCESS AND CONNECTIVITY TO OPEN SPACE**

Policy 3.6:
Maintain, restore, expand and fund the urban forest.

The proposed Project will add to the urban forest with the addition of street trees.

TRANSPORTATION ELEMENT

Objectives and Policies

**OBJECTIVE 24:
IMPROVE THE AMBIENCE OF THE PEDESTRIAN ENVIRONMENT.**

Policy 24.2:
Maintain and expand the planting of street trees and the infrastructure to support them.

Policy 24.4:
Preserve pedestrian-oriented building frontages.

The Project will install new street trees along Mission Street. Frontages are designed with transparent glass and intended for active spaces oriented at the pedestrian level.

**OBJECTIVE 28:
PROVIDE SECURE AND CONVENIENT PARKING FACILITIES FOR BICYCLES.**

Policy 28.1:
Provide secure bicycle parking in new governmental, commercial, and residential developments.

Policy 28.3:
Provide parking facilities which are safe, secure, and convenient.

The Project includes 62 Class 1 bicycle parking spaces in secure and convenient location.

**OBJECTIVE 34:
RELATE THE AMOUNT OF PARKING IN RESIDENTIAL AREAS AND NEIGHBORHOOD COMMERCIAL DISTRICTS TO THE CAPACITY OF THE CITY'S STREET SYSTEM AND LAND USE PATTERNS.**

Policy 34.1:

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

Policy 34.3:

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

Policy 34.5:

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

The Project has a parking to dwelling unit ratio of .55 space per unit, which is the permitted ratio of .75 per unit. The parking spaces are accessed by one ingress/egress point measuring 12-ft. wide from Mission Street. Parking is adequate for the Project and complies with maximums prescribed by the Planning Code. The Project will also reduce the number of curb cuts; currently there are two existing curb cuts, and only one curb cut is proposed. Triple car stackers are utilized to provide more space for 62 bicycle parking spaces, and resident amenities such as car seat storage, a bicycle repair station, and a real-time transit display in the lobby. Such amenities will help to promote alternative modes of transportation, and reduce the need for on-street and off-street automobile parking spaces.

URBAN DESIGN ELEMENT

Objectives and Policies

OBJECTIVE 4:

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

Policy 4.4:

Design walkways and parking facilities to minimize danger to pedestrians.

Policy 4.13:

Improve pedestrian areas by providing human scale and interest.

Policy 4.15:

Protect the livability and character of residential properties from the intrusion of incompatible new buildings.

As the Project Site has only one street frontage, it will provide only one vehicular access point for the Project, reducing potential conflict with pedestrians and bicyclists. The garage security gate is recessed to provide queue space to reduce the potential of arriving cars blocking sidewalks and impeding the path of pedestrians. The 17-foot ground floor heights and active use will enhance the pedestrian experience and the

site will be further improved through the removal of a curbcut, and the addition of street trees. Currently, the site contains a vacant industrial building formerly occupied by Home Sausage Company.

COMMERCE AND INDUSTRY ELEMENT

Objectives and Policies

OBJECTIVE 4:

IMPROVE THE VIABILITY OF EXISTING INDUSTRY IN THE CITY AND THE ATTRACTIVENESS OF THE CITY AS A LOCATION FOR NEW INDUSTRY.

Policy 4.3:

Carefully consider public actions that displace existing viable industrial firms.

Policy 4.4:

When displacement does occur, attempt to relocate desired firms within the city.

The Project will be replacing approximately 2,250 square feet of PDR space. The building is currently unoccupied, therefore displacement will not occur.

MISSION AREA PLAN

Objectives and Policies

Land Use

OBJECTIVE 1.1

STRENGTHEN THE MISSION'S EXISTING MIXED USE CHARACTER, WHILE MAINTAINING THE NEIGHBORHOOD AS A PLACE TO LIVE AND WORK.

Policy 1.1.7

Permit and encourage greater retail uses on the ground floor on parcels that front 16th Street to take advantage of transit service and encourage more mixed uses, while protecting against the wholesale displacement of PDR uses.

Policy 1.1.8

While continuing to protect traditional PDR functions that need large, inexpensive spaces to operate, also recognize that the nature of PDR businesses is evolving gradually so that their production and distribution activities are becoming more integrated physically with their research, design and administrative functions.

The Project will provide 2,250 square feet of replacement PDR space on the ground floor of the building while also providing new housing on a site where none currently exists. Therefore strengthening the mixed use character and maintaining the neighborhood as a place to live and work.

OBJECTIVE 1.2

IN AREAS OF THE MISSION WHERE HOUSING AND MIXED-USE IS ENCOURAGED, MAXIMIZE DEVELOPMENT POTENTIAL IN KEEPING WITH NEIGHBORHOOD CHARACTER.

Policy 1.2.1

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

Policy 1.2.2

For new construction, and as part of major expansion of existing buildings in neighborhood commercial districts, require ground floor commercial uses in new housing development. In other mixed-use districts encourage housing over commercial or PDR where appropriate.

Policy 1.2.3

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

The Project will replace a vacant industrial building with a new mixed-use building with ground floor PDR space and residential units above, consistent with the existing residential, commercial and PDR uses in the neighborhood. Additionally, the Project complies with the applicable building height and bulk guidelines and with the bedroom mix requirements.

Housing

OBJECTIVE 2.3

ENSURE THAT NEW RESIDENTIAL DEVELOPMENTS SATISFY AN ARRAY OF HOUSING NEEDS WITH RESPECT TO TENURE, UNIT MIX AND COMMUNITY SERVICES.

Policy 2.3.3

Require that a significant number of units in new developments have two or more bedrooms, except Senior Housing and SRO developments unless all Below Market Rate units are two or more bedrooms.

Policy 2.3.5

Explore a range of revenue-generating tools including impact fees, public funds and grants, assessment districts, and other private funding sources, to fund community and neighborhood improvements.

Policy 2.3.6

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

The Project includes 20 one-bedroom and 20 two-bedroom units of which 7 will be Below Market Rate (BMR). Three of the BMR units will be two-bedroom units. Furthermore, the Project will be subject to the Eastern Neighborhood Impact Fee, Transportation Sustainability Fee and Residential Childcare Fee.

OBJECTIVE 2.6

CONTINUE AND EXPAND THE CITY'S EFFORTS TO INCREASE PERMANENTLY AFFORDABLE HOUSING PRODUCTION AND AVAILABILITY.

Policy 2.6.1

Continue and strengthen innovative programs that help to make both rental and ownership housing more affordable and available.

The Project will create forty residential units, seven of which are BMR units, on a site where no housing currently exists, thus increasing affordable housing production and availability.

Built Form

OBJECTIVE 3.1

PROMOTE AN URBAN FORM THAT REINFORCES THE MISSION'S DISTINCTIVE PLACE IN THE CITY'S LARGER FORM AND STRENGTHENS ITS PHYSICAL FABRIC AND CHARACTER.

Policy 3.1.6

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

Policy 3.1.8

New development should respect existing patterns of rear yard open space. Where an existing pattern of rear yard open space does not exist, new development on mixed-use-zoned parcels should have greater flexibility as to where open space can be located.

The Project will replace an unremarkable concrete industrial building with a well-articulated, contemporary, mixed-use building. The Project will be constructed with high quality materials and within the allowed height limits for the zoning district to respect the surrounding buildings. The existing buildings on the Project site are built out to the rear property line leaving no rear yard open space. The Project will provide a conforming rear yard open space, thus improving the existing pattern of rear yard open space which exists on the adjacent properties.

OBJECTIVE 3.2

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

Policy 3.2.1

Require high quality design of street-facing building exteriors.

Policy 3.2.2

Make ground floor retail and PDR uses as tall, roomy and permeable as possible.

Policy 3.2.3

Minimize the visual impact of parking.

Policy 3.2.4

Strengthen the relationship between a building and its fronting sidewalk.

The Project is largely residential, but includes a moderately-sized ground floor PDR component along Mission Street. The Project provides the mix of uses encouraged by the Area Plan for this location. In addition, the Project is located within the prescribed height and bulk limits, and includes the appropriate dwelling-unit mix, since 50% or 20 of the 40 units are two-bedroom dwelling units. The Mission is one of the City's most distinctive neighborhoods as identified in the City's General Plan. The new building's character ensures the best design of the times with high-quality building materials that relates to the surrounding structures that make-up the Mission's distinct character while acknowledging and respecting the positive attributes of the older buildings. It also provides an opportunity for an increased visual interest that enhances and creates a special identity with a unique image of its own in the neighborhood. Overall, the Project offers an architectural treatment that is contemporary, yet contextual, and that is consistent and compatible with the surrounding neighborhood. The Project minimizes the off-street parking to a single entrance along Mission Street.

8. 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:

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

Currently, the existing building on the Project Site is vacant. Although the Project would remove this use, the Project does provide for a new PDR space of 2,250 square feet at the ground level. The Project improves the urban form of the neighborhood by adding new residents, visitors, and employees to the neighborhood, which would assist in strengthening nearby retail uses.

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

No housing exists on the Project Site. The Project will provide up to 40 new dwelling units, thus resulting in a significant increase in the neighborhood housing stock. The Project offers an architectural treatment that is contemporary, yet contextual, and an architectural design that is consistent and compatible with the surrounding neighborhood. For these reasons, the Project would protect and preserve the cultural and economic diversity of the neighborhood.

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

The Project will not displace any affordable housing because there is currently no housing on the site. The Project will comply with the City's Inclusionary Housing Program, therefore increasing the stock of affordable housing units in the City.

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

The Project Site is served by public transportation. Future residents would be afforded close proximity to bus or rail transit. The Project also provides sufficient off-street parking at a ratio of .55 per dwelling unit, and sufficient bicycle parking for residents and their guests.

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

The Project is consistent with the Mission Area Plan, which encourages mixed-use development along Mission Street. The Project does not involve the creation of commercial office development. The Project would enhance opportunities for resident employment and ownership in industrial and service sectors by providing for new housing and PDR space, which will increase the diversity of the City's housing supply (a top priority in the City) and provide new potential neighborhood-serving uses and employment opportunities.

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

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

- G. That landmarks and historic buildings be preserved.

There are no landmarks or historic buildings on the Project Site.

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

The Planning Department prepared a preliminary shadow fan analysis and determined that the proposed project would not cast shadows on any parks or open spaces at any time during the year.

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

and the First Source Hiring Administrator agree, the approval of the Employment Program may be delayed as needed.

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

10. The Project is consistent with and would promote the general and specific purposes of the Code provided under Section 101.1(b) in that, as designed, the Project would contribute to the character and stability of the neighborhood and would constitute a beneficial development.
11. The Commission hereby finds that approval of the Large Project Authorization would promote the health, safety and welfare of the City.

DECISION

That based upon the Record, the submissions by the Applicant, the staff of the Department and other interested parties, the oral testimony presented to this Commission at the public hearings, and all other written materials submitted by all parties, the Commission hereby **APPROVES** Large Project Authorization Application No. 2014-002026ENX subject to the following conditions attached hereto as "EXHIBIT A" in general conformance with plans on file, dated May 1, 2017, and stamped "EXHIBIT B", which is incorporated herein by reference as though fully set forth.


The Planning Commission hereby adopts the MMRP attached hereto as Exhibit C and incorporated herein as part of this Motion by this reference thereto. All required mitigation measures identified in the Eastern Neighborhoods Plan EIR and contained in the MMRP are included as conditions of approval.

APPEAL AND EFFECTIVE DATE OF MOTION: Any aggrieved person may appeal this Section 329 Large Project Authorization to the Board of Appeals within fifteen (15) days after the date of this Motion No. 19931 The effective date of this Motion shall be the date of adoption of this Motion if not appealed (after the 15-day period has expired) OR the date of the decision of the Board of Appeals if appealed to the Board of Appeals. For further information, please contact the Board of Appeals at (415) 575-6880, 1660 Mission, Room 3036, San Francisco, CA 94103.

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

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

I hereby certify that the Planning Commission ADOPTED the foregoing Motion on June 1, 2017.


Jonas P. Ionin
Commission Secretary

AYES: Hillis, Johnson, Koppel, Moore, Richards
NAYS: Fong, Melgar
ADOPTED: June 1, 2017

EXHIBIT A

AUTHORIZATION

This authorization is for a Large Project Authorization to allow the demolition of an existing two-story industrial building and new construction of a six-story mixed-use building with 40 dwelling units and 2,250 sq. ft. of ground floor PDR space located at 1726-1730 Mission Street, Block 3532, Lots 004A and 005, pursuant to Planning Code Section 329 and Planning Commission Resolution No. 19865 (Mission 2016 Interim Zoning Controls), within the UMU Zoning District and a 68-X Height and Bulk District; in general conformance with plans, dated May 1, 2017, and stamped "EXHIBIT B" included in the docket for Record No. 2014-002026ENX and subject to conditions of approval reviewed and approved by the Commission on June 1, 2017 under Motion No. 19931. This authorization and the conditions contained herein run with the property and not with a particular Project Sponsor, business, or operator.

RECORDATION OF CONDITIONS OF APPROVAL

Prior to the issuance of the building permit or commencement of use for the Project the Zoning Administrator shall approve and order the recordation of a Notice in the Official Records of the Recorder of the City and County of San Francisco for the subject property. This Notice shall state that the project is subject to the conditions of approval contained herein and reviewed and approved by the Planning Commission on June 1, 2017 under Motion No. 19931.

PRINTING OF CONDITIONS OF APPROVAL ON PLANS

The conditions of approval under the 'Exhibit A' of this Planning Commission Motion No. 19931 shall be reproduced on the Index Sheet of construction plans submitted with the Site or Building permit application for the Project. The Index Sheet of the construction plans shall reference to the Conditional Use authorization and any subsequent amendments or modifications.

SEVERABILITY

The Project shall comply with all applicable City codes and requirements. If any clause, sentence, section or any part of these conditions of approval is for any reason held to be invalid, such invalidity shall not affect or impair other remaining clauses, sentences, or sections of these conditions. This decision conveys no right to construct, or to receive a building permit. "Project Sponsor" shall include any subsequent responsible party.

CHANGES AND MODIFICATIONS

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

Conditions of Approval, Compliance, Monitoring, and Reporting

PERFORMANCE

1. **Validity.** The authorization and right vested by virtue of this action is valid for three (3) years from the effective date of the Motion. The Department of Building Inspection shall have issued a Building Permit or Site Permit to construct the project and/or commence the approved use within this three-year period.
For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org
2. **Expiration and Renewal.** Should a Building or Site Permit be sought after the three (3) year period has lapsed, the project sponsor must seek a renewal of this Authorization by filing an application for an amendment to the original Authorization or a new application for Authorization. Should the project sponsor decline to so file, and decline to withdraw the permit application, the Commission shall conduct a public hearing in order to consider the revocation of the Authorization. Should the Commission not revoke the Authorization following the closure of the public hearing, the Commission shall determine the extension of time for the continued validity of the Authorization.
For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org
3. **Diligent Pursuit.** Once a site or Building Permit has been issued, construction must commence within the timeframe required by the Department of Building Inspection and be continued diligently to completion. Failure to do so shall be grounds for the Commission to consider revoking the approval if more than three (3) years have passed since this Authorization was approved.
For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org
4. **Extension.** All time limits in the preceding three paragraphs may be extended at the discretion of the Zoning Administrator where implementation of the project is delayed by a public agency, an appeal or a legal challenge and only by the length of time for which such public agency, appeal or challenge has caused delay.
For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org
5. **Conformity with Current Law.** No application for Building Permit, Site Permit, or other entitlement shall be approved unless it complies with all applicable provisions of City Codes in effect at the time of such approval.
For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org
6. **Mitigation Measures.** Mitigation measures described in the MMRP for the Eastern Neighborhoods Plan EIR (Case No. 2014-002026ENV) attached as Exhibit C are necessary to

avoid potential significant effects of the proposed project and have been agreed to by the Project Sponsor.

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

DESIGN

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

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

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

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

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

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

10. **Lighting Plan.** The Project Sponsor shall submit an exterior lighting plan to the Planning Department prior to Planning Department approval of the building / site permit application.

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

11. **Transformer Vault.** The location of individual project PG&E Transformer Vault installations has significant effects to San Francisco streetscapes when improperly located. However, they may not have any impact if they are installed in preferred locations. Therefore, the Planning Department recommends the following preference schedule in locating new transformer vaults, in order of most to least desirable:

- a. On-site, in a basement area accessed via a garage or other access point without use of separate doors on a ground floor façade facing a public right-of-way;
- b. On-site, in a driveway, underground;

- c. On-site, above ground, screened from view, other than a ground floor façade facing a public right-of-way;
- d. Public right-of-way, underground, under sidewalks with a minimum width of 12 feet, avoiding effects on streetscape elements, such as street trees; and based on Better Streets Plan guidelines;
- e. Public right-of-way, underground; and based on Better Streets Plan guidelines;
- f. Public right-of-way, above ground, screened from view; and based on Better Streets Plan guidelines;
- g. On-site, in a ground floor façade (the least desirable location).

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

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

PARKING AND TRAFFIC

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

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

13. **Parking Maximum.** Pursuant to Planning Code Section 151.1, the Project shall provide no more than 30 off-street parking spaces. Per the Project Description, the Project Sponsor has specified that they will provide no more than 22 off-street parking spaces.

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

14. **Bicycle Parking.** Pursuant to Planning Code Sections 155.1, 155.4, and 155.5, the Project shall provide no fewer than 44 bicycle parking spaces (40 Class 1 spaces for the residential portion of the Project and 4 Class 2 spaces for both the residential and commercial/PDR portion of the Project).

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

15. **Managing Traffic During Construction.** The Project Sponsor and construction contractor(s) shall coordinate with the Traffic Engineering and Transit Divisions of the San Francisco Municipal Transportation Agency (SFMTA), the Police Department, the Fire Department, the Planning Department, and other construction contractor(s) for any concurrent nearby Projects to manage traffic congestion and pedestrian circulation effects during construction of the Project. *For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org*

PROVISIONS

16. **Anti-Discriminatory Housing.** The Project shall adhere to the requirements of the Anti-Discriminatory Housing policy, pursuant to Administrative Code Section 1.61. *For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org*
17. **First Source Hiring.** The Project shall adhere to the requirements of the First Source Hiring Construction and End-Use Employment Program approved by the First Source Hiring Administrator, pursuant to Section 83.4(m) of the Administrative Code. The Project Sponsor shall comply with the requirements of this Program regarding construction work and on-going employment required for the Project. *For information about compliance, contact the First Source Hiring Manager at 415-581-2335, www.onestopSF.org*
18. **Transportation Sustainability Fee.** The Project is subject to the Transportation Sustainability Fee (TSF), as applicable, pursuant to Planning Code Section 411A. *For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org*
19. **Child Care Fee - Residential.** The Project is subject to the Residential Child Care Fee, as applicable, pursuant to Planning Code Section 414A. *For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org*
20. **Eastern Neighborhoods Infrastructure Impact Fee.** The Project is subject to the Eastern Neighborhoods Infrastructure Impact Fee, as applicable, pursuant to Planning Code Section 423. *For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org*

MONITORING

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

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

OPERATION

22. **Garbage, Recycling, and Composting Receptacles.** Garbage, recycling, and compost containers shall be kept within the premises and hidden from public view, and placed outside only when being serviced by the disposal company. Trash shall be contained and disposed of pursuant to garbage and recycling receptacles guidelines set forth by the Department of Public Works. *For information about compliance, contact Bureau of Street Use and Mapping, Department of Public Works at 415-554-5810, <http://sfdpw.org>*
23. **Sidewalk Maintenance.** The Project Sponsor shall maintain the main entrance to the building and all sidewalks abutting the subject property in a clean and sanitary condition in compliance with the Department of Public Works Streets and Sidewalk Maintenance Standards. *For information about compliance, contact Bureau of Street Use and Mapping, Department of Public Works, 415-695-2017, <http://sfdpw.org/>*
24. **Community Liaison.** Prior to issuance of a building permit to construct the project and implement the approved use, the Project Sponsor shall appoint a community liaison officer to deal with the issues of concern to owners and occupants of nearby properties. The Project Sponsor shall provide the Zoning Administrator with written notice of the name, business address, and telephone number of the community liaison. Should the contact information change, the Zoning Administrator shall be made aware of such change. The community liaison shall report to the Zoning Administrator what issues, if any, are of concern to the community and what issues have not been resolved by the Project Sponsor. *For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org*
25. **Lighting.** All Project lighting shall be directed onto the Project site and immediately surrounding sidewalk area only, and designed and managed so as not to be a nuisance to adjacent residents. Nighttime lighting shall be the minimum necessary to ensure safety, but shall in no case be directed so as to constitute a nuisance to any surrounding property. *For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org*

ENTERTAINMENT COMMISSION – NOISE ATTENUATION CONDITIONS

26. **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 April 5, 2016. These conditions state:
- a) **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.

- b) **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.
- c) **Design Considerations:**
 - i. 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.
 - ii. 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.
- d) **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.
- e) **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.

INCLUSIONARY HOUSING REQUIREMENTS

27. **Affordable Units.** The following Inclusionary Affordable Housing Requirements are those in effect at the time of Planning Commission action. In the event that the requirements change, the Project Sponsor shall comply with the requirements in place at the time of issuance of first construction document. This requirement is subject to change under pending legislation to modify Planning Code Section 415 which is currently under review by the Board of Supervisors (Board File Nos. 161351 and 170208). The proposed changes to Section 415, which include but are not limited to modifications to the amount of inclusionary housing required onsite or offsite, the methodology of fee calculation, and dwelling unit mix requirements, will become effective after approval by the Board of Supervisors.
- a) **Number of Required Units.** Pursuant to Planning Code Section 419, the Project is currently required to provide 17.5% of the proposed dwelling units as affordable to qualifying households. The Project contains 40 units; therefore, 7 affordable units are currently required. The Project Sponsor will fulfill this requirement by providing the 7 affordable units on-site. If the Project is subject to a different requirement if the Charter Amendment is approved and

new legislative requirements take effect, the Project will comply with the applicable requirements at the time of compliance. If the number of market-rate units change, the number of required affordable units shall be modified accordingly with written approval from Planning Department staff in consultation with the Mayor's Office of Housing and Community Development ("MOHCD").

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

- b) **Unit Mix.** The Project contains 20 one-bedroom, and 20 two-bedroom units; therefore, the required affordable unit mix is 3 one-bedroom, and 4 two-bedroom units. If the market-rate unit mix changes, the affordable unit mix will be modified accordingly with written approval from Planning Department staff in consultation with MOHCD.

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

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

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

- d) **Phasing.** If any building permit is issued for partial phasing of the Project, the Project Sponsor shall have designated not less than seventeen and one half percent (17.5%), or the applicable percentage as discussed above, of the each phase's total number of dwelling units as on-site affordable units.

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

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

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

- f) **Other Conditions.** The Project is subject to the requirements of the Inclusionary Affordable Housing Program under Section 415 et seq. of the Planning Code and City and County of San Francisco Inclusionary Affordable Housing Program Monitoring and Procedures Manual ("Procedures Manual"). The Procedures Manual, as amended from time to time, is incorporated herein by reference, as published and adopted by the Planning Commission, and as required by Planning Code Section 415. Terms used in these conditions of approval and not otherwise defined shall have the meanings set forth in the Procedures Manual. A

copy of the Procedures Manual can be obtained at the 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>. As provided in the Inclusionary Affordable Housing Program, the applicable Procedures Manual is the manual in effect at the time the subject units are made available for sale.

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

- (i) The affordable unit(s) shall be designated on the building plans prior to the issuance of the first construction permit by the Department of Building Inspection ("DBI"). The affordable unit(s) shall (1) reflect the unit size mix in number of bedrooms of the market rate units, (2) be constructed, completed, ready for occupancy and marketed no later than the market rate units, and (3) be evenly distributed throughout the building; and (4) be of comparable overall quality, construction and exterior appearance as the market rate units in the principal project. The interior features in affordable units should be generally the same as those of the market units in the principal project, but need not be the same make, model or type of such item as long they are of good and new quality and are consistent with then-current standards for new housing. Other specific standards for on-site units are outlined in the Procedures Manual.
- (ii) If the units in the building are offered for sale, the affordable unit(s) 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 ninety (90) percent of Area Median Income under the income table called "Maximum Income by Household Size derived from the Unadjusted Area Median Income for HUD Metro Fair Market Rent Area that contains San Francisco " but these income levels are subject to change under a proposed Charter amendment and pending legislation if the voters approve the Charter Amendment at the June 7, 2016 election. If the Project is subject to a different income level requirement if the Charter Amendment is approved and new legislative requirements take effect, the Project will comply with the applicable requirements. The initial sales price of such units shall be calculated according to the Procedures Manual. Limitations on (i) reselling; (ii) renting; (iii) recouping capital improvements; (iv) refinancing; and (v) procedures for inheritance apply and are set forth in the Inclusionary Affordable Housing Program and the Procedures Manual.
- (iii) The Project Sponsor is responsible for following the marketing, reporting, and monitoring requirements and procedures as set forth in the Procedures Manual. MOHCD shall be responsible for overseeing and monitoring the marketing of affordable units. The Project Sponsor must contact MOHCD at least six months prior to the beginning of marketing for any unit in the building.

- (iv) Required parking spaces shall be made available to initial buyers or renters of affordable units according to the Procedures Manual.
- (v) 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.
- (vi) The Project Sponsor has demonstrated that it is eligible for the On-site Affordable Housing Alternative under Planning Code Section 415.6 instead of payment of the Affordable Housing Fee, and has submitted the *Affidavit of Compliance with the Inclusionary Affordable Housing Program: Planning Code Section 415* to the Planning Department stating that any affordable units designated as on-site units shall be sold as ownership units and will remain as ownership units for the life of the Project.
- (vii) If the Project Sponsor fails to comply with the Inclusionary Affordable Housing Program requirement, the Director of DBI shall deny any and all site or building permits or certificates of occupancy for the development project until the Planning Department notifies the Director of compliance. A Project Sponsor's failure to comply with the requirements of Planning Code Section 415 et seq. shall constitute cause for the City to record a lien against the development project and to pursue any and all available remedies at law.
- (viii) If the Project becomes ineligible at any time for the On-site Affordable Housing Alternative, the Project Sponsor or its successor shall pay the Affordable Housing Fee prior to issuance of the first construction permit. If the Project becomes ineligible after issuance of its first construction permit, the Project Sponsor shall notify the Department and MOHCD and pay interest on the Affordable Housing Fee and penalties, if applicable.

EXHIBIT B

EXHIBIT B

EXHIBIT B

EXHIBIT B

Exhibit B Link to Planning Commission Hearing June 1, 2017

http://sanfrancisco.granicus.com/ivmediaPlayer.php?view_id=20&clip_id=28002

Beginning at 6:09.

EXHIBIT C

EXHIBIT C

EXHIBIT C

EXHIBIT C

Exhibit C Link to Eastern Neighborhoods Plan EIR

<http://sf-planning.org/area-plan-eirs>

(scroll down)

EXHIBIT D

EXHIBIT D

EXHIBIT D

EXHIBIT D

West Bay Law
Law Office of J. Scott Weaver

May 30, 2017

Commissioners,
San Francisco Planning Commission
1650 Mission Street, Room 400
San Francisco, CA 94103

Re: Case No. 2015-004454PRV 1726-1730 Mission Street

I am unable to attend the meeting scheduled for June 1, 2017 and therefore make this submission for your consideration of the above referenced matter.

The developer proposes a 6 story 69 foot tall building with 36 units along with a 29 car parking garage. The project seeks both Conditional Use and Large Project Authorizations. This project is situated on Mission Street between Duboce Avenue and 14th Street. This area is the "Gateway to the Mission", an already gentrifying area and one that is seeing numerous projects, proposed, entitled, and/or built in the immediate vicinity. The Department has not carefully evaluated the project from the standpoint of its cumulative impacts on an area that already faces challenges with respect to traffic and circulation, noise, air quality, recreation, and open space, and displacement – especially of its SRO tenants.

Context.

The proposed project (36 units) is being built in conjunction with a number of other projects currently in the pipeline for the area. Pipeline projects between the intersection of South Van Ness and Mission, and 16th and Mission and one block either side of Mission (eight blocks) are: 130 Otis Street (220 units), 1601 Mission Street (354 units), 1801 Mission Street (54 units), 1863 Mission Street (36 units), 1900 Mission Street (9 units), 1924 Mission Street (13 units), 1979 Mission Street (331 units), 198 Valencia (28 units), 235 Valencia (50 units), 80 Julian (9 units), 1463 Stevenson (45 units), and 1500 15th Street. (184 units – density bonus). Additionally, there are two affordable housing projects, one at 1950 Mission Street (157 units), and one at 490 South Van Ness Avenue (133 units). Total number of pipeline units, including the proposed project are within two blocks either side of sausage factory is 1,659 units.

San Francisco Planning Commission
May 30, 2017
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Built after 2008, but equally applicable to any cumulative analysis are 1880 Mission Street (202 units), 1501 15th Street (40 units), 380 14th Street (29 units) and 411 Valencia (16) 1587 15th (26 units) 1972 units.

This is extraordinary in such a small geographic area. The total number of units contemplated under the most ambitious scenario for the Mission in the Eastern Neighborhoods Plan was 2054 units, with a Preferred Project at 1696 units. To provide a sense of proportionality, the Mission Area Plan is approximately 72 blocks, whereas the number of blocks considered above is eight.

This project, when looked at cumulatively results in significant impacts on the immediate area, including impacts on traffic, circulation, air quality, noise, and open space, as well as socio-economic impacts on this a working class neighborhood and an especially vulnerable SRO Hotel population.¹ Once these projects are in place, existing SRO tenants will be ousted and replaced by will be gone, replaced by tourists, and

Cumulative Impacts Require Examination

Under Public Resources Code Section 21083 subdivision (b)(2).) "The possible effects of a project are individually limited but cumulatively considerable. As used in this paragraph 'cumulatively considerable' means that the incremental effects of an individual project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects." Stated otherwise, a lead agency shall require an EIR be prepared for a project when the record contains substantial evidence that the "project has possible environmental effects that are individually limited but cumulatively considerable." (Guidelines section 15065 subdivision (a) (3).)

Therefore, the impact of the proposed project should be evaluated in conjunction with the cumulative impacts it and the additional 2,000 plus units would have on the eight block area immediately surrounding it. No such evaluation has been done, and is necessary given the extraordinary number of units being proposed for such a small area.

For example, anyone who drives down Mission Street in the immediate area of the project has observed slow, backed up traffic. Addition of these units will only make matters worse and will cause further congestion affecting both the automobile drivers and commuters traveling along the many bus lines that travel through the area. Further, the intersection of Duboce Avenue and South Van Ness, one block away, is severely backed up – especially during commute hours. It is also a very dangerous area from the standpoint of pedestrian safety.

¹ We believe that the next wave of gentrification will result in a significant reduction in traditional SRO residents as Hotel owners "upgrade" their units. Currently there are hundreds of SRO units within the area between Duboce and 16th Street, Valencia and South Van Ness Avenue.

Other issues to consider are noise (the 101 Freeway crosses Mission Street very close to the proposed project), Open space is virtually non-existent, yet the thousands of people who would move to the area would require it, and recreation (other than the local bars, there is none).

Finally, we cannot overlook the gentrification impacts on the already gentrifying neighborhood which would effectively wipe out small mom and pop businesses and SRO Hotels as we know them.

CLOSER ENVIRONMENTAL REVIEW IS REQUIRED

Presumably, this and many of the other projects mentioned above received (or anticipate receiving) a Community Plan Exemption based on the Eastern Neighborhoods PEIR². The use of the PEIR is inappropriate in this instance for several reasons. exemption was in error because 1) the eight-year-old PEIR is no longer viable due to unanticipated circumstances on the ground, and 2) the PEIR did not consider impacts on this eight block area, nor could it have anticipated the intense level of development along this gateway to the Mission.

Substantial New Information Negates the Exemption From Environmental Review.

The Department has issued a Community Plan Exemption which allows the Department to use the Eastern Neighborhoods Plan EIR (PEIR) instead of a project EIR - except with respect to areas of concern unique to the project. The use of the PEIR in this way presupposes that it is sufficiently current to address all areas required under CEQA.

Unfortunately, circumstances on the ground have rendered the 2008 PEIR out of date, and it cannot be a reliable measure of environmental impacts of market rate development in the Mission. It is well recognized that the Mission has already experienced extensive displacement of its residents, so much so, that it is now in an advanced stage gentrification. <http://missionlocal.org/2015/09/sf-mission-gentrification-advanced/> Should the project proceed, it will cause significant economic and social changes in the immediate area that will result in physical changes, not the least of which is displacement of residents and businesses which will affect air quality, traffic and transportation, as well as negative impacts on the immediate neighborhood (See CEQA guidelines, 15604 (c)).

The demand for affordable housing has increased significantly since the PEIR, and the glut of luxury housing only makes matters worse. The most recent Nexus Study, commissioned by the Planning Department, concluded that the production of 100 market rate rental units generates a demand of 24 lower income households through goods and services demanded by the market rate tenants. The affordable housing proposed by the project does not meet this demand.

² We recognize that two projects, 30 Otis Street and 1601 Mission are outside the area studied under the Eastern Neighborhoods PEIR.

When substantial new information becomes available, CEQA Guidelines require comprehensive analysis of these issues. (CEQA Guidelines Sec. 15183). The situation on the ground has changed substantially since the PEIR was prepared in 2008.

- The PEIR did not anticipate the “advanced gentrification” of the neighborhood, along with the extensive displacement of Latino families and businesses, the reverse commute to distant areas, and that impact on greenhouse gas emissions and on traffic congestion.
- Along similar lines, at the time the PEIR was prepared, research regarding the extent of increased automobile traffic and greenhouse gas emissions was not available. There is now solid evidence that upper income residents are twice as likely to own a car and half as likely to use public transit. (See Exhibit 3)
- The unanticipated additional demand for affordable housing due to the overbuild of luxury housing.
- The unexpected disappearance of Redevelopment money to fund affordable housing, without new resources compensating for the loss.
- The PEIR was prepared during a recessionary period. Since then, both rents and evictions have increased dramatically, especially impacting the Mission. This has led to the development of luxury units and high end retail that was not anticipated in the PEIR.
- The PEIR assumed that the Eastern Neighborhoods Plan and the Mission Plan would meet their goals of providing over 60% low, moderate, and middle income housing. This goal has not come close to materializing, further exacerbating the problems of displacement.
- The PEIR did not anticipate the impact of tech shuttles from a traffic standpoint, nor from that of the demand for housing. The specter of living within a few blocks of a free ride to work has caused many tech employees to move to areas where the shuttles stop – predominantly in the Mission. As such we have high earning employees exacerbating the already high demand for housing. The anti-eviction mapping project has documented the connection between shuttle stops and higher incidences of nofault evictions. (<http://www.antievictionmappingproject.net/techbusevictions.html>)
- The cumulative housing production in the Mission (built and in the pipeline) now exceeds projections under any of the three scenarios envisioned when the Eastern Neighborhoods Plan created. According to Planning Department Data, projects

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containing 2,451 housing units have either been completed or are under environmental review as of 2/23/16. Option A of the PEIR envisioned 782 units, Option B 1,118 units and Option C 2054 units, with a Preferred Project at 1696 units.

These changed circumstances render the current PEIR obsolete. Further, cumulative impacts have not been adequately addressed due to the obsolescence of the PEIR. The Community Plan Exemption is therefore no longer relevant.

CONDITIONAL USE SHOULD BE DENIED

In addition to exemption from environmental review, the applicant is seeking Condition Use authorization under the Interim Controls instituted by the Commission on January 14, 2016.

Planning Code Section 303(c)(1) requires a grant of conditional use only upon a finding that "the proposed use or feature, at the size and intensity contemplated and at the proposed location, will provide a development that is necessary or desirable for, and compatible with, the neighborhood or the community."

The project as proposed is not necessary or desirable for and compatible with the community. Conditional use should be denied for several reasons: 1) the project is inconsistent with the stated purposes of the Eastern Neighborhoods Plan and the Mission Plan, 2) the proposed project does not comply with Interim Controls or MAP 2020 guidelines.

The Proposed Project is Inconsistent with the Stated Purposes of the Eastern Neighborhoods Plan and the Mission Plan.

In evaluating the desirability of the proposed project, the Commission should evaluate it in light of its inconsistency with the objectives of the Eastern Neighborhoods and Mission Plans. The EIR for the Eastern Neighborhoods Plan reflected the Eastern Neighborhood objectives as follows:

- *Reflect Local Values:* To develop a rezoning proposal that reflects the land use needs and priorities of each neighborhoods' stakeholders and that meets citywide goals for residential and industrial land use.

- *Increase Housing:* To identify appropriate locations for housing in the City's industrially zoned land to meet a citywide need for more housing, and affordable housing in particular. (emphasis supplied)

• *Maintain Some Industrial Land Supply:* To retain an adequate supply of industrial land to meet the current and future needs of the City's production, distribution, and repair businesses and the city's economy.

• *Improve the Quality of All Existing Areas with Future Development:* To improve the quality of the residential and nonresidential places that future development will create over that which would occur under the existing zoning.

The Mission Area Plan was even more specific in its land use policy: to protect "established areas of residential, commercial, and PDR, and ensuring that areas that have become mixed-use over time develop in such a way that they contribute positively to the neighborhood. A place for living and working also means a place where affordably priced housing is made available, a diverse array of jobs is protected, and where goods and services are oriented to the needs of the community."

Mission-wide goals include:

- Increase the amount of affordable housing.
- Preserve and enhance the existing Production, Distribution and Repair businesses.
- Preserve and enhance the unique character of the Mission's distinct commercial areas.
- Minimize displacement.

In light of these goals, the Commission must consider; the loss of PDR, the minimal community benefits conferred – including minimal affordable housing, and the cumulative impacts of this and similar projects.

The Proposed Project Does Not Comply with Interim Controls or MAP 2020 Objectives.

Under the Interim Controls, the sponsor is required to evaluate, from a socio-economic perspective, how the proposed project would affect existing and future residents, business and community serving providers in the area. (Interim Controls, IV.C(1)). The sponsor completely avoided any meaningful evaluation, in light of the massive number of units scheduled to come on line in the foreseeable future.

In the preamble to the Interim Controls, the Commission found that they were consistent with the eight priority policies of section 101.1 of the Planning Code including: 1) preserving and enhancing neighborhood employment and ownership of neighborhood-serving businesses; 2) preserving, existing neighborhood character and economic and cultural diversity; and 3) preserving and enhancing affordable housing.

Likewise, the stated purpose of the MAP 2020 Planning Process is to "retain low to moderate income residents and community-serving businesses (including Production,

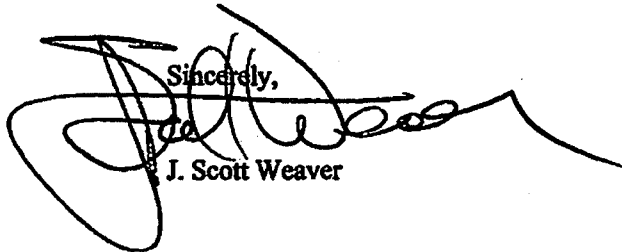
San Francisco Planning Commission
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Distribution, and Repair) artists and nonprofits in order to strengthen and preserve the socioeconomic diversity of the Mission neighborhoods”.

The cumulative impacts of this and other predominantly luxury development projects create a result 180 degrees opposite the purposes of Interim Controls and the MAP 2020 process. The commission cannot make an informed decision as to whether the project, both individually and cumulatively, is “necessary or desirable for and compatible with the neighborhood or community. For that reason, the Commission should require evaluation of these impacts.

More Rigorous Evaluation is Requested.

More rigorous of this and the other related projects listed above is necessary, not only in light of the CEQA issues raised by the lack of cumulative impact study, but also in terms of the goals of the Eastern Neighborhoods Plan and MAP 2020.

Sincerely,

J. Scott Weaver

JSW:sme
cc Plaza 16 Coalition
bcc numerous



SAN FRANCISCO PLANNING DEPARTMENT

MEMO

DATE: 12 May 2017
TO: Honorable Members of the San Francisco Board of Supervisors
FROM: John Rahaim
Director of Planning
RE: **HOUSING BALANCE REPORT No. 5**
1 January 2007 – 31 December 2016

1650 Mission St.
Suite 400
San Francisco,
CA 94103-2479

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

SUMMARY

This report is submitted in compliance with Ordinance No. 53-15 requiring the Planning Department to monitor and report on the housing balance between new market rate and new affordable housing production. One of the stated purposes of the Housing Balance is "to ensure that data on meeting affordable housing targets Citywide and within neighborhoods informs the approval process for new housing development." This report is the fifth in the series and covers the ten-year period from 1 January 2007 through 31 December 2016.

The "Housing Balance" is defined as the proportion of all new affordable housing units to the total number of all new housing units for a 10-year "Housing Balance Period." In addition, a calculation of "Projected Housing Balance" which includes residential projects that have received approvals from the Planning Commission or Planning Department but have not yet received permits to commence construction will be included.

In the 2007-2016 Housing Balance Period, 22% of net new housing produced was affordable. By comparison, the expanded Citywide Cumulative Housing Balance is 23%, although this varies by districts. Distribution of the Cumulative Housing Balance over the 11 Board of Supervisor Districts ranges from -197% (District 4) to 67% (District 5). This variation, especially with negative housing balances, is due to the larger number of units permanently withdrawn from rent control protection relative to the number of total net new units and net affordable units built in those districts.

The Projected Housing Balance Citywide is 14%. Three major development projects were identified in the ordinance for exclusion in the projected housing balance calculations until site permits are obtained. Remaining phases for these three projects will add up to 22,000 net units including over 4,900 affordable units; this would increase the projected housing balance to 20% if included in the calculations.

Memo

BACKGROUND

On 21 April 2015, the Board of Supervisors passed Ordinance No. 53-15 amending the *Planning Code* to include a new *Section 103* requiring the Planning Department to monitor and report on the Housing Balance between new market rate housing and new affordable housing production. The *Housing Balance Report* will be submitted bi-annually by April 1 and October 1 of each year and will also be published on a visible and accessible page on the Planning Department's website. *Planning Code Section 103* also requires an annual hearing at the Board of Supervisors on strategies for achieving and maintaining the required housing balance in accordance with the City's housing production goals. (See *Appendix A* for complete text of Ordinance No. 53-15.)

The stated purposes for the Housing Balance Monitoring and Reporting are: a) to maintain a balance between new affordable and market rate housing Citywide and within neighborhoods; b) to make housing available for all income levels and housing need types; c) to preserve the mixed-income character of the City and its neighborhoods; d) to offset the withdrawal of existing housing units from rent stabilization and the loss of single-room occupancy hotel units; e) to ensure the availability of land and encourage the deployment of resources to provide sufficient housing affordable to households of very low, low, and moderate incomes; f) to ensure adequate housing for families, seniors and the disabled communities; g) to ensure that data on meeting affordable housing targets Citywide and within neighborhoods informs the approval process for new housing development; and h) to enable public participation in determining the appropriate mix of new housing approvals.

Specifically, the *Housing Balance Report* will supplement tracking performance toward meeting the goals set by the City's *Housing Element* and Proposition K. Housing production targets in the City's *Housing Element*, adopted in April 2015, calls for 28,870 new units built between 2015 and 2022, 57%¹ of which should be affordable. As mandated by law, the City provides the State Department of Housing and Community Development an annual progress report.² In November 2014, San Francisco's voters endorsed Proposition K, which set a goal of 33% of all new housing units to be affordable. In addition, Mayor Ed Lee set a goal of creating 30,000 new and rehabilitated homes by 2020; he pledged at least 30% of these to be permanently affordable to low-income families as well as working, middle income families.³

This *Housing Balance Report* was prepared from data gathered from previously published sources including the Planning Department's annual *Housing Inventory* and quarterly *Pipeline Report* data, San Francisco Rent Board data, and the Mayor's Office of Housing and Community Development's *Weekly Dashboard*.

¹ The Ordinance inaccurately stated that "22% of new housing demands to be affordable to households of moderate means"; San Francisco's Regional Housing Needs Assessment (RHNA) allocation for moderate income households is 19% of total production goals.

² Printed annual progress reports submitted by all California jurisdictions can be accessed here -- <http://www.hcd.ca.gov/community-development/housing-element/annual-progress-reports/index.php> -- or by calling HCD at 916-263-2911 for the latest reports as many jurisdictions now file reports online.

³ For more information on and tracking of 30K by 2020, see <http://sfmayor.org/housing>.

CUMULATIVE HOUSING BALANCE CALCULATION

Planning Code Section 103 calls for the Housing Balance “be expressed as a percentage, obtained by dividing the cumulative total of extremely low, very low, low, and moderate income affordable housing (all units 0-120% AMI) minus the lost protected units, by the total number of net new housing units within the Housing Balance Period.” The ordinance requires that the “Cumulative Housing Balance” be provided using two calculations: a) one consisting of net housing built within a 10 year Housing Balance period, less units withdrawn from protected status, plus net units in projects that have received both approvals from the Planning Commission or Planning Department and site permits from the Department of Building Inspection, and b) the addition of net units gained through acquisition and rehabilitation of affordable units, HOPE SF and RAD units. “Protected units” include units that are subject to rent control under the City’s Residential Rent Stabilization and Arbitration Ordinance. Additional elements that figure into the Housing Balance include completed HOPE SF and RAD public housing replacement, substantially rehabilitated units, and single-room occupancy hotel units (SROs). The equation below shows the second, expanded calculation of the Cumulative Housing Balance.

| | | |
|---|---|---|
| [Net New Affordable Housing + Completed Acquisitions & Rehabs + Completed HOPE SF + RAD Public Housing Replacement + Entitled & Permitted Affordable Units] – [Units Removed from Protected Status] | = | CUMULATIVE HOUSING BALANCE |
| [Net New Housing Built + Net Entitled & Permitted Units] | | |

The first “Housing Balance Period” is a ten-year period starting with the first quarter of 2005 through the last quarter of 2014. Subsequent housing balance reports will cover the 10 years preceding the most recent quarter. This report covers January 2007 (Q1) through December 2016 (Q4).

Table 1A below shows the Cumulative Housing Balance for 10 year 2007 Q1 – 2016 Q4 period is 14% Citywide. With the addition of RAD units, the expanded Cumulative Housing Balance is 23%. In comparison, the expanded Cumulative Housing Balance for 10 year 2006 Q1 – 2015 Q4 period was 18%. The Board of Supervisors recently revised the ordinance to include Owner Move-Ins (OMIs) in the Housing Balance calculation. Although OMIs were not specifically called out by in the original Ordinance in the calculation of the Housing Balance, these were included in earlier reports because this type of no-fault eviction results in the loss of rent controlled units either permanently or for a period of time.

Table 1A
Cumulative Housing Balance Calculation, 2007 Q1 – 2016 Q4

| BoS Districts | Net New Affordable Housing Built | Acquisitions & Rehabs and Small Sites Completed | Units Removed from Protected Status | Total Entitled Affordable Units Permitted | Total Net New Units Built | Total Entitled Units | Cumulative Housing Balance |
|-----------------|----------------------------------|---|-------------------------------------|---|---------------------------|----------------------|----------------------------|
| BoS District 1 | 170 | - | (496) | 4 | 340 | 114 | -70.9% |
| BoS District 2 | 37 | 24 | (315) | 11 | 871 | 271 | -21.3% |
| BoS District 3 | 205 | 6 | (372) | 16 | 951 | 302 | -11.6% |
| BoS District 4 | 10 | - | (437) | 7 | 115 | 98 | -197.2% |
| BoS District 5 | 709 | 293 | (398) | 196 | 1,744 | 598 | 34.2% |
| BoS District 6 | 3,239 | 1,155 | (135) | 960 | 17,158 | 6,409 | 22.1% |
| BoS District 7 | 99 | - | (220) | - | 530 | 104 | -19.1% |
| BoS District 8 | 97 | 17 | (655) | 17 | 1,115 | 416 | -34.2% |
| BoS District 9 | 217 | 319 | (582) | 17 | 1,034 | 237 | -2.3% |
| BoS District 10 | 1,353 | 24 | (249) | 274 | 4,281 | 2,034 | 22.2% |
| BoS District 11 | 30 | - | (323) | 9 | 180 | 297 | -59.5% |
| TOTALS | 6,166 | 1,838 | (4,182) | 1,511 | 28,319 | 10,880 | 13.6% |

Table 1B below shows the Expanded Cumulative Housing Balances for Board of Supervisor Districts ranging from -197% (District 4) to 67% (District 5). Negative balances in Districts 1 (-71%), 2 (-23%), 3 (-12%), 4 (-197%), 8 (-35%), and 11 (-60%) resulted from the larger numbers of units removed from protected status relative to the net new affordable housing and net new housing units built in those districts.

Table 1B
Expanded Cumulative Housing Balance Calculation, 2007 Q1 – 2016 Q4

| BoS Districts | Net New Affordable Housing Built | Acquisitions & Rehabs and Small Sites Completed | RAD Program and Hope SF Replacement Units | Units Removed from Protected Status | Total Entitled Affordable Units Permitted | Total Net New Units Built | Total Entitled Units | Expanded Cumulative Housing Balance |
|-----------------|----------------------------------|---|---|-------------------------------------|---|---------------------------|----------------------|-------------------------------------|
| BoS District 1 | 170 | - | 144 | (496) | 4 | 340 | 114 | -39.2% |
| BoS District 2 | 37 | 24 | 251 | (315) | 11 | 871 | 271 | 0.7% |
| BoS District 3 | 205 | 6 | 577 | (372) | 16 | 951 | 302 | 34.5% |
| BoS District 4 | 10 | - | - | (437) | 7 | 115 | 98 | -197.2% |
| BoS District 5 | 709 | 293 | 806 | (398) | 196 | 1,744 | 598 | 68.6% |
| BoS District 6 | 3,239 | 1,155 | 561 | (135) | 960 | 17,158 | 6,409 | 24.5% |
| BoS District 7 | 99 | - | 110 | (220) | - | 530 | 104 | -1.7% |
| BoS District 8 | 97 | 17 | 330 | (655) | 17 | 1,115 | 416 | -12.7% |
| BoS District 9 | 217 | 319 | 268 | (582) | 17 | 1,034 | 237 | 18.8% |
| BoS District 10 | 1,353 | 24 | 436 | (249) | 274 | 4,281 | 2,034 | 29.1% |
| BoS District 11 | 30 | - | - | (323) | 9 | 180 | 297 | -59.5% |
| TOTALS | 6,166 | 1,838 | 3,483 | (4,182) | 1,511 | 28,319 | 10,880 | 22.5% |

PROJECTED HOUSING BALANCE

Table 2 below summarizes residential projects that have received entitlements from the Planning Commission or the Planning Department but have not yet received a site or building permit. Overall projected housing balance at the end of 2016 is 16%. This balance is expected to change as several major projects have yet to declare how their affordable housing requirements will be met. In addition, three entitled major development projects – Treasure Island, ParkMerced, and Hunters Point – are not included in the accounting until applications for building permits are filed or issued as specified in the ordinance. Remaining phases from these three projects will yield an additional 22,000 net new units; 22% (or 4,900 units) would be affordable to low and moderate income households.

The Projected Housing Balance does not account for affordable housing units that will be produced as a result of the Inclusionary Housing Fee paid in a given reporting cycle. Those affordable housing units are produced several years after the Fee is collected. Units produced through the Fee typically serve lower income households than do the inclusionary units, including special needs populations requiring services, such as seniors, transitional aged youth, families, and veterans.

Table 2
Projected Housing Balance Calculation, 2016 Q4

| BoS District | Very Low Income | Low Income | Moderate | TBD | Total Affordable Units | Net New Units | Total Affordable Units as % of Net New Units |
|-----------------|-----------------|--------------|------------|------------|------------------------|---------------|--|
| BoS District 1 | - | - | - | - | - | 19 | 0.0% |
| BoS District 2 | - | - | - | - | - | 25 | 0.0% |
| BoS District 3 | - | - | 14 | - | 14 | 190 | 7.4% |
| BoS District 4 | - | - | - | - | - | 14 | 0.0% |
| BoS District 5 | - | - | 28 | 3 | 31 | 275 | 11.3% |
| BoS District 6 | - | 158 | 103 | 52 | 313 | 3,664 | 8.5% |
| BoS District 7 | - | - | - | 284 | 284 | 1,057 | 26.9% |
| BoS District 8 | - | 5 | 3 | - | 8 | 84 | 9.5% |
| BoS District 9 | - | 132 | 8 | 1 | 141 | 722 | 19.5% |
| BoS District 10 | - | 985 | - | 168 | 1,153 | 6,008 | 19.2% |
| BoS District 11 | - | - | - | - | - | 1 | 0.0% |
| TOTALS | - | 1,280 | 156 | 508 | 1,944 | 12,059 | 16.1% |

CUMULATIVE HOUSING BALANCE ELEMENTS

Because the scope covered by the Housing Balance calculation is broad, each element – or group of elements – will be discussed separately. The body of this report will account for figures at the Board of Supervisor district level. The breakdown of each element using the Planning Department District geographies, as required by *Section 103*, is provided separately in an *Appendix B*. This is to ensure simple and uncluttered tables in the main body of the report.

Affordable Housing and Net New Housing Production

Table 3 below shows housing production between 2007 Q1 and 2016 Q4. This ten-year period resulted in a net addition of over 28,300 units to the City's housing stock, including almost 6,170 affordable units. A majority of net new housing units and affordable units built in the ten year

reporting period were in District 6 (17,160 or 61% and 3,240 or 53% respectively). District 10 follows with about 4,280 (15%) net new units, including over 1,350 (22%) affordable units.

The table below also shows that almost 22% of net new units built between 2007 Q1 and 2016 Q4 were affordable units, mostly (61%) in District 6. While District 1 saw modest gains in net new units built, half of these were affordable (50%).

**Table 3
New Housing Production by Affordability, 2007 Q1 – 2016 Q4**

| BoS District | Very Low | Low | Moderate | Middle | Total Affordable Units | Total Net Units | Affordable Units as % of Total Net Units |
|-----------------|--------------|--------------|--------------|-----------|------------------------|-----------------|--|
| BoS District 1 | 170 | | | - | 170 | 340 | 50.0% |
| BoS District 2 | | | 37 | - | 37 | 871 | 4.2% |
| BoS District 3 | 161 | 2 | 42 | - | 205 | 951 | 21.6% |
| BoS District 4 | | | 10 | - | 10 | 115 | 8.7% |
| BoS District 5 | 439 | 174 | 96 | - | 709 | 1,744 | 40.7% |
| BoS District 6 | 1,982 | 727 | 507 | 23 | 3,239 | 17,158 | 18.9% |
| BoS District 7 | 70 | 29 | | - | 99 | 530 | 18.7% |
| BoS District 8 | | 82 | 15 | - | 97 | 1,115 | 8.7% |
| BoS District 9 | 138 | 40 | 39 | - | 217 | 1,034 | 21.0% |
| BoS District 10 | 404 | 561 | 388 | - | 1,353 | 4,281 | 31.6% |
| BoS District 11 | | 13 | 17 | - | 30 | 180 | 16.7% |
| TOTAL | 3,364 | 1,628 | 1,151 | 23 | 6,166 | 28,319 | 21.8% |

It should be noted that units affordable to Extremely Very Low Income (EVLI) households are included under the Very Low Income (VLI) category because certain projects that benefit homeless individuals and families – groups considered as EVLI – have income eligibility caps at the VLI level.

Acquisition and Rehabilitation of Affordable Housing Units

Table 4 below lists the number of units that have been rehabilitated and/or acquired between 2007 Q1 and 2016 Q4 to ensure permanent affordability. These are mostly single-room occupancy hotel units that are affordable to extremely very low and very low income households.

Table 4a
Acquisitions and Rehabilitation of Affordable Housing, 2007-2016

| BoS District | No. of Buildings | No. of Units |
|---------------------|-------------------------|---------------------|
| BoS District 2 | 1 | 24 |
| BoS District 5 | 2 | 290 |
| BoS District 6 | 13 | 1,127 |
| BoS District 9 | 2 | 319 |
| TOTALS | 18 | 1,760 |

Small Sites Program

The San Francisco Small Sites Program (SSP) is an initiative of the Mayor's Office of Housing and Community Development (MOHCD) to acquire small rent-controlled buildings (with four to 25 units) where tenants are at risk of eviction through the Ellis Act or owner move-ins. Since its inception in 2014, some 13 buildings with 78 units have been acquired.

Table 4b
Small Sites Program, 2014-2016

| BoS District | No. of Buildings | No. of Units |
|---------------------|-------------------------|---------------------|
| Bos District 3 | 1 | 6 |
| BoS District 5 | 1 | 3 |
| BoS District 6 | 3 | 28 |
| BoS District 8 | 4 | 17 |
| BoS District 9 | 4 | 24 |
| TOTALS | 13 | 78 |

RAD Program

The San Francisco Housing Authority's Rental Assistance Demonstration (RAD) program preserves at risk public and assisted housing projects. According to the Mayor's Office, RAD Phase I transferred 1,425 units to developers in December 2015. An additional 2,028 units were transferred as Phase II in 2016.

Table 5
RAD Affordable Units, 2016-2017

| BoS District | No of Buildings | No of Units |
|-----------------|-----------------|--------------|
| BoS District 1 | 2 | 144 |
| BoS District 2 | 3 | 251 |
| BoS District 3 | 4 | 577 |
| BoS District 5 | 7 | 806 |
| BoS District 6 | 4 | 561 |
| BoS District 7 | 1 | 110 |
| BoS District 8 | 4 | 330 |
| BoS District 9 | 2 | 268 |
| BoS District 10 | 2 | 436 |
| BoS District 11 | - | - |
| TOTALS | 29 | 3,483 |

Units Removed From Protected Status

San Francisco's Residential Rent Stabilization and Arbitration Ordinance protects tenants and preserves affordability of about 175,000 rental units by limiting annual rent increases. Landlords can, however, terminate tenants' leases through no-fault evictions including condo conversion, owner move-in, Ellis Act, demolition, and other reasons that are not the tenants' fault. The Housing Balance calculation takes into account units permanently withdrawn from rent stabilization as loss of affordable housing. The following no-fault evictions affect the supply of rent controlled units by removing units from the rental market: condo conversion, demolition, Ellis Act, and owner move-ins (OMIs). It should be noted that initially, OMIs were not specifically called out by the Ordinance to be included in the calculation. However, because owner move-ins have the effect of the losing rent controlled units either permanently or for a substantial period of time, these numbers are included in the Housing Balance calculation as intended by the legislation's sponsors. Some of these OMI units may return to being rentals and will still fall under the rent control ordinance. On 14 November 2016, the Board of Supervisors amended Planning Code Section 103 to include OMIs as part of the housing balance calculation.

Table 6 below shows the distribution of no-fault eviction notices issued between January 2007 and December 2016. Eviction notices have been commonly used as proxy for evictions. Owner Move-In and Ellis Out notices made up the majority of no fault evictions (55% and 32% respectively). Distribution of these no-fault eviction notices is almost evenly dispersed, with Districts 8 and 9 leading (16% and 14%, respectively).

Table 6
Units Removed from Protected Status, 2007 Q1 – 2016 Q4

| BoS District | Condo Conversion | Demolition | Ellis Out | Owner Move-In | Units Removed from Protected Status |
|-----------------|------------------|------------|-----------|---------------|-------------------------------------|
| BoS District 1 | 3 | 26 | 160 | 307 | 496 |
| BoS District 2 | 17 | 13 | 86 | 199 | 315 |
| BoS District 3 | 6 | 10 | 238 | 118 | 372 |
| BoS District 4 | - | 87 | 76 | 274 | 437 |
| BoS District 5 | 17 | 21 | 125 | 235 | 398 |
| BoS District 6 | 1 | 76 | 46 | 12 | 135 |
| BoS District 7 | - | 31 | 37 | 152 | 220 |
| BoS District 8 | 19 | 43 | 262 | 331 | 655 |
| BoS District 9 | 4 | 61 | 209 | 308 | 582 |
| BoS District 10 | 2 | 29 | 45 | 173 | 249 |
| BoS District 11 | - | 81 | 44 | 198 | 323 |
| TOTALS | 69 | 478 | 1,328 | 2,307 | 4,182 |

Entitled and Permitted Units

Table 7 lists the number of units that have received entitlements from the Planning Commission or the Planning Department. These pipeline projects have also received site permits from the Department of Building Inspection and most are under construction as of the final quarter of 2016. Over half of these units are being built in or will be built in District 6 (59%). Fourteen percent of units that have received Planning entitlements and site permits from the DBI will be affordable.

Table 7
Permitted Units, 2016 Q4

| BoS District | Very Low Income | Low Income | Moderate | TBD | Total Affordable Units | Net New Units | Total Affordable Units as % of Net New Units |
|-----------------|-----------------|------------|------------|----------|------------------------|---------------|--|
| BoS District 1 | - | - | 4 | - | 4 | 114 | 3.5% |
| BoS District 2 | - | - | 11 | - | 11 | 271 | 4.1% |
| BoS District 3 | - | 12 | 4 | - | 16 | 302 | 5.3% |
| BoS District 4 | - | - | 7 | - | 7 | 98 | 7.1% |
| BoS District 5 | 108 | 50 | 38 | - | 196 | 598 | 32.8% |
| BoS District 6 | 235 | 483 | 242 | - | 960 | 6,409 | 15.0% |
| BoS District 7 | - | - | - | - | - | 104 | 0.0% |
| BoS District 8 | - | 10 | - | 7 | 17 | 416 | 4.1% |
| BoS District 9 | - | 12 | 5 | - | 17 | 237 | 7.2% |
| BoS District 10 | - | 245 | 28 | 1 | 274 | 2,034 | 13.5% |
| BoS District 11 | - | - | 9 | - | 9 | 297 | 3.0% |
| TOTALS | 343 | 812 | 348 | 8 | 1,511 | 10,880 | 13.9% |

PERIODIC REPORTING AND ONLINE ACCESS

This report complies with *Planning Code Section 103* requirement that the Planning Department publish and update the *Housing Balance Report* bi-annually on April 1 and October 1 of each year. *Housing Balance Reports* are available and accessible online, as mandated by the ordinance, by going to this link: <http://www.sf-planning.org/index.aspx?page=4222>.

ANNUAL HEARING

An annual hearing on the Housing Balance before the Board of Supervisors will be scheduled by April 1 of each year. This year's Housing Balance Report will be scheduled to be heard before the Board of Supervisors before the end of June 2017. The Mayor's Office of Housing and Community Development, the Mayor's Office of Economic and Workforce Development, the Rent Stabilization Board, the Department of Building Inspection, and the City Economist will present strategies for achieving and maintaining a housing balance consistent with the City's housing goals at this annual hearing. The ordinance also requires that MOHCD will determine the amount of funding needed to bring the City into the required minimum 33% should the cumulative housing balance fall below that threshold.

APPENDIX A
Ordinance 53-15

AMENDED IN COMMITTEE

4/6/15

FILE NO. 150029

ORDINANCE NO. 53-15

1 [Planning Code - City Housing Balance Monitoring and Reporting]

2

3 Ordinance amending the Planning Code to require the Planning Department to monitor
4 the balance between new market rate housing and new affordable housing, and publish
5 a bi-annual Housing Balance Report; requiring an annual hearing at the Board of
6 Supervisors on strategies for achieving and maintaining the required housing balance
7 in accordance with San Francisco's housing production goals; and making
8 environmental findings, Planning Code, Section 302 findings, and findings of
9 consistency with the General Plan, and the eight priority policies of Planning Code,
10 Section 101.1.

11

12 NOTE: Unchanged Code text and uncodified text are in plain Arial font.
13 Additions to Codes are in *single-underline italics Times New Roman font*.
14 Deletions to Codes are in ~~*italics Times New Roman font*~~.
15 Board amendment additions are in Arial font.
16 Board amendment deletions are in ~~Arial font~~.
17 Asterisks (" * * * ") indicate the omission of unchanged Code
18 subsections or parts of tables.

16 Be it ordained by the People of the City and County of San Francisco:

17

18 Section 1. Findings.

19 (a) The Planning Department has determined that the actions contemplated in this
20 ordinance comply with the California Environmental Quality Act (California Public Resources
21 Code Sections 21000 et seq.). Said determination is on file with the Clerk of the Board of
22 Supervisors in File No. 150029 and is incorporated herein by reference. The Board of
23 Supervisors affirms this determination.

24 (b) On March 19, 2015, the Planning Commission, in Resolution No. 19337, adopted
25 findings that the actions contemplated in this ordinance are consistent, on balance, with the

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1 adopts these findings as its own. A copy of said Resolution is on file with the Clerk of the
2 Board of Supervisors in File No. 150029, and is incorporated herein by reference.

3 (c) Pursuant to Planning Code Section 302, this Board finds that this Planning Code
4 Amendment will serve the public necessity, convenience, and welfare for the reasons set forth
5 in Planning Commission Resolution No. 150029 and the Board incorporates such reasons
6 herein by reference.

7

8 Section 2. The Planning Code is hereby amended by adding new Section 103 to read
9 as follows:

10 **SEC. 103. HOUSING BALANCE MONITORING AND REPORTING.**

11 **(a) Purposes. To maintain a balance between new affordable and market rate housing City-**
12 **wide and within neighborhoods, to make housing available for all income levels and housing need**
13 **types, to preserve the mixed income character of the City and its neighborhoods, to offset the**
14 **withdrawal of existing housing units from rent stabilization and the loss of single-room-occupancy**
15 **hotel units, to ensure the availability of land and encourage the deployment of resources to provide**
16 **sufficient housing affordable to households of very low, low, and moderate incomes, to ensure adequate**
17 **housing for families, seniors and the disabled community, to ensure that data on meeting affordable**
18 **housing targets City-wide and within neighborhoods informs the approval process for new housing**
19 **development, and to enable public participation in determining the appropriate mix of new housing**
20 **approvals, there is hereby established a requirement, as detailed in this Section 103, to monitor and**
21 **regularly report on the housing balance between market rate housing and affordable housing.**

22 **(b) Findings.**

23 **(1) In November 2014, the City voters enacted Proposition K, which established City**
24 **policy to help construct or rehabilitate at least 30,000 homes by 2020. More than 50% of this housing**
25 **would be affordable for middle-class households, with at least 33% affordable for low- and moderate-**

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1 income households, and the City is expected to develop strategies to achieve that goal. This section
2 103 sets forth a method to track performance toward the City's Housing Element goals and the near-
3 term Proposition K goal that 33% of all new housing shall be affordable housing, as defined herein.
4 (2) The City's rent stabilized and permanently affordable housing stock serves very low-
5 low-, and moderate-income families, long-time residents, elderly seniors, disabled persons and others.
6 The City seeks to achieve and maintain an appropriate balance between market rate housing and
7 affordable housing City-wide and within neighborhoods because the availability of decent housing and
8 a suitable living environment for every San Franciscan is of vital importance. Attainment of the City's
9 housing goals requires the cooperative participation of government and the private sector to expand
10 housing opportunities to accommodate housing needs for San Franciscans at all economic levels and to
11 respond to the unique needs of each neighborhood where housing will be located.
12 (3) For tenants in unsubsidized housing, affordability is often preserved by the
13 Residential Rent Stabilization and Arbitration Ordinance's limitations on the size of allowable rent
14 increases during a tenancy. As documented in the Budget and Legislative Analyst's October 2013
15 Policy Analysis Report on Tenant Displacement, San Francisco is experiencing a rise in units
16 withdrawn from rent controls. Such rises often accompany periods of sharp increases in property
17 values and housing prices. From 1998 through 2013, the Rent Board reported a total of 13,027 no-fault
18 evictions (i.e., evictions in which the tenant had not violated any lease terms, but the owner sought to
19 regain possession of the unit). Total evictions of all types have increased by 38.2% from Rent Board
20 Year (i.e. from March through February) 2010 to Rent Board Year 2013. During the same period, Ellis
21 Act evictions far outpaced other evictions, increasing by 169.8% from 43 in Rent Board Year 2010 to
22 116 in Rent Board Year 2013. These numbers do not capture the large number of owner buyouts of
23 tenants, which contribute further to the loss of rent-stabilized units from the housing market. Any fair
24 assessment of the affordable housing balance must incorporate into the calculation units withdrawn
25 from rent stabilization.

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1 (4) Pursuant to Government Code Section 65584, the Association of Bay Area
2 Governments (ABAG), in coordination with the California State Department of Housing and
3 Community Development (HCD), determines the Bay Area's regional housing need based on regional
4 trends, projected job growth, and existing needs. The regional housing needs assessment (RHNA)
5 determination includes production targets addressing housing needs of a range of household income
6 categories. For the RHNA period covering 2015 through 2022, ABAG has projected that at least 38%
7 of new housing demands for San Francisco will be from very low and low income households
8 (households earning under 80% of area median income), and another 22% of new housing demands to
9 be affordable to households of moderate means (earning between 80% and 120% of area median
10 income). Market-rate housing is considered housing with no income limits or special requirements
11 attached.

12 (5) The Housing Element of the City's General Plan states: "Based on the growing
13 population, and smart growth goals of providing housing in central areas like San Francisco, near jobs
14 and transit, the State Department of Housing and Community Development (HCD), with the
15 Association of Bay Area Governments (ABAG), estimates that in the current 2015-2022 Housing
16 Element period San Francisco must plan for the capacity for roughly 28,870 new units, 57% of which
17 should be suitable for housing for the extremely low, very low, low and moderate income households to
18 meet its share of the region's projected housing demand." Objective 1 of the Housing Element states
19 that the City should "identify and make available for development adequate sites to meet the City's
20 housing needs, especially permanently affordable housing." Objective 7 states that San Francisco's
21 projected affordable housing needs far outpace the capacity for the City to secure subsidies for new
22 affordable units.

23 (6) In 2012, the City enacted Ordinance 237-12, the "Housing Preservation and
24 Production Ordinance," codified in Administrative Code Chapter 10E.4, to require Planning
25 Department staff to regularly report data on progress toward meeting San Francisco's quantified

1 production goals for different household income levels as provided in the General Plan's Housing
2 Element. That Ordinance requires data on the number of units in all stages of the housing production
3 process at various affordability levels to be included in staff reports on all proposed projects of five
4 residential units or more and in quarterly housing production reports to the Planning Commission. The
5 Planning Department has long tracked the number of affordable housing units and total number of
6 housing units built throughout the City and in specific areas and should be able to track the ratio called
7 for in this Section 103.

8 (7) As the private market has embarked upon, and government officials have urged, an
9 ambitious program to produce significant amounts of new housing in the City, the limited remaining
10 available land makes it essential to assess the impact of the approval of new market rate housing
11 developments on the availability of land for affordable housing and to encourage the deployment of
12 resources to provide such housing.

13 (c) Housing Balance Calculation.

14 (1) For purposes of this Section 103, "Housing Balance" shall be defined as the
15 proportion of all new housing units affordable to households of extremely low, very low, low or
16 moderate income households, as defined in California Health & Safety Code Sections 50079.5 et seq.,
17 as such provisions may be amended from time to time, to the total number of all new housing units for a
18 10 year Housing Balance Period.

19 (2) The Housing Balance Period shall begin with the first quarter of year 2005 to the
20 last quarter of 2014, and thereafter for the ten years prior to the most recent calendar quarter.

21 (3) For each year that data is available, beginning in 2005, the Planning Department
22 shall report net housing construction by income levels, as well as units that have been withdrawn from
23 protection afforded by City law, such as laws providing for rent-controlled and single resident
24 occupancy (SRO) units. The affordable housing categories shall include net new units, as well as
25 existing units that were previously not restricted by deed or regulatory agreement that are acquired for

1 preservation as permanently affordable housing as determined by the Mayor's Office of Housing and
2 Community Development (MOHCD) (not including refinancing or other rehabilitation under existing
3 ownership), protected by deed or regulatory agreement for a minimum of 55 years. The report shall
4 include, by year, and for the latest quarter, all units that have received Temporary Certificates of
5 Occupancy within that year, a separate category for units that obtained a site or building permit, and
6 another category for units that have received approval from the Planning Commission or Planning
7 Department, but have not yet obtained a site or building permit to commence construction (except any
8 entitlements that have expired and not been renewed during the Housing Balance Period). Master
9 planned entitlements, including but not limited to such areas as Treasure Island, Hunters Point
10 Shipyard and Park Merced, shall not be included in this latter category until individual building
11 entitlements or site permits are approved for specific housing projects. For each year or approval
12 status, the following categories shall be separately reported:

13 (A) Extremely Low Income Units, which are units available to individuals or
14 families making between 0-30% Area Median Income (AMI) as defined in California Health & Safety
15 Code Section 50106, and are subject to price or rent restrictions between 0-30% AMI;

16 (B) Very Low Income Units, which are units available to individuals or families
17 making between 30-50% AMI as defined in California Health & Safety Code Section 50105, and are
18 subject to price or rent restrictions between 30-50% AMI;

19 (C) Lower Income Units, which are units available to individuals or families
20 making between 50-80% AMI as defined in California Health & Safety Code Section 50079.5, and are
21 subject to price or rent restrictions between 50-80% AMI;

22 (D) Moderate Income Units, which are units available to individuals or families
23 making between 80-120% AMI, and are subject to price or rent restrictions between 80-120% AMI;

24 (E) Middle Income Units, which are units available to individuals or families
25 making between 120-150% AMI, and are subject to price or rent restrictions between 120-150% AMI.

- 1 (F) Market-rate units, which are units not subject to any deed or regulatory
- 2 agreement with price restrictions;
- 3 (G) Housing units withdrawn from protected status, including units withdrawn
- 4 from rent control (except those units otherwise converted into permanently affordable housing),
- 5 including all units that have been subject to rent control under the San Francisco Residential Rent
- 6 Stabilization and Arbitration Ordinance but that a property owner removes permanently from the
- 7 rental market through condominium conversion pursuant to Administrative Code Section 37.9(a)(9),
- 8 demolition or alterations (including dwelling unit mergers), or permanent removal pursuant to
- 9 Administrative Code Section 37.9(a)(10) or removal pursuant to the Ellis Act under Administrative
- 10 Code Section 37.9(a)(13);
- 11 (H) Public housing replacement units and substantially rehabilitated units
- 12 through the HOPE SF and Rental Assistance Demonstration (RAD) programs, as well as other
- 13 substantial rehabilitation programs managed by MOHCD.
- 14 (I) The Housing Balance shall be expressed as a percentage, obtained by dividing the
- 15 cumulative total of extremely low, very low, low and moderate income affordable housing units (all
- 16 units 0-120% AMI) minus the lost protected units, by the total number of net new housing units within
- 17 the Housing Balance Period. The Housing Balance shall also provide two calculations:
- 18 (A) the Cumulative Housing Balance, consisting of housing units that have
- 19 already been constructed (and received a Temporary Certificate of Occupancy or other certificate that
- 20 would allow occupancy of the units) within the 10-year Housing Balance Period, plus those units that
- 21 have obtained a site or building permit. A separate calculation of the Cumulative Housing Balance
- 22 shall also be provided, which includes HOPE SF and RAD public housing replacement and
- 23 substantially rehabilitated units (but not including general rehabilitation / maintenance of public
- 24 housing or other affordable housing units) that have received Temporary Certificates of Occupancy
- 25

1 within the Housing Balance Period. The Housing Balance Reports will show the Cumulative Housing
2 Balance with and without public housing included in the calculation; and

3 (B) the Projected Housing Balance, which shall include any residential project
4 that has received approval from the Planning Commission or Planning Department, even if the
5 housing project has not yet obtained a site or building permit to commence construction (except any
6 entitlements that have expired and not been renewed during the Housing Balance period). Master
7 planned entitlements shall not be included in the calculation until individual building entitlements or
8 site permits are approved.

9 (d) Bi-annual Housing Balance Reports. Within 30 days of the effective date of this
10 Section 403 By June 1, 2015, the Planning Department shall calculate the Cumulative and Projected
11 Housing Balance for the most recent two quarters City-wide, by Supervisorial District, Plan Area, and
12 by neighborhood Planning Districts, as defined in the annual Housing Inventory, and publish it as an
13 easily visible and accessible page devoted to Housing Balance and Monitoring and Reporting on the
14 Planning Department's website. By August September 1st and February March 1st of each year, the
15 Planning Department shall publish and update the Housing Balance Report, and present this report at
16 an informational hearing to the Planning Commission and Board of Supervisors, as well as to any
17 relevant body with geographic purview over a plan area upon request, along with the other quarterly
18 reporting requirements of Administrative Code Chapter 10E.4. The annual report to the Board of
19 Supervisors shall be accepted by resolution of the Board, which resolution shall be introduced
20 by the Planning Department. The Housing Balance Report shall also be incorporated into the
21 Annual Planning Commission Housing Hearing and Annual Report to the Board of Supervisors
22 required in Administrative Code Chapter 10E.4.

23 (e) Annual Hearing by Board of Supervisors.

24 (1) The Board of Supervisors shall hold a public Housing Balance hearing on an annual
25 basis by April 1 of each year, to consider progress towards the City's affordable housing goals.

1 including the goal of a minimum 33% affordable housing to low and moderate income households, as
2 well as the City's General Plan Housing Element housing production goals by income category. The
3 first hearing shall occur no later than 30 days after the effective date of this ordinance, and by April 1
4 of each year thereafter.

5 (2) The hearing shall include reporting by the Planning Department, which shall present
6 the latest Housing Balance Report City-wide and by Supervisorial District and Planning District; the
7 Mayor's Office of Housing and Community Development, the Mayor's Office of Economic and
8 Workforce Development, the Rent Stabilization Board, by the Department of Building Inspection, and
9 the City Economist on strategies for achieving and maintaining a housing balance in accordance with
10 San Francisco's housing production goals. If the Cumulative Housing Balance has fallen below 33% in
11 any year, MOHCD shall determine how much funding is required to bring the City into a minimum
12 33% Housing Balance and the Mayor shall submit to the Board of Supervisors a strategy to accomplish
13 the minimum of 33% Housing Balance. City Departments shall at minimum report on the following
14 issues relevant to the annual Housing Balance hearing: MOHCD shall report on the annual and
15 projected progress by income category in accordance with the City's General Plan Housing Element
16 housing production goals, projected shortfalls and gaps in funding and site control, and progress
17 toward the City's Neighborhood Stabilization goals for acquiring and preserving the affordability of
18 existing rental units in neighborhoods with high concentrations of low and moderate income
19 households or historically high levels of evictions; the Planning Department shall report on current
20 and proposed zoning and land use policies that affect the City's General Plan Housing Element
21 housing production goals; the Mayor's Office of Economic and Workforce Development shall report on
22 current and proposed major development projects, dedicated public sites, and policies that affect the

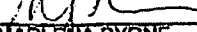
23
24
25

1 City's General Plan Housing Element housing production goals; the Rent Board shall report on the
2 withdrawal or addition of rent-controlled units and current or proposed policies that affect these
3 numbers; the Department of Building Inspection shall report on the withdrawal or addition of
4 Residential Hotel units and current or proposed policies that affect these numbers; and the City
5 Economist shall report on annual and projected job growth by the income categories specified in the
6 City's General Plan Housing Element.

7 (3) All reports and presentation materials from the annual Housing Balance hearing
8 shall be maintained by year for public access on the Planning Department's website on its page
9 devoted to Housing Balance Monitoring and Reporting.

10
11 Section 4. Effective Date. This ordinance shall become effective 30 days after
12 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the
13 ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board
14 of Supervisors overrides the Mayor's veto of the ordinance.

15
16 APPROVED AS TO FORM:
17 DENNIS J. HERRERA, City Attorney

18 By: 
19 MARLENA BYRNE
20 Deputy City Attorney

21 n:\Vegana\as2015\1500369\01003068.doc

22
23
24
25
Supervisor Kim
BOARD OF SUPERVISORS

Page 10



City and County of San Francisco
Tails
Ordinance

City Hall
1155 California Street
San Francisco, CA 94102-4689

File Number: 150029

Date Passed: April 21, 2015

Ordinance amending the Planning Code to require the Planning Department to monitor the balance between new market rate housing and new affordable housing, and publish a bi-annual Housing Balance Report; requiring an annual hearing at the Board of Supervisors on strategies for achieving and maintaining the required housing balance in accordance with San Francisco's housing production goals; and making environmental findings, Planning Code, Section 302, findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

April 06, 2015 Land Use and Transportation Committee - AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE

April 06, 2015 Land Use and Transportation Committee - RECOMMENDED AS AMENDED

April 14, 2015 Board of Supervisors - PASSED, ON FIRST READING

Ayes: 11 - Avalos, Breed, Campos, Christensen, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee

April 21, 2015 Board of Supervisors - FINALLY PASSED

Ayes: 11 - Avalos, Breed, Campos, Christensen, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee

File No. 150029

I hereby certify that the foregoing Ordinance was FINALLY PASSED on 4/21/2015 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

Mayor

4/30/2015

Date Approved

APPENDIX B

CUMULATIVE HOUSING BALANCE REPORT No 5 TABLES BY PLANNING DISTRICTS

**Table 1A
Cumulative Housing Balance Calculation, 2007 Q1 – 2016 Q4**

| Planning Districts | New Affordable Housing Built | Acquisitions & Rehabs and Small Sites Completed | Units Removed from Protected Status | Total Entitled Affordable Units Permitted | Total Net New Units Built | Total Entitled Permitted Units | Cumulative Housing Balance |
|--------------------|------------------------------|---|-------------------------------------|---|---------------------------|--------------------------------|----------------------------|
| 1 Richmond | 170 | | (569) | 54 | 513 | 175 | -50.1% |
| 2 Marina | 2 | 24 | (180) | 2 | 282 | 160 | -34.4% |
| 3 Northeast | 191 | 6 | (384) | 12 | 753 | 271 | -17.1% |
| 4 Downtown | 1,682 | 851 | (119) | 304 | 5,630 | 2,124 | 35.1% |
| 5 Western Addition | 621 | 293 | (207) | 142 | 1,809 | 448 | 37.6% |
| 6 Buena Vista | 190 | 5 | (239) | 30 | 899 | 437 | -1.0% |
| 7 Central | 18 | | (384) | - | 348 | 51 | -91.7% |
| 8 Mission | 345 | 347 | (540) | 16 | 1,504 | 469 | 8.5% |
| 9 South of Market | 1,815 | 304 | (125) | 933 | 13,814 | 5,871 | 14.9% |
| 10 South Bayshore | 753 | | (76) | 1 | 1,807 | 322 | 31.8% |
| 11 Bernal Heights | 240 | 8 | (184) | - | 73 | 20 | 68.8% |
| 12 South Central | 10 | | (375) | 10 | 128 | 307 | -81.6% |
| 13 Ingleside | 119 | | (179) | - | 547 | 93 | -9.4% |
| 14 Inner Sunset | - | | (189) | - | 103 | 36 | -136.0% |
| 15 Outer Sunset | 10 | | (432) | 7 | 109 | 96 | -202.4% |
| TOTALS | 6,166 | 1,838 | (4,182) | 1,511 | 28,319 | 10,880 | 13.6% |

Table 1B
Expanded Cumulative Housing Balance Calculation, 2007 Q1 – 2016 Q4

| Planning Districts | New Affordable Housing Built | Acquisitions & Rehabs and Small Sites Completed | RAD Program & HopeSF Replacement Units | Units Removed from Protected Status | Total Entitled Affordable Units Permitted | Total Net New Units Built | Total Entitled Permitted Units | Expanded Cumulative Housing Balance |
|--------------------|------------------------------|---|--|-------------------------------------|---|---------------------------|--------------------------------|-------------------------------------|
| 1 Richmond | 170 | | 144 | (569) | 54 | 513 | 175 | -29.2% |
| 2 Marina | 2 | 24 | 138 | (180) | 2 | 282 | 160 | -3.2% |
| 3 Northeast | 191 | 6 | 577 | (384) | 12 | 753 | 271 | 39.3% |
| 4 Downtown | 1,682 | 851 | 285 | (119) | 304 | 5,630 | 2,124 | 38.7% |
| 5 Western Addition | 621 | 293 | 919 | (207) | 142 | 1,809 | 448 | 78.3% |
| 6 Buena Vista | 190 | 5 | 132 | (239) | 30 | 899 | 437 | 8.8% |
| 7 Central | 18 | | 107 | (384) | - | 348 | 51 | -64.9% |
| 8 Mission | 345 | 347 | 91 | (540) | 16 | 1,504 | 469 | 13.1% |
| 9 South of Market | 1,815 | 304 | 276 | (125) | 933 | 13,814 | 5,871 | 16.3% |
| 10 South Bayshore | 753 | | 436 | (76) | 1 | 1,807 | 322 | 52.3% |
| 11 Bernal Heights | 240 | 8 | 268 | (184) | - | 73 | 20 | 357.0% |
| 12 South Central | 10 | | - | (375) | 10 | 128 | 307 | -81.6% |
| 13 Ingleside | 119 | | - | (179) | - | 547 | 93 | -9.4% |
| 14 Inner Sunset | - | | 110 | (189) | - | 103 | 36 | -56.8% |
| 15 Outer Sunset | 10 | | - | (432) | 7 | 109 | 96 | -202.4% |
| TOTALS | 6,166 | 1,838 | 3,483 | (4,182) | 1,511 | 28,319 | 10,880 | 22.5% |

Table 2
Projected Housing Balance Calculation, 2016 Q4

| BoS District | Very Low Income | Low Income | Moderate | TBD | Total Affordable Units | Net New Units | Total Affordable Units as % of Net New Units |
|--------------------|-----------------|--------------|------------|------------|------------------------|---------------|--|
| 1 Richmond | - | - | - | - | - | 19 | 0.0% |
| 2 Marina | - | - | - | - | - | 20 | 0.0% |
| 3 Northeast | - | - | 8 | - | 8 | 143 | 5.6% |
| 4 Downtown | - | - | 96 | - | 96 | 2,024 | 4.7% |
| 5 Western Addition | - | 65 | 11 | 3 | 79 | 133 | 59.4% |
| 6 Buena Vista | - | - | 20 | - | 20 | 172 | 11.6% |
| 7 Central | - | - | - | - | - | 48 | 0.0% |
| 8 Mission | - | 5 | 8 | 18 | 31 | 1,304 | 2.4% |
| 9 South of Market | - | 154 | 13 | 34 | 201 | 3,173 | 6.3% |
| 10 South Bayshore | - | 141 | - | 168 | 309 | 3,032 | 10.2% |
| 11 Bernal Heights | - | - | - | - | - | 4 | 0.0% |
| 12 South Central | - | - | - | 1 | 1 | 916 | 0.1% |
| 13 Ingleside | - | 915 | - | 284 | 1,199 | 1,021 | 117.4% |
| 14 Inner Sunset | - | - | - | - | - | 36 | 0.0% |
| 15 Outer Sunset | - | - | - | - | - | 14 | 0.0% |
| TOTALS | - | 1,280 | 156 | 508 | 1,944 | 12,059 | 16.1% |

Table 3
New Housing Production by Affordability, 2007 Q1 – 2016 Q4

| Planning Districts | Very Low | Low | Moderate | Middle Income | Total Affordable Units | Total Net Units | Affordable Units as % of Total Net Units |
|--------------------|--------------|--------------|--------------|---------------|------------------------|-----------------|--|
| 1 Richmond | 170 | - | - | - | 170 | 513 | 33.1% |
| 2 Marina | - | - | - | - | - | 282 | 0.0% |
| 3 Northeast | 161 | 2 | 28 | - | 191 | 753 | 25.4% |
| 4 Downtown | 1,048 | 338 | 273 | 23 | 1,682 | 5,630 | 29.9% |
| 5 Western Addition | 367 | 174 | 80 | - | 621 | 1,809 | 34.3% |
| 6 Buena Vista | 72 | 64 | 54 | - | 190 | 899 | 21.1% |
| 7 Central | - | 18 | - | - | 18 | 348 | 5.2% |
| 8 Mission | 214 | 62 | 69 | - | 345 | 1,504 | 22.9% |
| 9 South of Market | 724 | 628 | 463 | - | 1,815 | 13,814 | 13.1% |
| 10 South Bayshore | 298 | 300 | 155 | - | 753 | 1,807 | 41.7% |
| 11 Bernal Heights | 240 | - | - | - | 240 | 73 | 328.8% |
| 12 South Central | - | 10 | - | - | 10 | 128 | 7.8% |
| 13 Ingleside | 70 | 32 | 17 | - | 119 | 547 | 21.8% |
| 14 Inner Sunset | - | - | - | - | - | 103 | 0.0% |
| 15 Outer Sunset | - | - | 10 | - | 10 | 109 | 9.2% |
| TOTALS | 3,364 | 1,628 | 1,149 | 23 | 6,164 | 28,319 | 21.8% |

Table 4a
Acquisitions and Rehabilitation of
Affordable Housing, 2007 Q1 – 2016 Q4

| Planning District | No. of Buildings | No. of Units |
|--------------------------|-------------------------|---------------------|
| 2 Marina | 1 | 24 |
| 4 Downtown | 6 | 826 |
| 5 Western Addition | 2 | 290 |
| 8 Mission | 2 | 319 |
| 9 South of Market | 7 | 301 |
| TOTALS | 18 | 1,760 |

Table 4b
Small Sites Program Acquisitions – 2015 - 2016

| Planning District | No. of Buildings | No. of Units |
|--------------------------|-------------------------|---------------------|
| 3 Northeast | 1 | 6 |
| 4 Downtown | 2 | 25 |
| 5 Western Addition | 1 | 3 |
| 6 Buena Vista | 1 | 5 |
| 8 Mission | 5 | 28 |
| 9 South of Market | 1 | 3 |
| 11 Bernal Heights | 2 | 8 |
| TOTALS | 13 | 78 |

**Table 5
RAD Affordable Units**

| Planning District | No of Buildings | No of Units |
|--------------------------|------------------------|--------------------|
| 1 Richmond | 2 | 144 |
| 2 Marina | 2 | 138 |
| 3 Northeast | 4 | 577 |
| 4 Downtown | 3 | 285 |
| 5 Western Addition | 8 | 919 |
| 6 Buena Vista | 2 | 132 |
| 7 Central | 1 | 107 |
| 8 Mission | 1 | 91 |
| 9 South of Market | 1 | 276 |
| 10 South Bayshore | 2 | 436 |
| 11 Bernal Heights | 2 | 268 |
| 12 South Central | - | - |
| 13 Ingleside | - | - |
| 14 Inner Sunset | 1 | 110 |
| 15 Outer Sunset | - | - |
| TOTALS | 29 | 3,483 |

Table 6
Units Removed from Protected Status, 2007 Q1 – 2016 Q4

| Planning District | Condo Conversion | Demolition | Ellis Out | Owner Move-In | Total Units Permanently Lost |
|--------------------------|-------------------------|-------------------|------------------|----------------------|-------------------------------------|
| 1 Richmond | 4 | 31 | 193 | 341 | 569 |
| 2 Marina | 11 | 5 | 35 | 129 | 180 |
| 3 Northeast | 11 | 11 | 232 | 130 | 384 |
| 4 Downtown | - | 68 | 47 | 4 | 119 |
| 5 Western Addition | 7 | 10 | 63 | 127 | 207 |
| 6 Buena Vista | 4 | 11 | 94 | 130 | 239 |
| 7 Central | 17 | 23 | 132 | 212 | 384 |
| 8 Mission | 2 | 33 | 258 | 247 | 540 |
| 9 South of Market | 3 | 20 | 35 | 67 | 125 |
| 10 South Bayshore | - | 13 | 8 | 55 | 76 |
| 11 Bernal Heights | 4 | 28 | 45 | 107 | 184 |
| 12 South Central | - | 83 | 39 | 253 | 375 |
| 13 Ingleside | - | 40 | 21 | 118 | 179 |
| 14 Inner Sunset | 6 | 15 | 54 | 114 | 189 |
| 15 Outer Sunset | - | 87 | 72 | 273 | 432 |
| Totals | 69 | 478 | 1,328 | 2,307 | 4,182 |

Table 7
Entitled and Permitted Units, 2017 Q4

| Planning District | Very Low Income | Low Income | Moderate | TBD | Total Affordable Units | Net New Units | Total Affordable Units as % of Net New Units |
|--------------------|-----------------|------------|------------|----------|------------------------|---------------|--|
| 1 Richmond | - | 50 | 4 | - | 54 | 175 | 30.9% |
| 2 Marina | - | - | 2 | - | 2 | 160 | 1.3% |
| 3 Northeast | - | 12 | - | - | 12 | 271 | 4.4% |
| 4 Downtown | 83 | 207 | 14 | - | 304 | 2,124 | 14.3% |
| 5 Western Addition | 108 | - | 34 | - | 142 | 448 | 31.7% |
| 6 Buena Vista | - | 10 | 13 | 7 | 30 | 437 | 6.9% |
| 7 Central | - | - | - | - | - | 51 | 0.0% |
| 8 Mission | - | 12 | 4 | - | 16 | 469 | 3.4% |
| 9 South of Market | 152 | 521 | 260 | - | 933 | 5,871 | 15.9% |
| 10 South Bayshore | - | - | - | 1 | 1 | 322 | 0.3% |
| 11 Bernal Heights | - | - | - | - | - | 20 | 0.0% |
| 12 South Central | - | - | 10 | - | 10 | 307 | 3.3% |
| 13 Ingleside | - | - | - | - | - | 93 | 0.0% |
| 14 Inner Sunset | - | - | - | - | - | 36 | 0.0% |
| 15 Outer Sunset | - | - | 7 | - | 7 | 96 | 7.3% |
| TOTALS | 343 | 812 | 348 | 8 | 1,511 | 10,880 | 13.9% |



**SAN FRANCISCO
PLANNING DEPARTMENT**

MEMO

**RESIDENTIAL PIPELINE
ENTITLED HOUSING UNITS 2017 Q1**

1650 Mission St.
Suite 400
San Francisco,
CA 94103-2479

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

State law requires each city and county to adopt a Housing Element as a part of its general plan. The State Department of Housing and Community Development (HCD) determines a Regional Housing Need (RHNA) that the Housing Element must address. The need is the minimum number of housing units that a region must plan for in each RHNA period.

This table represents completed units and development projects in the current residential pipeline to the first quarter of 2017 (Q1). The total number of entitled units is tracked by the San Francisco Planning Department and is updated quarterly in coordination with the *Quarterly Pipeline Report*. Subsidized housing units – including moderate and low income units – as well as inclusionary units are tracked by the Mayor’s Office of Housing; these are also updated quarterly.

| | RHNA Production Goals 2015 - 2022 | New Units Built 2015 Q1 to 2017 Q1 | Entitled by Planning in 2017 Q1 Pipeline* | Percent of RHNA Goals Built and Entitled by Planning |
|---------------------------------------|--|---|--|--|
| Total Units | 28,869 | 9,170 | 23,773 | 114.1% |
| Above Moderate (> 120% AMI) | 12,536 | 7,486 | 19,740 | 217.2% |
| Moderate Income (80 - 120% AMI) | 5,460 | 384 | 761 | 21.0% |
| Low Income (< 80% AMI) | 10,873 | 1,300 | 3,104 | 40.5% |
| <i>Affordability to be Determined</i> | | | 168 | |


* This column does not include three entitled major development projects with a remaining total of 22,680 net new units: Hunters' Point, Treasure Island and ParkMerced. However, phases of these projects will be included when applications for building permits are filed and proceed along the development pipeline. These three projects will include about 4,920 affordable units (22% affordable).

June 9, 2017

Dear San Francisco Board of Supervisors,

I authorize attorney Scott Weaver to represent Our Mission No Eviction in our CEQA appeal of the recently approved development at 1726 Mission St, case 2014-002026ENV/2014-002026ENX.

Sincerely,



Roberto Hernández, Founder
Our Mission No Eviction

| | |
|------------------------------------|--|
| CASE NUMBER: For Staff Use only | |
|------------------------------------|--|

2017 JUL -3 AM 9:03
SAN FRANCISCO

APPLICATION FOR Board of Supervisors Appeal Fee Waiver

1. Applicant and Project Information

| | |
|---|----------------------------------|
| APPLICANT NAME: J. Scott Weaver | |
| APPLICANT ADDRESS: 4104 24th St. #957 San Francisco, CA 94104 | TELEPHONE: (415) 317-0832 |
| | EMAIL: j.scott.weaver@aol.com |

| | |
|--|---------------------------------|
| NEIGHBORHOOD ORGANIZATION NAME: Our Mission No Eviction | |
| NEIGHBORHOOD ORGANIZATION ADDRESS: c/o J Scott Weaver 4104 24th St #957 San Francisco, CA 94114 | TELEPHONE: (415) 317-0832 |
| | EMAIL: j.scottweaver@aol.com |

| | | |
|--|----------------------------------|--|
| PROJECT ADDRESS: 1726-30 Mission St | | |
| PLANNING CASE NO.: 2015-004454 PRU | BUILDING PERMIT APPLICATION NO.: | DATE OF DECISION (IF ANY): June 1, 2017 |

2. Required Criteria for Granting Waiver

(All must be satisfied; please attach supporting materials)

- The appellant is a member of the stated neighborhood organization and is authorized to file the appeal on behalf of the organization. Authorization may take the form of a letter signed by the President or other officer of the organization.
- The appellant is appealing on behalf of an organization that is registered with the Planning Department and that appears on the Department's current list of neighborhood organizations.
- The appellant is appealing on behalf of an organization that has been in existence at least 24 months prior to the submittal of the fee waiver request. Existence may be established by evidence including that relating to the organization's activities at that time such as meeting minutes, resolutions, publications and rosters.
- The appellant is appealing on behalf of a neighborhood organization that is affected by the project and that is the subject of the appeal.

For Department Use Only

Application received by Planning Department

By: [Handwritten Signature]

Date: _____

Submission Checklist:

- APPELLANT AUTHORIZATION
- CURRENT ORGANIZATION REGISTRATION
- MINIMUM ORGANIZATION AGE
- PROJECT IMPACT ON ORGANIZATION

- WAIVER APPROVED WAIVER DENIED



**SAN FRANCISCO
PLANNING
DEPARTMENT**

**FOR MORE INFORMATION:
Call or visit the San Francisco Planning Department**

Central Reception
1650 Mission Street, Suite 400
San Francisco CA 94103-2479

TEL: 415.558.6378
FAX: 415.558.6409
WEB: <http://www.sfplanning.org>

Planning Information Center (PIC)
1660 Mission Street, First Floor
San Francisco CA 94103-2479

TEL: 415.558.6377
*Planning staff are available by phone and at the PIC counter.
No appointment is necessary.*

WEST BAY LAW
WARTELLE, WEAVER & SCHREIBER
A PROFESSIONAL CORPORATION
369 PINE ST. STE. 506 415-693-0504
SAN FRANCISCO, CA 94104

WELLS FARGO BANK, N.A.
www.wellsfargo.com
11-4288/1210

20936

7-3-17

PAY TO THE
ORDER OF

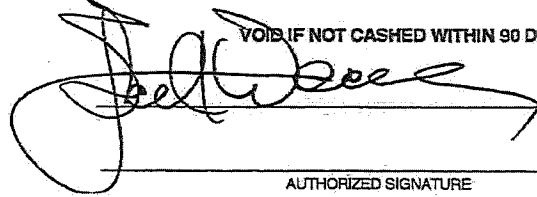
S.F. Planning Department

\$ 578⁰⁰/₁₀₀

Five Hundred Seventy Eight and ⁰⁰/₁₀₀

DOLLARS

VOID IF NOT CASHED WITHIN 90 DAYS



AUTHORIZED SIGNATURE

MEMO

THIS DOCUMENT MUST HAVE A COLORED BACKGROUND, ULTRAVIOLET FIBERS AND AN ARTIFICIAL WATERMARK ON THE BACK - VERIFY FOR AUTHENTICITY.

WEST BAY LAW WARTELLE, WEAVER & SCHREIBER A PROFESSIONAL CORPORATION

20936

RECEIVED BY
BOARD OF SUPERVISORS
SAN FRANCISCO
2017 JUL -3 AM 9:03
01

WEST BAY LAW WARTELLE, WEAVER & SCHREIBER A PROFESSIONAL CORPORATION

20936

Attachment B

Planning Commission Motion No. 19931



SAN FRANCISCO PLANNING DEPARTMENT

Subject to: (Select only if applicable)

- Affordable Housing (Sec. 415)
- Transportation Sustainability Fee (Sec. 411A)
- Eastern Neighborhoods Impact Fee (Sec. 423)
- First Source Hiring (Admin. Code)
- Residential Child Care Fee (Sec. 414A)
- Other

1650 Mission St
Suite 400
San Francisco,
CA 94103-2479

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

Planning Commission Motion No. 19931

HEARING DATE: JUNE 1, 2017

Case No.: 2014-002026ENX
 Project Address: 1726-1730 Mission Street
 Zoning: UMU (Urban Mixed Use) District
 68-X Height and Bulk District
 Block/Lot: 3532/004A and 005
 Project Sponsor: Jody Knight – Reuben, Junius & Rose , LLP
 One Bush Street, Suite 600
 San Francisco, CA 94104
 Staff Contact: Linda Ajello Hoagland – (415) 575-6823
linda.ajellohaoagland@sfgov.org

ADOPTING FINDINGS RELATING TO A LARGE PROJECT AUTHORIZATION, PURSUANT TO PLANNING CODE SECTION 329 AND PLANNING COMMISSION RESOLUTION NO. 19865-MISSION 2016 INTERIM ZONING CONTROLS, TO DEMOLISH A 11,200 SQUARE FOOT, TWO-STORY INDUSTRIAL BUILDING, AND TO CONSTRUCT A SIX-STORY, 66-FOOT-TALL, 33,589 SQUARE FOOT MIXED-USE BUILDING WITH 40 DWELLING UNITS, APPROXIMATELY 2,250 SQUARE FEET OF GROUND FLOOR PDR (PRODUCTION, DISTRIBUTION AND REPAIR) AND 22 OFF-STREET PARKING SPACES FOR THE PROJECT AT 1726-1730 MISSION STREET WITHIN THE UMU (URBAN MIXED-USE) ZONING DISTRICT AND A 68-X HEIGHT AND BULK DISTRICT, AND ADOPTING FINDINGS UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.

PREAMBLE

On July 14, 2015, Jody Knight (hereinafter "Project Sponsor"), on behalf of Sustainable Living LLC (Property Owner), filed an application with the Planning Department (hereinafter "Department") for a Large Project Authorization for the proposed project at 1726-1730 Mission Street, Lots 004A, 005, Block 3532 (hereinafter "subject property"), pursuant to Planning Code Section 329 and the Mission 2016 Interim Zoning Controls, to demolish an 11,200 square-foot (sq. ft.), two-story, approximately 20-foot-tall industrial building and to construct a six-story, 66-foot-tall 35,893 sq. ft. mixed-use building with 40 dwelling units, 2,250 sq. ft. of ground floor PDR (Production Distribution and Repair) and 22 below off-street parking spaces within the UMU (Urban Mixed-Use) Zoning District, and 68-X Height and Bulk District.

On May 18, 2017, the San Francisco Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting on Large Project Authorization Application No. 2014-002026ENX. At this public hearing, the Commission continued the project to the public hearing on June 1, 2017.

The environmental effects of the Project were determined by the San Francisco Planning Department to have been fully reviewed under the Eastern Neighborhoods Area Plan Environmental Impact Report (hereinafter "EIR"). The EIR was prepared, circulated for public review and comment, and, at a public hearing on August 7, 2008, by Motion No. 17661, certified by the Commission as complying with the California Environmental Quality Act (Cal. Pub. Res. Code Section 21000 et seq., hereinafter "CEQA"). The Commission has reviewed the Final EIR, which has been available for this Commission's review as well as public review.

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

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

On May 24, 2017, the Department determined that the proposed application did not require further environmental review under Section 15183 of the CEQA Guidelines and Public Resources Code Section 21083.3. The Project is consistent with the adopted zoning controls in the Eastern Neighborhoods Area Plan and was encompassed within the analysis contained in the Eastern Neighborhoods Final EIR. Since the Eastern Neighborhoods Final EIR was finalized, there have been no substantial changes to the Eastern Neighborhoods Area Plan and no substantial changes in circumstances that would require major revisions to the Final EIR due to the involvement of new significant environmental effects or an increase in the severity of previously identified significant impacts, and there is no new information of substantial importance that would change the conclusions set forth in the Final EIR. The file for this project, including the Eastern Neighborhoods Final EIR and the Community Plan Exemption certificate, is

available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, San Francisco, California.

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

The Planning Department Commission Secretary is the custodian of records; the file for Case No. 2014-002026ENX is located at 1650 Mission Street, Suite 400, San Francisco, California.

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

MOVED, that the Commission hereby authorizes the Large Project Authorization requested in Application No. 2014-002026ENX, subject to the conditions contained in "EXHIBIT A" of this motion, based on the following findings:

FINDINGS

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

1. The above recitals are accurate and constitute findings of this Commission.
2. **Site Description and Present Use.** The project site is on the west side of Mission Street, between Duboce Avenue and 14th Street in the Urban Mixed Use (UMU) Zoning District. The property is currently developed with a two-story, 11,200 square foot industrial building that is 20 feet in height. The subject properties are located mid-block with a combined street frontage of approximately 78 feet on Mission Street. The existing industrial building occupies the entire street frontage and is built to the front property line. In total, the site is approximately 7,800 square feet.
3. **Surrounding Properties and Neighborhood.** The Project Site is located in the UMU Zoning District along a mixed-use corridor within the Mission Area Plan. The Project Site is bounded by Duboce and 13th Streets to the north, 14th Street to the south, Woodward Street to the west and Mission Street to the east. The surrounding neighborhood is characterized by a wide variety of residential, commercial, retail, PDR and public uses. The adjacent properties to the north and south include three-story, multi-family residential uses, three- and four-story multi-family residential uses to the west and across Mission Street to the east is a four-story commercial building. The surrounding properties are located within the: Urban Mixed Use (UMU); Residential Mixed, Low Density (RM-1); and Production Distribution and Repair, General (PDR-1-G). There is one school (San Francisco Friends School) located within 1,000 feet of the Project Site. Access to Highway 101 and Interstate 80 is about one block to the east at the on- and off-ramps located at South Van Ness Avenue and the Central Freeway. The Project Site is located

along Mission Street, which is a high injury pedestrian and vehicular corridor. Other zoning districts in the vicinity of the Project Site include: PDR-1-G (Production, Distribution, and Repair - General); RM-1 (Residential Mixed - Low Density); NCT-3 (Moderate Scale Neighborhood Commercial Transit); and, P (Public).

4. **Project Description.** The Project consists of merging the two existing lots into a single 7,800 square-foot (sq. ft.) lot, demolition of a two-story industrial building, and construction of a six-story, 66-foot tall, 35,893 sq. ft. mixed-use building with 40 dwelling units, approximately 2,250 sq. ft. of ground floor PDR (Production Distribution and Repair) use, and 22 off-street parking spaces. One parking space would be handicap accessible, and the other 21 parking spaces would be housed in mechanical stackers. A garage door would be provided on Mission Street. The northernmost of the two existing curb cuts would be retained, and the other curb cut at the south end of the project site would be removed. The project would provide a total of 68 bicycle parking spaces, which would consist of 60 Class 1 spaces in the garage, and eight Class 2 spaces on the Mission Street sidewalk. Usable open space for the residents of the proposed project would be provided in the form of a common roof deck. Four new trees would be planted adjacent to the subject property along Mission Street.
5. **Public Comment.** The Department has received one letter of support from San Francisco Housing Action Coalition (SFHAC), and four letters opposing the project, expressing concern over the height of the project, impacts to light and air to adjacent residential properties, increased vehicular traffic and construction noise.
6. **Planning Code Compliance:** The Commission finds that the Project is consistent with the relevant provisions of the Planning Code in the following manner:
 - A. **Permitted Uses in UMU Zoning Districts.** Planning Code Sections 843.20 state that residential use is a principally permitted use within the UMU Zoning District. PDR uses listed in Planning Code Sections 843.70-843.87 are principally, conditionally or not permitted.

The Project would construct new residential and retain PDR uses within the UMU Zoning District; therefore, the Project complies with Planning Code Sections 843.20 and 843.70-843.87. Depending on the specific PDR tenant, they will comply as principally permitted PDR uses per Sec. 843.70-843.87 or seek a Conditional Use, as required by the Planning Code.
 - B. **Floor Area Ratio.** Planning Code Section 124 establishes a FAR (Floor Area Ratio) of 5:1 for properties within the UMU Zoning District and a 68-X Height and Bulk District.

The subject lots are 7,800 sq. ft. in total, thus resulting in a maximum allowable floor area of 39,000 sq. ft. for non-residential uses. The Project would construct approximately 2,250 sq. ft. of PDR space, and would comply with Planning Code Section 124.
 - C. **Rear Yard.** Planning Code Section 134 requires a minimum rear yard equal to 25 percent of the total lot depth of the lot to be provided at every residential level.

The Project provides a 1,950 square foot rear yard at the first residential level and would comply with Planning Code Section 134. The Project occupies a mid-block with frontage on Mission Street. The subject lot does not currently contribute to a pattern of mid-block open space, and the addition of the proposed code-complying rear yard would help to preserve light and air to neighboring residential dwellings.

- D. Usable Open Space.** Planning Code Section 135 requires a minimum of 80 sq. ft. of open space per dwelling unit, if not publically accessible, or 54 sq. ft. of open space per dwelling unit, if publically accessible. Private usable open space shall have a minimum horizontal dimension of six feet and a minimum area of 36 sq. ft. is located on a deck, balcony, porch or roof, and shall have a minimum horizontal dimension of 10 feet and a minimum area of 100 sq. ft. if located on open ground, a terrace or the surface of an inner or outer court. Common usable open space shall be at least 15 feet in every horizontal dimension and shall be a minimum are of 300 sq. ft.

For the proposed 40 dwelling units, the Project is required to provide 3,830 sq. ft. of common open space. In total, the Project exceeds the requirements for open space by providing a total of approximately 4,695 sq. ft. of Code-complying usable open space. The Project would construct common open space roof deck (measuring approximately 3,925 sq. ft.) as well as four private second floor terraces in the rear yard (measuring approximately 770 sq. ft. Therefore, the Project complies with Planning Code Section 135.

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

The subject lot is not located in close proximity to an Urban Bird Refuge as defined in Section 139, and the Project meets the requirements for feature-related hazards.

- F. Dwelling Unit Exposure.** Planning Code Section 140 requires that at least one room of all dwelling units face onto a public street, rear yard or other open area that meets minimum requirements for area and horizontal dimensions. To meet exposure requirements, a public street, public alley, side yard or rear yard must be at least 25 feet in width.

The Project organizes the dwelling units to have exposure on Mission Street or the code-complying rear yard. As proposed, 20 dwelling units face the rear yard and 20 units face Mission Street; therefore, the Project complies with Planning Code Section 140.

- G. Street Frontage in Mixed Use Districts.** Planning Code Section 145.1 requires off-street parking at street grade on a development lot to be set back at least 25 feet on the ground floor; that no more than one-third of the width or 20 feet, whichever is less, of any given street frontage of a new structure parallel to and facing a street shall be devoted to parking and loading ingress or egress; that space for active uses be provided within the first 25 feet of building depth on the ground floor; that non-residential uses have a minimum floor-to-floor height of 17 feet; that the floors of street-fronting interior spaces housing non-residential active uses and lobbies be as close as possible to the level of the adjacent sidewalk at the

principal entrance to these spaces; and that frontages with active uses that are not residential or PDR be fenestrated with transparent windows and doorways for no less than 60 percent of the street frontage at the ground level.

The off-street parking is located below grade and is accessed through one 12-ft wide garage entrance located along Mission Street. The Project features active uses on the ground floor with a residential lobby, and replacement PDR space. The ground floor ceiling height of the non-residential uses are at least 17-ft. tall for frontage along Mission Street. Therefore, the Project complies with Planning Code Section 145.1.

- H. **Off-Street Parking.** Planning Section 151.1 of the Planning Code allows off-street parking at a maximum ratio of .75 per dwelling unit.

For the 40 dwelling units, the Project is allowed to have a maximum of 30 off-street parking spaces. Currently, the Project provides 22 off-street parking spaces via mechanical lifts, and one handicap parking space. Therefore, the Project complies with Planning Code Section 151.1.

- I. **Bicycle Parking.** Planning Section 155.2 of the Planning Code requires one Class 1 bicycle parking space per dwelling unit and one Class 2 bicycle parking spaces for every 20 dwelling units. Additional bicycle parking requirements apply based on classification of non-residential uses, at least two Class 2 spaces are required for retail uses.

The Project includes 40 dwelling units; therefore, the Project is required to provide 40 Class 1 bicycle parking spaces and two Class 2 bicycle parking spaces for residential uses and 2 Class 2 spaces for the ground floor non-residential uses. The Project will provide 62 Class 1 bicycle parking spaces and 8 Class 2 bicycle parking spaces, which exceeds the requirement. Therefore, the Project complies with Planning Code Section 155.2.

- J. **Transportation Demand Management (TDM) Plan.** Pursuant to Planning Code Section 169 and the TDM Program Standards, the Project shall finalize a TDM Plan prior to Planning Department approval of the first Building Permit or Site Permit. As currently proposed, the Project must achieve a target of 14 points.

The Project submitted a completed Environmental evaluation Application prior to September 4, 2016. Therefore, the Project must only achieve 50% of the point target established in the TDM Program Standards, resulting in a target of 7 points. As currently proposed, the Project will achieve its required 7 points through the following TDM measures:

- *Bicycle Parking (Option D)*
- *Bicycle Repair Station*
- *Delivery Supportive Amenities*
- *Family TDM Amenities (Option A)*
- *Real Time Transportation Information Displays*
- *On-site Affordable Housing (Option C)*
- *Unbundle Parking (Location B)*
- *Parking Supply (OptionB)*

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

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

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

For the 40 dwelling units, the Project is required to provide at least 16 two-bedroom units or 12 three-bedroom units. The Project provides one-bedroom units and 20 two-bedroom. Therefore, the Project meets and exceeds the requirements for dwelling unit mix.

- M. **Shadow.** Planning Code Sections 147 and 295 restricts net new shadow, cast by structures exceeding a height of 40 feet, upon property under the jurisdiction of the Recreation and Park Commission. Any project in excess of 40 feet in height and found to cast net new shadow must be found by the Planning Commission, with comment from the General Manager of the Recreation and Parks Department, in consultation with the Recreation and Park Commission, to have no adverse impact upon the property under the jurisdiction of the Recreation and Park Commission.

The Planning Department prepared a preliminary shadow fan analysis and determined that the proposed project would not cast shadows on any parks or open spaces at any time during the year. The preliminary shadow fan analysis accounts for the 14-foot-tall elevator penthouse on the roof of the proposed building.

- N. **Transportation Sustainability Fee.** Planning Code Section 411A establishes the Transportation Sustainability Fee (TSF) and is applicable to project that are the following: (1) More than twenty new dwelling units; (2) New group housing facilities, or additions of 800 gross square feet or more to an existing group housing facility; (3) New construction of a Non-Residential use in excess of 800 gross square feet, or additions of 800 gross square feet or more to an existing Non-Residential use; or (4) New construction of a PDR use in excess of 1,500 gross square feet, or additions of 1,500 gross square feet or more to an existing PDR use; or (5) Change or Replacement of Use, such that the rate charged for the new use is higher than the rate charged for the existing use, regardless of whether the existing use previously paid the TSF or TIDF; (6) Change or Replacement of Use from a Hospital or a Health Service to any other use.

The Project includes more than twenty dwelling units, and the replacement of PDR space; therefore, the TSF, as outlined in Planning Code Section 411A, applies.

- O. **Inclusionary Affordable Housing Program in UMU Zoning District.** Planning Code Section 415 sets forth the requirements and procedures for the Inclusionary Affordable Housing Program. Under Planning Code Section 415.3, these requirements would apply to projects that consist of 10 or more units, where the first application (EE or BPA) was applied for on or after July 18, 2006. Pursuant to Planning Code Section 419 the current Inclusionary Affordable Housing Program requirement for the On-site Affordable Housing Alternative in the UMU Zoning District for Tier B is to provide 17.5% of the proposed dwelling units as affordable. This requirement is subject to change under pending legislation to modify Planning Code Section 415 which is currently under review by the Board of Supervisors (Board File Nos.161351 and 170208). The proposed changes to Section 415, which include but are not limited to modifications to the amount of inclusionary housing required onsite or offsite, the methodology of fee calculation, and dwelling unit mix requirements, will become effective after approval by the Board of Supervisors

The Project Sponsor has demonstrated that it is eligible for the On-Site Affordable Housing Alternative under Planning Code Section 415.5 and 415.6, and has submitted a 'Affidavit of Compliance with the Inclusionary Affordable Housing Program: Planning Code Section 415,' to satisfy the requirements of the Inclusionary Affordable Housing Program by providing the affordable housing on-site instead of through payment of the Affordable Housing Fee. In order for the Project Sponsor to be eligible for the On-Site Affordable Housing Alternative, the Project Sponsor must submit an 'Affidavit of Compliance with the Inclusionary Affordable Housing Program: Planning Code Section 415,' to the Planning Department stating that any affordable units designated as on-site units shall be sold as ownership units and will remain as ownership units for the life of the project. The Project Sponsor submitted such Affidavit on April 24, 2017. The EE application was submitted on February 6, 2015. Pursuant to Planning Code Sections 415.3, 415.6 and 419, the current on-site requirement is 17.5%. 7 units (4 one-bedroom and 3 two-bedroom) of the 40 units provided will be affordable units. If the Project becomes ineligible to meet its Inclusionary Affordable Housing Program obligation through the On-site Affordable Housing Alternative, it must pay the Affordable Housing Fee with interest, if applicable.

- P. **Residential Childcare Impact Fee.** Planning Code Section 414A is applicable to any residential development citywide that results in the addition of a residential unit.

The Project includes approximately 27,145 sq. ft. new residential use and 2,250 sq. ft. of PDR use. The proposed Project is subject to fees as outlined in Planning Code Section 414A.

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

The Project includes approximately 35,893 gross square feet of new development consisting of approximately 27,145 sq. ft. of residential use and 2,250 sq. ft. of PDR use. These uses are subject to Eastern Neighborhood Infrastructure Impact Fees Tier 1 for residential and Tier 2 for non-residential, as outlined in Planning Code Section 423.

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

A. Overall building mass and scale.

The Project would construct a new six-story mixed-use building on the west side of Mission Street. The scale of the Project is appropriate from an urban design perspective because it recognizes the significance of this location along the Mission Street transit corridor, where the height limits were increased to 68 feet, as part of the Eastern Neighborhoods Area Plan. These increased height limits provide the opportunity to support the City's housing goals and public transit infrastructure. Overall, the Project's massing also recognizes the existing block pattern as it relates to the street frontage and block wall along Mission Street. The Project's rear yard location contributes positively to the irregular pattern of interior block open space in the subject block. The adjacent properties to the north and south include three-story, multi-family residential uses, three- and four-story multi-family residential uses to the west and across Mission Street to the east is a four-story commercial building. The neighborhood is characterized by a wide variety of residential, commercial, retail, PDR and public uses. In addition, the Project includes projecting vertical and horizontal elements, which provide modulation along the street facades. Thus, the Project is appropriate for a mid-block lot and consistent with the mass and scale of the intent of the height-bulk and zoning changes from 50-X to 68-X and M-1 to UMLU, which occurred as part of the Eastern Neighborhoods Area Plan.

B. Architectural treatments, facade design and building materials.

The Mission is one of the City's most distinctive neighborhoods as identified in the City's General Plan. The proposed facade design and architectural treatments with various vertical and horizontal elements and a pedestrian scale ground floor which is consistent with the unique identity of the Mission. The new building's character ensures the best design of the times with high-quality building materials (including white ceramic frit glass, French balconies with metal mesh guardrails and Swisspearl panels) that relates to the surrounding structures that make-up the Mission's distinct character while acknowledging and respecting the positive attributes of the older buildings. It also provides an opportunity for an increased visual interest that enhances and creates a special identity with a unique image of its own in the neighborhood. Overall, the Project offers an architectural treatment, which provides for contemporary, yet contextual, architectural design that appears consistent and compatible with the surrounding neighborhood

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

The Project is consistent with the development density established for the Project Site in the Eastern Neighborhoods Area Plan. The building's ground floor PDR, and residential lobby proposes a 55% active street frontage which will enhance and offer an effective and engaging connection between the public and private areas. It will enliven the sidewalk offering a sense of security and encouraging positive activities that will benefit, not just the immediate areas, but the overall neighborhood as well.

It provides a code compliant rear yard open space at the rear yard to face the adjacent buildings' rear yard, enhancing the natural light exposure and overall livability of the neighbors' units even without an established mid-block open space. The singular driveway on Mission Street and the proposed independently accessible mechanical parking spaces in the basement reduces vehicular queuing and minimizes potential conflicts with pedestrians and bicyclists. Overall, the design of the lower floors enhances the pedestrian experience and accommodates new street activity.

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

The Project provides the required open space for the 40 dwelling units through common open space located on the roof deck. In addition, the Project includes private open space for four dwelling units, which are in addition to the required open space. In total, the Project provides approximately 4,695 sq. ft. of open space, which exceeds the required amount for the dwelling units.

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

Planning Code Section 270.2 does not apply to the Project, and no mid-block alley or pathway is required.

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

In compliance with Planning Code Section 138.1, the Project provides four street trees along Mission Street. The Project will also add bicycle parking along the sidewalk in front of the Project for public use. These improvements will enhance the public realm.

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

Since the subject lot has one street frontage, automobile access is limited to the one entry/exit (measuring 12-ft wide) along Mission Street, minimizing impacts to pedestrian and vehicular traffic along Mission Street. Pedestrian access is provided to the residences via a lobby and two secondary exits directly to the sidewalk. The Project includes ground floor PDR along Mission Street with an independent pedestrian entry from Mission Street.

- H. Bulk limits.

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

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

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

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

HOUSING ELEMENT

Objectives and Policies

OBJECTIVE 1

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

Policy 1.1

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

Policy 1.8

Promote mixed use development, and include housing, particularly permanently affordable housing, in new commercial, institutional, or other single use development projects.

The Project is a higher density mixed-use development on an underutilized lot along a primary vehicular transit corridor. The Project Site is an ideal infill site that is currently a vacant PDR use. The proposed Project would add 40 units of housing to the site with a dwelling unit mix of one-bedroom, and two-bedroom units. The Project Site was rezoned to UMU as part of a long range planning goal to create a cohesive, higher density residential and mixed-use neighborhood. The Project includes seven on-site affordable housing units for ownership, which complies with the UMU District's goal to provide a higher level of affordability.

OBJECTIVE 4

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

Policy 4.1

Develop new housing, and encourage the remodeling of existing housing, for families with children.

Policy 4.4

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

Policy 4.5

Ensure that new permanently affordable housing is located in all of the City's neighborhoods, and encourage integrated neighborhoods, with a diversity of unit types provided at a range of income levels.

The Project will add 40 dwelling units to the City's housing stock, and meets the affordable housing requirements by providing for seven on-site permanently affordable units for ownership.

OBJECTIVE 11

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

Policy 11.1

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

Policy 11.2

Ensure implementation of accepted design standards in project approvals.

Policy 11.3

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

Policy 11.4

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

Policy 11.6

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

Policy 11.8

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

The Project would construct a new six-story mixed-use building on the west side of Mission Street. The scale of the Project is appropriate from an urban design perspective because it recognizes the significance of this location along the Mission Street transit corridor, where the height limits were increased to 68 feet, as part of the Eastern Neighborhoods Area Plan. These increased height limits provide the opportunity to support the City's housing goals and public transit infrastructure. Overall, the Project's massing also recognizes the existing block pattern as it relates to the street frontage along Mission Street. The Project's rear yard location contributes to the pattern of interior block open space in the subject block. The neighborhood is characterized by a wide variety of commercial, retail, PDR, public and residential uses. In addition, the Project includes projecting vertical and horizontal architectural elements, which provide vertical and horizontal modulation along the street facades. Thus, the Project is appropriate for a mid-block lot and consistent with the mass and scale of the intent of the height-bulk and zoning changes from 50-X to 68-X and M-1 to UMU, which occurred as part of the Eastern Neighborhoods Area Plan.

OBJECTIVE 12

BALANCE HOUSING GROWTH WITH ADEQUATE INFRASTRUCTURE THAT SERVES THE CITY'S GROWING POPULATION.

Policy 12.2

Consider the proximity of quality of life elements, such as open space, child care, and neighborhood services, when developing new housing.

The Project is located in proximity to many neighborhood amenities. The Project is located on Mission Street and near Valencia Street, which provide a variety of retail establishments, fitness gyms, small grocery stores, and cafes. The Project is also located near the SoMa West Skate and Dog Park, and the Brick & Mortar Music Hall.

OBJECTIVE 13

PRIORITIZE SUSTAINABLE DEVELOPMENT IN PLANNING FOR AND CONSTRUCTING NEW HOUSING.

Policy 13.1

Support "smart" regional growth that locates new housing close to jobs and transit.

Policy 13.3

Promote sustainable land use patterns that integrate housing with transportation in order to increase transit, pedestrian, and bicycle mode share.

The Project Site is located within a quarter mile of several local transit lines including Muni lines 14, 14R, 49, and 55. The 16th Street & Mission Bart Station is slightly more than a quarter mile to the south on Mission Street. Residential mixed-use development at this site would support a smart growth and sustainable land use pattern in locating new housing in the urban core close to jobs and transit. Furthermore, the bicycle network in the Mission District is highly developed and utilized. The Project provides an abundance of bicycle parking on-site in addition to vehicle parking.

RECREATION AND OPEN SPACE ELEMENT

Objectives and Policies

OBJECTIVE 1:

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

Policy 1.9:

Preserve sunlight in public open spaces.

The Planning Department prepared a preliminary shadow fan analysis and determined that the proposed project would not cast shadows on any parks or open spaces at any time during the year.

OBJECTIVE 2:

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

Policy 2.11:

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

The Project proposes landscaped open space at the rear of the second level, and the roof deck has potential for planters and additional landscaping.

**OBJECTIVE 3:
IMPROVE ACCESS AND CONNECTIVITY TO OPEN SPACE**

Policy 3.6:
Maintain, restore, expand and fund the urban forest.

The proposed Project will add to the urban forest with the addition of street trees.

TRANSPORTATION ELEMENT

Objectives and Policies

**OBJECTIVE 24:
IMPROVE THE AMBIENCE OF THE PEDESTRIAN ENVIRONMENT.**

Policy 24.2:
Maintain and expand the planting of street trees and the infrastructure to support them.

Policy 24.4:
Preserve pedestrian-oriented building frontages.

The Project will install new street trees along Mission Street. Frontages are designed with transparent glass and intended for active spaces oriented at the pedestrian level.

**OBJECTIVE 28:
PROVIDE SECURE AND CONVENIENT PARKING FACILITIES FOR BICYCLES.**

Policy 28.1:
Provide secure bicycle parking in new governmental, commercial, and residential developments.

Policy 28.3:
Provide parking facilities which are safe, secure, and convenient.

The Project includes 62 Class 1 bicycle parking spaces in secure and convenient location.

**OBJECTIVE 34:
RELATE THE AMOUNT OF PARKING IN RESIDENTIAL AREAS AND NEIGHBORHOOD
COMMERCIAL DISTRICTS TO THE CAPACITY OF THE CITY'S STREET SYSTEM AND
LAND USE PATTERNS.**

Policy 34.1:

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

Policy 34.3:

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

Policy 34.5:

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

The Project has a parking to dwelling unit ratio of .55 space per unit, which is the permitted ratio of .75 per unit. The parking spaces are accessed by one ingress/egress point measuring 12-ft. wide from Mission Street. Parking is adequate for the Project and complies with maximums prescribed by the Planning Code. The Project will also reduce the number of curb cuts; currently there are two existing curb cuts, and only one curb cut is proposed. Triple car stackers are utilized to provide more space for 62 bicycle parking spaces, and resident amenities such as car seat storage, a bicycle repair station, and a real-time transit display in the lobby. Such amenities will help to promote alternative modes of transportation, and reduce the need for on-street and off-street automobile parking spaces.

URBAN DESIGN ELEMENT

Objectives and Policies

OBJECTIVE 4:

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

Policy 4.4:

Design walkways and parking facilities to minimize danger to pedestrians.

Policy 4.13:

Improve pedestrian areas by providing human scale and interest.

Policy 4.15:

Protect the livability and character of residential properties from the intrusion of incompatible new buildings.

As the Project Site has only one street frontage, it will provide only one vehicular access point for the Project, reducing potential conflict with pedestrians and bicyclists. The garage security gate is recessed to provide queue space to reduce the potential of arriving cars blocking sidewalks and impeding the path of pedestrians. The 17-foot ground floor heights and active use will enhance the pedestrian experience and the

site will be further improved through the removal of a curbcut, and the addition of street trees. Currently, the site contains a vacant industrial building formerly occupied by Home Sausage Company.

COMMERCE AND INDUSTRY ELEMENT

Objectives and Policies

OBJECTIVE 4:

IMPROVE THE VIABILITY OF EXISTING INDUSTRY IN THE CITY AND THE ATTRACTIVENESS OF THE CITY AS A LOCATION FOR NEW INDUSTRY.

Policy 4.3:

Carefully consider public actions that displace existing viable industrial firms.

Policy 4.4:

When displacement does occur, attempt to relocate desired firms within the city.

The Project will be replacing approximately 2,250 square feet of PDR space. The building is currently unoccupied, therefore displacement will not occur.

MISSION AREA PLAN

Objectives and Policies

Land Use

OBJECTIVE 1.1

STRENGTHEN THE MISSION'S EXISTING MIXED USE CHARACTER, WHILE MAINTAINING THE NEIGHBORHOOD AS A PLACE TO LIVE AND WORK.

Policy 1.1.7

Permit and encourage greater retail uses on the ground floor on parcels that front 16th Street to take advantage of transit service and encourage more mixed uses, while protecting against the wholesale displacement of PDR uses.

Policy 1.1.8

While continuing to protect traditional PDR functions that need large, inexpensive spaces to operate, also recognize that the nature of PDR businesses is evolving gradually so that their production and distribution activities are becoming more integrated physically with their research, design and administrative functions.

The Project will provide 2,250 square feet of replacement PDR space on the ground floor of the building while also providing new housing on a site where none currently exists. Therefore strengthening the mixed use character and maintaining the neighborhood as a place to live and work.

OBJECTIVE 1.2

IN AREAS OF THE MISSION WHERE HOUSING AND MIXED-USE IS ENCOURAGED, MAXIMIZE DEVELOPMENT POTENTIAL IN KEEPING WITH NEIGHBORHOOD CHARACTER.

Policy 1.2.1

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

Policy 1.2.2

For new construction, and as part of major expansion of existing buildings in neighborhood commercial districts, require ground floor commercial uses in new housing development. In other mixed-use districts encourage housing over commercial or PDR where appropriate.

Policy 1.2.3

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

The Project will replace a vacant industrial building with a new mixed-use building with ground floor PDR space and residential units above, consistent with the existing residential, commercial and PDR uses in the neighborhood. Additionally, the Project complies with the applicable building height and bulk guidelines and with the bedroom mix requirements.

Housing

OBJECTIVE 2.3

ENSURE THAT NEW RESIDENTIAL DEVELOPMENTS SATISFY AN ARRAY OF HOUSING NEEDS WITH RESPECT TO TENURE, UNIT MIX AND COMMUNITY SERVICES.

Policy 2.3.3

Require that a significant number of units in new developments have two or more bedrooms, except Senior Housing and SRO developments unless all Below Market Rate units are two or more bedrooms.

Policy 2.3.5

Explore a range of revenue-generating tools including impact fees, public funds and grants, assessment districts, and other private funding sources, to fund community and neighborhood improvements.

Policy 2.3.6

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

The Project includes 20 one-bedroom and 20 two-bedroom units of which 7 will be Below Market Rate (BMR). Three of the BMR units will be two-bedroom units. Furthermore, the Project will be subject to the Eastern Neighborhood Impact Fee, Transportation Sustainability Fee and Residential Childcare Fee.

OBJECTIVE 2.6

CONTINUE AND EXPAND THE CITY'S EFFORTS TO INCREASE PERMANENTLY AFFORDABLE HOUSING PRODUCTION AND AVAILABILITY.

Policy 2.6.1

Continue and strengthen innovative programs that help to make both rental and ownership housing more affordable and available.

The Project will create forty residential units, seven of which are BMR units, on a site where no housing currently exists, thus increasing affordable housing production and availability.

Built Form

OBJECTIVE 3.1

PROMOTE AN URBAN FORM THAT REINFORCES THE MISSION'S DISTINCTIVE PLACE IN THE CITY'S LARGER FORM AND STRENGTHENS ITS PHYSICAL FABRIC AND CHARACTER.

Policy 3.1.6

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

Policy 3.1.8

New development should respect existing patterns of rear yard open space. Where an existing pattern of rear yard open space does not exist, new development on mixed-use-zoned parcels should have greater flexibility as to where open space can be located.

The Project will replace an unremarkable concrete industrial building with a well-articulated, contemporary, mixed-use building. The Project will be constructed with high quality materials and within the allowed height limits for the zoning district to respect the surrounding buildings. The existing buildings on the Project site are built out to the rear property line leaving no rear yard open space. The Project will provide a conforming rear yard open space, thus improving the existing pattern of rear yard open space which exists on the adjacent properties.

OBJECTIVE 3.2

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

Policy 3.2.1

Require high quality design of street-facing building exteriors.

Policy 3.2.2

Make ground floor retail and PDR uses as tall, roomy and permeable as possible.

Policy 3.2.3

Minimize the visual impact of parking.

Policy 3.2.4

Strengthen the relationship between a building and its fronting sidewalk.

The Project is largely residential, but includes a moderately-sized ground floor PDR component along Mission Street. The Project provides the mix of uses encouraged by the Area Plan for this location. In addition, the Project is located within the prescribed height and bulk limits, and includes the appropriate dwelling-unit mix, since 50% or 20 of the 40 units are two-bedroom dwelling units. The Mission is one of the City's most distinctive neighborhoods as identified in the City's General Plan. The new building's character ensures the best design of the times with high-quality building materials that relates to the surrounding structures that make-up the Mission's distinct character while acknowledging and respecting the positive attributes of the older buildings. It also provides an opportunity for an increased visual interest that enhances and creates a special identity with a unique image of its own in the neighborhood. Overall, the Project offers an architectural treatment that is contemporary, yet contextual, and that is consistent and compatible with the surrounding neighborhood. The Project minimizes the off-street parking to a single entrance along Mission Street.

8. **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:

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

Currently, the existing building on the Project Site is vacant. Although the Project would remove this use, the Project does provide for a new PDR space of 2,250 square feet at the ground level. The Project improves the urban form of the neighborhood by adding new residents, visitors, and employees to the neighborhood, which would assist in strengthening nearby retail uses.

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

No housing exists on the Project Site. The Project will provide up to 40 new dwelling units, thus resulting in a significant increase in the neighborhood housing stock. The Project offers an architectural treatment that is contemporary, yet contextual, and an architectural design that is consistent and compatible with the surrounding neighborhood. For these reasons, the Project would protect and preserve the cultural and economic diversity of the neighborhood.

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

The Project will not displace any affordable housing because there is currently no housing on the site. The Project will comply with the City's Inclusionary Housing Program, therefore increasing the stock of affordable housing units in the City.

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

The Project Site is served by public transportation. Future residents would be afforded close proximity to bus or rail transit. The Project also provides sufficient off-street parking at a ratio of .55 per dwelling unit, and sufficient bicycle parking for residents and their guests.

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

The Project is consistent with the Mission Area Plan, which encourages mixed-use development along Mission Street. The Project does not involve the creation of commercial office development. The Project would enhance opportunities for resident employment and ownership in industrial and service sectors by providing for new housing and PDR space, which will increase the diversity of the City's housing supply (a top priority in the City) and provide new potential neighborhood-serving uses and employment opportunities.

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

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

- G. That landmarks and historic buildings be preserved.

There are no landmarks or historic buildings on the Project Site.

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

The Planning Department prepared a preliminary shadow fan analysis and determined that the proposed project would not cast shadows on any parks or open spaces at any time during the year.

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

and the First Source Hiring Administrator agree, the approval of the Employment Program may be delayed as needed.

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

10. The Project is consistent with and would promote the general and specific purposes of the Code provided under Section 101.1(b) in that, as designed, the Project would contribute to the character and stability of the neighborhood and would constitute a beneficial development.
11. The Commission hereby finds that approval of the Large Project Authorization would promote the health, safety and welfare of the City.

DECISION

That based upon the Record, the submissions by the Applicant, the staff of the Department and other interested parties, the oral testimony presented to this Commission at the public hearings, and all other written materials submitted by all parties, the Commission hereby **APPROVES Large Project Authorization Application No. 2014-002026ENX** subject to the following conditions attached hereto as "EXHIBIT A" in general conformance with plans on file, dated May 1, 2017, and stamped "EXHIBIT B", which is incorporated herein by reference as though fully set forth.

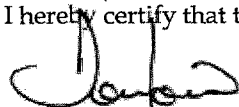
The Planning Commission hereby adopts the MMRP attached hereto as Exhibit C and incorporated herein as part of this Motion by this reference thereto. All required mitigation measures identified in the Eastern Neighborhoods Plan EIR and contained in the MMRP are included as conditions of approval.

APPEAL AND EFFECTIVE DATE OF MOTION: Any aggrieved person may appeal this Section 329 Large Project Authorization to the Board of Appeals within fifteen (15) days after the date of this Motion No. 19931. The effective date of this Motion shall be the date of adoption of this Motion if not appealed (after the 15-day period has expired) OR the date of the decision of the Board of Appeals if appealed to the Board of Appeals. For further information, please contact the Board of Appeals at (415) 575-6880, 1660 Mission, Room 3036, San Francisco, CA 94103.

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

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

I hereby certify that the Planning Commission **ADOPTED** the foregoing Motion on June 1, 2017.



Jonas P. Ionin
Commission Secretary

AYES: Hillis, Johnson, Koppel, Moore, Richards

NAYS: Fong, Melgar

ADOPTED: June 1, 2017

EXHIBIT A

AUTHORIZATION

This authorization is for a Large Project Authorization to allow the demolition of an existing two-story industrial building and new construction of a six-story mixed-use building with 40 dwelling units and 2,250 sq. ft. of ground floor PDR space located at 1726-1730 Mission Street, Block 3532, Lots 004A and 005, pursuant to Planning Code Section 329 and Planning Commission Resolution No. 19865 (Mission 2016 Interim Zoning Controls), within the UMU Zoning District and a 68-X Height and Bulk District; in general conformance with plans, dated May 1, 2017, and stamped "EXHIBIT B" included in the docket for Record No. 2014-002026ENX and subject to conditions of approval reviewed and approved by the Commission on June 1, 2017 under Motion No. 19931. This authorization and the conditions contained herein run with the property and not with a particular Project Sponsor, business, or operator.

RECORDATION OF CONDITIONS OF APPROVAL

Prior to the issuance of the building permit or commencement of use for the Project the Zoning Administrator shall approve and order the recordation of a Notice in the Official Records of the Recorder of the City and County of San Francisco for the subject property. This Notice shall state that the project is subject to the conditions of approval contained herein and reviewed and approved by the Planning Commission on June 1, 2017 under Motion No. 19931.

PRINTING OF CONDITIONS OF APPROVAL ON PLANS

The conditions of approval under the 'Exhibit A' of this Planning Commission Motion No. 19931 shall be reproduced on the Index Sheet of construction plans submitted with the Site or Building permit application for the Project. The Index Sheet of the construction plans shall reference to the Conditional Use authorization and any subsequent amendments or modifications.

SEVERABILITY

The Project shall comply with all applicable City codes and requirements. If any clause, sentence, section or any part of these conditions of approval is for any reason held to be invalid, such invalidity shall not affect or impair other remaining clauses, sentences, or sections of these conditions. This decision conveys no right to construct, or to receive a building permit. "Project Sponsor" shall include any subsequent responsible party.

CHANGES AND MODIFICATIONS

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

Conditions of Approval, Compliance, Monitoring, and Reporting PERFORMANCE

1. **Validity.** The authorization and right vested by virtue of this action is valid for three (3) years from the effective date of the Motion. The Department of Building Inspection shall have issued a Building Permit or Site Permit to construct the project and/or commence the approved use within this three-year period.
For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org
2. **Expiration and Renewal.** Should a Building or Site Permit be sought after the three (3) year period has lapsed, the project sponsor must seek a renewal of this Authorization by filing an application for an amendment to the original Authorization or a new application for Authorization. Should the project sponsor decline to so file, and decline to withdraw the permit application, the Commission shall conduct a public hearing in order to consider the revocation of the Authorization. Should the Commission not revoke the Authorization following the closure of the public hearing, the Commission shall determine the extension of time for the continued validity of the Authorization.
For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org
3. **Diligent Pursuit.** Once a site or Building Permit has been issued, construction must commence within the timeframe required by the Department of Building Inspection and be continued diligently to completion. Failure to do so shall be grounds for the Commission to consider revoking the approval if more than three (3) years have passed since this Authorization was approved.
For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org
4. **Extension.** All time limits in the preceding three paragraphs may be extended at the discretion of the Zoning Administrator where implementation of the project is delayed by a public agency, an appeal or a legal challenge and only by the length of time for which such public agency, appeal or challenge has caused delay.
For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org
5. **Conformity with Current Law.** No application for Building Permit, Site Permit, or other entitlement shall be approved unless it complies with all applicable provisions of City Codes in effect at the time of such approval.
For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org
6. **Mitigation Measures.** Mitigation measures described in the MMRP for the Eastern Neighborhoods Plan EIR (Case No. 2014-002026ENV) attached as Exhibit C are necessary to

avoid potential significant effects of the proposed project and have been agreed to by the Project Sponsor.

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

DESIGN

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

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

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

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

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

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

10. **Lighting Plan.** The Project Sponsor shall submit an exterior lighting plan to the Planning Department prior to Planning Department approval of the building / site permit application.

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

11. **Transformer Vault.** The location of individual project PG&E Transformer Vault installations has significant effects to San Francisco streetscapes when improperly located. However, they may not have any impact if they are installed in preferred locations. Therefore, the Planning Department recommends the following preference schedule in locating new transformer vaults, in order of most to least desirable:

- a. On-site, in a basement area accessed via a garage or other access point without use of separate doors on a ground floor façade facing a public right-of-way;
- b. On-site, in a driveway, underground;

- c. On-site, above ground, screened from view, other than a ground floor façade facing a public right-of-way;
- d. Public right-of-way, underground, under sidewalks with a minimum width of 12 feet, avoiding effects on streetscape elements, such as street trees; and based on Better Streets Plan guidelines;
- e. Public right-of-way, underground; and based on Better Streets Plan guidelines;
- f. Public right-of-way, above ground, screened from view; and based on Better Streets Plan guidelines;
- g. On-site, in a ground floor façade (the least desirable location).

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

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

PARKING AND TRAFFIC

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

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

13. **Parking Maximum.** Pursuant to Planning Code Section 151.1, the Project shall provide no more than 30 off-street parking spaces. Per the Project Description, the Project Sponsor has specified that they will provide no more than 22 off-street parking spaces.

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

14. **Bicycle Parking.** Pursuant to Planning Code Sections 155.1, 155.4, and 155.5, the Project shall provide no fewer than 44 bicycle parking spaces (40 Class 1 spaces for the residential portion of the Project and 4 Class 2 spaces for both the residential and commercial/PDR portion of the Project).

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

15. **Managing Traffic During Construction.** The Project Sponsor and construction contractor(s) shall coordinate with the Traffic Engineering and Transit Divisions of the San Francisco Municipal Transportation Agency (SFMTA), the Police Department, the Fire Department, the Planning Department, and other construction contractor(s) for any concurrent nearby Projects to manage traffic congestion and pedestrian circulation effects during construction of the Project.
For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

PROVISIONS

16. **Anti-Discriminatory Housing.** The Project shall adhere to the requirements of the Anti-Discriminatory Housing policy, pursuant to Administrative Code Section 1.61.
For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org
17. **First Source Hiring.** The Project shall adhere to the requirements of the First Source Hiring Construction and End-Use Employment Program approved by the First Source Hiring Administrator, pursuant to Section 83.4(m) of the Administrative Code. The Project Sponsor shall comply with the requirements of this Program regarding construction work and on-going employment required for the Project.
For information about compliance, contact the First Source Hiring Manager at 415-581-2335, www.onestopSF.org
18. **Transportation Sustainability Fee.** The Project is subject to the Transportation Sustainability Fee (TSF), as applicable, pursuant to Planning Code Section 411A.
For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org
19. **Child Care Fee - Residential.** The Project is subject to the Residential Child Care Fee, as applicable, pursuant to Planning Code Section 414A.
For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org
20. **Eastern Neighborhoods Infrastructure Impact Fee.** The Project is subject to the Eastern Neighborhoods Infrastructure Impact Fee, as applicable, pursuant to Planning Code Section 423.
For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org

MONITORING

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

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

OPERATION

22. **Garbage, Recycling, and Composting Receptacles.** Garbage, recycling, and compost containers shall be kept within the premises and hidden from public view, and placed outside only when being serviced by the disposal company. Trash shall be contained and disposed of pursuant to garbage and recycling receptacles guidelines set forth by the Department of Public Works.

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

23. **Sidewalk Maintenance.** The Project Sponsor shall maintain the main entrance to the building and all sidewalks abutting the subject property in a clean and sanitary condition in compliance with the Department of Public Works Streets and Sidewalk Maintenance Standards. *For information about compliance, contact Bureau of Street Use and Mapping, Department of Public Works, 415-695-2017, <http://sfdpw.org/>*

24. **Community Liaison.** Prior to issuance of a building permit to construct the project and implement the approved use, the Project Sponsor shall appoint a community liaison officer to deal with the issues of concern to owners and occupants of nearby properties. The Project Sponsor shall provide the Zoning Administrator with written notice of the name, business address, and telephone number of the community liaison. Should the contact information change, the Zoning Administrator shall be made aware of such change. The community liaison shall report to the Zoning Administrator what issues, if any, are of concern to the community and what issues have not been resolved by the Project Sponsor.

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

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

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

ENTERTAINMENT COMMISSION – NOISE ATTENUATION CONDITIONS

26. **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 April 5, 2016. These conditions state:

- a) **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.

- b) **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.
- c) **Design Considerations:**
 - i. 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.
 - ii. 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.
- d) **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.
- e) **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.

INCLUSIONARY HOUSING REQUIREMENTS

27. **Affordable Units.** The following Inclusionary Affordable Housing Requirements are those in effect at the time of Planning Commission action. In the event that the requirements change, the Project Sponsor shall comply with the requirements in place at the time of issuance of first construction document. This requirement is subject to change under pending legislation to modify Planning Code Section 415 which is currently under review by the Board of Supervisors (Board File Nos. 161351 and 170208). The proposed changes to Section 415, which include but are not limited to modifications to the amount of inclusionary housing required onsite or offsite, the methodology of fee calculation, and dwelling unit mix requirements, will become effective after approval by the Board of Supervisors.
- a) **Number of Required Units.** Pursuant to Planning Code Section 419, the Project is currently required to provide 17.5% of the proposed dwelling units as affordable to qualifying households. The Project contains 40 units; therefore, 7 affordable units are currently required. The Project Sponsor will fulfill this requirement by providing the 7 affordable units on-site. If the Project is subject to a different requirement if the Charter Amendment is approved and

new legislative requirements take effect, the Project will comply with the applicable requirements at the time of compliance. If the number of market-rate units change, the number of required affordable units shall be modified accordingly with written approval from Planning Department staff in consultation with the Mayor's Office of Housing and Community Development ("MOHCD").

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

- b) **Unit Mix.** The Project contains 20 one-bedroom, and 20 two-bedroom units; therefore, the required affordable unit mix is 3 one-bedroom, and 4 two-bedroom units. If the market-rate unit mix changes, the affordable unit mix will be modified accordingly with written approval from Planning Department staff in consultation with MOHCD.

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

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

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

- d) **Phasing.** If any building permit is issued for partial phasing of the Project, the Project Sponsor shall have designated not less than seventeen and one half percent (17.5%), or the applicable percentage as discussed above, of the each phase's total number of dwelling units as on-site affordable units.

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

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

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

- f) **Other Conditions.** The Project is subject to the requirements of the Inclusionary Affordable Housing Program under Section 415 et seq. of the Planning Code and City and County of San Francisco Inclusionary Affordable Housing Program Monitoring and Procedures Manual ("Procedures Manual"). The Procedures Manual, as amended from time to time, is incorporated herein by reference, as published and adopted by the Planning Commission, and as required by Planning Code Section 415. Terms used in these conditions of approval and not otherwise defined shall have the meanings set forth in the Procedures Manual. A

copy of the Procedures Manual can be obtained at the 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>. As provided in the Inclusionary Affordable Housing Program, the applicable Procedures Manual is the manual in effect at the time the subject units are made available for sale.

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

- (i) The affordable unit(s) shall be designated on the building plans prior to the issuance of the first construction permit by the Department of Building Inspection ("DBI"). The affordable unit(s) shall (1) reflect the unit size mix in number of bedrooms of the market rate units, (2) be constructed, completed, ready for occupancy and marketed no later than the market rate units, and (3) be evenly distributed throughout the building; and (4) be of comparable overall quality, construction and exterior appearance as the market rate units in the principal project. The interior features in affordable units should be generally the same as those of the market units in the principal project, but need not be the same make, model or type of such item as long they are of good and new quality and are consistent with then-current standards for new housing. Other specific standards for on-site units are outlined in the Procedures Manual.
- (ii) If the units in the building are offered for sale, the affordable unit(s) 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 ninety (90) percent of Area Median Income under the income table called "Maximum Income by Household Size derived from the Unadjusted Area Median Income for HUD Metro Fair Market Rent Area that contains San Francisco " but these income levels are subject to change under a proposed Charter amendment and pending legislation if the voters approve the Charter Amendment at the June 7, 2016 election. If the Project is subject to a different income level requirement if the Charter Amendment is approved and new legislative requirements take effect, the Project will comply with the applicable requirements. The initial sales price of such units shall be calculated according to the Procedures Manual. Limitations on (i) reselling; (ii) renting; (iii) recouping capital improvements; (iv) refinancing; and (v) procedures for inheritance apply and are set forth in the Inclusionary Affordable Housing Program and the Procedures Manual.
- (iii) The Project Sponsor is responsible for following the marketing, reporting, and monitoring requirements and procedures as set forth in the Procedures Manual. MOHCD shall be responsible for overseeing and monitoring the marketing of affordable units. The Project Sponsor must contact MOHCD at least six months prior to the beginning of marketing for any unit in the building.

- (iv) Required parking spaces shall be made available to initial buyers or renters of affordable units according to the Procedures Manual.
- (v) 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.
- (vi) The Project Sponsor has demonstrated that it is eligible for the On-site Affordable Housing Alternative under Planning Code Section 415.6 instead of payment of the Affordable Housing Fee, and has submitted the *Affidavit of Compliance with the Inclusionary Affordable Housing Program: Planning Code Section 415* to the Planning Department stating that any affordable units designated as on-site units shall be sold as ownership units and will remain as ownership units for the life of the Project.
- (vii) If the Project Sponsor fails to comply with the Inclusionary Affordable Housing Program requirement, the Director of DBI shall deny any and all site or building permits or certificates of occupancy for the development project until the Planning Department notifies the Director of compliance. A Project Sponsor's failure to comply with the requirements of Planning Code Section 415 et seq. shall constitute cause for the City to record a lien against the development project and to pursue any and all available remedies at law.
- (viii) If the Project becomes ineligible at any time for the On-site Affordable Housing Alternative, the Project Sponsor or its successor shall pay the Affordable Housing Fee prior to issuance of the first construction permit. If the Project becomes ineligible after issuance of its first construction permit, the Project Sponsor shall notify the Department and MOHCD and pay interest on the Affordable Housing Fee and penalties, if applicable.

From: [BOS Legislation, \(BOS\)](#)
To: jscottweaver@aol.com; jknight@reubenlaw.com
Cc: [Givner, Jon \(CAT\)](#); [Stacy, Kate \(CAT\)](#); [Byrne, Marlena \(CAT\)](#); [Jensen, Kristen \(CAT\)](#); [Rahaim, John \(CPC\)](#); [Sanchez, Scott \(CPC\)](#); [Gibson, Lisa \(CPC\)](#); [Rodgers, AnMarie \(CPC\)](#); [Starr, Aaron \(CPC\)](#); [Navarrete, Joy \(CPC\)](#); [Lynch, Laura \(CPC\)](#); [Jain, Devyani \(CPC\)](#); [Ajello Hoagland, Linda \(CPC\)](#); [BOS-Supervisors](#); [BOS-Legislative Aides](#); [Calvillo, Angela \(BOS\)](#); [Somera, Alisa \(BOS\)](#); [Goldstein, Cynthia \(BOA\)](#); [BOS Legislation, \(BOS\)](#)
Subject: APPELLANT'S SUPPLEMENTAL APPEAL LETTER: Exemption Determination Appeal - Proposed Project at 1726-1730 Mission Street - Appeal Hearing on July 25, 2017
Date: Friday, July 14, 2017 3:23:44 PM
Attachments: [image001.png](#)

Good afternoon,

Please find linked below a supplemental appeal letter received by the Office of the Clerk of the Board from the appellant, J. Scott Weaver, on behalf of Our Mission No Eviction, regarding the proposed project at 1726-1730 Mission Street.

[Appellant's Supplemental Appeal Letter - July 14, 2017](#)

Please note that the appeal hearing for this matter is noticed and scheduled for a 3:00 p.m. special order before the Board on July 25, 2017.

I invite you to review the entire matter on our [Legislative Research Center](#) by following the link below:

[Board of Supervisors File No. 170808](#)

Thank you,

Brent Jalipa

Legislative Clerk

Board of Supervisors - Clerk's Office
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102
(415) 554-7712 | Fax: (415) 554-5163
brent.jalipa@sfgov.org | www.sfbos.org



Click [here](#) to complete a Board of Supervisors Customer Service Satisfaction form

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West Bay Law
Law Office of J. Scott Weaver

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DEADLINE, BY NOON, PURSUANT TO ADMIN.
CODE, SECTION 31.16(b)(5)

(Note: Pursuant to California Government Code, Section
65009(b)(2), information received at, or prior to, the public
hearing will be included as part of the official file.)

July 14, 2017

Clerk, San Francisco Board of Supervisors
#1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO
2017 JUL 14 PM 2:39
BY [Signature]

**Re: Case No. 2015-004454PRV 1726-1730 Mission Street
Appeal of the June 1, 2017 Planning Commission Decisions
Board of Supervisors File No 170808**

Dear Members of the Board of Supervisors:

Please accept this submission on behalf of Our Mission No Eviction with respect to the appeal of the proposed project at 1726-30 Mission Street.

Summary

The project sponsor proposes to construct a 40 unit, six story building located at 1726-30 Mission Street. The sponsor intends to subdivide the property into condominium units and sell them at “market” (with the exception of the 7 affordable units). It also includes parking for 22 cars and approximately 2,200 square feet of first floor “trade shop” space. The sponsor utilized a Community Plan Exemption that tiered off of the Eastern Neighborhoods Plan EIR. The Planning Commission approved the project on June 1, 2017. This appeal raises several CEQA issues related to that project.

This appeal raises concerns regarding cumulative impacts on the Mission Area Plan, and particularly the eight block area that is the “Gateway to the Mission”. Environmental issues include impacts on traffic and circulation, air quality, noise, unaddressed land use and open space issues, as well as socioeconomic impacts on this working class, Latino community,

including an extremely vulnerable SRO tenant population who will be put at greater risk of homelessness without adequate, targeted mitigations¹.

Context for the 1726-30 Mission Street Project

The proposed project (40 units) is being built in conjunction with a number of other projects currently in the pipeline for the area. Pipeline projects between the intersection of South Van Ness and Mission, and 16th and Mission and one block either side of Mission (eight blocks total) are: 130 Otis Street (220 units), 1601 Mission Street (354 units), 1801 Mission Street (54 units), 1863 Mission Street (36 units), 1900 Mission Street (9 units), 1924 Mission Street (13 units), 1979 Mission Street (331 units), 198 Valencia (28 units), 235 Valencia (50 units), 80 Julian (9 units), 1463 Stevenson (45 units), and 1500 15th Street, (184 units – density bonus). Additionally, there are two affordable housing projects, one at 1950 Mission Street (157 units), and one at 490 South Van Ness Avenue (81 units). Total number of pipeline units, including the proposed project are within two blocks either side of sausage factory is 1,601 units.

Built after 2008, but equally applicable to any cumulative analysis under CEQA are 1880 Mission Street (202 units), 1501 15th Street (40 units), 380 14th Street (29 units) and 411 Valencia (16) 1587 15th (26 units) 1924 units².

This is extraordinary for such a small geographic area. The total number of units contemplated under the most ambitious scenario for the entire Mission in the Eastern Neighborhoods Plan was 2054 units, with a Preferred Project at 1696 units³. To provide a sense of scale, the Mission Area Plan is approximately 72 blocks, whereas the number of blocks considered above is eight. (The projects at 130 Otis and 1601 Mission are not within the Mission Area Plan Area but, given their proximity, must be included in the cumulative analysis.)

Further compounding the matter, the Armory at 1800 Mission Street proposes to convert 49,999 square feet of video production space to office use, and 25,385 square feet of video production to entertainment (dubbed “the Madison Square Garden of the West”) That translates into three hundred or more office workers and thousands attending evening events.

The proposed Market/Van Ness “Hub”, a four block walk from the project site, will consist of between 7,300 and 9,000 residential units!

¹ We believe that the next wave of gentrification will result in a significant reduction in traditional SRO residents as Hotel owners “upgrade” their units. Currently there are hundreds of SRO units within the area between Duboce and 16th Street, Valencia and South Van Ness Avenue.

² Information provided by SF Property Information Map: <http://propertymap.sfplanning.org/>

³ As discussed below, the total number of Mission Area Plan projects subject to a cumulative impacts analysis exceeds that anticipated by the Eastern Neighborhoods EIR.

Finally, there are hundreds of SRO units in the immediate area housing the poorest of the poor, a population who have no other housing options than to utilize this housing stock. (See Exhibit E, first page). With the upscaling of the neighborhood, the conversion of these units to “higher end” uses is inevitable, leaving many SRO residents homeless..

Potential cumulative environmental impacts must therefore be evaluated in this context.

CEQA Requires a Cumulative Impact Analysis of Projects.

Under Public Resources Code Section 21083 subdivision (b)(2).) "The possible effects of a project are individually limited but cumulatively considerable. As used in this paragraph ‘cumulatively considerable’ means that the incremental effects of an individual project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects." Stated otherwise, a lead agency shall require an EIR be prepared for a project when the record contains substantial evidence that the "project has possible environmental effects that are individually limited but cumulatively considerable." (Guidelines section 15065 subdivision (a) (3).) “Cumulatively considerable means that incremental effects of the of an individual project is considerable when viewed in connection with past projects, the effects of other current projects, and effects of probable future projects.” *Citizens to Preserve the Ojai v County of Ventura* (1985) 176 Cal.App.3d 421 stated that “unstated cumulative impacts impedes meaningful public discussion and skews the decision maker’s perspective concerning the environmental consequences of a project, the necessity for mitigation measures and the appropriateness of project approval.” Here, the impacts are clearly “unstated”.

The environmental assessment of this project consisted largely of a CPE for the proposed project which was dependent solely on the 2008 Eastern Neighborhoods Plan EIR (PEIR). The PEIR envisioned a scenario of up to 2054 units in an area nine times the size of the subject area. Further, this evaluation did not consider subsequent new information impacting the environment (discussed in greater detail below). Cumulative analysis in this area of heavily concentrated development is required in order to inform on substantial environmental impacts, and to adopt necessary and appropriate mitigation measures. Reliance almost exclusively on the PEIR in this instance does not provide the required information.

Cumulative impacts on traffic and circulation are especially significant for this particular geographic area. For example, anyone driving down Mission Street in the immediate area of the project has observed congestion and slow, backed up traffic. Addition of nearly 2,000 units will only make matters worse and will cause further congestion affecting both the automobile drivers and commuters traveling along the many bus lines that travel through the area. Red lanes, “ride sharing vehicles,” and “Amazon deliveries by UPS and other carriers will further complicate the

traffic patterns. Moreover, the intersection of Duboce Avenue and South Van Ness is already a traffic nightmare and a dangerous intersection for pedestrians.

In addition to traffic and circulation, there are issues related to noise (the 101 Freeway crosses Mission Street very close to the proposed project). Open space is virtually non-existent, yet the thousands of people who would move to the area would require it. There is no recreation to be provided - other than the local bars which will undoubtedly increase exponentially as the Mission becomes more and more of a party zone.

Finally, the cumulative gentrification impacts would effectively wipe out small mom and pop businesses and SRO Hotels in the immediate eight block area and will radiate down Mission Street.

The PEIR anticipated up to 2,054 units over a 72-block area and could not have adequately described environmental impacts in an area one ninth the size. The Planning Commission's CEQA approval relied almost entirely on a CPE that tiered off of the PEIR and therefore its approval was in error.

Simply put, neither the CPE nor the PEIR provide adequate information regarding potential cumulative impacts in this highly concentrated area. As a result, mitigation measures that would ease these impacts could not have been identified or implemented.

CPE Reliance on the PEIR was Improper Because the Cumulative Housing Production Anticipated in the PEIR has been Exceeded.

Aside from the fact that it was improper to rely on the PEIR to analyze cumulative impacts for this eight block area, the PEIR, now nine years old, is outdated and can no longer be relied on.

The use of the PEIR in for this project presupposes that it is sufficiently current to provide the information necessary to evaluate environmental concerns in the Mission Area Plan as a whole (not to mention the small eight block area that is the subject of this appeal).

The Mission Plan had as its goals *inter alia* to produce a substantial amount of affordable housing, preserve diversity and vitality of the Mission, preserve and enhance the distinct character of the Mission's distinct commercial areas, and preserve and enhance existing PDR businesses. The PEIR assumed these goals and presumably believed that they would be realized under the ENP. Now, nine years later, it has become painfully apparent that the Plan is falling far short of its goals and that its implementation is out of balance with changing circumstances in

the neighborhood. The Mission Monitoring Report has revealed that of the 1855 units entitled or under review between 2011 and 12/31/15, only 12% were affordable. An additional 504 units were built during this period, however the monitoring report does not state how many were affordable. Likewise the Eastern Neighborhoods Plan Community Advisory Council had noted that many of ENP outcomes have been skewed in the wrong direction.

A report by the Planning Department dated February 2016 revealed that there were 2,415 units completed, entitled, or under environmental review for the Mission, far exceeding the 2,057 studied under the PEIR. This alone begs for a new EIR for the Mission Area.

On September 13, this Board of Supervisors, when considering the project at 2000 to 2070 Bryant Street, expressed serious concerns about the efficacy of the Eastern Neighborhoods Plan. (See http://sanfrancisco.granicus.com/MediaPlayer.php?view_id=10&clip_id=26119 beginning at 3:16).

CPE Reliance on the PEIR is Improper Because Substantial New Information Affecting Environmental Analysis has Become Available.

At least part of the reason for the disconnect between the goals and the outcomes of the Eastern Neighborhood Plan is that there have been numerous changes on the ground having direct, indirect and cumulative impacts on the environment. When substantial new information becomes available, CEQA Guidelines require comprehensive analysis of these issues. (CEQA Guidelines Sec. 15183). The situation on the ground has changed substantially since the PEIR was prepared in 2008 in the following ways:

- **An Unanticipated Rapid Pace of Development.** The PEIR was prepared in the midst of the “great recession” and did not project the steep increases in housing prices that we have witnessed during the past eight years. This has been especially exacerbated by the increase in high paying jobs that have come to the City. This has resulted in a construction explosion. As a result, the cumulative total of units built, approved, and under review in the pipeline (2,451 as of February 23, 2016-we have been unable to obtain an updated report) This exceeds the highest number of units contemplated in the Plan EIR for the Mission (2,056). The PEIR projected this production to take place over a much longer period of time - 2008 to 2025. Development has therefore accelerated at a pace higher than that anticipated in the PEIR. Because of the unexpectedly rapid pace of development, community benefits, including improvements to the Mission’s traffic, transportation, open space, and recreation infrastructures have been unable to keep pace (ENCAC Response to Monitoring Report - The report also noted that transportation impacts hurt businesses). The PEIR clearly did not anticipate this pace of development, nor the needs to step up mitigation measures.

- **Changed Transportation Patterns.** In addition to the cumulative concentration of traffic, the project area will experience unforeseen changes in traffic patterns that have not yet been evaluated. These include the “ride share” phenomena, increased frequency of “amazon” deliveries, and the existence of “red lanes” which both confuse traffic and make it harder to exit from on-site parking. Although there was a traffic study done for this project, it did not contain any cumulative analysis and based its Mode Share Projections on 2011-2014 projections.⁴ (Discussed further below)

- **Disproportionate Construction of Market Rate Units as compared with Affordable Units.** One cannot reasonably assert that “we are not building enough housing”. Exhibit D, second to last page, is the Residential Pipeline Report for 2017Q1. It states that, only two years in, San Francisco has exceeded its 2015 to 2022 housing production goals, and has built or entitled 217% of the RHNA Goals for above moderate income housing (greater than 120% AMI). Moderate and low income production is well below targets – even if one equates housing rehabilitation with housing production – which these figures seem to indicate. These figures do not include an additional 22,680 units from the large projects at Hunters Point, Treasure Island, and ParkMerced. Put another way, more than 70% of the housing built or entitled serve the top third of the population earning greater than 120% AMI, while two thirds of the population compete for 30% of the remaining housing. This has implications with respect to the manner in which the City – especially the affected areas – are transformed. This overbuild of luxury units (as opposed to low/moderate units) has environmental implications relative to traffic, congestion, land use, and health and safety.

- **Gentrification Has Caused Unanticipated Increases in Traffic and Automobile Ownership.** The unanticipated influx of high earners in the Mission has resulted, and will result, in a substantial increase in the rate of automobile ownership and “ride sharing” in the Mission. Between 2000 to 2013, the number of households with automobiles increased from 37% to 64% - or 9,172 automobiles in 2000 to 16,435 in 2013. At the same time AMI increased from \$50,676 to \$75,269. It is now well recognized that high earners are twice as likely to own an automobile than their low income counterparts – even in transit rich areas such as the Mission.

- ⁴ The memo also admits that there were potential safety issues for vehicles exiting the garage (page 20) as well as potential conflicts crossing red lanes (although no mitigation was proposed).

- **Tech Shuttle Gentrification and Displacement Impacts.** The PEIR did not anticipate the impact of tech shuttles from a traffic standpoint, nor from that of the demand for housing. The specter of living within a few blocks of a free ride to work has caused many tech employees to move to areas where the shuttles stop – predominantly in the Mission. As such, we have high-earning employees exacerbating the already high demand for housing. The anti-eviction mapping project has documented the connection between shuttle stops and higher incidences of no-fault evictions. <http://www.antievictionmappingproject.net/techbusevictions.html>

The Traffic Analysis for the Project Neglected Critical Information.

The proposed project would result in potentially significant traffic impacts that were not known or considered at the time the Eastern Neighborhoods PEIR. As noted in a recent SF Chronicle article, when the city was preparing its strategic transportation plan in 2012, planners thought that “ride shares” meant car pooling. The Eastern Neighborhoods PEIR did not anticipate the physical impacts from the use of “ride sharing” as a transit mode or the increased dependence on delivery trucks by residents doing much of their shopping online. The Chronicle Article also noted a reduction in mass transit usage – due largely, we believe, to the influx of “ride shares” and exodus of working class and Latino residents. Furthermore, subsequent analysis contained in the Kittleson & Associates Transportation Memo (May 11, 2017) used outdated data and failed to consider ride-sharing and increased loading demand. Both the Mode Share Analysis and Loading Demand Estimates used in the Memo were based on the US Census Bureau’s American Community Survey (2010-2014) and SF Guidelines (2002).

The Plan EIR also neglected to consider the inherent conflicts with bicycles, ride shares, trucks and private vehicles crossing SFMTA red lanes. The Transportation Memo for the proposed project recognizes the issue but proposed mitigations offered in the CPE are inadequate. Specifically the Memo states that, “*Given the high volume of traffic on Mission Street (including Muni buses), drivers in the Project garage could potentially have difficulty safely exiting the Project garage.*” (Kittleson & Associates, p. 20) This would result in unforeseen traffic congestion with direct and cumulative impacts to bicycle safety, delays to transit and emergency vehicle access.

The issue of slowing of MUNI buses is noted in the Memo, “*As discussed earlier, this configuration could result in internal conflicts between inbound and outbound vehicles, which may lead to the queuing of entering vehicles, which could spill back to Mission Street. If this occurs, operations of Muni buses may be affected, as they would need to reduce speeds or change lanes and travel in the adjacent southbound lane to bypass queued vehicles.*” (Kittleson & Associates, p. 20) However the proposed improvement measure using Queue Abatement (TR-1) is not an adequate mitigation as the abatement methods proposed would be inappropriate for a

San Francisco Board of Supervisors

July 14, 2017

Page Eight

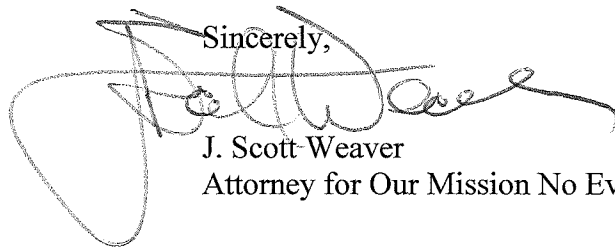
residential garage of this size, particularly with vehicles exiting the garage and crossing the red transit lane.

Finally, the CPE's reliance on VMT fails to account for the reality of intensive use of "ride shares" in San Francisco. "Ride share" vehicles are in operation for eight to twelve hours a day, while private vehicles, a fraction of that time. The broad-brushed analysis used by the City under outdated VMT modeling concludes that the project's location in a transit priority area would reduce the use of private vehicles. Recent evidence shows that, ironically, the areas with the best transit service are now the most heavily traveled by "ride share" vehicles, while MUNI ridership has dropped for the first time in years. The SF County Transportation Authority has published a report showing that 1/5 of all vehicle miles citywide are by ride-hail vehicles with heavy concentrations in areas including the Mission where they account for all in-city trips at peak commute times. As the agency that developed the original travel demand forecasting model upon which the City's VMT analysis relies, their recent report must be considered in any VMT analysis.

Conclusion

Because the project is situated in an area of highly concentrated development, CEQA requires a cumulative environmental analysis. The Eastern Neighborhoods PEIR is the wrong vehicle to assess these cumulative impacts. At a minimum, further environmental assessment should require study of the impacts on traffic, circulation, transportation, greenhouse gas emissions, noise, safety, including pedestrian and bicycle safety issues, land use, including open space, as well as assessment of how such projects will impact small businesses and residents, especially residents of SRO Hotels. Without such assessment, the City will have fallen short of its CEQA obligation to inform as to significant environmental impacts and adequate mitigations.

Sincerely,



J. Scott Weaver
Attorney for Our Mission No Eviction

EXHIBIT E

EXHIBIT E

EXHIBIT E

SF's traffic planners weren't expecting rise of Uber, Lyft

By Matier & Ross | July 3, 2017 | Updated: July 3, 2017 6:00am

44



Photo: Amy Osborne, Special To The Chronicle

A Lyft car goes up Market Street with the F-Market train nearby. Traffic planners didn't foresee the rise of ride hailing when they reduced lanes for cars.



In fact, when the city was drawing up its transportation “Major Strategic Plan” back in 2012, planners thought “ride shares” meant car pooling. So as the Municipal Transportation Agency drew up a blueprint for more bus- and bike-only lanes — and less space for cars — it was blind to the wave of Uber and Lyft cars that was about to inundate the streets.

“I don’t think anyone anticipated this would happen, including Lyft and Uber,” said transportation agency chief **Ed Reiskin**.

Randy Rentschler of the Metropolitan Transportation Commission, which oversees regional transportation planning, said city officials may have fallen victim to their vision of how things should be instead of how they are.

“Public policy often aims for a certain outcome — and as such, it can be harder to predict what you don’t want to happen, so you don’t see it,” Rentschler said.

In fact, Uber and Lyft now carry 283,000 people per workday in San Francisco and make up 9 percent of all vehicle trips in the city, according to a recent survey by the city Transportation Authority.

And for the first time in years, Muni ridership has dropped.

City Hall is increasingly interested in ways to ease the congestion that some officials blame on ride hailing. City Attorney **Dennis**

MORE BY MATIER & ROSS



Tipping Point’s Daniel Lurie may be looking at run for SF mayor



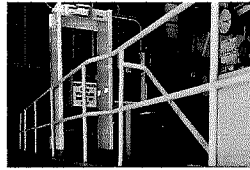
Bay Area voters may be asked to OK bridge toll hike of up to \$3



Foes of Warriors’ SF arena aren’t giving up



disability access and environmental regulations. Supervisor **Jane Kim** has suggested a 20-cent-per-ride fee to raise money for unspecified anticongestion measures.



Uber has put out feelers that it would be willing to talk with the city. But it wants the conversation to include all aspects of congestion, including the surge in double-parked delivery trucks, the growth of bike lanes and other street reconfigurations designed to slow traffic.

“The feeling (at City Hall) seems to be, ‘If you can’t beat ’em, tax ’em,’ but at this point I’d just like them to give us more information so we can see what is really going on,” said Supervisor **Aaron Peskin**.

Wouldn't we all.

9:02 AM
Videos
emerge of
SF police
officer

New
prosecutor
in Contra
Costa
County

7:41 AM
Officer
injured as
police,



A woman walks past the company logo of the Internet car service Uber in San Francisco.

On your marks: Michael Cardoza, a high-powered defense attorney and former prosecutor who has gained attention over the years as a TV legal analyst, is weighing a possible run to succeed disgraced former Contra Costa County District Attorney **Mark Peterson**.

“I am giving it serious thought,” Cardoza told us the other day after he was spotted at the Walnut Creek Yacht Club restaurant with a potential supporter.

“I know this (D.A.’s office) needs leadership, and I don’t believe it should come from inside,” Cardoza said. “They are too in bed with the people there and don’t see all the real problems.”

Two prosecutors have already announced their candidacies for Peterson’s old job — Deputy District Attorney **Paul Graves** and former Deputy District Attorney **Patrick Vanier**, who is now a prosecutor in Santa Clara County.

Peterson resigned June 14 after cutting a plea deal with state prosecutors who had charged him with 13 felonies connected to his use of \$66,000 in campaign donations to pay for such personal items as meals, gas, clothes, movie tickets, hotels and phone bills.

The plea deal allowed Peterson to plead no contest to a single count of perjury for making false statements on state campaign disclosure forms.

Doug McMaster, chief assistant district attorney, is handling the office’s day-to-day operation while the county Board of Supervisors takes applications for Peterson’s replacement. Its goal is to pick a replacement by mid-September.

“That person can choose to run along with other candidates” for a four-year term in the June 2018 primary, said Supervisor **Karen Mitchoff**.

McMaster has made it clear that he is not running and will not seeking the appointment. Graves and Vanier haven’t disclosed whether they are applying to the supervisors. They have until July



Whoever gets the job will have some work to do in bringing calm to the district attorney's office. The Peterson scandal came close on the heels of another case that had divided the department for years, in which a deputy district attorney was accused of raping a junior colleague in 2008. The criminal case against the deputy was eventually dropped, and he returned to work two years ago.

San Francisco Chronicle columnists Phillip Matier and Andrew Ross appear Sundays, Mondays and Wednesdays. Matier can be seen on the KPIX TV morning and evening news. He can also be heard on KCBS radio Monday through Friday at 7:50 a.m. and 5:50 p.m. Got a tip? Call (415) 777-8815, or email matierandross@sfchronicle.com. Twitter: [@matieranaross](https://twitter.com/matieranaross)



Matier & Ross

Chronicle Columnists

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Mission - Projects Completed or Under Environmental Review - 2008 to 2/23/16 (Planning Dept. Data)

| Address | Case No. | Date of Document | Status of Document | Net Housing Units | Cultural, Institutional, Educational | Medical | Management, Information, and Professional Services | PDR | Retail and Entertainment |
|---|----------------|------------------|--------------------|-------------------|--------------------------------------|---------------|--|-----------------|--------------------------|
| 3418 26th Street | 2009.0610E | 8-Nov-10 | Published CPE | 13 | 0 | 0 | 0 | 0 | 0 |
| 80 Julian Avenue | 2009.1095E | 23-Jun-10 | Published CPE | 8 | 0 | 16,000 | 0 | 0 | 0 |
| 411 Valencia | 2009.0180E | 13-May-10 | Published CPE | 16 | 0 | 0 | 0 | -1,550 | 1,370 |
| 490 South Van Ness Avenue | 2010.0043E | 24-Jun-14 | Published CPE | 72 | 0 | 0 | 0 | -1,618 | 1,123 |
| 3420 18th Street | 2012.1572E | 16-Oct-13 | Published CPE | 16 | 0 | 0 | 0 | -4,675 | 1,000 |
| 1875 Mission Street | 2010.0787E | 14-Oct-10 | Published CPE | 38 | 0 | 0 | 0 | -43,695 | 2,523 |
| 17th Street and Folsom Street Park | 2009.1163E | 24-Jan-11 | Published CPE | 0 | 0 | 0 | 0 | 0 | 0 |
| 1501 15th Street | 2008.1395E | 27-Jan-11 | Published CPE | 40 | 0 | 0 | 0 | -1,740 | 9,681 |
| 480 Potrero Avenue | 2011.0430E | 26-Sep-12 | Published Other | 84 | 0 | 0 | 0 | 0 | 0 |
| 626 Potrero Avenue/ 2535 18th Street | 2011.1279E | 16-Jul-12 | Published CPE | 0 | 0 | 15,200 | 0 | -15,000 | 0 |
| 2550-2558 Mission Street | 2005.0694E | 21-Nov-12 | Published Other | 114 | 0 | 0 | 0 | 0 | 14,750 |
| 1450 15th Street | 2013.0124E | 30-Oct-14 | Published CPE | 23 | 0 | 0 | 0 | -6,088 | 0 |
| 300 South Van Ness Avenue | 2011.0953E | 29-Nov-12 | Published CPE | 0 | 0 | 0 | 0 | 0 | 20,040 |
| 346 Potrero Avenue | 2012.0793E | 3-Feb-14 | Published CPE | 72 | 0 | 0 | 0 | -1,500 | 2,760 |
| 1785 15th Street | 2012.0147E | 1-May-13 | Published CPE | 8 | 0 | 0 | 0 | -765 | 0 |
| 1801/1863 Mission Street | 2009.1011E | 19-Mar-15 | Published CPE | 54 | 0 | 0 | 740 | 0 | 2,125 |
| 2600 Harrison St. | 2014.0503E | 19-Aug-15 | Published CPE | 20 | 0 | 0 | 0 | -7,506 | 0 |
| 1924 Mission St. | 2014.0449E | 2-Apr-15 | Published CPE | 12 | 0 | 0 | 0 | -1,180 | 2,315 |
| 600 South Van Ness Avenue | 2013.0614E | 9-Apr-15 | Published CPE | 27 | 0 | 0 | 0 | -1,750 | 3,060 |
| 2000-2070 Bryant St, 2815 18th St, 611 Florida St | 2013.0677E | 2-Jun-15 | Published CPE | 274 | 0 | 0 | -3,540 | -64,450 | 4,105 |
| 1298 Valencia Street | 2013.1404E | 9-Oct-15 | Published CPE | 35 | 0 | 0 | 0 | -2,000 | 3,770 |
| 1198 Valencia Street | 2012.0865E | 31-Jul-15 | Published CPE | 52 | 0 | 0 | 0 | -440 | 5,300 |
| 1050 Valencia Street | 2007.1457E | 5-Oct-10 | Published Other | 16 | 0 | 0 | 0 | 0 | 1,830 |
| 1419 Bryant Street | 2015-005388ENV | 6-Jan-16 | Published CPE | 0 | 44,600 | 0 | 0 | -34,350 | 0 |
| 1979 Mission Street | 2013.1543E | 28-Jan-15 | Active Other | 331 | 0 | 0 | 0 | 0 | -18,239 |
| 2675 Folsom St | 2014-000601ENV | TBD | Active CPE | 115 | 0 | 0 | 0 | -22,111 | 0 |
| 1900 Mission Street | 2013.1330E | TBD | Active CPE | 11 | 0 | 0 | 0 | -2,064 | 844 |
| 645 Valencia St | 2013.1339E | TBD | Active CPE | 9 | 0 | 0 | 0 | 0 | -4,382 |
| 1800 Mission | 2014.0154E | TBD | Active CPE | 0 | 0 | 0 | 139,607 | -138,742 | 39,000 |
| 2750 19th St. | 2014.0999E | TBD | Active CPE | 60 | 0 | 0 | 0 | -10,934 | 10,112 |
| 1515 South Van Ness Ave. | 2014.1020E | TBD | Active CPE | 160 | 0 | 0 | 0 | 0 | -29,940 |
| 3140 16th St | 2014.1105ENV | TBD | Active CPE | 28 | 0 | 0 | 0 | -20,428 | 7,284 |
| 2799 24th St. | 2014.1258ENV | TBD | Active CPE | 8 | 0 | 0 | 0 | 0 | -269 |
| 2435 16th St. | 2014.1201ENV | TBD | Active CPE | 53 | 0 | 0 | 0 | -10,000 | 4,992 |
| 3357-3359 26th St. | 2013.0770ENV | TBD | Active CPE | 8 | 0 | 0 | 0 | 0 | 5,575 |
| 1726-1730 Mission St. | 2014-002026ENV | TBD | Active CPE | 36 | 0 | 0 | 0 | -3,500 | 900 |
| 2100 Mission Street | 2009.0880E | TBD | Active CPE | 29 | 0 | 0 | 0 | -7,630 | 2,640 |
| 200 Potrero Ave. | 2015-034756ENV | TBD | Active CPE | 0 | 0 | 0 | 0 | -27,716 | 30,034 |
| 3314 Cesar Chavez | 2014-003160ENV | TBD | Active CPE | 52 | 0 | 0 | -2,500 | 0 | 1,740 |
| 1798 Bryant St. | 2015-036511ENV | TBD | Active CPE | 131 | 0 | 0 | -5,179 | 0 | 3,514 |
| 2918-2924 Mission St. | 2014.0376ENV | TBD | Active CPE | 38 | 0 | 0 | 0 | 0 | 7,400 |
| 793 South Van Ness | 2015-001360ENV | TBD | Active CPE | 54 | 0 | 0 | 0 | -1,966 | 4,867 |
| 1850 Bryant St. | 2015-011211ENV | TBD | Active CPE | 0 | 0 | 0 | 0 | 188,994 | 0 |
| 953 Treat Ave | 2015-006510ENV | TBD | Active CPE | 8 | 0 | 0 | 0 | 0 | 0 |
| 3620 Cesar Chavez | 2015-009459ENV | TBD | Active CPE | 28 | 0 | 0 | -3,200 | 0 | 940 |
| 344 14th St. & 1463 Stevenson St. | 2014.0948ENV | TBD | Active CPE | 45 | 0 | 0 | 0 | 18,995 | 5,849 |
| 1950 Mission St. | 2016-001514ENV | TBD | Active CPE | 157 | 1,236 | 0 | 0 | 0 | 3,415 |
| 1296 Shotwell St. | 2015-018056ENV | TBD | Active CPE | 96 | 0 | 0 | 850 | -11,664 | 0 |
| | | | | 2,451 | 45,836 | 31,200 | 126,778 | -237,073 | 152,028 |

Preferred Project (approved 2008) 1696

| | | | | | | |
|----------|-------|---------|--------|-----------|------------|---------|
| Option A | 782 | 104,400 | 37,200 | 422,021 | 422,021 | 114,000 |
| Option B | 1,118 | 150,300 | 36,900 | 597,242 | 597,242 | 143,400 |
| Option C | 2,054 | 609,480 | 49,448 | 2,214,011 | -3,370,350 | 598,323 |

The CPE for 2000-2070 Bryant Street notes that 2451 residential units had completed or were under environmental review:

"As of February 23, 2016, projects containing 2,451 dwelling units and 355,842 square feet of non-residential space (excluding PDR loss) have completed or are proposed to complete environmental review within the Mission District subarea."

This is in excess of the number of units in the approved Preferred Project, as well as Options A, B and C from the ENP EIR. As a result, the analysis of cumulative impacts contained within the Eastern Neighborhoods Plan EIR, and referenced in the CPE, for this project is no longer relevant. The PEIR is stale and doesn't reflect current conditions. Among the impacts not adequately studied are recreation and open space, transit, traffic, and air quality.



SF WEEKLY

[\(http://www.sfweekly.com/\)](http://www.sfweekly.com/)

Tuesday July 11, 2017



afterdark^{SF}

[http://afterdarksf.com/?
src=sfweekly](http://afterdarksf.com/?src=sfweekly)

SF Weekly (<http://www.sfweekly.com/>)

Housing Boom Alert: 9,000 New Apartments Predicted For Market / Van Ness Hub

In response, the SFMTA, Planning and Public Works are trying to figure out how to accommodate 50 percent more people on the streets.



(Photo courtesy Jeremy Menzies/SFMTA)

If the 20-minute coffee shop lines, bumper-to-bumper traffic, and one-in, one-out Trader Joe's parking lots have you thinking that the city might be reaching capacity, we've got bad news. A new project overview released by Public Works, the SFMTA and Planning shows that up to 9,000 new units of housing are coming to one itty bitty section of the city: an oddly shaped few blocks on Market Street and in SoMa, between Octavia Boulevard and Ninth Street.

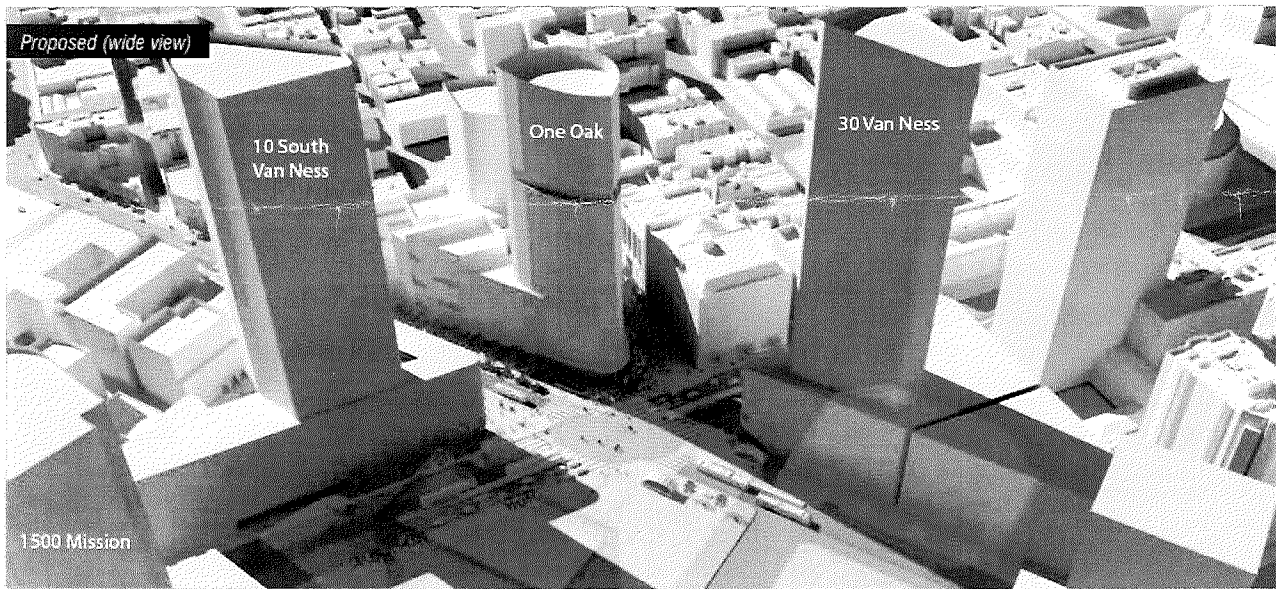
The intersection of Market with Valencia, Haight and Gough streets was coined as the "Hub" in the late 1880s, due to its capacity for four streetcar lines that converged on the area. Over time the borders began to loosen and started to include the

neighborhood surrounding Market Street as well. According to historian and writer Larry Cronader, the area was a hot spot for businesses: Hub Bowling, the Hub pharmacy, and the McRoskey Mattress Company all moved in during the 1930s.



But in years since the area of Market Street and Van Ness Avenue has become a wasteland. Despite its proximity to multiple Muni lines, the All-Star Donuts is often empty, the large car dealership feels misplaced, and the strong winds suck the soul out of the corner. But like it or not, change is on the horizon.

Based on what's slowly working its way through Planning, here is a summary of the population changes we can expect in the Hub: new housing units will come in somewhere between 7,300 and 9,000 apartments. Pedestrian traffic will increase by fifty percent at the Market and Van Ness intersection during peak hours. And more than 8,800 people will use the Van Ness Muni station to commute to and from work.



The simple reason for this population jump: the ever-coveted housing. Here are a few of the big developments coming our way:

- 30 Van Ness Ave. (which houses the Walgreens on the corner of Van Ness and Market streets) is being sold by the Board of Supervisors, and is zoned to accommodate a 550-foot residential tower.
- One Oak (which will replace All-Star Donuts and its adjacent parking lot) will reach 40 stories into the sky and will contain 310 units of market-rate housing.

| Name | ADDRESS | CERTIFICATE OF USE TOURIST HOTEL | CERTIFICATE OF USE RESIDENTIAL HOTEL | VACANT TOURIST UNITS | TOTAL HOTEL UNITS | AVERAGE RENTS |
|--------------------------|------------------|----------------------------------|--------------------------------------|----------------------|-------------------|---------------|
| 16th St | 3161 16TH ST | 0 | 54 | | 54 | |
| 20Mission | 3491 20TH ST | 0 | 41 | 0 | 40 | |
| Aku | 2477 MISSION ST | 0 | 15 | 0 | 15 | 529 |
| Albert | 2135 MISSION ST | 0 | 46 | 0 | 46 | 420 |
| Albion | 3143 16TH ST | 0 | 20 | 0 | 20 | 439 |
| All Star | 2791 16TH ST | 0 | 86 | 0 | 86 | 400 |
| Altamont | 3048 16TH ST | 7 | 87 | | | |
| Andora Inn | 2438 MISSION ST | 9 | 5 | 9 | 14 | 600 |
| Apollo | 0422 VALENCIA ST | 0 | 80 | | | |
| Assemblies of God | 1462 VALENCIA ST | 4 | 7 | | 0 | 0 |
| Bay Community Housing | 3444 18TH ST | 0 | 14 | 0 | 14 | 610 |
| Casa Quezada | 0037 WOODWARD ST | 0 | 59 | | 0 | 0 |
| Casa Valencia | 0504 VALENCIA ST | 0 | 63 | | 0 | 0 |
| Crown | 0528 VALENCIA ST | 0 | 49 | 0 | 51 | 500 |
| Crystal | 2766 MISSION ST | 0 | 31 | 0 | 31 | 511 |
| Curtis | 0559 VALENCIA ST | 0 | 63 | 0 | 63 | 458 |
| Delbex | 2126 MISSION ST | 0 | 40 | 0 | 40 | 300 |
| El Capitan | 2361 MISSION ST | 23 | 64 | 10 | 87 | 443 |
| Eula | 3061 16TH ST | 5 | 20 | 2 | 22 | 600 |
| Frances | 2084 MISSION ST | 0 | 49 | 0 | 49 | 360 |
| Grand Southern | 1941 MISSION ST | 19 | 39 | | | |
| Jalaram | 0868 VALENCIA ST | 0 | 24 | 0 | 24 | 600 |
| Jerry | 3032 16TH ST | 3 | 18 | 3 | 21 | 500 |
| Julian | 0179 JULIAN AV | 0 | 27 | 0 | 27 | 422 |
| Kaileh (former Priyanka) | 1041 VALENCIA ST | 0 | 12 | 0 | 12 | 451 |
| Krishna | 2032 MISSION ST | 4 | 18 | 1 | 20 | 600 |
| Lexington Apartments | 3270 21ST ST | 0 | 11 | 0 | 11 | 600 |

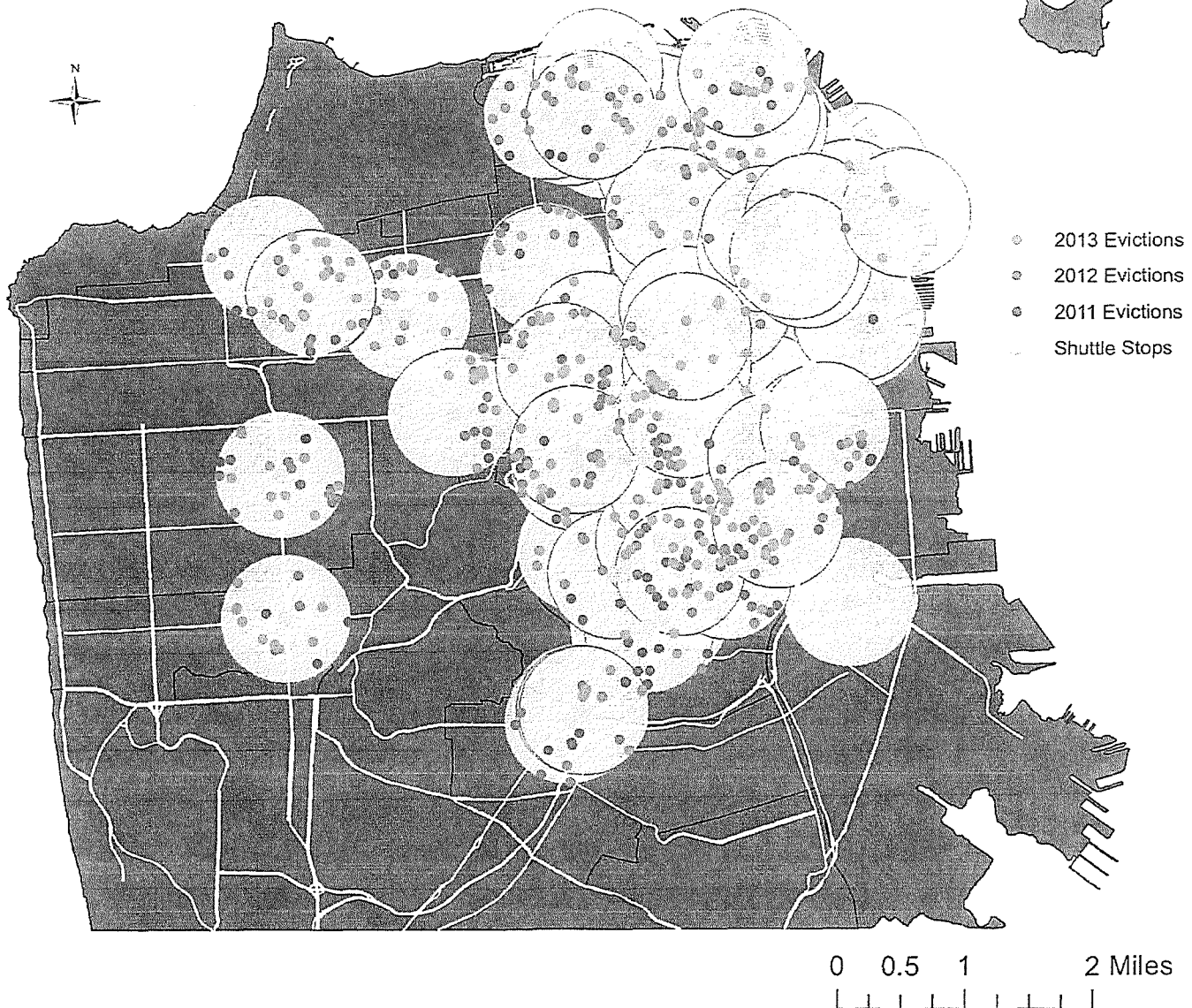
| | | | | | | |
|-------------|------------------------|----|-----|----|-----|-----|
| Mirabelle | 1906 MISSION ST | 0 | 28 | 0 | 30 | 873 |
| Mission | 0520 SOUTH VAN NESS AV | 60 | 188 | | 248 | 350 |
| Norma | 2697 MISSION ST | 10 | 14 | 3 | 24 | 700 |
| Prita | 2284 MISSION ST | 25 | 10 | 11 | 29 | 600 |
| Radha | 2042 MISSION ST | 0 | 12 | 0 | 12 | 760 |
| Royan | 0405 VALENCIA ST | 22 | 47 | | | |
| St. Alban's | 3414 25TH ST | 0 | 20 | 0 | 20 | 353 |
| Star | 2176 MISSION ST | 10 | 43 | 0 | 54 | 352 |
| Sunrise | 0447 VALENCIA ST | 30 | 42 | 26 | 72 | 800 |
| Sycamore | 0030 SYCAMORE ST | 0 | 24 | 0 | 27 | 500 |
| Thomas | 2370 MISSION ST | 0 | 12 | 0 | 12 | 300 |
| Tropical | 3562 20TH ST | 0 | 22 | 0 | 22 | 409 |
| Tropicana | 0661 VALENCIA ST | 0 | 40 | 0 | 40 | 299 |
| Union | 2030 MISSION ST | 24 | 13 | 22 | 37 | 600 |
| Westman | 2056 MISSION ST | 2 | 20 | 2 | 22 | 553 |
| Yug | 2072 MISSION ST | 4 | 16 | 1 | 20 | 550 |
| | 0165 GUERRERO ST | 0 | 16 | | 0 | 0 |
| | 1095 MISSION ST | 58 | 14 | | | |
| | 0801 SILVER AV | 0 | 142 | | 0 | 0 |
| | 1476 19TH AV | 0 | 5 | | 0 | 0 |
| | 0215 14TH ST | 0 | 13 | 0 | 13 | 650 |
| | 2901 MARIPOSA ST | 0 | 46 | 0 | 46 | 495 |
| | 2522 MISSION ST | 0 | 9 | | | |

Total Residential Units 942

Total Occupied Residential Units. 722

Information provided by Dolores St. Community Services, from 2015 DBI records.

Evictions Near Shuttle Stops 2011-2013



Overall:

No-Fault Evictions increased 42% between 2011 and 2012.
No-Fault Evictions increased 57% between 2012 and 2013.

69% of No-Fault Evictions each year occurred
within four blocks of known shuttle stops.

Anti-Eviction Mapping Project, Mar 2014

*No-Fault Eviction include Ellis, Demolitions & Owner Move-In

-0083-

Sources: San Francisco Rent Board & data.sf.gov.org
Shuttle stops from Stamen Design 2012 study &
SFMTA 2013 report

CHANGE IN THE NEIGHBORHOOD
 3B. Mission Street: 2012 Public Life Demographics

POPULATION

62,105

(Citywide)

POPULATION DENSITY

47  per acre

(Citywide)

MEDIAN AGE

35.9

(Citywide)

NO. OF HOUSEHOLDS

25,680 

(Citywide)

MEDIAN HOUSEHOLD INCOME

\$75,269

(Citywide)

EDUCATION

Over half of the adult population graduated from college.

NO. OF HOUSING UNITS

28,085

(Citywide)

RESIDENTIAL DENSITY

21  units per acre

(Citywide)



% OF HOUSEHOLDS WITHOUT A CAR

36%

(Citywide)

UNEMPLOYMENT

7%

(Citywide)



RACE / BACKGROUND

| | CITYWIDE | MISSION STREET |
|--|----------|----------------|
| White | 51% | 60% |
| Black | 10% | 4% |
| Asian | 20% | 14% |
| Native American / Hawaiian or Pacific Islander | 1% | 1% |
| Other / Two or More | 18% | 14% |

% Latino 15% 30%

Male / Female Ratio 51/49% 54/46%

Foreign Born 30% 36%

Linguistic Isolated Households 17% 11%

AGE

Under 5 7% 5%

5 to 17 10% 8%

18 to 34 30% 35%

35 to 59 37% 39%

60 and over 20% 19%

HOUSEHOLDS

Family Households 60% 28%

Single-Person Households 19% 34%

Non-Family Households 20% 27%

Average Household Size 2.3 2.3

Average Family Household Size 3.5 3.3

INCOME

Median Family Household Income \$70,119 \$79,183

Per Capita Income \$17,274 \$14,772

% Poverty 10% 14%

Unemployment 9% 7%

EDUCATION

High School or Less 18% 29%

Some College / AA Degree 23% 18%

College Degree 32% 35%

Post Graduate 26% 20%

HOUSING

Renting Households 37% 61%

Rental Vacancy Rate 7.1% 3%

Median Rent \$1,349 \$1,279

HOUSING TYPE

Single Family Housing 42% 29%

2 - 4 Units 25% 33%

5 - 9 Units 13% 16%

10 units or more 19% 27%

Source: 2007-2011 American Community Survey (Census tracts used to approximate Mission Street study area based on a quarter-mile buffer)

(A mile corridor from South Van Ness Avenue to Rancall Street)

EMERSON
PLANNING DEPARTMENT

1700 Franklin Street



CHANGE IN THE NEIGHBORHOOD

3A. Mission Street : 2000 Public Life Demographics

POPULATION

65,289

(U.S. Census Bureau)

POPULATION DENSITY

49  per acre

(U.S. Census Bureau)

MEDIAN AGE

33

(U.S. Census Bureau)

NO. OF HOUSEHOLDS

24,791 

(U.S. Census Bureau)

MEDIAN HOUSEHOLD INCOME

\$50,676

(U.S. Census Bureau)

EDUCATION

A little under half of the adult population graduated from college.

NO. OF HOUSING UNITS

25,632

(U.S. Census Bureau)


RESIDENTIAL DENSITY

19  units per acre

(U.S. Census Bureau)



% OF HOUSEHOLDS WITHOUT A CAR

63% 

(U.S. Census Bureau)

UNEEMPLOYMENT

4% 

(U.S. Census Bureau)



RACE / BACKGROUND

| | CITYWIDE | MISSION STREET |
|--|----------|----------------|
| White | 59% | 55% |
| Black | 26% | 38% |
| Asian | 11% | 31% |
| Native American / Hawaiian or Pacific Islander | 0% | 1% |
| Other / Two or More | 4% | 11% |
| % Latino | 1% | 49% |

| | CITYWIDE | MISSION STREET |
|--------------------------------|----------|----------------|
| Male / Female Ratio | 51/49% | 54/46% |
| Foreign Born | 11% | 42% |
| Linguistic Isolated Households | 1% | 14% |

AGE

| | CITYWIDE | MISSION STREET |
|-------------|----------|----------------|
| Under 5 | 5% | 5% |
| 5 to 17 | 15% | 11% |
| 18 to 34 | 26% | 40% |
| 35 to 59 | 37% | 33% |
| 60 and over | 17% | 11% |

HOUSEHOLDS

| | CITYWIDE | MISSION STREET |
|-------------------------------|----------|----------------|
| Family Households | 71% | 42% |
| Single-Person Households | 6% | 35% |
| Non-Family Households | 23% | 58% |
| Average Household Size | 2.7 | 2.3 |
| Average Family Household Size | 3.0 | 3.3 |

INCOME

| | CITYWIDE | MISSION STREET |
|--------------------------------|----------|----------------|
| Median Family Household Income | \$61,000 | \$49,053 |
| Per Capita Income | \$21,870 | \$24,330 |
| % Poverty | 11.2% | 15.7% |
| Unemployment | 6.0% | 4% |

EDUCATION

| | CITYWIDE | MISSION STREET |
|--------------------------|----------|----------------|
| High School or Less | 24% | 41% |
| Some College / AA Degree | 20% | 21% |
| College Degree | 30% | 26% |
| Post Graduate | 26% | 13% |

HOUSING

| | CITYWIDE | MISSION STREET |
|---------------------|----------|----------------|
| Renting Households | 2% | 79% |
| Rental Vacancy Rate | 1% | 1.6% |
| Median Rent | \$1,200 | \$998 |

HOUSING TYPE

| | CITYWIDE | MISSION STREET |
|-----------------------|----------|----------------|
| Single Family Housing | 33% | 15% |
| 2 - 4 Units | 21% | 40% |
| 5 - 9 Units | 10% | 18% |
| 10 units or more | 36% | 26% |

Source: 2007-2011 American Community Survey (Census tracts used to approximate Mission Street study area based on a quarter-mile buffer)

(1/4 mile corridor from South Van Ness Avenue to Randall Street)

SAN FRANCISCO PLANNING DEPARTMENT





A Health Risk Assessment

By: Jonathan I. Levy, Jonathan J. Buonocore, & Katherine von Stackelberg

Traffic congestion is a significant issue in virtually every urban area in the United States and around the world. Anyone who spends any time commuting knows that the time and fuel wasted while sitting in traffic can not only be annoying, but can lead to real economic costs. An examination of the peer-reviewed literature shows that there are many previous analyses that estimate the economic costs of congestion based on fuel and time wasted, but that these studies don't include the costs of the potential public health impacts. Sitting in traffic leads to higher tailpipe emissions which everyone is exposed to, and the economic costs of those exposures have not been explored.

Motor vehicle emissions contain pollutants that contribute to outdoor air pollution. One in particular, fine particulate matter (referred to as $PM_{2.5}$) is strongly influenced by motor vehicle emissions. Studies that evaluate the sources of $PM_{2.5}$ in our environment find that vehicles contribute up to one-third of observed $PM_{2.5}$ in urban areas. $PM_{2.5}$ has been associated with premature deaths in many studies, and health impact assessments have shown $PM_{2.5}$ -related damages on the order of hundreds of billions of dollars per year. Recently, an expert committee convened by the Health Effects Institute in Boston, Massachusetts, summarized the available evidence on exposure to traffic-generated air pollution and negative health effects. They find strong evidence for a causative role for traffic related air pollution and premature death, particularly from heart attacks and strokes. $PM_{2.5}$ is emitted directly, and it is also produced by secondary formation, as sulfur dioxide (SO_2) and nitrogen oxide (NO_x) emissions contribute to the formation of sulfate and nitrate particles. Exposure to $PM_{2.5}$ also causes other health effects such as asthma attacks, and other respiratory illnesses.

In this study, we evaluate the premature deaths resulting from people breathing primary $PM_{2.5}$ and secondarily-formed particles during periods of traffic congestion and compare that to the economic costs from time and fuel wasted. We do this analysis for 83 individual urban areas. We predict how much congestion to expect in each of the 83 urban areas over the period 2000 to 2030. We use several inter-linked models to predict how much of what people are breathing in each urban area is attributable to emissions from traffic congestion. The models predict how many people will die prematurely as a result of being exposed to these traffic conditions over the long term. We assign a dollar value to the predicted deaths using a "value of a statistical life" approach as is done for most regulatory impact analyses. The analysis explores the significance of public health impacts in assessments of predicted traffic congestion to identify information gaps to be addressed to better determine the ongoing public health burden of congestion in the United States, and to set the stage for evaluating potential strategies for relieving traffic congestion. Evaluating such strategies will require models and assumptions that take advantage of conditions and the context unique to each area.

Harvard Center for Risk Analysis • Harvard School of Public Health • Boston

-00385-

We estimate traffic congestion-related PM_{2.5}, NOx and SO₂ emissions in these 83 cities caused approximately 4,000 premature deaths in the year 2000, with a monetized value of approximately \$31 billion (in 2007 dollars). This compares to the estimated \$60 billion congested-related cost of wasted time and fuel in these communities during the same year. This fuel and time loss is expected to continue to grow annually over the next 20 years. Across cities and years, the public health impacts of traffic congestion range from an order of magnitude less than the lost time/fuel economic impacts, to in excess of these impacts, with variation attributable to the extent of congestion, population density, and other factors.

We forecast the mortality and public health costs of congestion, however, will diminish slightly over time in most of the areas studied—until rising again toward the end of the modeling period, 2030. In 2005, for example, we estimate congestion-related premature mortality of 3,000 lives, with a monetized value of \$24 billion (in 2007 dollars). This reduction results from the continual turnover of the motor vehicle fleet to lower emission vehicles and the increased use of cleaner motor fuels.

Our estimates of the total public health cost of traffic congestion in the U.S. are likely conservative, in that they consider only the impacts in 83 urban areas and only the cost of related mortality and not the costs that could be associated with related morbidity, health care, insurance, accidents, and other factors. Our analyses indicate that the public health impacts of congestion are significant enough in magnitude, at least in some urban areas, to be considered in future evaluations of the benefits of policies to mitigate congestion.



Results

In total, across the 83 urban areas modeled, vehicle miles traveled (VMT) is projected to increase more than 30% from 2000 to 2030 (an increase from 2.97 billion daily VMT to 3.94 billion daily VMT), closely paralleling projected population growth in the urban areas of 32% (an increase from 133 million people to 176 million).

For 2005, nationwide estimates of traffic emissions attributable to time spent in congestion include approximately 1.2 million tons of NOx, 34,000 tons of SO₂, and 23,000 tons of PM_{2.5}. These emissions are associated with approximately 3,000 premature deaths in 2005 (Figure 1), with an economic valuation of \$24 billion (in 2007 dollars). Overall, nearly 48% of the impact over the 83 urban areas is attributable to NOx emissions, with 42% attributable

Nationwide estimates for 2005 of emissions attributable to congested traffic:

- 1.2 million tons of NOx
- 34,000 tons of SO₂
- 23,000 tons of PM_{2.5}

These emissions are associated with approximately:

- 3,000 premature deaths

The total social cost of these impacts:

- \$24 billion

By 2020, we predict:

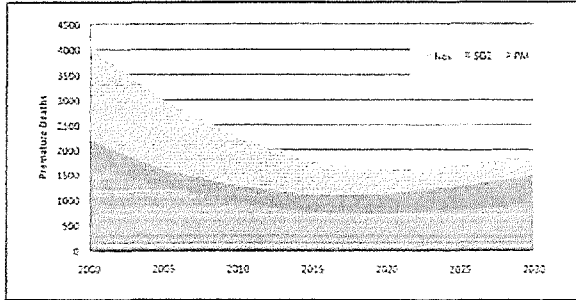
- 1,600 premature deaths
- \$13 billion in total social costs

By 2030, we predict:

- 1,900 premature deaths
- \$17 billion in total social costs

Figure 1

Projected Nationwide Premature Deaths Attributable to Congested Traffic, 2000 - 2030



This graph represents the nationwide estimates for premature deaths attributable to congested traffic for 2000-2030. The colored sections indicate the portion of these premature deaths attributable to NOx, primary PM_{2.5}, and SO₂.

attributable in part to high ambient sulfate in the eastern United States, which tends to reduce particulate nitrate formation, and to conditions in California favoring the secondary formation of particulate sulfate.

to primary PM_{2.5} and 11% attributable to SO₂. However, the relative proportion of the impact attributable to different pollutants varies significantly across urban areas. For example, the proportion due to NOx ranges from 6% in multiple Northeast cities (Hartford, CT; Boston, MA; New Haven, CT; Springfield, MA) to over 70% in less densely populated areas of Texas (Brownsville, Austin) and Washington State (Spokane).

Similarly, the proportion of impact due to primary PM_{2.5} is highest in densely-populated urban areas of the Northeast (approximately 80%) and below 20% in Brownsville. The proportion attributable to SO₂ emissions is highest in California, with four urban areas in California constituting the only places with more than 20% of the mortality risk from SO₂ emissions. These relative proportions are

Figure 2

The Monetized Health Impacts Attributable to Congestion for Selected Urban Areas, 2000 - 2030

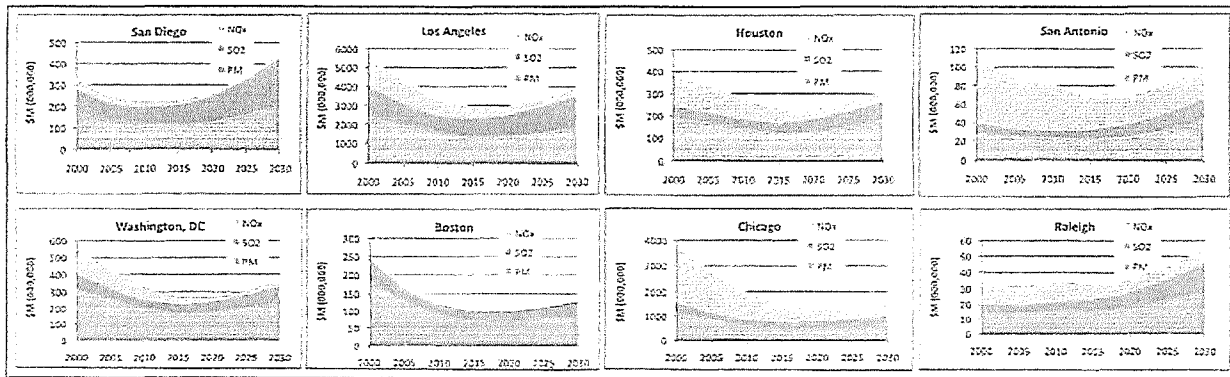
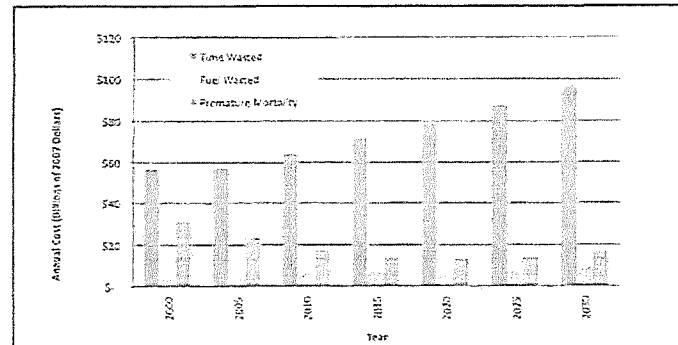


Figure 2 presents the monetized health impacts over time for selected urban areas. These trajectories differ as a function of differential population growth, congestion, population density and atmospheric chemistry. For example, monetized health impacts increase steadily over time in cities such as Raleigh NC and San Diego CA, in which VMT and population growth are significant and primary PM_{2.5} makes a substantial contribution to health risk. In contrast, Chicago and other cities in the Midwest are projected to have small VMT growth and have more substantial contributions to public health damages from NOx emissions, and therefore show a steady decline in health risks over time given the larger decline in NOx emissions per vehicle-mile.

Figure 3

Figure 3 presents the economic costs from time and fuel wasted and monetized estimates of premature mortality attributable to traffic congestion across the 83 urban areas. Overall, time wasted accounts for the bulk of the economic cost associated with traffic congestion, and the cost of delay continues to increase between 2000 and 2030, as this is directly proportional to the extent of congestion. In contrast, reductions in per-vehicle emissions contribute to declines in economic costs associated with premature mortality between 2000 and 2025, with modest increases after that point.

Monetized Premature Mortality as Compared to Projected Time & Fuel Dollars Wasted Attributable to Congested Traffic



As a result, whereas the public health impacts contributed approximately 34% of the total cost of congestion in 2000, this decreases to 14% by 2030. However, the proportion of health impacts attributable to premature mortality varies substantially across urban areas. For example, in 2000, 17 urban areas had health impacts contributing less than 20% of the total cost of congestion, whereas 19 urban areas had contributions in excess of 50%. Those urban areas with relatively small contributions from public health had very high levels of congestion (near or at the 50% threshold) but did not have correspondingly high population density, including Laredo TX, Eugene OR, and Las Vegas NV. In contrast, those urban areas where public health impacts dominated had smaller percentage of time spent in congestion but greater public health benefits per ton of emissions.

Frequently Asked Questions

How was the analysis conducted?

The key components of the analysis include predicting emissions corresponding with traffic congestion for 83 individual urban areas based on travel demand models, which predict how many vehicle-miles people will be traveling in each area. We develop estimates of changes in air pollution (based on $PM_{2.5}$ concentration) associated with these emissions, and apply a concentration-response function that predicts how many people will be impacted by breathing this air pollution. Finally, we assign a dollar value to the predicted number of premature deaths.

Where did we get our data?

We develop estimates of vehicle miles traveled (VMT) based on data and methods from the Center for Urban Transportation Research (CUTR) at the University of Central Florida. We use a model developed by the US EPA called MOBILE6 to estimate city-specific emissions per VMT based on year, temperature profile, and average vehicle speed. We focus on emissions from the baseline year (2000) until 2030. The analysis is conducted for 83 individual urban areas that were previously evaluated by the Texas Transportation Institute (in order to directly compare our results with their estimates of economic costs of congestion) and are in the lower 48 states.

To estimate the changes in air pollution associated with congestion-related emissions from each urban area, we applied a source-receptor (S-R) matrix. S-R matrix is a reduced-form model containing county-to-county transfer factors across the United States, considering both primary $PM_{2.5}$ and secondary formation of sulfate and nitrate particles. To determine the health effects, we use the same studies that the US EPA uses based on a combination of published epidemiological studies and an expert elicitation study addressing the concentration-response function for $PM_{2.5}$ -related mortality. To monetize the resulting estimates of

mortality attributable to congestion, we applied a value of a statistical life (VSL) of approximately \$7.7M in 2007 dollars (for 2000 GDP), the central estimate used in recent EPA regulatory impact analyses.

What does it mean?

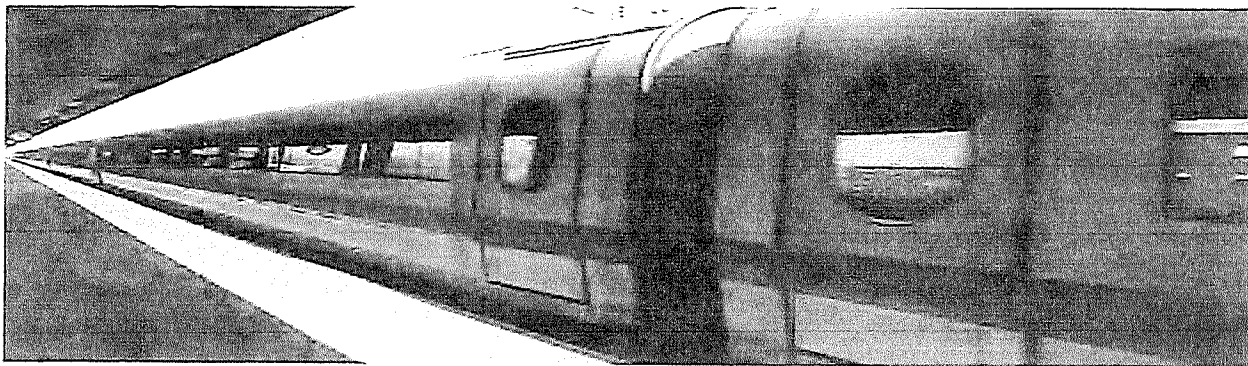
Our modeling illustrates that the public health impacts of traffic during periods of congestion, associated with premature mortality from primary and secondary $PM_{2.5}$ concentrations, are appreciable, with thousands of deaths per year and a monetized value of tens of billions of dollars per year. While the monetized public health damages are smaller than the economic value of time wasted, with the differential anticipated to grow over time, there are some geographic areas where public health damages represent a significant proportion of the total damages, even in future years when per-vehicle emissions are expected to be substantially less. Prior analyses of population exposure per unit emissions from motor vehicles demonstrated that these values were highest in dense urban areas for primary $PM_{2.5}$ and secondary sulfate, especially in California, the mid-Atlantic states, and the industrial Midwest, and were highest in the Southeast and Midwest for secondary nitrate. The urban areas with the greatest proportion of damages from public health were often found in parts of California and the Midwest, where the damages per ton of emissions were greater and the projected future population growth was lower. These findings provide an indication that considering only the direct economic costs of congestion will underestimate societal benefits of mitigating congestion, significantly so in certain urban areas.

What did we leave out?

There are clearly numerous other health endpoints or pollutants that may contribute to the public health burden of congestion, including morbidity endpoints associated with $PM_{2.5}$, mortality and morbidity from ozone, and effects of multiple air toxics. This analysis assumed no change to road infrastructure from 2005 levels, and the models, out of necessity, do not use individualized models of traffic congestion in each urban area (that is, although population and traffic demand are specific to each area, the analysis does not consider road closures, construction, or other area-specific factors that might contribute to increases or decreases in congestion over particular time periods). It is important to note that these are not traffic planning models specific to each area. These are models that predict emissions of pollutants associated with congested conditions on broader scales. Therefore, the results are approximations and represent order-of-magnitude predictions. In addition, the relative proportions across pollutants and urban areas are more robust than the specific numeric estimates.

Where do we go from here?

These results indicate that public health impacts of traffic congestion exist and should be considered when evaluating long-term policy alternatives for addressing congestion such as traffic management through congestion pricing, traffic light synchronization and more efficient response to traffic incidents, and adding new highway and public transit capacity. This analysis represents a first step, and future analyses could incorporate more sophisticated approaches for predicting expected emissions under location-specific conditions as opposed to the generalized case presented here. This exploratory study was designed to evaluate the scope of the issue; more refined estimates are possible that would address urban-area specific alternatives and impacts.



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The following tables provide supporting information for our analyses that did not appear in the published paper. Note that the estimates for individual urban areas are more uncertain than the overall estimates for all 83 urban areas combined, and should be interpreted with caution. The model does not capture the nuances and dynamics of each individual urban area. Traffic demand, for example, is based on a national model, not individual models specific to each location.

Table A: Forecasted Increase in Vehicle Miles Traveled (VMT) in 83 U.S. Urban Areas: 2000-2030

| Urban Area | Percent VMT Increase | | | | | |
|-----------------------------------|----------------------|-----------|-----------|-----------|-----------|-----------|
| | 2000-2005 | 2000-2010 | 2000-2015 | 2005-2020 | 2000-2025 | 2000-2030 |
| Akron, OH | 1% | 1% | 2% | 3% | 4% | 6% |
| Albany, NY | 3% | 4% | 4% | 5% | 6% | 7% |
| Albuquerque, NM | 2% | 8% | 14% | 19% | 23% | 28% |
| Allentown--Bethlehem, PA--NJ | -3% | 3% | 6% | 10% | 13% | 16% |
| Atlanta, GA | 7% | 14% | 19% | 22% | 24% | 27% |
| Austin, TX | 6% | 12% | 17% | 21% | 25% | 29% |
| Bakersfield, CA | 9% | 16% | 21% | 26% | 30% | 33% |
| Baltimore, MD | 1% | 4% | 9% | 13% | 17% | 20% |
| Beaumont, TX | -4% | -3% | -1% | 2% | 4% | 7% |
| Birmingham, AL | 1% | 4% | 6% | 9% | 12% | 15% |
| Boston, MA--NH--RI | -5% | -3% | -2% | 0% | 1% | 3% |
| Boulder, CO | 0% | 6% | 11% | 14% | 17% | 20% |
| Bridgeport--Stamford, CT--NY | 0% | 2% | 3% | 4% | 5% | 7% |
| Brownsville, TX | 6% | 10% | 14% | 17% | 20% | 23% |
| Buffalo, NY | -3% | -3% | -3% | -2% | -1% | 0% |
| Cape Coral, FL | 8% | 20% | 25% | 30% | 34% | 38% |
| Charleston--North Charleston, SC | 3% | 11% | 18% | 25% | 28% | 32% |
| Charlotte, NC--SC | 4% | 13% | 17% | 21% | 25% | 28% |
| Chicago, IL--IN | 1% | 3% | 5% | 6% | 8% | 10% |
| Cincinnati, OH--KY--IN | -4% | -3% | -1% | 0% | 2% | 3% |
| Cleveland, OH | -6% | -8% | -9% | -10% | -11% | -12% |
| Colorado Springs, CO | -2% | 6% | 12% | 17% | 22% | 27% |
| Columbia, SC | -2% | 7% | 15% | 23% | 31% | 36% |
| Columbus, OH | -1% | 2% | 6% | 10% | 13% | 17% |
| Corpus Christi, TX | 1% | 6% | 12% | 19% | 25% | 29% |
| Dallas--Fort Worth--Arlington, TX | 8% | 15% | 18% | 21% | 24% | 27% |
| Dayton, OH | -8% | -8% | -8% | -8% | -7% | -6% |
| Denver--Aurora, CO | 0% | 7% | 10% | 13% | 16% | 19% |
| Detroit, MI | -3% | -3% | -2% | -2% | -1% | 0% |
| El Paso, TX--NM | 3% | 7% | 11% | 15% | 19% | 22% |
| Eugene, OR | 1% | 7% | 12% | 16% | 19% | 22% |
| Fresno, CA | 3% | 9% | 14% | 19% | 22% | 25% |
| Grand Rapids, MI | -15% | -9% | -3% | 2% | 8% | 14% |
| Hartford, CT | -2% | -1% | 0% | 2% | 4% | 5% |
| Houston, TX | 8% | 12% | 15% | 17% | 20% | 23% |
| Indianapolis, IN | 4% | 8% | 12% | 15% | 19% | 22% |
| Jacksonville, FL | 5% | 15% | 19% | 23% | 28% | 32% |
| Kansas City, MO--KS | 0% | 8% | 15% | 21% | 28% | 35% |

Chart continued on next page...

Urban Area

Percent VMT Increase

| | 2000-2005 | 2000-2010 | 2000-2015 | 2005-2020 | 2000-2025 | 2000-2030 |
|--|-----------|-----------|-----------|-----------|-----------|-----------|
| Laredo, TX | 8% | 16% | 22% | 28% | 33% | 38% |
| Las Vegas, NV | 15% | 25% | 32% | 37% | 42% | 46% |
| Little Rock, AR | -8% | -5% | -3% | 0% | 3% | 6% |
| Los Angeles--Long Beach--Santa Ana, CA | 2% | 4% | 5% | 7% | 8% | 10% |
| Louisville, KY--IN | 0% | 2% | 4% | 6% | 8% | 10% |
| Memphis, TN--MS--AR | -3% | -1% | 1% | 3% | 5% | 8% |
| Miami, FL | 4% | 8% | 13% | 18% | 22% | 26% |
| Milwaukee, WI | -5% | -4% | -3% | -1% | 0% | 2% |
| Minneapolis--St. Paul, MN | 0% | 5% | 9% | 14% | 17% | 20% |
| Nashville-Davidson, TN | -12% | -3% | 4% | 11% | 17% | 24% |
| New Haven, CT | -2% | 1% | 4% | 7% | 9% | 12% |
| New Orleans, LA | -3% | -36% | -25% | -15% | -8% | -2% |
| New York--Newark, NY--NJ--CT | 1% | 2% | 3% | 5% | 6% | 8% |
| Oklahoma City, OK | 3% | 9% | 13% | 16% | 19% | 23% |
| Omaha, NE--IA | 5% | 10% | 14% | 19% | 23% | 27% |
| Orlando, FL | 6% | 18% | 27% | 32% | 37% | 41% |
| Oxnard, CA | 5% | 15% | 25% | 34% | 42% | 47% |
| Pensacola, FL--AL | -7% | 4% | 12% | 19% | 26% | 31% |
| Philadelphia, PA--NJ--DE--MD | 0% | 2% | 3% | 4% | 5% | 7% |
| Phoenix--Mesa, AZ | 8% | 15% | 20% | 24% | 29% | 33% |
| Pittsburgh, PA | -6% | -6% | -4% | -2% | 0% | 3% |
| Portland, OR--WA | 4% | 7% | 10% | 13% | 16% | 19% |
| Providence, RI--MA | -1% | 1% | 4% | 7% | 10% | 13% |
| Raleigh, NC | 11% | 28% | 37% | 43% | 49% | 54% |
| Richmond, VA | -4% | 5% | 14% | 22% | 31% | 36% |
| Riverside--San Bernardino, CA | 9% | 15% | 19% | 24% | 28% | 31% |
| Rochester, NY | 0% | 0% | 0% | 0% | 1% | 3% |
| Sacramento, CA | 6% | 10% | 14% | 18% | 22% | 25% |
| St. Louis, MO--IL | 1% | 1% | 1% | 2% | 2% | 3% |
| Salem, OR | 5% | 11% | 15% | 20% | 25% | 29% |
| Salt Lake City, UT | 6% | 17% | 27% | 35% | 40% | 45% |
| San Antonio, TX | 5% | 15% | 22% | 28% | 35% | 42% |
| San Diego, CA | 1% | 10% | 15% | 20% | 26% | 31% |
| San Francisco--Oakland, CA | 0% | 1% | 2% | 3% | 5% | 6% |
| San Jose, CA | 1% | 2% | 3% | 4% | 5% | 6% |
| Sarasota--Bradenton, FL | 8% | 17% | 25% | 33% | 39% | 45% |
| Seattle, WA | 2% | 6% | 8% | 11% | 14% | 17% |
| Spokane, WA--ID | 2% | 8% | 14% | 20% | 25% | 30% |
| Springfield, MA--CT | -6% | -5% | -5% | -4% | -2% | -1% |
| Tampa--St. Petersburg, FL | 4% | 7% | 10% | 13% | 15% | 18% |
| Toledo, OH--MI | -5% | -6% | -5% | -5% | -4% | -2% |
| Tucson, AZ | 5% | 12% | 19% | 23% | 26% | 29% |
| Tulsa, OK | -8% | -2% | 4% | 10% | 16% | 22% |
| Virginia Beach, VA | -1% | 3% | 7% | 10% | 14% | 17% |
| Washington, DC--VA--MD | 3% | 5% | 7% | 9% | 11% | 13% |

Table B provides estimates of premature mortality and associated social costs across selected years to 2030 for each of the 83 urban areas. While estimates in all individual urban areas were not reported in the published paper, they are included below to provide perspective on the relative proportion of expected impacts across the 83 modeled areas. Given the underlying uncertainties and simplifications in the modeling approach, although the values are listed below with multiple significant figures for ease of comparison, the values in this table should be interpreted as order of magnitude estimates of the potential public health impacts.

Table B: Estimated Selective Public Health Impacts of Traffic Congestion With Status Quo Infrastructure & Mobility Options in 83 U.S. Urban Areas: 2000 - 2030

| | 2000 | | 2005 | | 2010 | | 2015 | | 2020 | | 2025 | | 2030 | |
|--|------|-------|------|-------|------|-------|------|-------|------|-------|------|-------|------|-------|
| | EPD | \$M | EPD | \$M | EPD | \$M | EPD | \$M | EPD | \$M | EPD | \$M | EPD | \$M |
| Akron, OH | 8 | 63 | 6 | 47 | 4 | 34 | 3 | 27 | 3 | 26 | 3 | 28 | 4 | 32 |
| Albany, NY | <2 | 9 | <2 | 7 | <2 | 5 | <2 | 4 | <1 | 4 | <2 | 4 | <2 | .5 |
| Albuquerque, NM | 4 | 32 | 3 | 25 | 3 | 21 | 2 | 17 | 2 | 17 | 2 | 19 | 3 | 23 |
| Allentown--Bethlehem, PA--NJ | 6 | 44 | 4 | 31 | 3 | 25 | 3 | 21 | 3 | 21 | 3 | 24 | 3 | 29 |
| Atlanta, GA | 93 | 717 | 80 | 633 | 70 | 549 | 56 | 454 | 52 | 431 | 55 | 476 | 62 | 549 |
| Austin, TX | 17 | 129 | 14 | 110 | 12 | 92 | 9 | 73 | 8 | 67 | 8 | 73 | 10 | 85 |
| Bakersfield, CA | 2 | 17 | 2 | 15 | 2 | 13 | <2 | 11 | <2 | 11 | 2 | 13 | 2 | 16 |
| Baltimore, MD | 65 | 499 | 45 | 354 | 32 | 252 | 24 | 195 | 22 | 183 | 23 | 200 | 26 | 228 |
| Beaumont, TX | <1 | 2 | <1 | 2 | <1 | <2 | <1 | <2 | <1 | <2 | <1 | <2 | <1 | <2 |
| Birmingham, AL | 9 | 66 | 6 | 48 | 5 | 36 | 4 | 29 | 3 | 27 | 3 | 29 | 4 | 33 |
| Boston, MA--NH--RI | 33 | 257 | 21 | 169 | 16 | 125 | 13 | 102 | 12 | 100 | 13 | 112 | 15 | 130 |
| Boulder, CO | <2 | 8 | <2 | 6 | <2 | 5 | <2 | 4 | <2 | 4 | <2 | 4 | <2 | 5 |
| Bridgeport--Stamford, CT--NY | 11 | 83 | 8 | 62 | 6 | 47 | 5 | 38 | 4 | 37 | 5 | 40 | 5 | 46 |
| Brownsville, TX | 4 | 28 | 3 | 25 | 3 | 20 | 2 | 15 | 2 | 13 | 2 | 14 | 2 | 16 |
| Buffalo, NY | 4 | 34 | 3 | 23 | 2 | 16 | 2 | 13 | <2 | 12 | 2 | 14 | 2 | 16 |
| Cape Coral, FL | 10 | 78 | 9 | 75 | 10 | 76 | 8 | 65 | 8 | 64 | 8 | 73 | 10 | 91 |
| Charleston--North Charleston, SC | 2 | 18 | 2 | 14 | 2 | 13 | 2 | 12 | 2 | 14 | 2 | 17 | 2 | 21 |
| Charlotte, NC--SC | 16 | 120 | 13 | 102 | 12 | 92 | 10 | 78 | 9 | 78 | 10 | 89 | 12 | 105 |
| Chicago, IL--IN | 487 | 3,751 | 350 | 2,770 | 251 | 1,982 | 182 | 1,481 | 157 | 1,313 | 158 | 1,361 | 171 | 1,520 |
| Cincinnati, OH--KY--IN | 60 | 460 | 41 | 321 | 28 | 220 | 19 | 154 | 15 | 129 | 15 | 129 | 16 | 139 |
| Cleveland, OH | 34 | 262 | 21 | 165 | 14 | 111 | 10 | 84 | 9 | 77 | 9 | 79 | 10 | 86 |
| Colorado Springs, CO | 4 | 29 | 3 | 21 | 2 | 18 | 2 | 15 | 2 | 14 | 2 | 15 | 2 | 18 |
| Columbia, SC | 2 | 17 | 2 | 12 | <2 | 11 | <2 | 10 | <2 | 11 | 2 | 14 | 2 | 18 |
| Columbus, OH | 19 | 150 | 14 | 109 | 11 | 83 | 8 | 69 | 8 | 68 | 9 | 76 | 10 | 89 |
| Corpus Christi, TX | 2 | 18 | 2 | 13 | <2 | 11 | <2 | 9 | <2 | 9 | <2 | 10 | <2 | 12 |
| Dallas--Fort Worth--Arlington, TX | 122 | 941 | 103 | 816 | 85 | 671 | 62 | 507 | 54 | 455 | 56 | 483 | 62 | 547 |
| Dayton, OH | 21 | 161 | 13 | 103 | 9 | 70 | 6 | 48 | 5 | 40 | 5 | 39 | 5 | 42 |
| Denver--Aurora, CO | 41 | 319 | 31 | 245 | 24 | 192 | 18 | 144 | 15 | 126 | 15 | 132 | 17 | 148 |
| Detroit, MI | 173 | 1,333 | 116 | 918 | 76 | 603 | 52 | 421 | 43 | 357 | 41 | 355 | 43 | 381 |
| El Paso, TX--NM | 9 | 69 | 7 | 56 | 6 | 47 | 5 | 40 | 5 | 40 | 5 | 47 | 7 | 58 |
| Eugene, OR | <2 | 5 | <2 | 4 | <1 | 4 | <1 | 3 | <1 | 3 | <1 | 4 | <2 | 5 |
| Fresno, CA | 9 | 70 | 7 | 58 | 6 | 49 | 5 | 42 | 5 | 42 | 5 | 47 | 6 | 56 |
| Grand Rapids, MI | 8 | 62 | 5 | 36 | 4 | 28 | 3 | 22 | 2 | 21 | 3 | 23 | 3 | 27 |
| Hartford, CT | 7 | 54 | 5 | 38 | 4 | 29 | 3 | 24 | 3 | 23 | 3 | 26 | 3 | 30 |
| Houston, TX | 50 | 383 | 43 | 338 | 35 | 277 | 29 | 232 | 28 | 231 | 30 | 263 | 35 | 311 |
| Indianapolis, IN | 34 | 264 | 27 | 210 | 19 | 153 | 14 | 113 | 12 | 100 | 12 | 103 | 13 | 112 |
| Jacksonville, FL | 5 | 39 | 4 | 32 | 4 | 29 | 3 | 25 | 3 | 26 | 3 | 30 | 4 | 36 |
| Kansas City, MO--KS | 18 | 142 | 14 | 108 | 11 | 88 | 8 | 67 | 7 | 62 | 8 | 69 | 9 | 84 |
| Laredo, TX | <2 | 4 | <1 | 4 | <1 | 3 | <1 | 3 | <1 | 3 | <1 | 4 | <2 | 5 |
| Las Vegas, NV | 4 | 34 | 5 | 36 | 4 | 34 | 4 | 33 | 4 | 37 | 5 | 46 | 7 | 61 |
| Little Rock, AR | 3 | 22 | 2 | 14 | <2 | 10 | <2 | 8 | <2 | 7 | <2 | 7 | <2 | 7 |
| Los Angeles--Long Beach--Santa Ana, CA | 722 | 5,564 | 547 | 4,324 | 426 | 3,362 | 360 | 2,924 | 355 | 2,974 | 394 | 3,396 | 454 | 4,038 |

EPD = Estimated Premature Deaths

\$M = Estimated Cost in Millions of U.S. Dollars (2007 \$)

Chart continued on next page...

Table B Continued:

Estimated Selective Public Health Impacts of Traffic Congestion With Status Quo Infrastructure & Mobility Options in 83 U.S. Urban Areas: 2000 - 2030

| | 2000 | | 2005 | | 2010 | | 2015 | | 2020 | | 2025 | | 2030 | |
|-------------------------------|-------|--------|-------|--------|-------|--------|-------|--------|-------|--------|-------|--------|-------|--------|
| | EPD | \$M | EPD | \$M | EPD | \$M | EPD | \$M | EPD | \$M | EPD | \$M | EPD | \$M |
| Louisville, KY--IN | 34 | 265 | 24 | 192 | 17 | 138 | 12 | 101 | 11 | 89 | 11 | 91 | 11 | 99 |
| Memphis, TN--MS--AR | 16 | 123 | 11 | 84 | 8 | 62 | 6 | 48 | 5 | 44 | 5 | 47 | 6 | 52 |
| Miami, FL | 62 | 474 | 47 | 370 | 40 | 316 | 36 | 293 | 38 | 316 | 44 | 379 | 53 | 473 |
| Milwaukee, WI | 40 | 308 | 26 | 205 | 18 | 142 | 13 | 102 | 11 | 88 | 10 | 90 | 11 | 99 |
| Minneapolis--St. Paul, MN | 66 | 505 | 48 | 380 | 37 | 295 | 29 | 236 | 27 | 225 | 28 | 245 | 32 | 282 |
| Nashville-Davidson, TN | 11 | 84 | 6 | 50 | 5 | 42 | 4 | 34 | 4 | 32 | 4 | 36 | 5 | 43 |
| New Haven, CT | 5 | 35 | 3 | 25 | 2 | 19 | 2 | 17 | 2 | 17 | 2 | 19 | 3 | 22 |
| New Orleans, LA | 10 | 76 | 6 | 51 | 2 | 17 | 2 | 16 | 2 | 19 | 3 | 23 | 3 | 29 |
| New York--Newark, NY--NJ--CT | 644 | 4,962 | 477 | 3,768 | 337 | 2,658 | 244 | 1,981 | 212 | 1,772 | 215 | 1,859 | 234 | 2,079 |
| Oklahoma City, OK | 16 | 120 | 12 | 94 | 9 | 73 | 6 | 52 | 5 | 44 | 5 | 44 | 5 | 48 |
| Omaha, NE--IA | 7 | 53 | 6 | 45 | 4 | 34 | 3 | 26 | 3 | 23 | 3 | 25 | 3 | 28 |
| Orlando, FL | 25 | 196 | 21 | 169 | 21 | 166 | 19 | 157 | 19 | 161 | 22 | 191 | 27 | 236 |
| Oxnard, CA | 4 | 29 | 3 | 24 | 3 | 22 | 3 | 24 | 3 | 29 | 5 | 39 | 6 | 51 |
| Pensacola, FL--AL | 3 | 23 | 2 | 15 | 2 | 14 | 2 | 12 | <2 | 12 | 2 | 14 | 2 | 17 |
| Philadelphia, PA--NJ--DE--MD | 149 | 1,145 | 102 | 806 | 71 | 561 | 51 | 416 | 45 | 374 | 46 | 395 | 50 | 441 |
| Phoenix--Mesa, AZ | 19 | 148 | 17 | 134 | 15 | 116 | 13 | 102 | 12 | 104 | 14 | 123 | 17 | 152 |
| Pittsburgh, PA | 18 | 137 | 11 | 87 | 8 | 63 | 6 | 51 | 6 | 51 | 7 | 57 | 8 | 69 |
| Portland, OR--WA | 20 | 154 | 16 | 129 | 13 | 101 | 10 | 81 | 9 | 75 | 9 | 81 | 11 | 94 |
| Providence, RI--MA | 11 | 81 | 7 | 59 | 6 | 44 | 5 | 38 | 5 | 39 | 5 | 45 | 6 | 55 |
| Raleigh, NC | 4 | 34 | 4 | 32 | 4 | 34 | 4 | 33 | 4 | 36 | 5 | 44 | 6 | 55 |
| Richmond, VA | 6 | 45 | 4 | 30 | 3 | 27 | 3 | 25 | 3 | 29 | 4 | 38 | 5 | 49 |
| Riverside--San Bernardino, CA | 13 | 98 | 11 | 90 | 10 | 80 | 10 | 79 | 11 | 89 | 13 | 111 | 16 | 144 |
| Rochester, NY | 3 | 24 | 2 | 17 | <2 | 13 | <2 | 10 | <2 | 9 | <2 | 10 | <2 | 12 |
| Sacramento, CA | 69 | 533 | 60 | 471 | 48 | 378 | 39 | 316 | 36 | 305 | 40 | 343 | 46 | 412 |
| St. Louis, MO--IL | 103 | 797 | 74 | 589 | 51 | 399 | 34 | 273 | 27 | 224 | 25 | 218 | 26 | 227 |
| Salem, OR | <1 | 3 | <1 | 2 | <1 | 2 | <1 | 2 | <1 | 2 | <1 | 2 | <1 | 2 |
| Salt Lake City, UT | 5 | 42 | 5 | 37 | 4 | 34 | 4 | 31 | 4 | 34 | 5 | 39 | 6 | 49 |
| San Antonio, TX | 14 | 108 | 11 | 89 | 10 | 80 | 8 | 68 | 8 | 68 | 9 | 81 | 12 | 103 |
| San Diego, CA | 43 | 331 | 31 | 249 | 29 | 227 | 28 | 229 | 32 | 265 | 39 | 339 | 50 | 449 |
| San Francisco--Oakland, CA | 235 | 1,813 | 170 | 1,345 | 124 | 981 | 90 | 733 | 77 | 649 | 78 | 675 | 85 | 751 |
| San Jose, CA | 42 | 323 | 31 | 248 | 24 | 191 | 19 | 156 | 18 | 149 | 19 | 163 | 21 | 188 |
| Sarasota--Bradenton, FL | 2 | 12 | <2 | 11 | <2 | 9 | <2 | 8 | <2 | 8 | <2 | 9 | <2 | 12 |
| Seattle, WA | 32 | 246 | 26 | 203 | 21 | 162 | 16 | 128 | 14 | 119 | 15 | 128 | 17 | 149 |
| Spokane, WA--ID | <2 | 7 | <2 | 5 | <2 | 5 | <1 | 4 | <1 | 4 | <1 | 4 | <2 | 5 |
| Springfield, MA--CT | <2 | 5 | <1 | 3 | <1 | 3 | <1 | 2 | <1 | 2 | <1 | 2 | <1 | 2 |
| Tampa--St. Petersburg, FL | 80 | 619 | 61 | 482 | 45 | 357 | 33 | 265 | 28 | 233 | 28 | 238 | 29 | 260 |
| Toledo, OH--MI | 12 | 91 | 8 | 60 | 5 | 40 | 3 | 28 | 3 | 24 | 3 | 24 | 3 | 26 |
| Tucson, AZ | 4 | 31 | 3 | 26 | 3 | 23 | 3 | 21 | 2 | 21 | 3 | 24 | 3 | 29 |
| Tulsa, OK | 9 | 68 | 5 | 43 | 4 | 35 | 3 | 26 | 3 | 24 | 3 | 25 | 3 | 29 |
| Virginia Beach, VA | 13 | 102 | 9 | 74 | 7 | 59 | 6 | 53 | 7 | 56 | 8 | 67 | 9 | 82 |
| Washington, DC--VA--MD | 72 | 556 | 55 | 438 | 42 | 330 | 34 | 273 | 33 | 272 | 36 | 310 | 41 | 366 |
| Total | 4,045 | 31,161 | 3,001 | 23,736 | 2,264 | 17,861 | 1,746 | 14,192 | 1,602 | 13,412 | 1,703 | 14,690 | 1,917 | 17,034 |

EPD = Estimated Premature Deaths

\$M = Estimated Cost in Millions of U.S. Dollars (2007 \$)



The Harvard Center for Risk Analysis (HCRA), founded in 1989, is recognized as a world-leader in applying decision theory, environmental and health science, and economics to a broad range of important environmental and public health issues. HCRA is a research institute within the Harvard School of Public Health, which has the objective of using a variety of analytic methods to inform public policy decisions relevant to public health. Our researchers enjoy successful collaborations across disciplines, and a hallmark of our work is synthesizing and integrating basic environmental sciences with social sciences to better inform decision making. We regularly host interdisciplinary seminars. Since 1993, HCRA has been publishing *Risk in Perspective*, a periodic publication available from our website (www.hcra.harvard.edu). Currently, HCRA hosts the Research Translation Core for a Superfund Basic Research program grant focused on gene-environment interactions (www.srphsph.harvard.edu) and is responsible for developing and communicating policy-relevant research based on the results of studies from partners across the University and MIT.

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 Access it online at: <http://www.environmentalhealthjournal.org/1765>

DEMOGRAPHIA

Population Density, Traffic Density and Nitrogen Oxides (NOx) Emission Air Pollution Density in Major Metropolitan Areas of the United States

This report summarizes the latest Environmental Protection Agency (EPA) data on the density of daily traffic densities and road vehicle nitrogen oxides (NOx) emissions densities by counties within the 51 metropolitan areas with more than 1 million population in the United States as of 2010. The measures used are described under "The Measures," below.

The EPA data indicates a strong association both between:

- Higher population densities and higher traffic densities (Figure 1).
- Higher population densities and higher road vehicle nitrogen oxides (NOx) emission intensities (Figure 2)

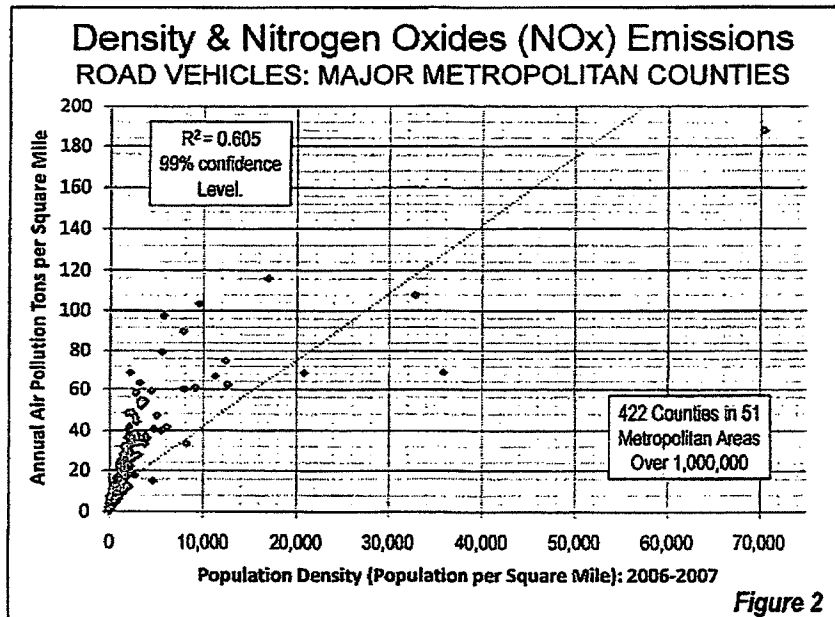
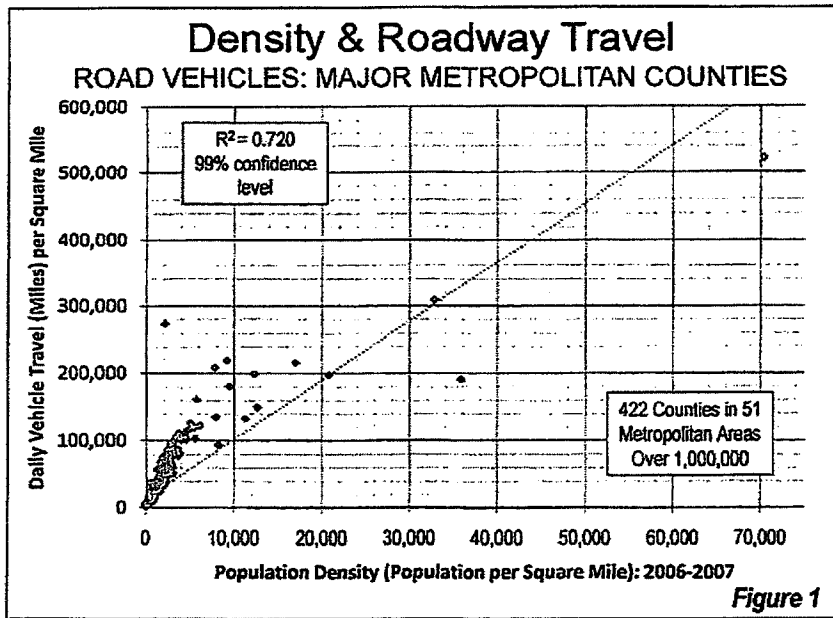
In both cases, the relationships are statistically significant at the 99 percent level of confidence.

These relationships are summarized by population density category in Table 1, which includes total daily road vehicle travel density (vehicle miles per square mile), annual nitrogen oxides (NOx) emission intensity and a comparison to the average of all of the metropolitan area counties.

| Population Density | NOx Emissions per Square Mile | Compared to Average | Road Travel per Square Mile | Compared to Average |
|--|-------------------------------|---------------------|-----------------------------|---------------------|
| 20,000 & Over | 106.1 | 13.7 | 304,064 | 22.1 |
| 10,000 - 20,000 | 79.8 | 10.1 | 173,450 | 12.6 |
| 5,000 - 10,000 | 55.1 | 5.5 | 146,143 | 10.6 |
| 2,500 - 5,000 | 40.3 | 5.1 | 84,695 | 6.1 |
| 1,000 - 2,500 | 23.1 | 2.9 | 45,064 | 3.3 |
| Under 1,000 | 4.6 | 0.6 | 7,057 | 0.5 |
| Average of Major Metropolitan Counties | 7.9 | | 13,779 | |

| | | | | |
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It is important to recognize that air pollution emissions alone are not a fully reliable predictor of air quality, though all things being equal, higher air pollution emissions will lead to less healthful air. This issue is described further under "Caveats." Below.



Data by County

Some in the urban planning community have implied that vehicle travel is lowered by higher densities and more intense transit service. It has also been implied that higher population densities are associated with lower air pollution levels.

In fact, New York County (Manhattan), the highest density county in the nation, also has the highest traffic density and the highest total nitrogen oxides (NOx) emission density out of all of the nation's nearly 3,200 counties, metropolitan and non-metropolitan. Moreover, New York County also has the highest concentration of emissions for the other criteria air pollutants, such as carbon monoxides, particulates and volatile organic compounds (2002 data).¹

The clearest lesson from these data is that *both propositions are patently false*. The county with the highest population density in the nation (New York County) has the both the highest traffic density and nitrogen oxides (NOx) emission density. Generally, increasing population densities leads to increased traffic and air pollution density. The new traffic generated by the new residents substantially offsets any per capita reduction in driving.

Seven of the 10 counties with the highest NOx emissions concentration² (annual tons per square mile) in major metropolitan areas (those with more than 1 million population) are also among the top 10 in population density (2008). As noted above, New York County (Manhattan) has by far the most intense NOx emissions and is also by far the most dense. New York City's other three most urban counties (Bronx, Kings and Queens) are more dense than any county in the nation outside Manhattan and all are among the top 10 in NOx emission density (Table 3).

More concentrated traffic leads to greater traffic congestion and more intense air pollution. The data for traffic concentration is similar.³ Manhattan has by far the greatest miles of road travel per square mile of any county. Again, seven of the 10 counties with the greatest density of traffic are also among the 10 with the highest population densities. As in the case of NOx emissions, the other three highly urbanized New York City counties are also among the top 10 in the density of motor vehicle travel (Table 3).

| NOx Emissions | | | | Motor Vehicle Travel | | | |
|---------------|--------------|----------------------|---------------------|----------------------|--------------|-------------------------|---------------------|
| Rank | Density Rank | County | Compared to Average | Rank | Density Rank | County | Compared to Average |
| 1 | 1 | New York Co. NY | 23.8 | 1 | 1 | New York Co. NY | 37.8 |
| 2 | 5 | San Francisco Co. CA | 14.7 | 2 | 3 | Bronx Co. NY | 22.3 |
| 3 | 3 | Bronx Co. NY | 13.7 | 3 | 50 | Fredericksburg city, VA | 19.9 |
| 4 | 9 | Washington city, DC | 13.1 | 4 | 10 | Alexandria city, VA | 15.8 |
| 5 | 18 | St. Louis city, MO | 12.4 | 5 | 5 | San Francisco Co. CA | 15.8 |
| 6 | 13 | Arlington Co. VA | 11.3 | 6 | 13 | Arlington Co. VA | 15.1 |
| 7 | 15 | Cook Co. IL | 10.0 | 7 | 7 | Suffolk Co. MA | 14.4 |
| 8 | 7 | Suffolk Co. MA | 9.5 | 8 | 4 | Queens Co. NY | 14.3 |
| 9 | 2 | Kings Co. NY | 8.7 | 9 | 2 | Kings Co. NY | 13.8 |
| 10 | 4 | Queens Co. NY | 8.7 | 10 | 9 | Washington city, DC | 13.1 |

Calculated from 2008 EPA Data
Ranking out of 422 counties

Calculated from 2005 EPA Data
Ranking out of 422 counties

Urbanization

Most counties have substantial rural land area, which results in lower factors for both traffic density and air pollution emission density. This is evident in Los Angeles County (California) for example, which contains most of the Los Angeles urban area, which has the highest population density of any urban area in the country. Los Angeles has been renowned for decades as having some of the country's worst air pollution. Yet, this report shows Los Angeles County to have a much lower traffic density than many

¹ Calculated from data downloaded from <http://www.epa.gov/oar/data/ceusef.html>.

² <http://www.epa.gov/ttn/chief/net/2008inventory.html>

³ http://www.epa.gov/ttnnaaqs/pm/docs/2005_vmt_county_level.xls

other counties. This reflects the fact that approximately one half of the land area of Los Angeles County is very low density rural, which substantially reduces the traffic density. Similarly, the air pollution emission factors in Los Angeles County are lower than would be expected because of the large share of the county that is rural.

Data from the 35 counties in which 90 percent or more of the land is developed indicates virtually the same relationships as were indicated in the overall analysis. Table 3 shows the results, which indicates a substantially the same population density/traffic density and population density/air pollution emission density relationship as in all of the metropolitan area counties.

Table 3
 Nox Emission & Road Travel Intensities by Population Density
 Highly Urbanized Counties in Major Metropolitan Areas (Over 1,000,000 Population)

| Population Density | NOx Emissions per Square Mile | Compared to Average | Road Travel per Square Mile | Compared to Average |
|--|-------------------------------|---------------------|-----------------------------|---------------------|
| 20,000 & Over | 108.1 | 0.1 | 304,064 | 22.1 |
| 10,000 - 20,000 | 78.6 | 0.1 | 173,450 | 12.3 |
| 5,000 - 10,000 | 55.1 | 0.1 | 146,149 | 10.6 |
| 2,500 - 5,000 | 44.8 | 0.1 | 91,701 | 6.7 |
| 1,000 - 2,500 | 26.3 | 0.0 | 51,140 | 3.7 |
| Under 1,000 | - | - | - | - |
| Average of Major Metropolitan Counties | 833.3 | | 13,779 | |

Counties with 90% or more in urban land (35)

Cautions:

The air pollution data contained in this report is for emissions, not for air quality. Air quality is related to emissions and if there were no other intervening variables, it could be expected that emissions alone would predict air quality. However there are a number of intervening variables, from climate, wind, topography and other factors. Again, Los Angeles County makes the point. As the highest density large urban area in the nation is to be expected that Los Angeles would have among the highest density of air pollution emissions. However, the situation in Los Angeles is exacerbated by the fact that the urban area is surrounded by mountains which tend to trap the air pollution that is blown eastward by the prevailing westerly winds.

The EPA data for 2002 can be used to create maps indicating criteria pollutant densities within metropolitan areas. Examples of a map of the New York metropolitan area and the Portland (OR-WA) metropolitan area are shown (Figures 3 and 4), with the later indicating the data illustration feature using Multnomah County (the central county of the metropolitan area).

The Measures:

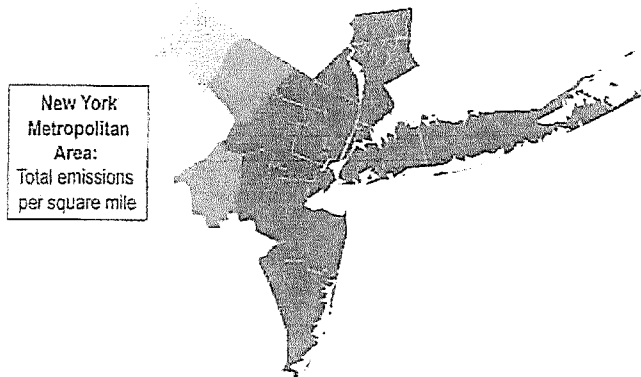
Road Travel Volumes: Annual traffic volumes in vehicle miles are reported by EPA.⁴ The annual vehicle miles for each county is divided by the number of days (365) and then by the county land area in square miles to generate a vehicle miles per square mile (density) figure. The EPA data is for 2005, which is the latest data available on the EPA website.

⁴ http://www.epa.gov/ttn/naaqs/pm/docs/2005_vmt_county_level.xls

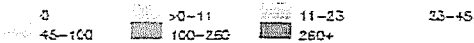
Vehicle Air Pollution Emissions: The EPA reports annual air pollution emissions by county, both gross and by density for various pollutants on its website.⁵ This analysis is based on the density of nitrogen oxides (NOx).

This report covers local air pollutants only and does not provide information on greenhouse gas emissions (nor does the EPA "Air Data" website).

County Emissions Map — Criteria Air Pollutants
Counties in New Jersey, New York, Pennsylvania



2002 County Emissions Density (Tons per sq.mi.) of Total Criteria Pollutant



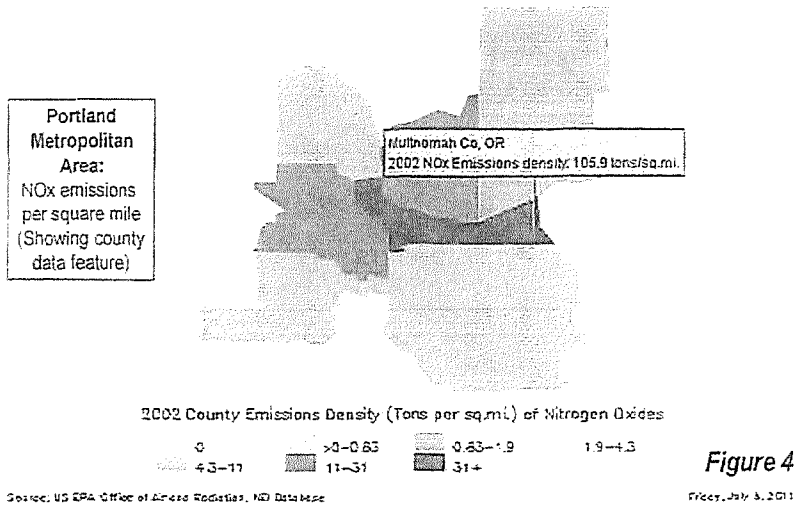
Source: US EPA Office of Air and Radiation, AQ Database

Figure 3

Thursday, July 7, 2011

⁵ <http://www.epa.gov/air/data/geosel.html>.

County Emissions Map — Criteria Air Pollutants
Counties in Oregon, Washington



Other Air Pollutants

Similar relationships exist with respect to the other criteria air pollutants. In each case, the relationships between higher population densities and more intense air pollution is statistically significant at the 99 percent level of confidence. The relationships are illustrated in the following figures:

Figure 5: Carbon Monoxide

Figure 6: Volatile Organic Compounds (VOC)

Figure 7: Sulphur Dioxide (SO²)

Figure 8: Particulate Matter less than 2.5 micrometers in diameter (PM-2.5)

Figure 9: Particulate Matter less than 10 micrometers in diameter (PM-10)

Figure 10: Ammonia (NH³)

Density & Carbon Monoxide Emissions ROAD VEHICLES: MAJOR METROPOLITAN COUNTIES

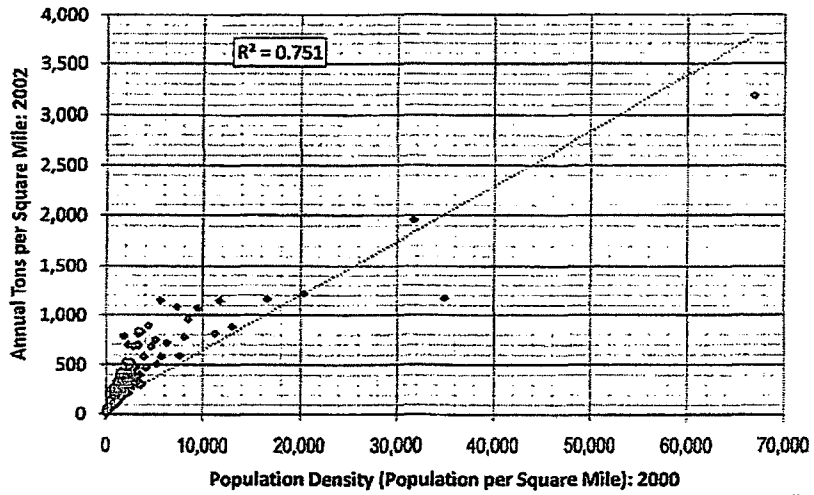


Figure 5

Density & VOC Emissions ROAD VEHICLES: MAJOR METROPOLITAN COUNTIES

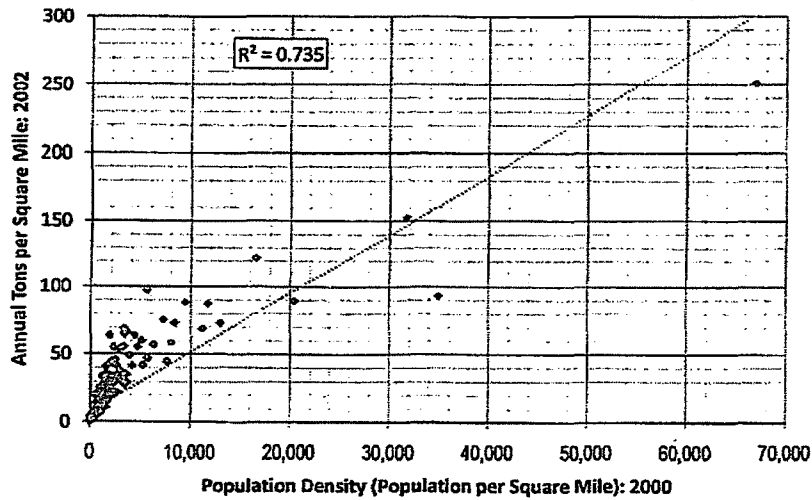


Figure 6

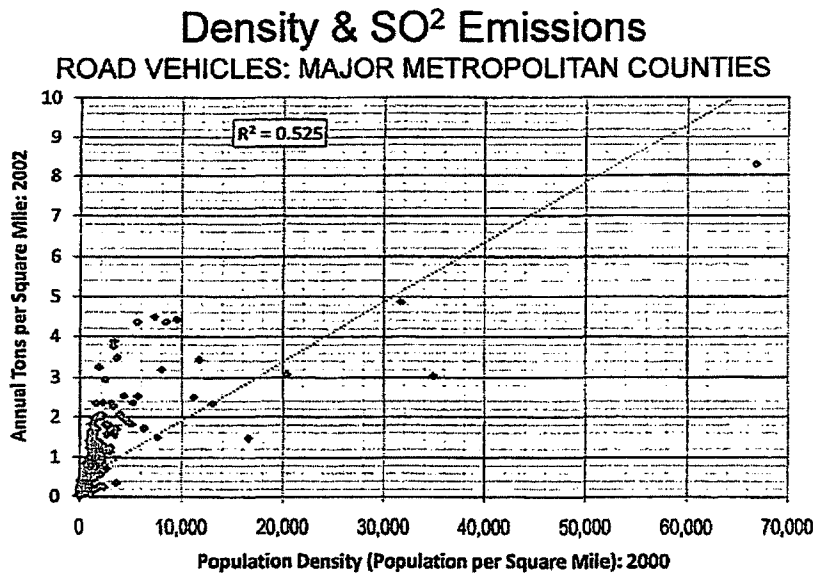


Figure 7

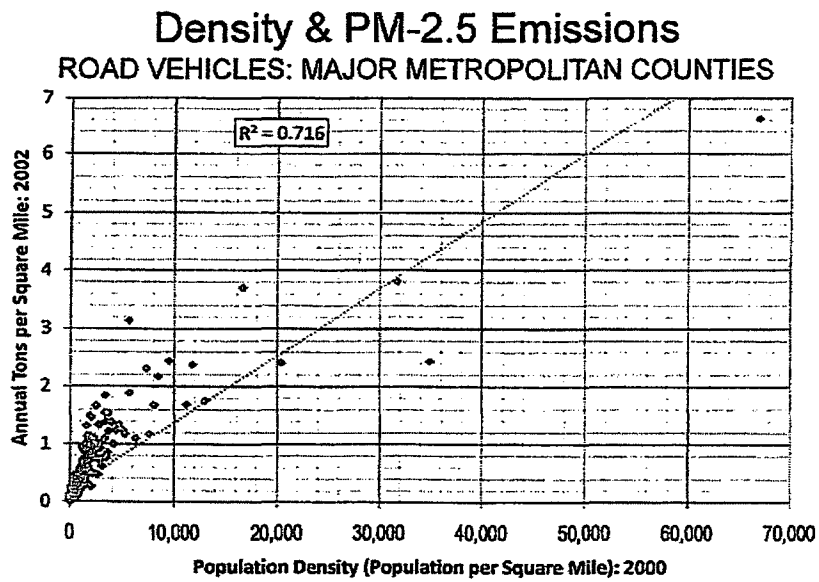


Figure 8

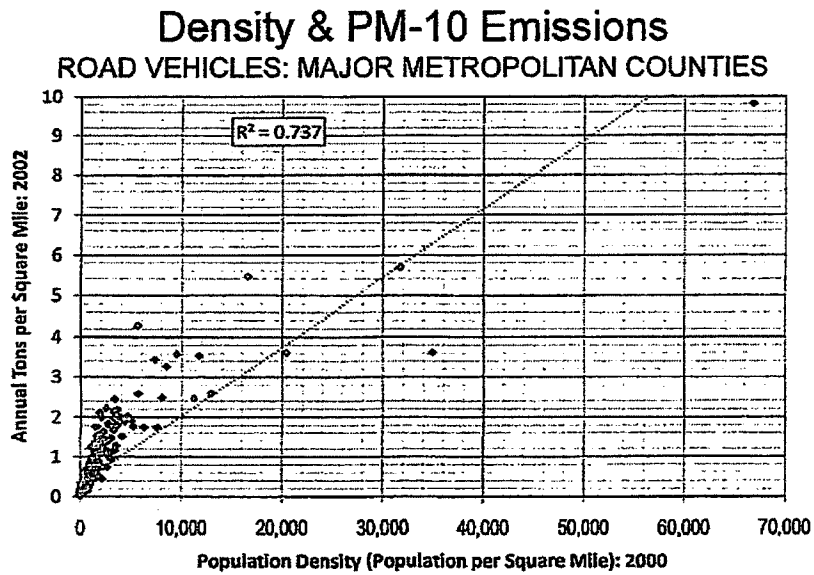


Figure 9

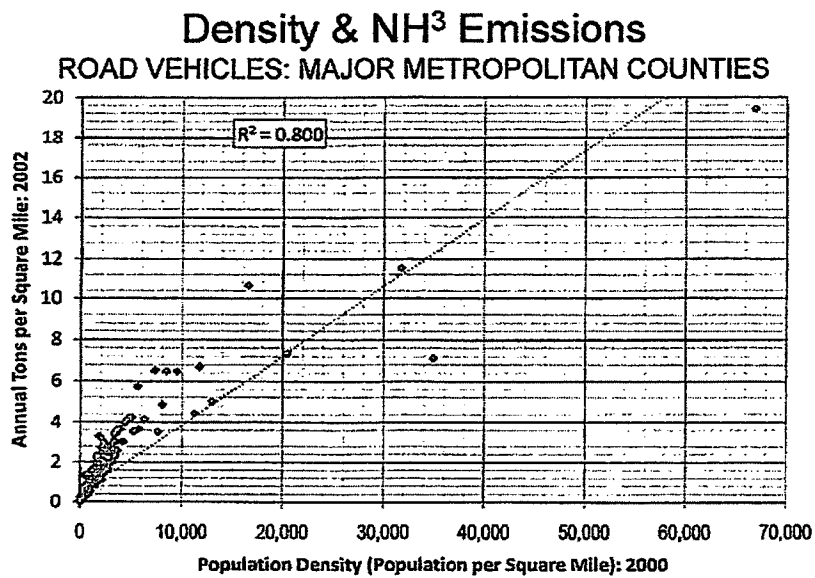


Figure 10

MISSION AREA PLAN MONITORING REPORT 2011-2015



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www.sfplanning.org

Front Cover: Mission Street at 25th Street looking south

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**MISSION AREA PLAN
MONITORING REPORT**
2011-2015

San Francisco Planning Department
September 2016



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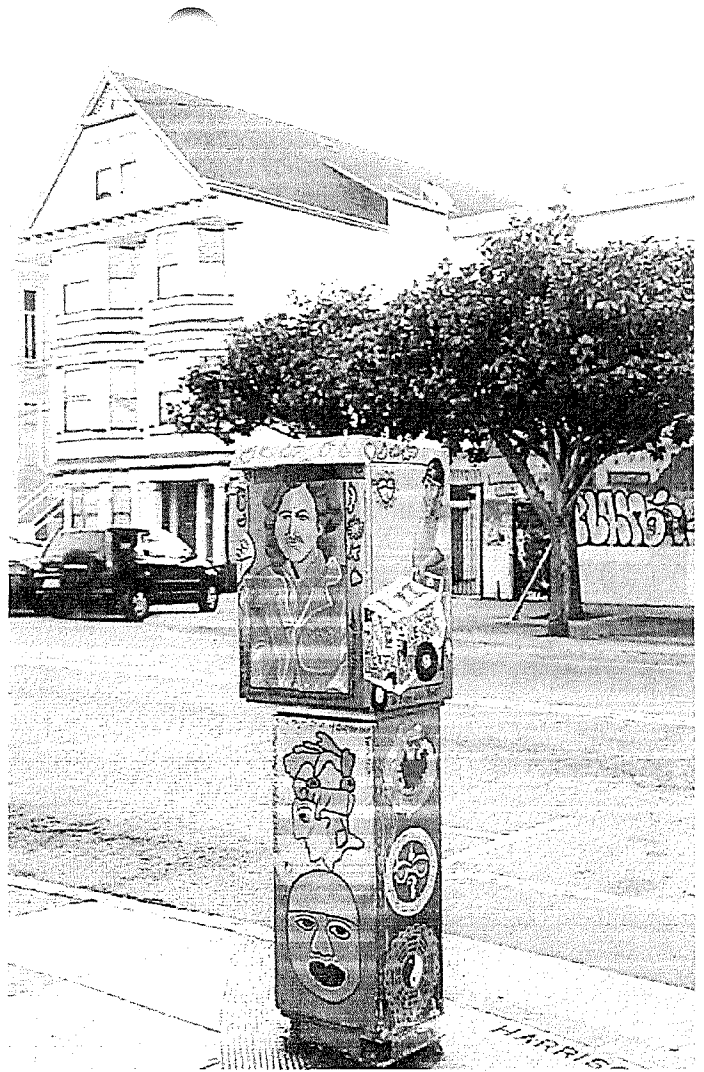
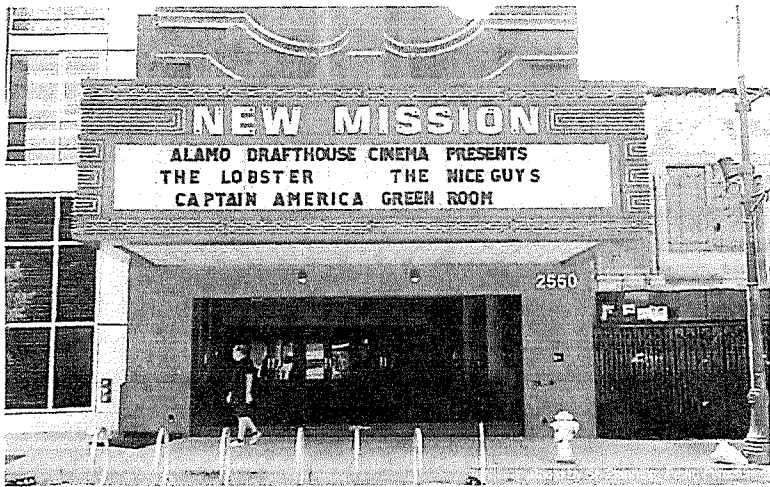
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-00118-

1. Introduction: Mission Area Plan

San Francisco's Eastern Bayfront neighborhoods have historically been the home of the city's industrial economy and have accommodated diverse communities ranging from families who have lived in the area for generations to more recent immigrants from Latin America and Asia. The combination of a vibrant and innovative industrial economy with the rich cultural infusion of old and new residents is central to San Francisco's character. Among many of the components that contributed to the economic and cultural character of the eastern part of the San Francisco were the wide availability of lands suitable for industrial activities (whether or not they were zoned for such) and the affordability of these neighborhoods' housing stock, relative to other parts of the city. Industrial properties continue to be valuable assets to the city's economy as they provide space for innovative local businesses; large, flexible floor-plans for a wide range of tenants; and living wage career opportunities to residents without advanced degrees.

Over the past few decades, and particularly during the series of "booms" in high technology industries since in the 1990s, the Eastern Bayfront neighborhoods have experienced waves of pressure on its industrial lands and affordable housing stock. Due to their proximity to downtown San Francisco and easy access (via US-101, I-280, and Caltrain) to Silicon Valley, industrially-zoned properties in the Eastern Bayshore, particularly in neighborhoods like South of Market (SoMa), Mission, Showplace Square, and Central Waterfront became highly desirable to office users who were able to outbid traditional production, distribution, and repair (PDR) businesses for those spaces. The predominant industrial zoning designations in these neighborhoods until the late 2000s—C-M, M-1, and M-2—allowed for a broad range of uses, which enabled owners to sell or lease properties to non-PDR businesses as well as to develop them into "live-work" lofts serving primarily as a residential use.

Moreover, much of the Eastern Neighborhoods is well-served by public transportation, have vibrant cultural amenities, and feature many attractive

older buildings. These neighborhood assets and employment opportunities have served as magnets for high wage earners and housing developers, creating an influx of new, more affluent residents.

Beginning in the late 1990s, the City, residents, community activists, and business owners recognized the need for a comprehensive, community-based planning process to resolve these conflicts and stabilize the neighborhoods into the future. The Eastern Neighborhoods community planning process was launched in 2001 to determine how much of San Francisco's remaining industrial lands should be preserved and how much could appropriately be transitioned to other uses. The planning process also recognized the need to produce housing opportunities for residents of all income levels, which requires not just the development of new units at market rates, but also opportunities for low and moderate income families.

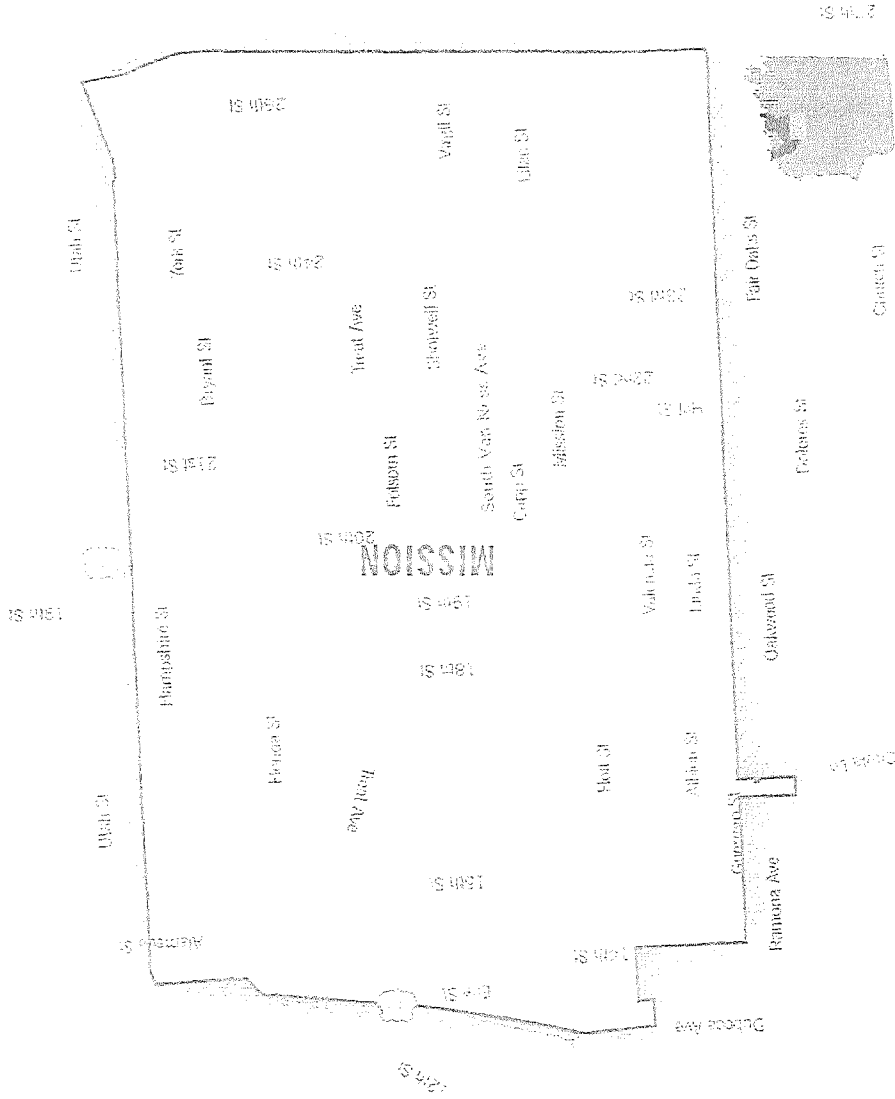
In 2008, four new area plans for the Mission, East SoMa, Showplace Square/Potrero Hill, and Central Waterfront neighborhoods were adopted. Respecting the Western SoMa community's request for more time to complete their planning process, the area plan for that neighborhood was undertaken in parallel and completed in 2013. The resulting area plans contained holistic visions for affordable housing, transportation, parks and open space, urban design, and community facilities.

The Eastern Neighborhoods Plans represent the City's and community's pursuit of two key policy goals:

- 1) Ensuring a stable future for PDR businesses in the city by preserving lands suitable to these activities and minimizing conflicts with other land uses; and
- 2) Providing a significant amount of new housing affordable to low, moderate and middle income families and individuals, along with "complete neighborhoods" that provide appropriate amenities for the existing and new residents.

The challenges that motivated the Eastern Neighborhoods community planning process

Mission Area Plan Area Boundaries



were evident in the Mission when the plans were adopted and continue to be relevant today. The boundaries of the Mission Area Plan Area, shown in Map 1, run along Duboce/13th to the north, Potrero Avenue to the east, Guerrero Street to the west, and Cesar Chavez Street to the south.¹

The Mission is highly dense with neighborhood amenities, including a variety of shops and restaurants, an architecturally rich and varied housing stock, vibrant cultural resources, and excellent transit access. Traditionally a reservoir of affordable housing relatively accessible to recent immigrants and artists, housing affordability in the Mission has significantly declined in the past decade as demand has rapidly outpaced new housing supply and due to statewide restrictions on tenant protection laws (such as the Ellis Act), which allows landlords to evict residents from rent controlled apartments. Despite inclusionary housing requirements that mandate that a certain percentage of new units be affordable to low and moderate income households, new housing has been largely unaffordable to existing residents.

Mission residents and business owners highlighted a number of policy goals, in addition to the Eastern Neighborhoods-wide objectives, that should be considered for the Area Plan:

- » Preserve diversity and vitality of the Mission
- » Increase the amount of affordable housing
- » Preserve and enhance the existing Production, Distribution and Repair businesses
- » Preserve and enhance the unique character of the Mission's distinct commercial areas
- » Promote alternative means of transportation to reduce traffic and auto use
- » Improve and develop additional community facilities and open space
- » Minimize displacement

¹ Unless otherwise noted, this report will refer to the Mission Area Plan Area, Mission neighborhood, and "the Mission" interchangeably, as the area shown on Map 1. Other official and community definitions of the boundaries of the Mission neighborhood exist. Where those are used within this report, they will be specifically referenced.

1.1 Summary of Ordinance and Monitoring Requirements

The ordinances that enacted the Eastern Neighborhoods Area Plans (including Western SoMa), adopted by the Board of Supervisors, include a requirement that the Planning Department produce five year reports monitoring residential and commercial developments in those neighborhoods, as well as impact fees generated and public and private investments in community benefits and infrastructure.² Appendix A includes the language in the Administrative Code mandating the Monitoring Reports. The first set of monitoring reports for Mission, East SoMa, Showplace Square/Potrero Hill, and Central Waterfront were published in 2011, covering the period from January 1, 2006 through December 31, 2010.

The ordinances require the monitoring reports to track all development activity occurring within Plan Area boundaries during the five-year period, as well as the pipeline projecting future development as of the end of the reporting period. Some of this development activity was considered under the Eastern Neighborhoods Environmental Impact Report (EN PEIR), certified in 2008; and Western SoMa EIR, certified in 2012. However, a few of the developments that have been completed during this period and some of the proposed projects in the pipeline did not (or will not) receive their environmental clearance through these two EIRs, for these four reasons:

- 1) The developments were entitled prior to the adoption of the Plans, under zoning designations that were subsequently changed by the Plans.
- 2) Under the Eastern Neighborhoods Amnesty Program that expired in 2013, legalization of conversions from PDR to office space that took place prior to Plan adoption was allowed.
- 3) Some large-scale developments and Plan Areas that are within or overlap Project Area boundaries (such as Central SoMa and Pier 70) will undergo separate environmental review processes.

² Unless otherwise noted, this report will refer to the Eastern Neighborhoods Area Plans, or just Area Plans, as encompassing the Mission, East SoMa, Central Waterfront, Showplace Square/Potrero Hill as well as Western SoMa. References to Plan Areas (or to the names of the individual areas) will describe the areas within the boundaries outlined by the individual plans.

- 4) Certain smaller projects did not rely on the rezoning under the EIRs and are therefore excluded.

This report analyzes all development activity within the Eastern Neighborhoods, whether or not projects rely on the EN PEIR. For a list of projects relying on the EN PEIR, please refer to Appendix D.

The *Mission Area Plan Monitoring Report 2011-2015* is part of the set of Eastern Neighborhoods monitoring reports covering the period from January 1, 2011 to December 31, 2015. Because Western SoMa was adopted in 2013, no monitoring reports have been produced for that Area Plan. However, due to its geographic proximity and overlapping policy goals with the other Eastern Neighborhoods, Planning Department staff, in consultation with the CAC, has shifted the reporting timeline such that the Western SoMa Area Plan Monitoring Report 2011-2015 will be the first five-year report and set the calendar so that future monitoring reports are conducted alongside the other Eastern Neighborhoods. Subsequent time series monitoring reports for the Mission area and other Eastern Neighborhoods (including Western SoMa) will be released in years ending in 1 and 6.

While the previous Monitoring Report covered only the small amount of development activities in the years immediately preceding and following the adoption of the *Mission Area Plan* in 2008, this report contains information and analysis about a period of intense market development and political activity in the Mission. This report relies primarily on the *Housing Inventory*, the *Commerce and Industry Inventory*, and the *Pipeline Quarterly Report*, all of which are published by the Planning Department. Additional data sources include: the California Employment and Development Department (EDD), the U.S. Census Bureau's American Community Survey, the San Francisco Municipal Transportation Agency (SFMTA), Co-Star Realty information, Dun and Bradstreet business data, CBRE and NAI-BT Commercial real estate reports, and information gathered from the Department of Building Inspection, the offices of the Treasurer and Tax Collector, the Controller, and the Assessor-Recorder.

2. Commercial Activity and Job Creation

One of the defining characteristics of the Mission neighborhood is its remarkable mix of uses and diversity of businesses, including manufacturing, restaurants and bars, a broad range of retail activities, institutional and educational uses, hospitals, and more. The neighborhood commercial corridors along Mission, Valencia, and 24th Streets support a variety of retail activities including shops and services, housing, and small offices, which serve their immediate neighborhood and also residents from throughout the city and region. Indeed, these commercial corridors have become part of San Francisco's tourism circuit, attracting visitors from around the world.³

The primarily residential portions of the Mission, which occupy the blocks on the southeast and western edges of the neighborhood, are also peppered with neighborhood serving businesses including corner stores, dry cleaning services, restaurants, cafes, and bars. Lastly, the Mission is home to a thriving collection of PDR businesses. The Northeast Mission Industrial Zone (NEMIZ) clusters many of these industrial activities and spaces, but a variety of smaller PDR businesses (such as auto repair garages, light manufacturing work, and the like) are scattered throughout the neighborhood. This mix of uses is an important source of employment opportunities for neighborhood, city and Bay Area residents; contributing to the overall vitality and culture of the Mission.

2.1 Commercial Space Inventory

Table 2.1.1 illustrates the mix of non-residential space in the Mission as of 2015. The table reflects the balanced mix of uses described above, as office, retail, and PDR activities each occupy roughly a quarter of the commercial space in the neighborhood. Cultural, institutional, and educational and medical uses make up roughly another 20% of non-residential buildings and tourist hotels take up about another 1%. The table

³ For example, a recent New York Times feature highlighting 18 San Francisco attractions to visit on a 36-hour stay in the city included 6 sites within the Mission Area Plan Area and another 3 within 2 blocks of its boundaries. See http://www.nytimes.com/2015/11/01/travel/what-to-do-in-36-hours-in-san-francisco.html?_r=0

FIGURE 2.3.1
Produce Market on Mission Street



Photo by SF Planning, Pedro Peterson

also shows the importance of the Mission in the San Francisco's stock of industrial lands. Though the neighborhood only accounts for 5% of the City's overall commercial space, its share of PDR space is much higher, at 8%. However, as will be

discussed in the sections below, in recent decades PDR space has been subject to intense pressures from uses that are able to pay higher land rents, such as office and market-rate residential.

TABLE 2.3.1
Commercial Building Space Square Footage, Mission and San Francisco, 2015

| Use Type | Mission (sq ft) | Mission (%) | San Francisco (sq ft) | San Francisco (%) | Ratio (%) |
|------------------------------------|-------------------|-------------|-----------------------|-------------------|-----------|
| Cultural, Institution, Educational | 1,760,105 | 15% | 29,898,514 | 13% | 6% |
| Medical | 698,877 | 6% | 17,468,039 | 7% | 4% |
| Office | 3,079,231 | 27% | 107,978,954 | 45% | 3% |
| PDR / Light Industrial | 2,896,338 | 25% | 36,265,832 | 15% | 8% |
| Retail | 3,022,780 | 26% | 42,299,526 | 18% | 7% |
| Visitor / Lodging | 92,560 | 1% | 4,053,422 | 2% | 2% |
| Total | 11,549,891 | 100% | 237,964,287 | 100% | 5% |

Source: San Francisco Planning Department Land Use Database, March 2016.

Table 2.1.2 shows commercial and other non-residential development activity in the Mission Area Plan area between January 1, 2011 and December 31, 2015 while Table 2.1.3 shows corresponding figures for San Francisco. These tables count newly developed projects (on vacant properties or redevelopment of existing properties) as well as conversions from one use to another. Between 2011 and 2015, 206,000 square feet of PDR land was converted to other uses, especially housing, equivalent to roughly 6% of PDR space in the Mission.

Two properties account for more than 75% of the PDR conversion during this period. In 2012, the Planning Department legitimized a conversion of roughly 95,000 square feet of PDR to office at 1550 Bryant; the actual conversion occurred prior to the enactment of Eastern Neighborhoods without the benefit of a permit. The legitimization program (see section 2.3.1), which was enacted

concurrently with Eastern Neighborhoods, enabled the space to be legally permitted as office. Another property at Mission Street and 15th Street, a vacant and non-functioning former printing shop, accounted for another 63,000 square feet of PDR conversion. This project was approved prior to adoption of the Mission Area Plan, but completed construction in 2013. The building was demolished to build a 194-unit residential building, shown in Photo 2.1.1, which includes 40 affordable units (21% of the total). The property is zoned neighborhood commercial transit (NCT) and urban mixed-use (UMU), designations created by the Eastern Neighborhoods Area Plans specifically to transition struggling industrial properties in transit-rich corridors to dense residential uses. Table 2.1.4 also shows the loss of 25,000 square feet of institutional space in 2015, which took place because the San Francisco SPCA demolished a building on their campus to convert into a dog park in order to better meet their animal

FIGURE 2.1.1
1880 Mission Street



Photo by SF Planning, Pedro Peterson

rescue activities. The table also shows a modest gain of office and retail space during the reporting period. One illustrative project is the development at 1501 15th Street, which redeveloped a vacant lot of a former gas station into a mixed-use building with 40 residential units (7 of them below market rate) and roughly 8,000 square feet of ground floor commercial space.

slightly more than 7% of citywide office development between 2011 and 2015.

Figure 1.12 shows the location of the larger-scale non-residential developments. (See Appendix C for detailed information about completed developments.)

For comparison purposes, Table 1.13 shows the commercial development activity throughout San Francisco. Overall, while the Mission saw a decrease of roughly 68,000 square feet, the city gained 2.8 million square feet, mostly serving office and medical uses. The Mission accounted for about 20% of the city's loss of PDR and

TABLE 1.12

Net Change in Commercial Space Built, Mission 2011–2015

| Year | Office | Retail | Other | Total | Change from 2011 | Change from 2015 | Total |
|-------|----------|--------|---------|-----------|------------------|------------------|----------|
| 2011 | – | – | – | (10,800) | – | – | (10,800) |
| 2012 | – | – | 108,400 | (98,326) | 4,320 | – | 14,394 |
| 2013 | – | – | – | (70,762) | – | – | (70,762) |
| 2014 | – | 15,200 | – | (26,423) | (3,696) | – | (14,919) |
| 2015 | (25,211) | – | – | – | 39,495 | – | 14,284 |
| Total | (25,211) | 15,200 | 108,400 | (206,311) | 40,119 | – | (67,803) |

Source: San Francisco Planning Department.

Note: Includes all developments in the Plan Area during reporting period, including those that did not receive CEQA clearance under Eastern Neighborhoods EIR.

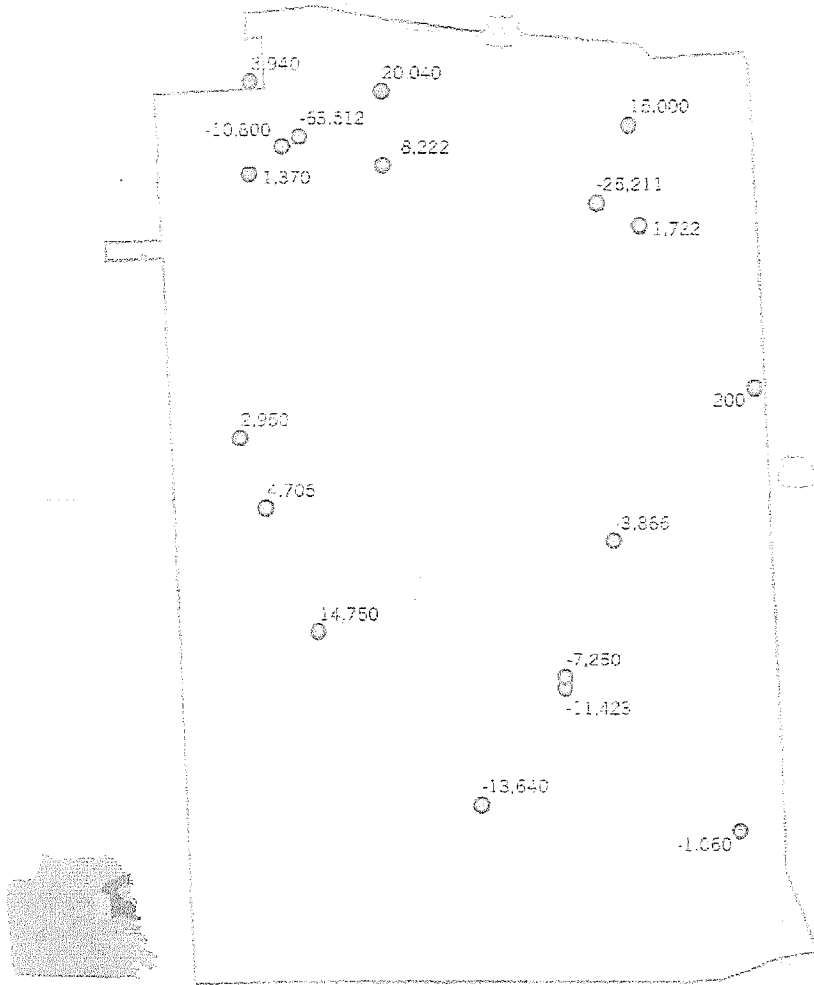
TABLE 1.13

Net Change in Commercial Space, San Francisco 2011–2015

| Year | Office | Retail | Other | Total | Change from 2011 | Change from 2015 | Total |
|-------|----------|-----------|-----------|-------------|------------------|------------------|-----------|
| 2011 | 10,477 | 0 | 40,019 | (18,075) | 16,854 | 0 | 49,275 |
| 2012 | (52,937) | 0 | 24,373 | (164,116) | 32,445 | 0 | (160,235) |
| 2013 | 66,417 | 0 | 335,914 | (236,473) | 5,941 | (69,856) | 101,943 |
| 2014 | 446,803 | 1,815,700 | 603,997 | (422,167) | 11,875 | 63,286 | 2,519,504 |
| 2015 | (21,456) | 20,000 | 460,508 | (183,775) | 65,419 | 0 | 340,696 |
| Total | 449,304 | 1,835,700 | 1,464,811 | (1,024,596) | 132,534 | (6,570) | 2,851,183 |

Source: San Francisco Planning Department.

Completed Projects Causing Net Change in Commercial Space, Mission 2011-2015



- Net loss of commercial space
- Net gain of commercial space

2.2 Commercial Development Pipeline

The development pipeline is best understood as two separate subcategories, shown in Table 2.2.1 as “Under Review” and “Entitled”. Entitled projects are those that have received Planning Department approvals and are under construction or awaiting financing or other hurdles to break ground. Such projects can be expected to be completed with some confidence, although some of them may take years to finally complete their construction and receive certificates of occupancy. Projects that are under review projects are those that have filed application with the Planning and/or Building Departments, but have not been approved. These projects have to clear several hurdles, including environmental (CEQA) review, and may require conditional use permits or variances. Therefore, under review projects should be considered more speculative.

The commercial development pipeline in the Mission shows a continuation of the trends that have taken place during the reporting period of 2011-15 (Table 2.2.1). The Mission will continue to see some of its PDR space converted to other uses,

particularly residential, as well as the development of some office, medical, and institutional space. However, the City continues to enforce PDR protection policies in specially designated zones in the Mission, such as PDR-1 and PDR-2.

The projects in the pipeline that have received entitlements show a slight net gain (5,000 square feet) of non-residential uses in the Mission in the near future. If all of these developments are completed, the Planning Department expects a loss of about 360,500 square feet of PDR space and concomitant gain of roughly 175,000 square feet in other commercial space, including institutional, medical, office and retail uses. Entitled projects that propose to convert PDR to other uses are mostly small spaces (up to about 6,000 square feet) that will be redeveloped as residential or mixed-use residential buildings. One representative project is at 346 Potrero Avenue, currently under construction, where 3,000 square feet of PDR has been converted to a mixed use building with approximately 1,600 square feet of ground floor retail and 70 residential units, 11 of which are affordable.

TABLE 2.2.1

Commercial and Other Non-Residential Development Pipeline, Mission Q4 2015

| | | | | | | | |
|--|----------------|---------------|----------------|------------------|---------------|----------|----------------|
| Under Construction | - | - | - | (12,461) | 7,396 | - | (5,065) |
| Planning Entitled | 3,957 | 16,000 | 4,672 | (18,607) | 4,682 | - | 10,704 |
| Planning Approved | 2,757 | - | - | (2,914) | - | - | (157) |
| Building Permit Filed | - | - | - | (1,939) | 844 | - | (1,095) |
| Building Permit Approved/ Issued/ Reinstated | 1,200 | 16,000 | 4,672 | (13,754) | 3,838 | - | 11,956 |
| Under Review | 282,932 | - | 160,591 | (329,490) | 51,672 | - | 169,219 |
| Planning Filed | 282,932 | - | 159,388 | (303,697) | 55,186 | - | 182,933 |
| Building Permit Filed | - | - | 1,203 | (25,793) | 10,876 | - | 13,714 |
| Total | 286,889 | 16,000 | 165,263 | (360,558) | 67,264 | - | 174,858 |

Source: San Francisco Planning Department

Note: Includes all developments in the pipeline as of December 31, 2015, including those that did not (or will not) receive CEQA clearance under Eastern Neighborhoods EIR.

One example of a project that is currently under review, the “Armory Building” at 1800 Mission, has requested to convert roughly 120,000 square feet of PDR space into office use. Another large-scale project currently under review would build 176,000 square feet of non-profit service delivery office space at 1850 Bryant Street. If all projects that are under review come to fruition, the Mission will see roughly 360,000 square feet of PDR transition to other uses.

Figure 1 shows the commercial development pipeline for San Francisco for comparison. The development pipeline in the Mission represents less than 1% of the citywide pipeline. Map 1 shows the locations of the larger proposed commercial developments in the plan area. (See Appendix C for detailed information about pipeline projects.)

TABLE 10-1

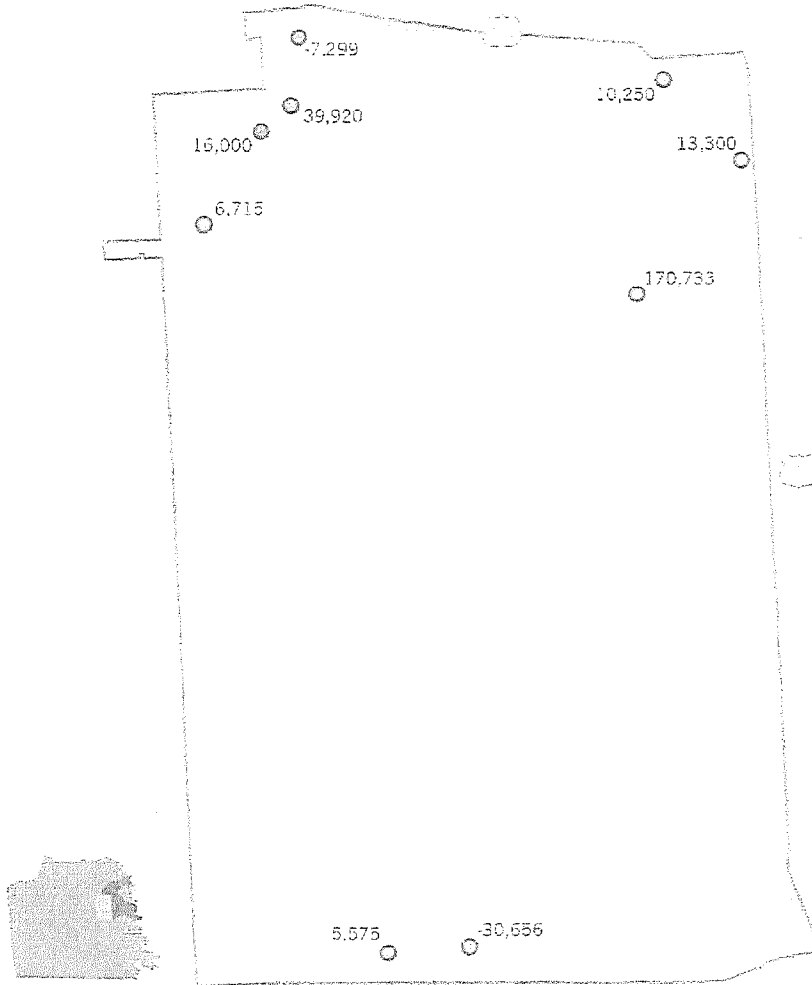
Commercial and Other Non-Residential Development Pipeline, San Francisco Q4 2010

| | 2010 | 2009 | 2008 | 2007 | 2006 | 2005 | 2004 |
|--|------------------|-----------------|-------------------|--------------------|------------------|----------------|-------------------|
| Under Construction | 1,098,708 | (58,871) | 3,894,055 | (290,327) | 491,366 | (189,563) | 4,945,368 |
| Planning Entitled | 312,600 | 20,665 | 5,576,249 | 332,662 | 1,268,623 | 519,906 | 8,030,705 |
| Planning Approved | 1,942 | 4,665 | 4,571,993 | 311,417 | 1,084,828 | 458,554 | 6,433,399 |
| Building Permit Filed | 4,343 | - | (36,555) | (33,939) | 806 | - | (65,345) |
| Building Permit Approved/ Issued/ Reinstated | 306,315 | 16,000 | 1,040,811 | 55,184 | 182,989 | 61,352 | 1,662,651 |
| Under Review | 1,042,013 | 1,875 | 7,459,214 | (1,046,009) | 1,594,639 | 418,557 | 9,470,289 |
| Planning Filed | 1,084,228 | 1,875 | 5,955,541 | (994,050) | 1,552,310 | 200,747 | 7,800,651 |
| Building Permit Filed | (42,215) | - | 1,503,673 | (51,959) | 42,329 | 217,810 | 1,669,638 |
| Total | 2,453,321 | (36,331) | 16,929,518 | (1,003,674) | 3,354,628 | 748,900 | 22,446,362 |

Source: San Francisco Planning Department

LSP 1

Commercial and Other Non-Residential Development Pipeline, Mission Q4 2015



- Entitled
- Under Construction
- Under Review

Note: Only includes projects that will add or remove 5,000 net square feet.

2.3 Changes in PDR Uses

As discussed above, the Mission (and the Eastern Neighborhoods more broadly), have experienced economic changes that have made many areas highly attractive to residential and office development. These types of uses are generally able to afford higher land costs, and therefore can outbid PDR businesses for parcels that are not specifically zoned for industrial use. Prior to the adoption of the Eastern Neighborhoods Area Plans, the primary industrial zoning designations – M-1, M-2, and C-M – permitted a broad range of uses, which led to the conversion of a significant amount of PDR space to other activities. Of the 2.9 million square feet in PDR space in the Mission in 2015, more than half was scattered throughout zoning districts not specifically geared towards industrial uses, such as neighborhood commercial (NC) zones. Roughly 770,000 (26%) were located in PDR protection districts (PDR-1 and PDR-2) and 20% were in the mixed use UMU district. By comparison, the split between PDR space in PDR protection, mixed use, and other districts in the Eastern Neighborhoods is 38%, 34%, and 29%, respectively. According to Co-Star data, asking lease rates for PDR space in the Eastern Neighborhoods are currently \$22 per square foot (NNN) and vacancy rates are 4.4%.⁴

Since the adoption of the Mission Area Plan, PDR space has continued to be converted to other uses in the neighborhood, as Figures 2.3.1 and 2.3.2 illustrate. A detailed investigation of the conversion of PDR space in the Mission shows that such conversions have occurred largely outside of the zoning districts created specifically to protect PDR uses (in the case of the Mission, PDR-1 and PDR-2). The only project that recorded a loss of PDR space in a PDR protection zone during this period, 1550 Bryant, involved the legitimization of office conversion undertaken prior to adoption of the plan under an amnesty program that expired in 2013 (discussed in subsection 2.3.1, below). In addition to the project at 1880 Mission, detailed above, other completed projects in the Mission that have converted PDR space have done so in order to build new housing, either with a higher percentage of inclusionary units than required by the City's inclusionary housing ordinance or by paying in-lieu fees, as shown in Figure 2.3.3. These projects have all been built in either the transitional UMU district or in districts like NCT and RH-3, which were not intended as PDR protection areas under the Mission Area Plan. The Planning Department has also undertaken some legislative action to strengthen PDR zoning and enable to location, expansion, and operation of PDR businesses. In addition to some “clean

⁴ Data provided by the City of San Francisco's Real Estate Division.

TABLE 2.3.1

Square Footage of PDR Space by Zoning District Type, Mission and Eastern Neighborhoods, 2015

| Zoning District Type | Square Footage | Percentage of PDR Space | Total PDR Space | Percentage of Total PDR Space |
|----------------------|------------------|-------------------------|------------------|-------------------------------|
| PDR Protection (1) | 767,087 | 26% | 3,465,888 | 38% |
| Mixed Use (2) | 582,510 | 20% | 3,098,198 | 34% |
| Other (3) | 1,546,741 | 53% | 2,669,555 | 29% |
| TOTAL | 2,896,338 | 100% | 9,233,641 | 100% |

1. Districts that primarily allow PDR activities and restrict most other uses. In Central Waterfront, Mission, and Snowplace Square/Potrero Hill, these districts include PDR-1 and PDR-2. In East SoMa and West SoMa, they are the SLI and SAI districts, respectively.

2. Transitional districts that allow industrial uses mixed with non-PDR activities such as housing, office, and retail, often with additional requirements on affordability and PDR replacement. Includes UMU in Central Waterfront, Mission, and Snowplace Square/Potrero Hill; MUB, MUO, and MUR in East SoMa; and WTAUG and WMIUO in Western SoMa.

3. Various districts designated for non-industrial uses like residential, neighborhood commercial, and the like.

Source: San Francisco Planning Department Land Use Database, March 2016

TABLE 2.3.2

Projects Converting PDR Space in Mission Area Plan Area, 2011–2015

| Address | Zone | Original PDR (sq ft) | Original PDR (sq ft) | Units | Units | Units | Notes |
|-----------------------|---------|----------------------|----------------------|--------|-------|-----------------|-------|
| 1550 Bryant Street | PDR-1-G | (93,400) | 108,400 | 0 | 0 | 0 | N/A |
| 1880 Mission Street | NCT/UMU | (63,512) | 0 | 0 | 194 | 40 | 21% |
| 2652 Harrison Street | UMU | (7,250) | 0 | 0 | 20 | Fee payment | N/A |
| 2660 Harrison Street | UMU | (11,423) | 0 | 11,423 | 3 | Below threshold | N/A |
| 3135 24th Street | NCT | (15,000) | 0 | 1,360 | 9 | Below threshold | N/A |
| 1280 Hampshire Street | RH-3 | (1,060) | 0 | 0 | 3 | Below threshold | N/A |

Source: San Francisco Planning Department

Note: Only developments with ten or more units are subject to the City's inclusionary housing requirements.

up" language making it easier for PDR businesses to receive permits and share retail spaces, the Department also created a program to allow more office development in certain parcels as a way to subsidize more development of PDR space. Recognizing the financial difficulties of developing new industrial buildings in large "soft site" lots, this program gives developers the ability to construct office space in parcels zoned PDR-1 and PDR-2, located north of 20th Street. The parcels must be at least 20,000 square feet as long as existing buildings are not developed to more than 0.3 floor-to-area (FAR) ratio. At least 33% of the space in the new developments must be dedicated to PDR uses. To date, only one development at 100 Hooper Street in the Showplace Square/Potrero Hill Plan Area has taken advantage of this program.

PDR Protection Policies and Enforcement

Illegal conversions from Production, Distribution and Repair (PDR) uses have more recently become an issue in the Eastern Neighborhood Plan areas that the City has sought to resolve. In 2015, the Planning Department received about 44 complaints of alleged violation for illegal conversions of PDR space. Most of these cases (42) are in the Eastern Neighborhoods, 20 of which are in the Mission Area Plan Area. Of these cases, six were found to not be in violation of PDR protection rules, 11 are under or pending review, and three have been found to be in violation. The three cases are on Alabama Street between 16th and Mariposa Streets on parcels zoned PDR-1-G. Owners were issued notices of violation and office tenants were compelled to vacate the properties, as shown in Figure 2.3.3.

TABLE 2.3.3

Enforcement Cases for Illegal PDR Conversions, Mission, 2015

| Case Status | Number of Cases | Number of Cases | Number of Cases |
|-----------------------|-----------------|-----------------|-----------------|
| Closed - Violation | 3 | 6 | 7 |
| Closed - No Violation | 6 | 9 | 9 |
| Under Review | 1 | 4 | 4 |
| Pending Review | 10 | 23 | 24 |
| TOTAL | 20 | 42 | 44 |

Source: San Francisco Planning Department

Most of these complaints describe large warehouses converting into office uses. Many of these office tenants are hybrid uses where PDR also takes place, but may not be the principal use of the space. If an office use is confirmed to be in operation, Planning encourages the company to alter their business practice to fit within the PDR zoning categories or vacate the property. The table in Appendix E shows the enforcement cases that were closed and that were actually found to be in violation of the code. Generally, the complaints filed with the Planning Department are regarding the conversion of PDR uses to office space, not permitted within these zoning districts. However, some complaints that are filed are either not valid, meaning that the tenant is either a PDR complying business or the space was legally converted to office space, prior to the Eastern Neighborhoods rezoning. For these enforcement cases, there is no longer a path to legalization to office use; additionally, many of these office conversions are not recent, and they did not take advantage of the Eastern Neighborhoods Legitimization Program. The program was an amnesty program that established a limited-time opportunity whereby existing uses that have operated without the benefit of required permits may seek those permits. However, this program expired in 2013.

In investigating the alleged violations, the Planning Department discovered that the building permit histories often included interior tenant improvements without Planning Department review. These permits do not authorize a change of use to office. To prevent future unauthorized conversion of PDR space the Planning Department worked proactively with the Department of Building Inspection (DBI). Over the course of 2015, Planning worked with DBI during project intakes to better understand the routing criteria and how to ensure Planning review. Both departments' IT divisions worked together to create a flag in the Permit Tracking System (PTS) to alert project intake coordinators of potential illegal conversions. This is a pilot program that can be expanded at a later date to include other zoning districts if necessary. Planning and DBI continue to work together to monitor this process and plan to meet regularly to discuss additional steps to prevent future conversions.

Planning also works collaboratively with the Mayor's Office of Economic Workforce and Development (OEWD). When Planning receives inquiries or complaints related to either vacant spaces in PDR zones or possible unauthorized spaces, Planning informs the property owner about PDR complying uses and refers them to OEWD. OEWD currently has a list of PDR complying businesses that are looking to lease spaces within San Francisco. Additionally, a training session for real estate brokers was conducted in 2015. The purpose of the voluntary training was to help explain what PDR is and what resources Planning has available for them to utilize prior to leasing a property. The training also outlined the enforcement process, including the process for requesting a Letter of Determination. Future trainings will be held based on interest.

2.4 Employment

The Mission Area Plan Area added employment across all land use types tracked by the Planning Department between 2011 and 2015, following a trend that has taken place in San Francisco and the Bay Area. This growth in employment reflects a rebound in the regional economy following the "Great Recession" of the previous decade, but also the robust growth in high technology sectors and related industries in recent years.⁵ Altogether, employment in the Mission grew from roughly 18,000 jobs in 2010 to almost 24,000 with a related increase from 2,700 to 3,000 establishments, according to the California Employment and Development Department (EDD). The next subsections discuss job growth in the Mission by land use category.

2.4.1 Office Jobs

The largest increase in jobs in the Mission between 2010 and 2015 was in office occupations. According to EDD, the neighborhood experienced an almost 70% increase in office jobs in those 5 years. However, the number of office establishments only increased by about 25%, indicating a shift towards office firms with a

5 See annual San Francisco Planning Department Commerce & Industry Inventory, 2008 - 2015.

TABLE 2.4.4

Employment, Mission and San Francisco, Q2 2015

| Occupational Category | Mission Employment | Mission % | San Francisco Employment | San Francisco % | Total Employment | Total % | Mission % of Total | Total % of City |
|--------------------------------------|--------------------|-------------|--------------------------|-----------------|------------------|-------------|--------------------|-----------------|
| Cultural, Institutional, Educational | 119 | 4% | 17,454 | 45% | 2,010 | 3% | 73,182 | 11% |
| Medical | 1,223 | 41% | 2,409 | 6% | 21,833 | 37% | 60,214 | 9% |
| Office | 511 | 17% | 6,344 | 16% | 15,628 | 27% | 293,014 | 44% |
| PDR / Light Industrial | 349 | 12% | 3,723 | 10% | 5,280 | 9% | 88,135 | 13% |
| Retail | 605 | 20% | 8,802 | 23% | 8,241 | 14% | 130,550 | 20% |
| Visitor / Lodging | 10 | 0% | 41 | 0% | 311 | 1% | 16,688 | 2% |
| Other | 187 | 6% | 254 | 1% | 4,961 | 9% | 6,953 | 1% |
| Total | 3,004 | 100% | 39,027 | 100% | 58,264 | 100% | 668,736 | 100% |

Source: California's Employment Development Department

larger number of employees or occupying formerly vacant space. In 2015 the Mission held about 3% of all of the City's office jobs and 2% of its establishments (see Chart 2.4.1).

2.4.3 Retail Jobs

As discussed above, the Mission has also emerged as an important retail destination in San Francisco, with the restaurants, cafes, bars, and shops in the main commercial corridors (particularly Mission, Valencia, 16th, and 24th Streets) attracting visitors from throughout the City, region, and beyond. The number of retail jobs in the Mission increased by 24% between 2010 and 2015 to about 8,800 in more than 600 establishments. The neighborhood represents 7% of the city's retail jobs and establishments.

2.4.4 PDR Jobs

PDR continues to play a critical role in the City's economy, providing quality jobs to employees with a broad range of educational backgrounds, supporting local businesses up- and downstream (for example, many of the city's top restaurants source products from local PDR businesses), and infusing the region with innovative products. Though the trends in loss of PDR space have been widely documented, the City and the Mission both added

PDR jobs since 2010. The Mission experienced a 7% increase in PDR employment (to 3,700 jobs) between 2010 and 2015 and 9% increase in number of firms (to 350). Within the three-digit NAICS classifications that make up the Planning Department's definition of PDR, employment increased across several occupational categories, including "other manufacturing", "film and sound recording", and "printing and publishing" occupations and decreased in "construction", "apparel manufacturing" and "transportation and warehousing" occupations, as shown in Appendix F.

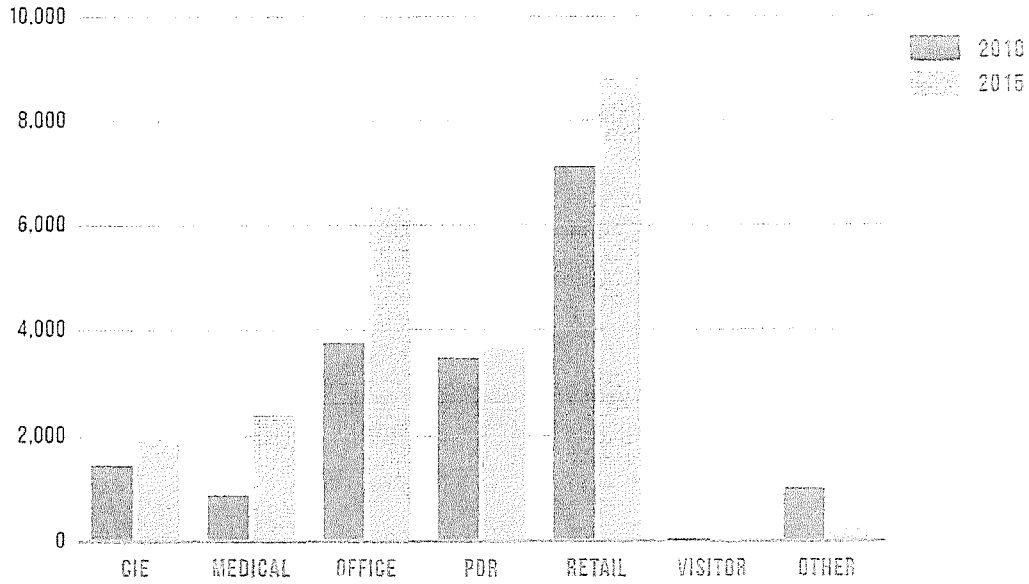
As with other occupations, these increases likely reflect a recovery from the recession as well as the emergence of "maker" businesses and production of customized and high-end consumer products, such as the firm shown in Figure 2.4.3. The success of the Plan in curbing large-scale conversion of PDR space has likely played a key role in ensuring that these re-emergent industrial activities are able to locate within San Francisco. The Mission has roughly 4% of the PDR jobs and 7% of the establishments within the City.

2.4.4 Employment and Commercial Space Trends

Over the past five years, the Mission has added a substantial number of jobs, more than 30%

FIGURE 3.4.1

Jobs by Land Use, Mission, Q3 2010 and 2015

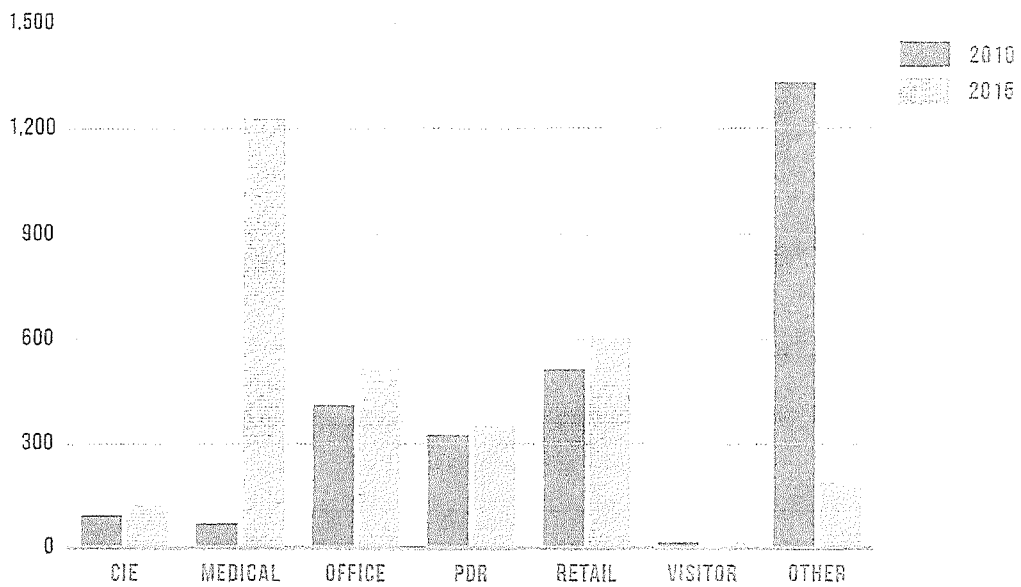


Source: California Employment Development Department

Note: Starting in 2013, the Bureau of Labor Statistics reclassified In-Home Supportive Services (roughly 20,000 jobs or more) from the Private Household category (classified as "Other") to other classifications, most of which are captured in this report under "Medical".

FIGURE 3.4.2

Establishment by Land Use, Mission, Q3 2010 and 2015



Source: California Employment Development Department

Note: Starting in 2013, the Bureau of Labor Statistics reclassified In-Home Supportive Services (roughly 20,000 jobs or more) from the Private Household category (classified as "Other") to other classifications, most of which are captured in this report under "Medical".

growth, even as its commercial space square footage increased by a small amount (4,000 square feet). In part, many of these new jobs are likely located in commercial space that was vacant at the end of the recession of the previous decade, leading to lower vacancy rates.⁶ Another trend that has been underway that may explain the gain in employment without a parallel increase in commercial space is an overall densification of employment (in other words, allowing more jobs to be accommodated within a given amount of space). With the increasing cost of land in locations close to city centers and accessible by transportation infrastructure (as is the case with the Eastern Neighborhoods), real estate researchers have tracked an overall densification of employment across several sectors throughout the country.⁷ This kind of densification can be caused by employees who work from home for some or all

days of the week (and therefore may share office space with colleagues) or firms that accommodate more employees within a given amount of space.

2.4.5 Sales and Property Taxes

Since the Eastern Neighborhood Area Plans were adopted, the City has also seen sharp increases in collections of sales and property taxes. In the Mission, sales tax collections increased every year from 2011 to 2014, going from \$4.5 million to \$6.2 million in five years, an increase of almost 40%. By comparison, sales tax collections citywide increased by 26% during this period. Property tax collection also increased substantially in the Eastern Neighborhoods. In the Mission, the city collected roughly \$38 million in property taxes in 2008, the year before the plan was adopted. By 2015, property taxes in the Mission increased by 56% to \$59 million, as shown on Figure 2.4.6.

6 Although data to show vacancy rates for the Mission Area Plan Area is not available, commercial real estate brokerage firms like Cushman & Wakefield show that vacancy rates for different types of land uses decreased substantially in San Francisco between 2011 and 2015 across different sectors. See Cushman & Wakefield San Francisco Office Snapshot Q4 2015 and Retail Snapshot Q4 2015.

7 See Genier, 2013, *US Workforce Survey Key Findings*.

FIGURE 2.4.6

Dandelion Chocolate, 2600 16th Street



Photo by SF Planning, Pedro Peterson

TABLE 3.4.2

Sales Taxes Collected in Mission Area Plan Area, 2011–2015

| | | | | |
|--------------|---------------------|-------|----------------------|------|
| 2011 | \$4,486,667 | – | \$75,198,021 | – |
| 2012 | \$4,913,267 | 9.5% | \$80,709,201 | 7.3% |
| 2013 | \$5,292,732 | 7.7% | \$84,261,806 | 4.4% |
| 2014 | \$5,598,902 | 5.8% | \$89,605,413 | 6.3% |
| 2015 | \$6,227,719 | 11.2% | \$94,546,142 | 5.5% |
| TOTAL | \$26,519,287 | | \$424,320,583 | |

Source: San Francisco Controller's Office.

TABLE 3.4.3

Property Taxes Collected in the Eastern Neighborhoods, 2008 and 2015

| | | |
|-------------------------------|----------------------|----------------------|
| Mission | \$37,908,346 | \$58,957,413 |
| Central Waterfront | \$5,704,111 | \$10,338,391 |
| East SoMa | \$46,831,664 | \$63,172,434 |
| Showplace Square/Potrero Hill | \$29,446,594 | \$47,803,586 |
| Western SoMa | \$17,146,718 | \$24,348,243 |
| Total | \$137,037,433 | \$204,620,067 |

Source: SF Assessor's Office for 2008 data (assessed values times tax rate of 1.163%) and Tax Collector's Office for 2015.

3. Housing

The provision of adequate housing to residents of all incomes has long been a challenge in San Francisco. Over the past five years, however, San Francisco epitomized the housing affordability crisis afflicting American cities and coastal communities throughout California. As discussed in the previous section, the Bay Area, city, and Mission neighborhood have all seen robust employment growth since the “Great Recession” triggered by the financial crisis in 2007. During this period, the city has added housing units much more slowly than new employees. As a result, a growing and more affluent labor force has driven up the costs of housing, making it increasingly difficult for low and moderate income families to remain in San Francisco.

In the past five years, the Mission has been a focal point of struggles over housing as well as efforts by the City to ensure that its residents can

continue to live there. One of the main goals of the *Mission Area Plan* is to increase the production of housing affordable to a wide-range of incomes. The environmental analysis conducted for the EN EIR estimated that between 800 and 2,000 additional units could be developed as a result of the rezoning associated with the *Mission Area Plan*.³ The Plan also recognizes the value of the existing housing stock and calls for its preservation, particularly given that much of it is under rent control. Dwelling unit mergers are strongly discouraged and housing demolitions are allowed only on condition of adequate unit replacement.

³ Eastern Neighborhoods Rezoning and Area Plans Environmental Impact Report (2005).

3.1 Housing Inventory and New Housing Production

The Planning Department's latest housing inventory, using US Census and permit data, shows that the Mission has roughly 25,000 housing units as of the end of 2015; this represents 6.6% of the citywide total.⁹ Table 3.1.1 shows a net gain of approximately 564 units in the past five years in the Mission, compared with 861 net units added between 2006 and 2010. Of the new units produced, 76 were conversions from non-residential uses and the rest were completed from new construction.

During the first two years of the reporting period, 2011 and 2012, the construction sector was still recovering from the slow-down of the recession, and only 47 new units were built. Between 2013 and 2015, however, the Mission added 518 new units, or 173 units per year. This yearly average

is almost identical to the average between 2006 and 2010, when the Mission added 164 units per year. Table 3.1.2 shows the citywide figures for comparison. Nearly 6% of the net increase in the City's housing stock in the last five years was in the Mission area.

Figure 3.1.1 shows the location of recent housing construction. The vast majority of new units added during the 2011-2015 reporting period are located north of 16th Street and west of Mission Street. All of the new residential development in the souther portion of the Mission during this period has been in projects adding one or two net units. Additional details about these new development projects can be found in Appendix A.

⁹ 2015 San Francisco Housing Inventory.

TABLE 3.1.1

New Housing Production, Mission, 2011–2015

| Year | Units Produced | Units Completed | Units Converted | Net Increase |
|--------------|----------------|-----------------|-----------------|--------------|
| 2011 | – | 14 | (1) | (15) |
| 2012 | 47 | – | 11 | 58 |
| 2013 | 242 | 1 | 15 | 257 |
| 2014 | 75 | 1 | 2 | 76 |
| 2015 | 140 | – | 48 | 188 |
| TOTAL | 504 | 16 | 76 | 564 |

Source: San Francisco Planning Department.

Note: Includes all developments in the Plan Area during reporting period, including those that did not receive CEQA clearance under Eastern Neighborhoods EIR.

TABLE 3.1.2

New Housing Production, San Francisco, 2011–2015

| Year | Units Produced | Units Completed | Units Converted | Net Increase |
|--------------|----------------|-----------------|-----------------|---------------|
| 2011 | 348 | 84 | 5 | 269 |
| 2012 | 796 | 127 | 650 | 1,319 |
| 2013 | 2,330 | 429 | 59 | 1,960 |
| 2014 | 3,455 | 95 | 156 | 3,516 |
| 2015 | 2,472 | 25 | 507 | 2,954 |
| TOTAL | 9,401 | 760 | 1,377 | 10,018 |

Source: San Francisco Planning Department.

3.2 Housing Development Pipeline

As discussed above in the Commercial Activity chapter, the pipeline should be analyzed along two different categories: projects that have submitted planning and building applications (under review) and projects that have received entitlements and are either awaiting or are under construction. The latter (particularly those under construction) are considered much more likely to add residential or commercial capacity to the city's building stock in the short-to-medium term, while under review projects may require clearance from environmental review, variances to planning code restrictions, and discretionary review. In general, the Planning Department estimates that projects that are currently under construction can take up to two years to be ready for occupancy, entitled projects can take between two and seven years, while projects under review can take as many as ten years, if they are indeed approved.

The pipeline for new housing development in the Mission as of the end of 2015 is 1,855 units, of

which 1,467 are under review. Roughly 400 units are entitled, of which half are currently under construction, as shown on Figure 3.2.1. The pipeline for the Mission accounts for 9% of the total number of projects in the City, though only 3% of the number of units, which suggests that new projects are of a smaller scale than housing developments in the pipeline for San Francisco as a whole.

The current housing pipeline is much more robust than it was at the end of 2010, shown in the previous Monitoring Report. In that year, only seven projects (with a total of nine units) were under construction, 25 projects with 422 units were entitled, and 53 projects with 585 units were under review. As of the end of 2015, twice as many projects were under review for more than three times the number of units, reflecting a much stronger market and willingness by developers to build new housing.

Figure 3.2.2 shows the location of these proposed housing projects by development status. By-and-large,

TABLE 3.2.1
Housing Development Pipeline, Mission, and San Francisco, Q4 2015

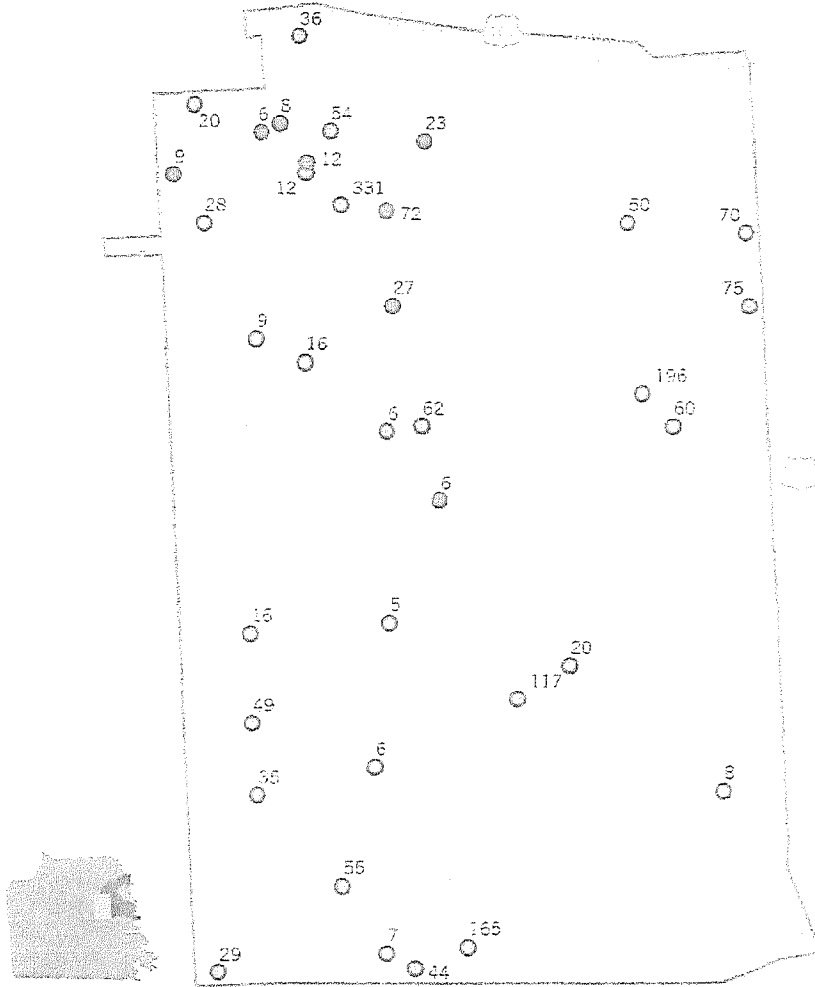
| | Mission | San Francisco | Citywide | Mission | San Francisco | Citywide |
|--|--------------|---------------|------------|---------------|---------------|--------------|
| Construction | 200 | 22 | 17 | 8,816 | 979 | 232 |
| Planning Entitled | 188 | 18 | 29 | 31,546 | 6,141 | 353 |
| Planning Approved | 14 | – | 5 | 27,617 | 12 | 80 |
| Building Permit Filed | 16 | – | 5 | 1,529 | 73 | 36 |
| Building Permit Approved/ Issued/ Reinstated | 158 | 18 | 19 | 2,400 | 6,056 | 237 |
| Under Review | 1,467 | 43 | 65 | 21,752 | 1,797 | 708 |
| Planning Filed | 909 | 37 | 25 | 17,575 | 1,574 | 206 |
| Building Permit Filed | 558 | 6 | 40 | 4,177 | 223 | 502 |
| Total | 1,855 | 83 | 111 | 62,114 | 8,917 | 1,293 |

Source: San Francisco Planning Department.

Note: Includes all residential developments in the pipeline as of December 31, 2015, including those that did not (or will not) receive CEQA clearance under Eastern Neighborhoods EIR.

MAP 6

Housing Development Pipeline by Development Status, Mission, Q4 2015



- Entitled
- Under Construction
- Under Review

Note: Only includes residential developments with 5 or more units.

projects that are entitled and under construction are located north of 20th Street. The southern portion of the Mission Area Plan Area has a number of proposed projects that are currently under review, although only one project is under construction, at 1050 Valencia Street. Appendix C provides a detailed list of these housing pipeline projects.

3.3 Affordable Housing in the Mission

San Francisco and the Mission Area Plan Area have a number of policies in place to facilitate the development of affordable housing. This section describes some of these policies and discusses affordable housing development in the Plan Area over the past five years.

3.3.1 Affordable Housing Efforts: Citywide, Eastern Neighborhoods, and Mission

The City of San Francisco has a number of programs to provide housing opportunities to families whose incomes prevent them from accessing market-rate housing. The San Francisco Housing Authority (SFHA) maintains dozens of properties throughout the City aimed at extremely low (30% of AMI), very low (50% of AMI) and low (80% of AMI) income households. Households living in SFHA-managed properties pay no more than 30% of their income on rent, and the average household earns roughly \$15,000. Four of these properties are located within the Eastern Neighborhoods boundaries: two in the Mission and two in Potrero Hill.

The City has also launched HOPE SF, a partnership between the SFHA, the Mayor's Office of Housing and Community Development (MOHCD), community organizations, real estate developers, and philanthropies to redevelop some of the more dilapidated public housing sites into vibrant mixed-income communities with a central goal of keeping existing residents in their neighborhoods. One of the Hope SF projects, Potrero Terrace/Annex is located in the Eastern Neighborhoods (Showplace Square/Potrero Hill). MOHCD also maintains a number of funding programs to provide capital financing for affordable housing developments targeting households earning between 30

and 60% of AMI, low-income seniors, and other special needs groups. In most cases, MOHCD funding is leveraged to access outside sources of funding, such as Federal Low Income Housing Tax Credits, allocated by the State.

One of the most powerful tools to promote affordable housing development in San Francisco is the inclusionary housing program specified in Section 415 of the Planning Code. This program requires that developments of 10 or more units of market rate housing must restrict 12% of the units to families earning below 55% of AMI (for rental units) or 90% of AMI (for ownership units). Developers can opt to build the units "off-site" (in a different building), within a 1-mile radius from the original development, as long as units are sold to households earning less than 70% of AMI. In this case, the requirement is increased to 20% of the total number of units in the two projects. Proposition C, approved by San Francisco voters in June 2016, increases the minimum inclusionary housing requirement to 25% on projects larger than 25 units. The Board of Supervisors may change this amount periodically based on feasibility studies by the Controller's Office. The income and rent limits for housing units managed by the Mayor's Office of Housing are included in Appendix G.

The Mayor, Board of Supervisors, Planning Department, and Mayor's Office of Housing have recently passed or introduced legislation to further expand the supply of affordable housing throughout the City. The Board recently adopted an ordinance to encourage accessory dwelling units (ADUs) throughout the City, expanding on previous legislation allowing such units in Supervisor Districts 3 and 8. These ordinances remove obstacles to the development of ADUs, including density limits and parking requirements, in order to incentivize a housing type that has been identified as a valuable option for middle-class households that do not require a lot of space.¹⁰

Another policy that has the potential to add thousands of units of affordable housing to the city's stock is the Affordable Housing Bonus

¹⁰ Wegmann, Jake, and Karen Chepple. "Hidden density in single-family neighborhoods: backyard cottages as an equitable smart growth strategy." *Journal of Urbanism: International Research on Placemaking and Urban Sustainability* 7.3 (2014): 307-329.

Program, which is currently under review by the City. The Board recently approved the portion of the program that allows developers to build up to three stories above existing height limits in 100% affordable projects. Another component of the program that is under consideration would allow developers in certain areas to build up to an additional two stories of market rate housing above what is allowed by their height limit district, in exchange for providing additional affordable housing, with a special focus on middle-income households. With the exception of 100% affordable projects, the local Bonus Program would not apply to parcels in the Eastern Neighborhoods, as most do not currently have density restrictions. The program is intended to expand housing development options outside of the Eastern Neighborhoods, where housing development has been limited in recent decades.

In addition to the Citywide programs described above, the Eastern Neighborhoods Area Plans also placed a high priority on the production and protection of affordable housing, and created policies to expand access to housing opportunities to low and moderate-income families. For example, market-rate housing developments in the Urban Mixed Use (UMU) district are required to restrict between 14.4 and 17.6% of their units to families at or below 55% of AMI for rental and 90% of AMI for ownership, depending on the amount of "upzoning" given to the property by the Plans. If these units are provided off-site, the requirement ranges from 23 to 27%. In the UMU and Mission NCT district, developers also have the option of dedicating land to the City that can be developed as 100% affordable projects.

Developers also have the option of paying a fee in lieu of developing the units themselves, which the City can use to finance the development of 100% affordable projects. Funds collected through these "in-lieu fees" are managed by the Mayor's Office of Housing and Community Development and can be spent anywhere in the City. However, 75% of fees collected in the Mission NCT and East SoMa MUR districts are required to be spent within those districts themselves. The Plans also require bedroom mixes in its mixed use districts to encourage 2- and 3-bedroom units that are suit-

able to families, including the units sold or leased at below-market rates. Lastly, in order to reduce the costs and incentivize housing production, the Plans removed density controls and parking requirements in many of its zoning districts, particularly those well-served by public transit and pedestrian and bike infrastructure.

3.4 New Affordable Housing Production, 2011–2015

As discussed in this report's introduction, expanding access to affordable housing opportunities was a high priority for the communities in the Eastern Neighborhoods during the planning process, and it has only gained more urgency in recent years. The Mission in particular has been a symbol of the pressures of exploding housing costs on neighborhood stability and character.

As Table 3.4.1 shows, 56 income-restricted affordable units were built during the 2011-15 five-year monitoring period, compared to 446 developed over the previous five years (2006-2010). The main difference between the two periods is that no publicly subsidized developments were built in the Mission in the most recent five-year stretch, while two large, fully affordable projects were built in 2006 and 2009 (Valencia Gardens and 601 Alabama, respectively) with a total of 411 units.

The 56 units built between 2011 and 2015 make up 11% of the 504 newly constructed units built in the Mission (shown on Table 3.1.1), slightly lower than the inclusionary housing minimum of 12%. The percentage is lower than the minimum because seven projects (shown on Table 3.4.3) chose to pay a fee to the City in lieu of building the units on-site. These fees raised \$7.3 million for the City's housing development program managed by MOHCD. New affordable units are estimated to cost roughly \$550,000 in construction costs (not including land), towards which MOHCD contributes about \$250,000, requiring the developer to raise the rest from Federal, State, and other sources. Therefore, it is estimated that the "in-lieu fees" collected in the Mission in this period, if successfully leveraged into additional external funding and used to build projects on

publicly controlled land, could yield an additional 30 units.¹¹ Moreover, projects with fewer than 10 units are exempt from the inclusionary housing requirement.

Out of the 56 inclusionary units, 40 were rental units targeted to low-income households (55% of AMI) at the 194-unit development at 1880 Mission Street. The rest were ownership units restricted to moderate-income households (90% AMI). An additional 20 secondary or “granny” units, which are not restricted by income, but are

¹¹ The development costs of affordable housing units are rough estimates based on recent projects that have received assistance from MCHCD.

generally considered “more affordable by design to moderate-income households were added in the Plan Area. Appendix B lists the affordable housing developments completed between 2011 and 2015.

The inclusionary housing production in the Mission accounts for 7% of the citywide production (853 units, as shown in table 3.4.2 between 2011 and 2015). Because no publicly subsidized developments were completed in this period, the Mission only built 2% of the city’s income-restricted units (2,497) during the period.

TABLE 3.4.1

Affordable Housing Production, Mission, 2011–2015

| Year | Income-restricted | Secondary | Total | Citywide |
|--------------|-------------------|-----------|-----------|-----------|
| 2011 | – | – | 5 | 5 |
| 2012 | – | 2 | 2 | 4 |
| 2013 | – | 40 | 3 | 43 |
| 2014 | – | 8 | 3 | 11 |
| 2015 | – | 6 | 7 | 13 |
| TOTAL | – | 56 | 20 | 76 |

Source: San Francisco Planning Department and Mayor’s Office of Housing and Community Development.

Note: Secondary units are considered “naturally affordable” and are not income restricted like units produced through the inclusionary housing program or through public subsidies.

TABLE 3.4.2

Affordable Housing Production, San Francisco, 2011–2015

| Year | Income-restricted | Secondary | Total | Citywide |
|--------------|-------------------|------------|------------|--------------|
| 2011 | 141 | 4 | 60 | 205 |
| 2012 | 377 | 98 | 38 | 513 |
| 2013 | 464 | 216 | 30 | 710 |
| 2014 | 449 | 249 | 57 | 755 |
| 2015 | 213 | 286 | 53 | 552 |
| TOTAL | 1,644 | 853 | 238 | 2,735 |

Source: San Francisco Planning Department and Mayor’s Office of Housing and Community Development.

Note: Secondary units are considered “naturally affordable” and are not income restricted like units produced through the inclusionary housing program or through public subsidies.

TABLE B.A.3

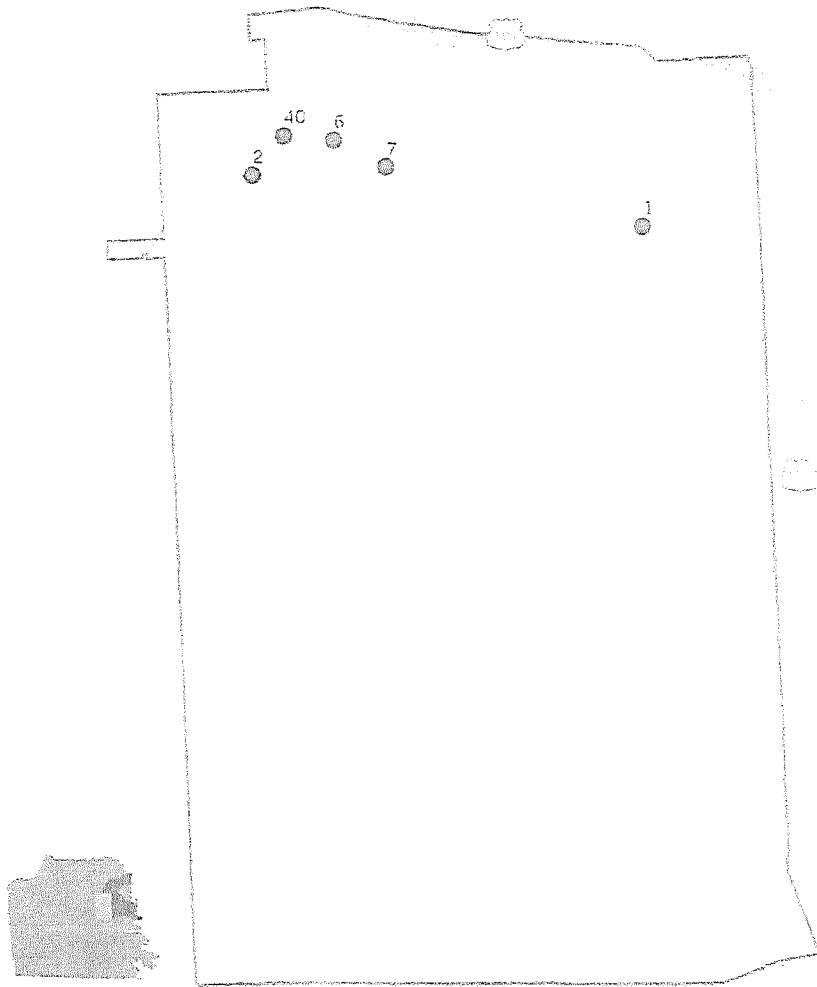
Housing Developments Opting for Affordable Housing "In-lieu" Fee, Mission, 2011-2015

| | | |
|--------------------|------|--------------------|
| 3500 19TH ST | 2012 | \$1,119,972 |
| 3418 26TH ST | 2012 | \$685,574 |
| 2652 HARRISON ST | 2012 | \$975,904 |
| 899 VALENCIA ST | 2013 | \$1,119,260 |
| 1050 VALENCIA ST | 2013 | \$756,939 |
| 3420 18TH ST | 2015 | \$1,001,589 |
| 1450 15TH ST | 2015 | \$1,654,354 |
| GRAND TOTAL | | \$7,313,592 |

Sources: Department of Building Inspection

MAP 3

New Affordable Housing, Mission, 2011-2015



● Market-rate Project with Inclusionary Housing

3.5 Housing Stock Preservation

A key component in promoting neighborhood affordability and stability is to preserve the existing stock of housing. New housing development in San Francisco is costly and preserving homes can prevent displacement of families and disruption in tight-knit communities such as the Mission. The *Mission Area Plan* supports the preservation of the area's existing housing stock and prohibits residential demolition unless this project ensures sufficient replacement of housing units. Restrictions on demolitions also help to preserve affordable and rent-controlled housing and historic resources.

A neighborhood's housing stock can also change without physical changes to the building structure. Conversions of rental housing to condominiums can turn housing that is rent controlled and potentially accessible to those of low to moderate income households to housing that can be occupied by a narrower set of residents, namely, those with access to down payment funds and enough earning power to purchase a home. Lastly, rental units can be "lost" to evictions of various types, from owners moving in to units formerly occupied by tenants to the use of the Ellis Act provisions in which landlords can claim to be going out of the rental business in order to force residents to vacate

their homes.

One important priority of the Plan's housing stock preservation efforts is to maintain the existing stock of single room occupancy (SRO) hotels, which often serve as a relatively affordable option for low income households. Appendix B includes a list of SRO properties and number of residential units.

The following subsections document the trends in these various types of changes to the housing stock in the Mission Area Plan Area and San Francisco between 2011 and 2015 and comparing the most recent five years with the preceding 5-year period.

3.5.1 Units Lost to Demolition or Alteration

In this most recent reporting period, 30 units were demolished or lost through alteration in the Mission (Table 3.5.1) or less than 3% of units demolished citywide. In the previous reporting period, 15 units were lost to demolition or alteration. Table 3.5.1 shows San Francisco figures for comparison. Illegal units removed also result in loss of housing; corrections to official records, on the other hand, are adjustments to the housing count.

TABLE 3.5.1
Units Lost, Mission, 2011–2015

| Year | Units Lost to Demolition | Units Lost to Alteration | Units Lost to Illegal Removal | Units Lost to Record Corrections | Total Units Lost | Total Units |
|--------------|--------------------------|--------------------------|-------------------------------|----------------------------------|------------------|-------------|
| 2011 | – | 7 | – | – | 7 | 14 |
| 2012 | – | – | – | – | – | – |
| 2013 | – | – | – | – | – | 1 |
| 2014 | 3 | – | – | – | 3 | 1 |
| 2015 | 4 | – | – | – | 4 | – |
| TOTAL | 7 | 7 | – | – | 14 | 16 |

Source: San Francisco Planning Department

TABLE 3.5.2

Units Lost, San Francisco, 2011–2015

| Year | Single-Family | Multi-Family | Other | Total | Units Lost | Total Units |
|--------------|---------------|--------------|----------|----------|------------|--------------|
| 2011 | 39 | 22 | 1 | 3 | 65 | 84 |
| 2012 | 2 | 23 | 1 | 1 | 27 | 127 |
| 2013 | 70 | 38 | 2 | - | 110 | 427 |
| 2014 | 24 | 20 | 1 | - | 45 | 95 |
| 2015 | 100 | 12 | 1 | 3 | 116 | 25 |
| TOTAL | 235 | 115 | 6 | 7 | 363 | 1,121 |

Source: San Francisco Planning Department

3.5.2 Condo Conversions

Condo conversions increase San Francisco's homeownership rate, estimated to be at about 37% in 2014. However, condo conversions also mean a reduction in the City's rental stock. In 2014, an estimated 76% of households in the Mission were renters. According to the American Community Survey, there was no change in the owner/renter split in the Mission or in San Francisco between 2009 and 2014. Almost 8% of San Francisco's rental units are in the Mission as of 2014, the same figure as in 2009.¹²

¹² San Francisco Neighborhood Profiles, American Community Survey 2010–2014, San Francisco Planning Department 2016. According to the Census, there are roughly 19,000 renter-occupied units in the Mission. The neighborhood boundaries for the Mission in the Neighborhood Profiles do not match perfectly with the Plan Area boundaries, though they are very close. Therefore, these percentages should be read as approximations.

Table 3.5.3 shows that in the last five years, 284 units in 105 buildings in the Mission were converted to condominiums, compared to 307 units in 133 buildings between 2006 and 2010. In all, approximately 0.6% of all rental units in the Mission were converted to condominiums between 2011 and 2015. This represents 11% of all condo conversions citywide.

TABLE 3.5.3

Condo Conversion, Mission, 2011–2015

| Year | Units | Buildings | Total Units | Total Buildings | Percentage of Units | Percentage of Buildings |
|---------------|------------|------------|-------------|-----------------|---------------------|-------------------------|
| 2011 | 23 | 55 | 200 | 472 | 12% | 12% |
| 2012 | 18 | 43 | 201 | 488 | 9% | 9% |
| 2013 | 17 | 42 | 147 | 369 | 12% | 11% |
| 2014 | 29 | 81 | 239 | 727 | 12% | 11% |
| 2015 | 18 | 63 | 149 | 500 | 12% | 13% |
| Totals | 105 | 284 | 936 | 2,556 | 11% | 11% |

Source: DPW Bureau of Street Use and Mapping

3.5.3 Evictions

Evictions by owners that choose to move in to their occupied rental units or use the Ellis Act provisions to withdraw their units from the rental market also cause changes to the housing stock. These evictions effectively remove units from the rental housing stock and are, in most cases, precursors to condo conversions.

Table 3.5.4 shows that owner move-ins led to evictions in 103 units (compared to 73 units between 2006 and 2010). The annual trend from 2011 and 2014 (between 13 and 22) was similar to the annual evictions for the previous 5-year reporting period, but these types of evictions surged to 35 in 2015. Similarly, Ellis Act withdrawals led to 113 evictions during the most recent reporting period (compared to 71 in the

previous period). Owner move-in evictions in the Mission accounted for 8% of the citywide total while the Plan Area accounted for 18% of Ellis Act evictions in San Francisco between 2011 and 2015.

During these five years, an estimated 1% of rental units in the Mission experienced owner move-in and Ellis Act evictions. However, this number may not capture buy-outs or evictions carried out illegally without noticing the San Francisco Rent Board. Other types of evictions, also tabulated in Table 3.5.4, include evictions due to breach of rental contracts or non-payment of rent; this could also include evictions to perform capital improvements or substantial rehabilitation.

TABLE 3.5.4
Evictions, Mission, 2011–2015

| Year | Owner Move-In | Ellis Act | Other | Total | Mission | Plan Area | Mission % | Plan Area % | Other % |
|---------------|---------------|------------|------------|--------------|------------|--------------|-----------|-------------|-----------|
| 2011 | 13 | 4 | 64 | 123 | 54 | 1102 | 11% | 7% | 6% |
| 2012 | 19 | 23 | 74 | 172 | 99 | 1343 | 11% | 23% | 6% |
| 2013 | 22 | 51 | 95 | 275 | 229 | 1368 | 8% | 22% | 7% |
| 2014 | 14 | 16 | 120 | 315 | 101 | 1550 | 4% | 16% | 8% |
| 2015 | 35 | 19 | 100 | 425 | 142 | 1518 | 8% | 13% | 7% |
| Totals | 103 | 113 | 453 | 1,310 | 625 | 6,881 | 8% | 18% | 7% |

Source: San Francisco Rent Board

Note: Evictions classified under "Other" include "at fault" evictions such as breach of contract or failure to pay rent.

3.6 Jobs Housing Linkage Program (JHLP)

Prompted by the *Downtown Plan* in 1985, the City determined that large office development, by increasing employment, attracts new residents and therefore increases demand for housing. In response, the Office of Affordable Housing Production Program (OAHPP) was established in 1985 to require large office developments to contribute to a fund to increase the amount of affordable housing. In 2001, the OAHPP was re-named the Jobs-Housing Linkage Program (JHLP) and revised to require all commercial projects with a net addition of 25,000 gross square feet or more to contribute to the fund. Between fiscal year 2011-12 and 2015-16, commercial developments in the Mission Area Plan Area generated roughly \$900,000 to be used for affordable housing development by the city.

TABLE 3.6.1
Jobs Housing Linkage Fees Collected, Mission,
FY 2011/12–2015/16

| Fiscal Year | Fees Collected |
|-------------|----------------|
| 2011-12 | \$- |
| 2012-13 | \$893,542 |
| 2013-14 | \$- |
| 2014-15 | \$6,205 |
| 2015-16 | \$- |
| Total | \$899,747 |

*Department of Building Inspection as of 6/1/16

4. Accessibility and Transportation

The Mission Area Plan Area is characterized by a multitude of mobility options and its residents access employment and other destinations through a variety of transport modes. A much lower share of commuters in the Mission travel to work by car than the rest of San Francisco (29% to 44%, respectively), a comparison that is true for people who drive alone as well as those who carpool. As Table 4.1.1 shows, the most widely used commute mode in the Mission is public transit, which is used by 41% of residents (compared to 33% citywide), and other alternative commute modes also play an important role, including biking at 9% (more than twice the citywide share), walking at 11%, and working at home at 8%. In order to maintain this characteristic and move towards lower dependency on private automobiles, the Mission Area Plan's objectives related to transportation all favor continued investments in public transit and improving pedestrian and bicycle infrastructure rather than facilitating auto ownership, circulation, and parking.

TABLE 4.1.1
Commute Mode Split, Mission and San Francisco

| Mode | Mission Area Plan Area | Mission Area Plan Area (%) | San Francisco | San Francisco (%) |
|----------------|------------------------|----------------------------|---------------|-------------------|
| Car | 9,057 | 29% | 199,470 | 44% |
| Drove Alone | 7,809 | 25% | 165,151 | 36% |
| Carpooled | 1,248 | 4% | 34,319 | 8% |
| Transit | 12,942 | 41% | 150,222 | 33% |
| Bike | 2,852 | 9% | 17,356 | 4% |
| Walk | 3,532 | 11% | 46,810 | 10% |
| Other | 844 | 3% | 10,579 | 2% |
| Worked at Home | 2,410 | 8% | 32,233 | 7% |
| Total | 31,637 | 100% | 456,670 | 100% |

Source: 2014 American Community Survey 5-year estimate

4.1 Eastern Neighborhoods TRIPS Program

The Eastern Neighborhoods Transportation Implementation Planning Study (EN TRIPS) Report assessed the overall transportation needs for the Eastern Neighborhoods and proposed a set of discreet projects that could best address these needs in the most efficient and cost beneficial manner. EN Trips identified three major projects for prioritization:

- (1) Complete streets treatment for a Howard Street / Folsom Street couplet running between 5nd and 11th Street
- (2) Complete streets and transit prioritization improvements for a 7th Street and 8th Street couplet running between Market and Harrison Street in East Soma
- (3) Complete streets and transit prioritization improvements for 16th Street (22-Fillmore) running between Church Street and 7th Street.

Other broader improvements were also discussed including street grid and connectivity improvements through the northeast Mission and Showplace Square, bicycle route improvements throughout particularly along 17th Street, and mid-block signalizations and crossings in South of Market.

4.2 Pedestrian and Bicycle Improvements

The *Mission Area Plan* calls for the creation of a network of "Green Connector" streets with wider sidewalks and landscaping improvements that connects open spaces and improves area walkability. The Plan proposes improvements in the vicinity of 16th Street, in the center of the Mission around 20th Street and through the southern part of the Mission including Cesar Chavez Street. Additionally north-south connections are suggested for Potrero Avenue and Folsom Streets. Numerous pedestrian improvements have also been proposed in the *Mission Public Realm Plan*.

The Mission District Streetscape Plan furthered the Mission Area Plan and EN Implementation Docu-

ment by identifying general district-wide strategies for improving streets and by providing conceptual designs for 28 discreet projects. The Plan looked to create identifiable plazas and gateways, improve alley and small streets, provide traffic calming in the predominately residential neighborhoods, re-envision the Districts throughways, and mixed-use (i.e. light industrial) streets; and further enliven the commercial corridors at key locations. Several of the Mission District Streetscape Plan projects have been implemented including, but not limited to, the Mission District Folsom Street road diet improvements, Bryant Street streetscaping, and the Bartlett Street Streetscape Improvement Project.

In January 2011, San Francisco's *Better Streets Plan*, adopted by the Board of Supervisors in December 2010, went into effect. The plan contains design guidelines for pedestrian and streetscape improvements and describes streetscape requirements for new development. Major themes and ideas include distinctive, unified streetscape design, space for public life, enhanced pedestrian safety, universal design and accessibility, and creative use of parking lanes. The *Better Streets Plan* only describes a vision for ideal streets and seeks to balance the needs of all street users and street types. Detailed implementation strategies will be developed in the future.

In 2014, San Francisco adopted Vision Zero, a commitment to eliminating traffic-related fatalities by 2024. The City has identified capital projects to improve street safety, which will build on existing pedestrian, bicycle, and transit-rider safety programs. The first round will include 245 projects, including several in the Mission, shown on Table 4.2.1. Pedestrian safety improvements such as new crosswalks and "daylighting" (increasing the visibility of pedestrian crossings) will be constructed along Mission Street between 18th and 23rd Streets. Additionally, a variety of multimodal improvements, such as daylighting and vehicle turn restriction, are being implemented at the intersection of Valencia Street and Duboce Avenue. A new traffic signal has also recently been installed at the intersection of 16th and Capp Streets.

Lastly, the southwest Bart plaza was reconstructed in 2014 to emphasize flexible open space over the previous cluttered configuration; elements include removed fencing, new paving, landscaping and street furniture.

Table 4.2.1.

Vision Zero Projects in Mission Area Plan Area

| Project Name | Start Date | End Date | Progress | Estimated Cost |
|---|------------------|----------------|----------|----------------|
| 16th Street at Capp Street – New Traffic Signal | Winter 2013/2014 | Fall 2016 | Complete | \$350,000 |
| Cesar Chavez SR2S Project | Spring 2014 | Winter 2016/17 | Design | \$385,000 |
| Valencia St./Duboce Ave Multimodal Improvements | Winter 2014/2015 | Summer 2015 | Design | \$5,000,000 |
| 11th St./13th St./Bryant St. Bicycle and Pedestrian Spot Improvements | Winter 2014/2015 | Fall 2015 | Design | \$150,000 |
| Potrero Ave., from Division to Cesar Chavez Streetscape Project | Winter 2014/2015 | Winter 2017/18 | Design | \$4,100,000 |
| Mission Street, from 18th to 23rd (Pedestrian Safety Intersection Improvements) | Winter 2014/2015 | Summer 2015 | Design | \$86,000 |
| Pedestrian Countdown Signal (3 Signals) | Spring 2015 | Winter 2016/17 | Design | \$417,000 |

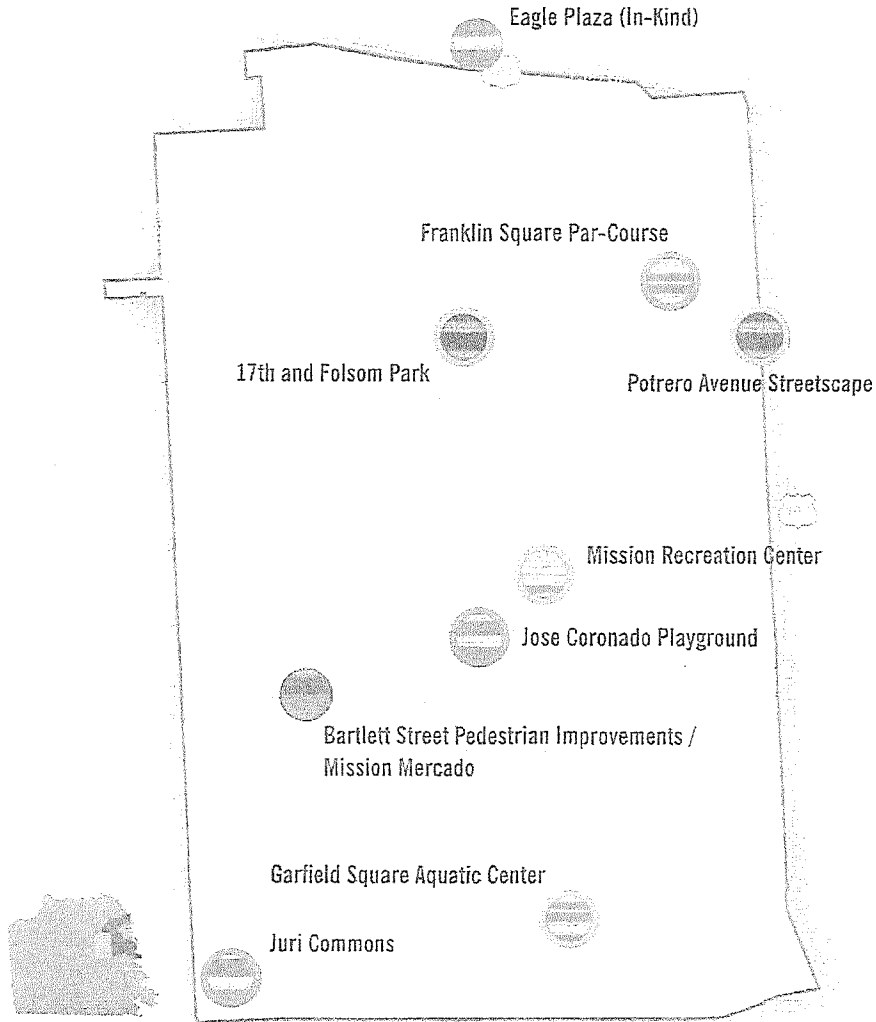
Source: San Francisco Municipal Transportation Agency

5. Community Improvements

The Eastern Neighborhoods Plan included Public Benefits a framework for delivering infrastructure and other public benefits. The public benefits framework was described in the Eastern Neighborhoods “Implementation Document”, which was provided to the public, the Planning Commission, and the Board of Supervisors at the time of the original Eastern Neighborhoods approvals. This Implementation Document described infrastructure and other public benefits needed to keep up with development, established key funding mechanisms for the infrastructure, and provided a broader strategy for funding and maintaining newly needed infrastructure. Below is a descrip-

tion of how the public benefit policies were originally derived and expected to be updated. [Figure 5.1](#) shows the location of community improvements underway or completed in the Mission Area Plan Area between 2011 and 2015.

Community Improvements in the Mission, 2011-2015



Project Status

- Complete
- Construction / Near Construction
- Planned

Project Size

- Major
- Community

5.1 Need, Nexus and Feasibility

To determine how much additional infrastructure and services would be required to serve new development, the Planning Department conducted a needs assessment that looked at recreation and open space facilities and maintenance, schools, community facilities including child care, neighborhood serving businesses, and affordable housing.

A significant part of the Eastern Neighborhoods Plans was the establishment of the Eastern Neighborhoods Community Impact Fee and Fund. Nexus Studies were conducted as part of the original Eastern Neighborhoods effort, and then again as part of a Citywide Nexus and Levels-of-Service study described below. Both studies translated need created by development into an infrastructure cost per square foot of new development. This cost per square foot determines the maximum development impact fee that can be legally charged. After establishing the absolute maximum fee that can be charged legally, the City then tests what maximum fee can be charged without making development infeasible. In most instances, fees are ultimately established at lower than the legally justified amount determined by the nexus. Because fees are usually set lower than what could be legally justified, it is understood that impact fees cannot address all needs created by new development.

Need for transportation was studied separately under EN Trips and then later under the Transportation Sustainability Program. Each infrastructure or service need was analyzed by studying the General Plan, departmental databases, and facility plans, and with consultation of City agencies charged with providing the infrastructure or need. As part of a required periodic update, in 2015, the Planning Department published a Citywide Needs Assessment that created levels-of-service metrics for new parks and open space, rehabilitated parks and open space, child care, bicycle facilities, and pedestrian facilities ("San Francisco Infrastructure Level of Service Analysis").

Separate from the Citywide Nexus published in 2015, MTA and the Planning Department also

produced a Needs Assessment and Nexus Study to analyze the need for additional transit services, along with complete streets. This effort was to provide justification for instituting a new Transportation Sustainability Fee (TSF) to replace the existing Transit Development Impact Fee (TDIF). In the analysis, the derived need for transit from new development is described providing the same amount transit service (measured by transit service hours) relative to amount of demand (measured by number of auto plus transit trips).

Between the original Needs Assessment, and the Level-of-Service Analysis, and the TSF Study the City has established metrics that establish what is needed to maintain acceptable infrastructure and services in the Eastern Neighborhoods and throughout the City. These metrics of facilities and service needs are included in Appendix J.

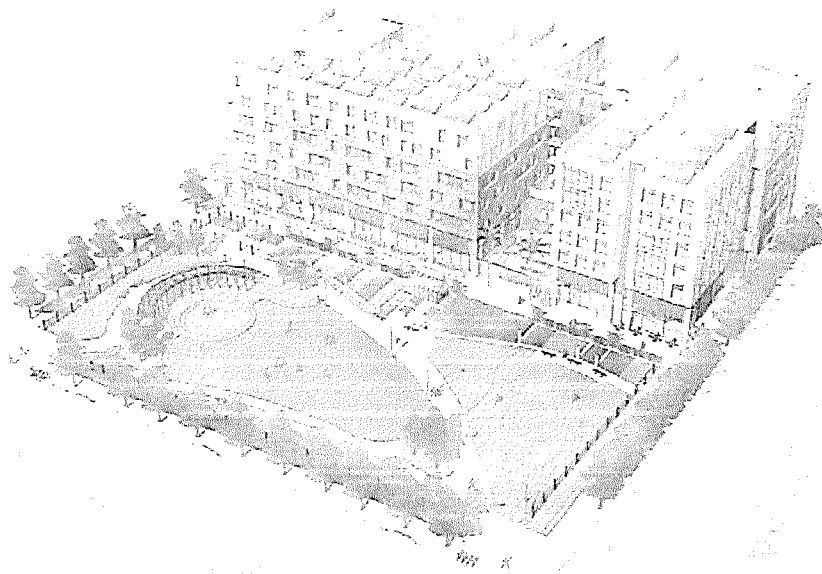
5.2 Recreation, Parks, and Open Space

The *Mission Area Plan* also calls for the provision of new recreation and park facilities and maintenance of existing resources. Some portions of the Mission historically have been predominantly industrial, and not within walking distance of an existing park and many areas lack adequate places to recreate and relax. Moreover, the Mission has a concentration of family households with children (27% of Mission households), which is higher than most neighborhoods in the city. Specifically, the *Plan* identifies a need for 4.3 acres of new open space to serve both existing and new residents, workers and visitors. The *Plan* proposes to provide this new open space by creating at least one substantial new park in the Mission.

A parcel at 2080 Folsom Street (at 17th Street) owned by the San Francisco Public Utilities Commission was identified as a suitable site for a new park in an underserved area of the Mission. After a series of community meetings in 2010, three design alternatives were merged into one design. The new 0.8 acre park, shown in figure 5.2.1, will include a children's play area, demonstration garden, outdoor amphitheater and seating, among other amenities. The project is under construction and is expected to be completed by winter 2017.

FIGURE E.2.1

Rendering of Park at 17th and Folsom Streets and Adjacent New Housing Development



Source: San Francisco Recreation & Parks.

Another facility planned for the Plan Area, still in conceptual phase, is the Mission Recreation Center. Located on a through block facing both Harrison Street and Treat Avenue between 20th and 21st Street, the facility includes an interior gymnasium and fitness center, along with an outdoor playground located in an interior courtyard. Recreation and Park staff is planning for a major renovation and reconfiguration of the facility that could include relocating the play equipment so that it is visible from the public right-of-way and adding additional courts to the building.

Lastly, Garfield Pool is scheduled to be rehabilitated through the 2012 Park Bond. Recreation and Park staff plan to further enhance the facility

to a higher capacity Aquatics Center, which, besides refurbishing the pool, would also include adding amenities such a multi-purpose room and a slide. Other possible improvements could include a redesign of the pool structure. Design for the pool rehabilitation is expected to be complete by late 2016 with construction bid award and the construction planned to begin in 2017.

5.3 Community Facilities and Services

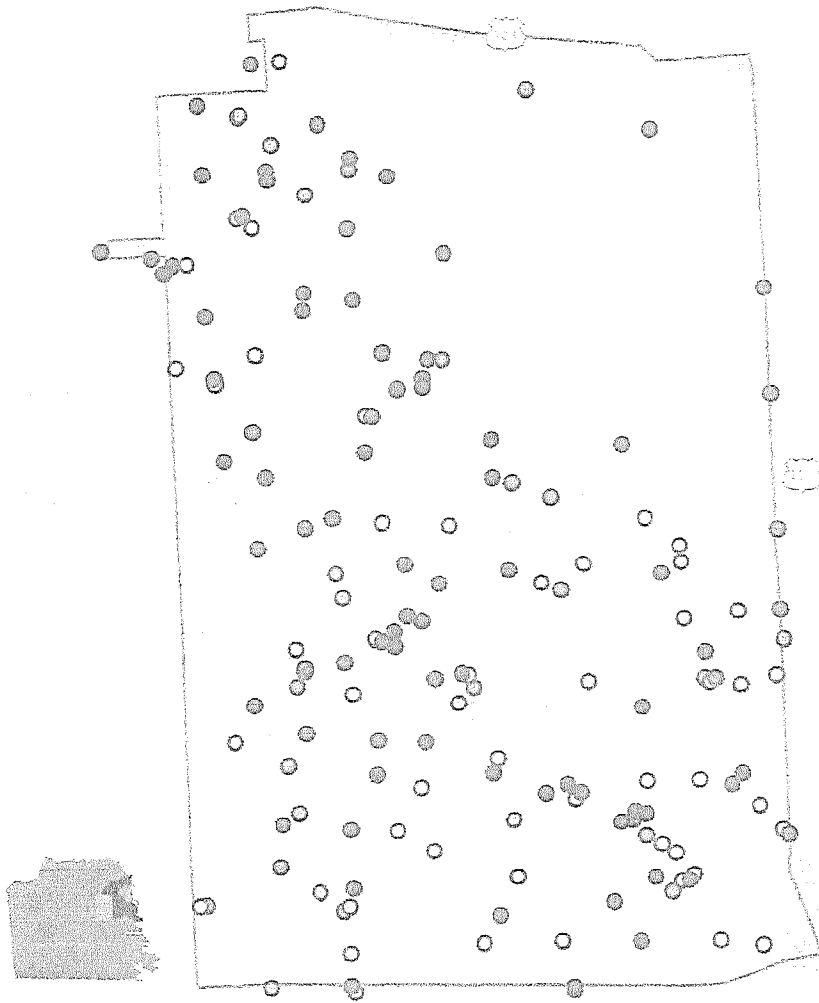
As a significant amount of new housing development is expected in the Mission, new residents will increase the need to add new community facilities and to maintain and expand existing ones. Community facilities can include any type

of service needed to meet the day-to-day needs of residents. These facilities include libraries, parks and open space, schools and child care. Community based organizations also provide many services to area residents including health, human services, and cultural centers. Section 5.3 describes efforts to increase and improve the supply of recreation and park space in the Mission. Section 6, below, discusses the process of implementation of the community benefits program, including the collection and management of the impact fees program.

Map 8 shows existing community facilities in the Mission. Community based organizations currently provide a wide range of services at over 50 sites throughout the Mission, ranging from clinics and legal aid, to job and language skills training centers and immigration assistance. Cultural and arts centers are also prominent in the Mission.

MAP 8

Community Facilities in the Mission



- Hospitals
- Libraries
- Community Based Organizations
- Child Care Facilities
- Schools
- Fire Stations
- Churches

5.4 Historic Preservation

A number of Planning Code amendments have been implemented in support of the Historic Preservation Policies within the Eastern Neighborhoods Plan Areas. These sections of the Planning Code provide for flexibility in permitted uses, thus encouraging the preservation and adaptive reuse of historic resources. The most effective incentive to date is the application of Section 803.9 of the Planning Code within the East and Western SoMa Plan Areas. Approximately 10 historic properties have agreed to on-going maintenance and rehabilitation plans in order to preserve these significant buildings.

5.4.1 Commercial Uses in Certain Mixed-Use Districts

Within Certain Mixed-Use Districts, the Planning Code principally or conditionally permits various commercial uses that otherwise are not permitted. The approval path for these commercial uses varies depending on the (1) zoning district, (2) historic status, and (3) proposed use. The table in Appendix K shows Planning Code Section 803.9. Depending on the proposed use, approval may be received from either the Zoning Administrator (ZA) or with Conditional Use Authorization from the Planning Commission. Depending on the zoning district, the historic status may either be: Article 10 Landmark (A10), Contributing Resources to Article 10 Landmark Districts (A10D), Article 11 Category I, II, III and IV (A11), Listed in or determined eligible for National Register (NR), or Listed in or determined eligible for California Register (CR).

For use of this Planning Code section, the Historic Preservation Commission must provide a recommendation on whether the proposed use would enhance the feasibility of preserving the historic property. Economic feasibility is not a factor in determining application of the code provision. The incentive acknowledges that older buildings generally require more upkeep due to their age, antiquated building systems, and require intervention to adapt to contemporary uses. The property owner commits to preserving and maintaining the building, restoring deteriorated or missing features,

providing educational opportunities for the public regarding the history of the building and the district, and the like. As a result the owner is granted flexibility in the use of the property.

Department staff, along with advice from the Historic Preservation Commission, considers the overall historic preservation public benefit in preserving the subject property. Whether the rehabilitation and maintenance plan will enhance the feasibility of preserving the building is determined on a case-by-case basis. Typically, the Historic Preservation Maintenance Plan (HPMP) from the Project Sponsor will outline a short- and long-term maintenance and repair program. These plans vary in content based on the character-defining features of the property and its overall condition. Maintenance and repair programs may include elements, like a window rehabilitation program, sign program, interpretative exhibit, among others.

5.5 Neighborhood Serving Establishments

Neighborhood serving businesses represent a diversity of activities beyond typical land use categories such as retail. This section defines neighborhood serving as those activities of an everyday nature associated with a high "purchase" frequency (see Appendix L for a list of business categories used). Grocery stores, auto shops and gasoline stations, banks and schools which frequently host other activities, among many other uses, can be considered "neighborhood serving."

By this definition, the Mission is home to almost 600 neighborhood serving businesses and establishments employing over 8,000 people. Although these tend to be smaller businesses frequented by local residents and workers, some also serve a larger market (such as popular restaurants). As shown in Table 4.5.1, the top 10 neighborhood serving establishments in the Mission include eating places (full- and limited-service restaurants, bakeries, etc.), schools, grocery stores, bars, and pharmacies. These businesses are typically along the Mission, Valencia, and 24th Street neighborhood commercial districts, as shown on Map 9.

TABLE 3.2

Neighborhood Serving Establishments, Mission

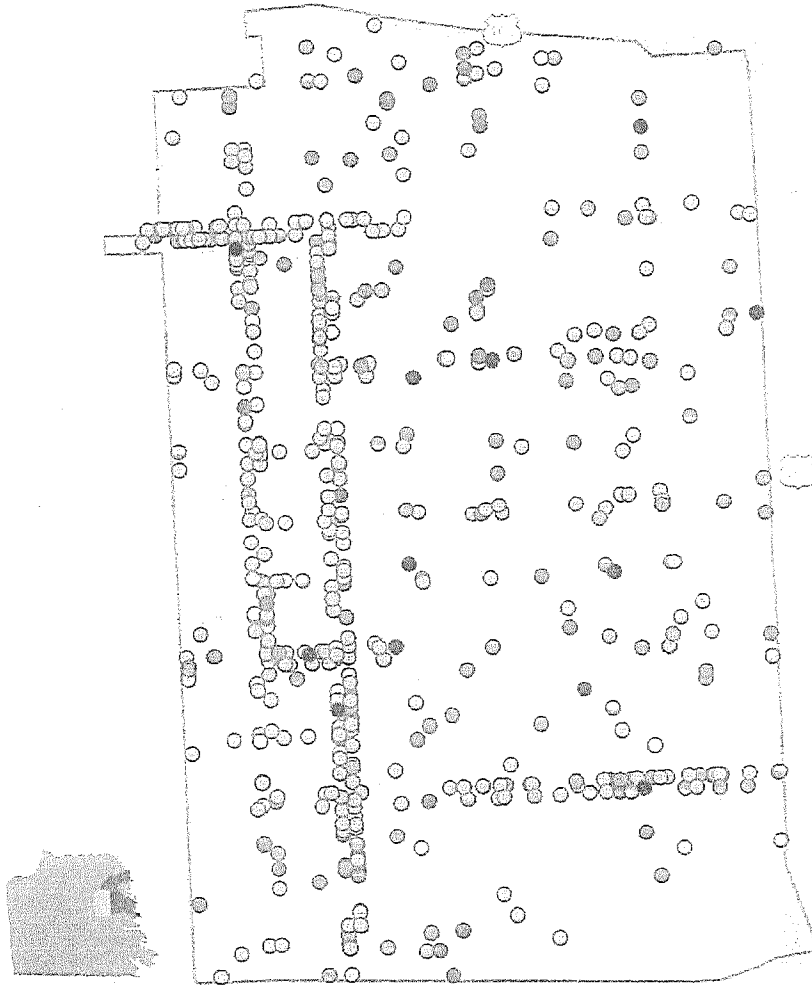
| | | |
|--|-----|-------|
| Full-Service Restaurants | 155 | 2,581 |
| Snack and Nonalcoholic Beverage Bars | 31 | 908 |
| Limited-Service Restaurants | 62 | 884 |
| Supermarkets and Other Grocery (except Convenience) Stores | 36 | 521 |
| Elementary and Secondary Schools | 20 | 516 |
| Drinking Places (Alcoholic Beverages) | 36 | 388 |
| Electronics Stores | 13 | 246 |
| Retail Bakeries | 12 | 143 |
| Commercial Banking | 7 | 139 |
| Pharmacies and Drug Stores | 10 | 129 |
| Sporting Goods Stores | 7 | 125 |
| Junior Colleges | 2 | 110 |
| Used Merchandise Stores | 6 | 96 |
| All Other Specialty Food Stores | 3 | 87 |
| Fitness and Recreational Sports Centers | 5 | 85 |
| Discount Department Stores | 1 | 76 |
| Civic and Social Organizations | 9 | 64 |
| Drycleaning and Laundry Services (except Coin-Operated) | 7 | 61 |
| General Automotive Repair | 20 | 57 |
| Pet Care (except Veterinary) Services | 10 | 52 |
| Women's Clothing Stores | 9 | 50 |
| Nail Salons | 8 | 48 |
| Office Supplies and Stationery Stores | 2 | 48 |
| Child Day Care Services | 10 | 47 |
| Shoe Stores | 5 | 41 |
| Savings Institutions | 4 | 40 |
| Book Stores | 5 | 39 |
| Men's Clothing Stores | 6 | 38 |
| All Other General Merchandise Stores | 6 | 38 |
| Religious Organizations | 5 | 34 |
| Family Clothing Stores | 3 | 34 |
| Beauty Salons | 9 | 34 |
| Pet and Pet Supplies Stores | 3 | 32 |
| Barber Shops | 1 | 30 |
| Gasoline Stations with Convenience Stores | 3 | 28 |
| Clothing Accessories Stores | 5 | 26 |
| Meat Markets | 6 | 24 |
| Beer, Wine, and Liquor Stores | 6 | 20 |
| Sewing, Needlework, and Piece Goods Stores | 2 | 19 |
| Fruit and Vegetable Markets | 4 | 12 |

| | | |
|---|------------|--------------|
| Cosmetics, Beauty Supplies, and Perfume Stores | 3 | 12 |
| Food (Health) Supplement Stores | 1 | 9 |
| Other Automotive Mechanical and Electrical Repair and Maintenance | 3 | 9 |
| Convenience Stores | 4 | 8 |
| Hobby, Toy, and Game Stores | 1 | 8 |
| Other Clothing Stores | 3 | 8 |
| Coin-Operated Laundries and Drycleaners | 3 | 6 |
| Cafeterias, Grill Buffets, and Buffets | 1 | 5 |
| Video Tape and Disc Rental | 1 | 2 |
| Other Personal and Household Goods Repair and Maintenance | 2 | 2 |
| Automotive Transmission Repair | 1 | 1 |
| Libraries and Archives | 1 | 1 |
| TOTAL | 578 | 8,018 |

Source: California Employment Development Department.

MAP 6

Neighborhood Serving Businesses in the Mission



- | | |
|---|--|
| ○ 311 - Food Manufacturing | ○ 522 - Credit Intermediation |
| ○ 443 - Electronics and Appliance | ○ 532 - Rental and Leasing Services |
| ● 445 - Food and Beverage | ● 611 - Educational Services |
| ○ 446 - Health and Personal Care | ○ 624 - Social Assistance |
| ○ 447 - Gas Stations | ● 713 - Amusement, Gambling and Recreation |
| ○ 448 - Clothing and Accessories | ○ 722 - Food Services and Drinking Places |
| ○ 451 - Sporting goods, Hobby, Musical Instrument and Books | ● 811 - Repair and Maintenance |
| ○ 452 - General Merchandise | ● 812 - Personal and Laundry Services |
| ○ 453 - Miscellaneous | ● 813 - Religious and Civic Organizations |
| ○ 519 - Other Information | |

Note: Based on 3-digit NAICS code occupation

6. Implementation of Proposed Programming

Along with establishing fees, and providing a programmatic framework of projects, the EN approvals included amendments to the City's Administrative Code establishing a process to choose infrastructure projects for implementation on an ongoing basis.

6.1 Eastern Neighborhoods Citizens Advisory Committee

The Eastern Neighborhoods Citizens Advisory Committee (EN CAC) started meeting on a monthly basis in October 2009. The CAC is comprised of 19 members of the public appointed by the Board of Supervisors or the Mayor. The CAC focuses on implementation of the Eastern Neighborhoods Implementation Program and priority projects. Together with the IPIC, discussed below, the CAC determine how revenue from impact fees are spent. The CAC also plays a key role in reviewing and advising on the Five-Year Monitoring Reports.

The EN CAC has held monthly public meetings since October, 2009. For more information on the EN CAC, go to <http://encac.sfplanning.org>.

6.2 Eastern Neighborhoods Community Facilities and Infrastructure Fee and Fund

The Eastern Neighborhoods Community Facilities and Infrastructure Fee includes three tiers of fees that are based on the amount of additional development enabled by the 2009 Eastern Neighborhoods rezoning. In general, Tier 1 fees are charged in areas where new zoning provided less than 10 feet of additional height. Tier 2 fees are for those areas that included between 10 and 20 feet of additional height, and Tier 3 fees are for areas that included for 20 feet or more of additional height. Fees are adjusted every year based on inflation of construction costs.

Below is a chart of the original fees (2009) and the fees as they exist today.

TABLE 6.2.1

Eastern Neighborhoods Infrastructure Impact Fees per Square Foot, 2009 and 2016

| Tier | 2009 | 2010 | 2011 | 2012 |
|--------|---------|---------|---------|---------|
| Tier 1 | \$8.00 | \$6.00 | \$10.19 | \$7.65 |
| Tier 2 | \$12.00 | \$10.00 | \$15.29 | \$12.74 |
| Tier 3 | \$16.00 | \$14.00 | \$20.39 | \$17.84 |

Source: San Francisco Planning Department

The fees established above are proportionally divided into five funding categories as determined by the needs assessment, nexus studies, and feasibility studies, including housing, transportation/transit, complete streets, recreation and open space, and child care. In the Mission District NCT and MUR (Mixed-Use Residential) Districts, 75% of fees collected from residential development is set aside for affordable housing for the two respective Plan Areas. The first \$10,000,000 collected are targeted to affordable housing preservation and rehabilitation. To date, the City has collected more than \$48 million in impact fees, as shown on Table 6.2.2.

TABLE 6.2.2

**Eastern Neighborhoods Infrastructure Impact Fees
Collected to Date**

| Category | Amount |
|------------------------------|---------------------|
| HOUSING | \$4,740,000 |
| TRANSPORTATION / TRANSIT | \$16,940,000 |
| COMPLETE STREETS | \$6,730,000 |
| RECREATION AND OPEN SPACE | \$17,520,000 |
| CHILDCARE | \$2,420,000 |
| Total | \$48,350,000 |

Source: San Francisco Planning Department

Note: Amount collected includes in-kind improvements.

Over the 2016-2020 period, the City is projected to collect \$145 million from the Eastern Neighborhoods impact fee program, as shown on Table 6.2.3.

TABLE 6.2.3

**Eastern Neighborhoods Infrastructure Impact Fees
Projected, 2016–2020**

| Category | Amount |
|------------------------------|----------------------|
| HOUSING | \$26,411,000 |
| TRANSPORTATION / TRANSIT | \$30,302,000 |
| COMPLETE STREETS | \$38,542,000 |
| RECREATION AND OPEN SPACE | \$43,912,000 |
| CHILDCARE | \$5,931,000 |
| Total | \$145,098,000 |

As shown in Table 6.2.2, approximately \$5.4 million have been collected from 58 projects in the Mission Area Plan Area to date. Overall, roughly \$48.4 million has been collected in all of the Eastern Neighborhoods, including Western SoMa.

TABLE 6.2.4

**Eastern Neighborhoods Infrastructure Impact Fees
Collected, 2011–2015**

| Area | Amount | Projects |
|-----------------------|---------------------|------------|
| Mission | \$5,357,000 | 58 |
| East SoMa | \$14,635,000 | 35 |
| Western SoMa | \$6,940,000 | 15 |
| Central Waterfront | \$10,034,000 | 19 |
| Showplace/ Potrero | \$11,384,000 | 23 |
| TOTAL | \$48,350,000 | 150 |

6.3 IPIC Process

The Infrastructure Plan Implementation Committee was established in Administrative Code Chapter 36, Section 36.3; the IPIC's purpose is to bring together City agencies to collectively implement the community improvement plans for specific areas of the City including the Eastern Neighborhood Plan Areas. The IPIC is instrumental in creating a yearly expenditure plan for impact fee revenue and in creating a bi-annual "mini" Capital Plan for the Eastern Neighborhoods. The annual Expenditure Plan is specific to projects that are funded by impact fees. The bi-annual Eastern Neighborhoods Capital Plan also includes infrastructure projects that are funded by other sources, and projects where funding has not been identified.

6.4 Eastern Neighborhood MOU

In 2009, the Planning Department entered into a Memorandum of Understanding with SF Public Works, SFMTA, Rec and Park, and MOHCD to assure commitment to implementing the EN Plans. A key component of the agreement was the establishment of a list of priority projects:

- » Folsom Street
- » 16th Street
- » Townsend Street
- » Pedestrian Crossing at Manalo Draves Park
- » 17th and Folsom Street Park
- » Showplace Square Open Space

6.5 First Source Hiring

The First Source Hiring Program was first adopted in 1998 and modified in 2006. The intent of First Source is to connect low-income San Francisco residents with entry-level jobs that are generated by the City's investment in contracts or public works; or by business activity that requires approval by the City's Planning Department or permits by the Department of Building Inspection. CityBuild works in partnership with Planning Department and DBI to coordinate execution of First Source Affidavits and MOUs.

CityBuild is a program of the Office of Economic and Workforce Development and is the First Source Hiring Administrator. In accordance to Chapter 83: First Source Hiring Program, developers must submit a First Source Affidavit to the Planning Department prior to planning approval. In order to receive construction permit from DBI, developers must enter into a First Source Hiring MOU with CityBuild. Developers and contractors agree to work in good faith to employ 50% of its entry-level new hiring opportunities through the CityBuild First Source Hiring process.

Projects that qualify under First Source include:

- » any activity that requires discretionary action by the City Planning Commission related to a commercial activity over 25,000 square feet including conditional use authorization;
- » any building permit applications for a residential project over 10 units;
- » City issued public construction contracts in excess of \$350,000;
- » City contracts for goods and services in excess of \$50,000;
- » leases of City property;
- » grants and loans issued by City departments in excess of \$50,000.

Since 2011 CityBuild has managed 442 placements in 72 First Source private projects in the three zip codes encompassing the Eastern Neighborhoods Plan Areas (94107, 94110, 94103), not including projects in Mission Bay, approved under the former Redevelopment Agency. They have also placed 771 residents from the three-zip code area in projects throughout the city.

In 2011, the City also implemented a first of its kind, the Local Hire Policy for Construction on publicly funded construction projects. This policy sets forth a mandatory hiring requirement of local residents per trade for construction work hours. This policy superseded the First Source Hiring Program on public construction contracts. Since 2011, a cumulative 37% of the overall 6.2 million work hours have been worked by local residents and 58% of 840,000 apprentice work hours performed by local residents.

7. Ongoing Planning Efforts

As this report has shown, market pressures and evictions affecting the neighborhood intensified in the Mission District over the six years that followed the adoption of the Eastern Neighborhoods Area Plans and the recovery from the Great Recession. This has necessitated a focused effort to help protect and alleviate the impact on those most affected by the affordability crisis. As a result, the Mission Action Plan 2020 (MAP2020) was launched in early 2015 to take a closer look at the pressures affecting the neighborhood and generate a set of solutions for implementation to help stabilize housing, arts, nonprofits, and businesses.

MAP2020 will also set targets and define solutions for neighborhood sustainability for 2020 and beyond. The solutions may encompass land use and zoning, financing, and identification of opportunity sites and programs; monitoring mechanisms will also be put into place. This first phase of MAP 2020 - solutions development - will be completed by end of Summer 2016. Implementation of certain measures is already underway, with additional implementation (writing legislation, launching new studies, ramping up programs, etc.) scheduled to commence this fiscal year (FY2016) now that a MAP2020 budget has been approved by the Mayor and the Board.

To date, the MAP 2020 collaboration includes a broad range of non-profit and advocacy groups as well as public agencies including the Dolores Street Community (DSCS), the Cultural Action Network (CAN), the Mission Economic Development Agency (MEDA), Calle 24, Pacific Felt Factory, members of the Plaza 16 coalition, the

Planning Department, the Mayor's Office of Housing and Community Development (MOHCD), the Office and Economic and Workforce Development (OEWD), the Health Services Agency (HSA), Department of Building Inspection (DBI), and the Fire Department. The Mayor's Office and District Supervisor Campos have also supported this effort.

These stakeholders are collaborating through working groups co-led by a both City and community leads. A robust community outreach and engagement process has incorporated focus groups and individual presentations to organizations and coalitions such as: tenants' rights organizations, SRO tenants, Mission Girls, PODER, United to Save the Mission, real estate developers, SPUR, San Francisco Housing Action Coalition (SFHAC), San Francisco Bay Area Renters Federation (SFBARF), and others, with the goal of informing and including relevant stakeholders affected by and/or responsible for potential solutions.

Topic-specific working groups have collectively drafted short, medium, and long term strategies, including tenant protections and housing access, housing preservation, housing production, economic development, community planning, SRO acquisition and/or master leasing, and homelessness. The Plan will be presented to the Planning Commission, for endorsement in early Fall 2016.

September 20, 2016

San Francisco Planning Department
1650 Mission Street
San Francisco, CA 94103

Subject: Eastern Neighborhoods Citizen Advisory Committee (EN CAC) Response to the EN Monitoring Reports (2011-2015)

Dear President Fong and Members of the Planning Commission:

At your September 22, 2016 Regular Meeting, you will hear a presentation on the Eastern Neighborhoods Five Year Monitoring Report (2011 – 2015). Attached, please find the statement prepared by the Eastern Neighborhoods Citizen Advisory Committee (EN CAC) in response to this report.

As you know, we are a 19 member body created along with the Eastern Neighborhoods Plans in 2009. We are appointed by both the Mayor and the Board of Supervisors and are made up of wide range of residents, business and property owners, developers, and activists. Our charge is to provide input on many aspects of the EN Plans' implementation including but not limited to: (1) how to program funds raised through impact fees, (2) proposed changes in land use policy, and (3) the scope and content of the Monitoring Report.

We have been working closely with staff over the course of the last year to assure the Monitoring Report is accurate and contains all of the material and analysis required by the Planning and Administrative Codes. At our regular monthly meeting in August, we voted to endorse the Monitoring Report that is now before you. We understand that while the Monitoring Report is to provide data, analysis, and observations about development in the EN, it is not intended to provide conclusive statements about its success. Because of this, we have chosen to provide you with the attached statement regarding the where we believe the EN Plan has been successful, where it has not, and what the next steps should be in improving the intended Plans' goals and objectives.

Several of our members will be at your September 22 hearing to provide you with our perspective. We look forward to having a dialog with you on what we believe are the next steps.

Please feel free to reach out to me, Bruce Huie, the CAC Vice-Chair or any of our members with questions or thoughts through Mat Snyder, CAC staff. (mathew.snyder@sfgov.org; 415-575-6891)

Sincerely,



Chris Block
Chair
Eastern Neighborhoods Citizen Advisory Committee

**Eastern Neighborhoods Citizen Advisory Committee
Response to the Five-Year EN Monitoring Report (2011-2015)**

INTRODUCTION

The Eastern Neighborhoods Citizen Advisory Committee (EN CAC) is comprised of 19 individuals appointed by members of the Board of Supervisors and the Mayor to represent the five neighborhoods included in the Eastern Neighborhoods Plan (EN Plan) - Mission, Showplace Square/Potrero Hill, Central Waterfront, East SoMa and Western SoMa.

The EN CAC has prepared this document in response to the five-year monitoring report, which was prepared under the specifications of the EN Plan adopting ordinance and approved for submittal to the Planning Commission by the EN CAC on September 22, 2016. This response letter was prepared to provide context and an on-the-ground perspective of what has been happening, as well as outline policy objectives and principles to support the community members in each of these neighborhoods who are most impacted by development undertaken in response to the Plan.

BACKGROUND

High Level Policy Objectives and Key Planning Principles of the EN Plan:

The Eastern Neighborhoods Plans represent the City's and community's pursuit of two key policy goals:

1. Ensuring a stable future for PDR businesses in the city by preserving lands suitable to these activities and minimizing conflicts with other land uses; and
2. Providing a significant amount of new housing affordable to low, moderate and middle income families and individuals, along with "complete neighborhoods" that provide appropriate amenities for the existing and new residents.

In addition to policy goals and objectives outlined in individual plans referenced above, all plans are guided by four key principles divided into two broad policy categories:

The Economy and Jobs:

1. Reserve sufficient space for production, distribution and repair (PDR) activities, in order to support the city's economy and provide good jobs for residents.
2. Take steps to provide space for new industries that bring innovation and flexibility to the city's economy.

People and Neighborhoods:

1. Encourage new housing at appropriate locations and make it as affordable as possible to a range of city residents.

2. Plan for transportation, open space, community facilities and other critical elements of complete neighborhoods.

The ordinances that enacted the EN Plan envision an increase of 9,785 and over 13,000 new jobs in the Plan Area over the 20 year period - 2009 to 2029.

The Eastern Neighborhood's approval included various implementation documents including an Interagency Memorandum of Understand (MOU) among various City Departments to provide assurances to the Community that the public benefits promised with the Plan would in fact be provided.

COMMENTARY FROM THE EN CAC

The below sections mirror the four key principles of the EN Plan in organization. Below each principle are the aspects of the Plan that the EN CAC see as "working" followed by "what is not working".

PRINCIPLE 1. Reserve sufficient space for production, distribution and repair (PDR) activities, in order to support the city's economy and provide good jobs for residents.

What Seems to be Working:

PDR has been preserved and serves as a model for other cities

A hallmark of the EN Plan is that the City preserved and protected industrial space and land in the newly created PDR Districts. In fact, many other cities with robust real estate markets often look to San Francisco to understand how the protections were implemented and what the result have been since protections were put in place. While other cities struggle with preserving land for industrial uses, the EN Plan actually anticipated the possible changes and growth we are now facing and provided specific space for industrial uses.

Job Growth in the EN, including manufacturing, is almost double the amount that was anticipated in the EN Plan.

What Seems to Not be Working

Loss of PDR jobs in certain sectors.

There is much anecdotal evidence of traditional PDR businesses being forced out of their long-time locations within UMU zones. In certain neighborhoods, the UMU zoning has lead to gentrification, as long standing PDR uses are being replaced with upscale retail and other commercial services catering to the large segment of market rate housing.

The relocation and displacement of PDR has been especially severe in the arts and in auto repair businesses.

Outside of the PDR zoning, there is no mechanism to preserve the types of uses that typified existing light industrial neighborhoods, such as traditional PDR businesses that offered well-paying entry level positions, and arts uses. This has resulted in a fundamental loss of the long-time creative arts community character of the South of Market, and now also in the Mission District and Dogpatch Neighborhood, with more to come. Traditional PDR businesses cannot afford the rents of new PDR buildings and do not fit well on the ground floor of multi-unit residential buildings. The CAC suggests that the City develop mechanisms within the Planning Code to encourage construction of new PDR space both in the PDR-only zones and the mixed-use districts suitable for these traditional uses, including exploring mandatory BMR PDR spaces.

PRINCIPLE 2: Take steps to provide space for new industries that bring innovation and flexibility to the city's economy.

What Seems to be Working:

The Mixed Use Office zone in East SOMA has produced a number of ground-up office projects which provide space for new industries that can bring innovation and flexibility to the City's economy.

There has been a substantial growth in jobs (approx 32,500 jobs) between 2010-2015 - this far exceeds what was expected over the 20 year term (13,000 jobs). The EN Growth rate appears to be much higher than most other areas of SF.

In other PDR areas, the focus of the EN Plan was to preserve land and industrial space (as opposed to constructing new industrial space) in the various PDR zones within the Plan. Based in part on the robust amount of job growth including job growth within the PDR sector and the need for new industrial space, the City did amend some of the PDR zoning controls on select sites to encourage new PDR space construction in combination with office and/or institutional space. One project has been approved but not yet constructed and features approximately 60,000 square feet of deed-restricted and affordably priced light industrial space and 90,000 square feet of market rate industrial space, for a total of 150,000 square feet of new PDR space.

What Seems to Not be Working

The EN Plan includes a Biotechnology and Medical Use overlay in the northern portion of the Central Waterfront that was put in place to permit expansion of these types of uses resulting from the success of Mission Bay. As of the date of this document, no proposal has been made by the private sector pursuant to the Biotechnology and Medical Use overlay. It's the CAC's view that

the residential uses of the UMU zoning in this specific area supports greater land values than those supported by the Overlay. In addition, the relatively small parcel sizes that characterize the Central Waterfront / Dogpatch area are less accommodating of larger floorplate biotechnology or medical use buildings.

PRINCIPLE 3: Encourage new housing at appropriate locations and make it as affordable as possible to a range of city residents.

What Seems to be Working:

Affordable Housing has been created beyond what would have otherwise:

Throughout San Francisco and certainly in the Eastern Neighborhoods, San Franciscans are experiencing an affordable housing crisis. That being said, the EN Plan's policy mechanisms have created higher levels of inclusionary units than previously required by the City (see Executive Summary, pg. 7). For example, at the time of enactment, UMU zoning required 20% more inclusionary where density controls were lifted, and higher where additional heights were granted. In this regards, UMU has shown to be a powerful zoning tool and is largely responsible for the EN Plan's robust housing development pipeline & implementation. At the same time, community activists and neighborhood organizations have advocated for deeper levels of affordability and higher inclusionary amounts contributing to the creation of additional affordable housing.

Affordable housing funds for Mission and South of Market have been raised:

Some of the initial dollars of impact fees (first \$10M) were for preservation and rehabilitation of existing affordable housing that would not have otherwise existed if not for the EN Plan.

A new small-sites acquisition and rehab program was implemented in 2015, and has been successful in preserving several dozen units as permanent affordable housing, protecting existing tenants, and upgrading life-safety in the buildings.

After a few slow years between 2010-2012, the EN Plan is now out-pacing housing production with 1,375 units completed, another 3,208 under construction and 1,082 units entitled with another 7,363 units under permit review (in sum 13,028 units in some phase of development).

What Seems to Not be Working

There is a growing viewpoint centered on the idea that San Francisco has become a playground for the rich. Long-established EN communities and long-term residents of these neighborhoods (people of color, artists, seniors, low-income and working class people,) are experiencing an economic disenfranchisement, as they can no longer afford to rent, to eat out, or to shop in the neighborhood. They see the disappearance of their long-time neighborhood-serving businesses and shrinking sense of community.

Insufficient construction of affordable housing

Although developments have been increasing throughout the Eastern Neighborhoods, we have seen a lack of affordable housing included in what is being built compared to the needs of the current community members. Market-rate development, often regarded as “luxury,” is inaccessible to the vast majority of individuals and families living in the city. The demand for these units has been the basis for a notable level of displacement, and for unseen pressures on people in rent controlled units, and others struggling to remain in San Francisco. A robust amount of affordable housing is needed to ensure those with restricted financial means can afford San Francisco. We have yet to see this level of development emulated for the populations who are most affected by the market-rate tremors. It is time for an approach towards affordable housing commensurate with the surge that we have seen for luxury units.

High cost of housing and commercial rents

Due to the high cost of housing in San Francisco, many long-term residents are finding it increasingly difficult, if not outright impossible, to even imagine socioeconomic progress. As rents have entered into a realm of relative absurdity, residents have found it ever more challenging to continue living in the city. The only way to move up (or even stay afloat, in many cases), is to move out of San Francisco. This situation has unleashed a force of displacement, anxiety, and general uneasiness within many segments of the Eastern Neighborhoods.

Pace of Development

The pace of development within the Eastern Neighborhoods has far exceeded the expectations originally conceived by the City. Since the market is intended to ensure situations are harnessed to maximize profit, we have seen development unaffordable to most. With a few thousand units in the pipeline slated for the Eastern Neighborhoods, much yet needs to be done to ensure that the city can handle such rapid change without destroying the essence of San Francisco.

PRINCIPLE 4: Plan for transportation, open space, community facilities and other critical elements of complete neighborhoods.

What Seems to be Working:

The EN Plan leverages private investment for community benefits by creating predictability for development.

With a clear set of zoning principles and codes and an approved EIR, the EN Plan has successfully laid a pathway for private investment as evidenced by the robust development pipeline. While in some neighborhoods the pace of development may be outpacing those benefits – as is the case in the throughout the Eastern Neighborhoods, there are community benefits being built alongside the development – and a growing impact fee fund source, as developments pay their impact fees as required by the EN Plan.

Funds have been raised for infrastructure that would not otherwise be raised. To date \$48M has been raised and \$100M expected in the next five years (see Tables 6.2.3; 6.2.2)

Priority Projects have been incorporated into the City's Ten Year Capital Plan and the Implementing Agencies' Capital Improvement Plans and work programs.

The Plan has led to the development of parks and open space recreation. Streetscape improvements to 16th Street, Folsom and Howard, 6th, 7th and 8th Streets are now either fully funded or in process of being funded.

It is expected that more street life will over time support more in-fill retail and other community services.

New urban design policies that were introduced as part of the EN Plan are positive. The creation of controls such as massing breaks, mid-block mews, and active space frontages at street level create a more pedestrian friendly environment and a more pleasant urban experience. In Western Soma, the prohibition of lot aggregation above 100' has proven useful in keeping the smaller scale.

What Seems to Not be Working

A high portion of impact fees (80%) is dedicated to priority projects, such as improvements to 16th Street and, Folsom and Howard Streets. The vast majority of impact fees have been set aside for these large infrastructure projects that might have been better funded by the general fund. This would allow for more funding for improvements in the areas directly impacted by the new development. This also limits the availability of funds for smaller scale projects and for projects that are more EN-centric. There are very limited options in funding for projects that have not been designated as "priority projects".

In-kind agreements have absorbed a significant percentage of the discretionary fees collected as well.

Absence of open space

The Eastern Neighborhoods lag behind other neighborhoods in San Francisco and nationwide in per capita green space (see Rec and Open Space Element Map 07 for areas lacking open space). Although the impact fees are funding the construction of new parks at 17th and Folsom in the Mission, Daggett Park in Potrero Hill and the rehabilitation of South Park in SOMA, there is a significant absence of new green or open space being added to address the influx of new residents. The Showplace Square Open Space Plan calls for four acres of new parks in the neighborhoods where only one is being constructed.

As a finite and valuable resource, we believe the City has an obligation to treat the waterfront uniquely and should strive to provide green and open waterfront space to the residents of the Eastern Neighborhoods and all City residents in perpetuity.

The pace of infrastructure development is not keeping up with development

There is a lag time between development and the implementation of new infrastructure, seemingly with no clear plan for how to fund the increased infrastructure needs. The plan is now 8 years old: the number of housing units that were projected to be built under the Plan is being exceeded, and we have to date not identified additional infrastructure funds to make up the funding gap. This appears to be a clear failure in the EN Plan implementation, especially because we now have little chance to fill that gap with higher development fees.

The data contained in the Monitoring Report indicates that the EN Plan has been successful in the development of new housing. However, the pace of development appears to have far exceeded the pace of new infrastructure. This is true in each of the EN areas. There is a deficiency in transit options and development of new open space within all plan neighborhoods. A single child-care center in the Central Waterfront has been built as a part of the Plan. As of this time, not one new open space park has opened within the Plan area. The deficiency in public transportation is especially apparent. Ride services have become an increasingly popular option. However, their use contributes to the traffic congestion that is common throughout the city of San Francisco.

The impact fees inadequate

Although the amount of impact fees currently projected to be collected will exceed the sums projected in the Plan, the funding seems inadequate to address the increasing requirements for infrastructure improvements to support the EN Plan. The pace of development has put huge pressure on transportation and congestion and increased the need and desire for improved bike and pedestrian access along major routes within each Plan neighborhood. There is a striking absence of open space, especially in the Showplace/Potrero neighborhood. There has been a significant lag time in the collection of the Plan impact fees and with the implementation of the community benefits intended to be funded by the fees.

Large portions of impact fees are dedicated, which limits agility with funding requests from discretionary fees. The CAC has allocated funding for citizen-led initiatives to contribute a sustainable stream of funding to the Community Challenge Grant program run out of the City Administrators' office. Our past experience is that this program has doubled capacity of local "street parks" in the Central Waterfront from 2 to 4 with the addition of Tunnel Top Park and Angel Alley to the current street parks of Minnesota Grove and Progress Park.

Impacts of non-EIR projects

Data in the report does not properly reflect the impacts of non-EIR projects, such as Pier 70, recent UCSF expansion into Dogpatch and the Potrero Annex. These very large projects are not required to provide impact fees; the public must rely on the developers working with the community to add benefits to their projects.

Upcoming non-EIR projects such as the Warriors arena, Seawall 337 / Pier 48, continued housing development in Mission Bay and UCSF student housing further increase the pressures of density on the neighborhoods. The square footage included in these various projects may equal or exceed all of the projects under the EN Plan. Although these projects are not dependent on the EN Plan to provide their infrastructure, their impacts should be considered for a complete EN approach to infrastructure and other improvements.

Deficiency in Complete Neighborhoods

Complete neighborhoods recognize the need for proximity of daily consumer needs to a home residence. Combining resources to add shopping for groceries, recreation for families, schools for children will create a complete neighborhood. This will then have the additional benefit of reducing vehicle trips.

Many new developments have been built with no neighborhood -serving retail or commercial ground floor space. The UMU zoning has allowed developers to take advantage of a robust real estate market and build out the ground floor spaces with additional residential units, not neighborhood services such as grocery and other stores.

Evictions and move-outs

There are many reports of long-term residents of the neighborhoods being evicted or forced or paid to move out of the area. Younger, high wage-earning people are replacing retirees on fixed incomes and middle and low wage earners.

Traffic congestion and its impact on commercial uses

Transportation improvements have not kept pace with the amount of vehicular traffic on the streets, leading to vehicular traffic congestion in many parts of the Eastern Neighborhoods. While the slow movement of traffic has affected all residents, it has become a serious burden for businesses that rely on their ability to move goods and services quickly and efficiently. The additional transit that has been implemented through MUNI Forward is welcome but not sufficient to serve new growth. There does not seem to be sufficient increase in service to meet the increase in population.

Loss of non-profit and institutional space

There are many reports of non-profits and institutions being forced to relocate due to rent pressures.

Urban Design Policies and Guidelines

While the EN Plans did provide urban design provisions to break up building and provide active frontages, additional urban design controls are warranted. New buildings would be more welcome if they provided more commercial activity at the ground level. Other guidelines should be considered to further break down the massing of new structures.

PROPOSED STRATEGIES TO ADDRESS WHAT'S NOT WORKING:

Retaining PDR:

- Study trends of specific PDR sectors, such as repair and construction to see what is happening to them.
- Implement temporary or permanent relocation assistance programs for displaced PDR tenants through the OEWD.
- Consider implementing programs to transition workers from PDR sectors being lost.
- Potentially preserve additional land for PDR - both inside and outside of the EN (i.e. Bayshore).
- Establish new mechanisms and zoning tools to encourage construction and establishment of new and modern PDR space within the PDR districts.
- The EN Plan should consider making a provision for temporary or permanent relocation assistance for PDR uses displaced by implementation of the EN Plan and/or use impact fees to assist in the acquisition/development of a new creative arts facility similar to other city-sponsored neighborhood arts centers like SOMArts.

Retaining Non-Profit Spaces:

- Study impacts of rent increases on non-profit office space.
- Where preservation/incorporation of PDR uses will be required (i.e. Central Waterfront), consider allowing incorporation of non-profit office as an alternative.
- Consider enacting inclusionary office program for non-profit space, PDR, and similar uses.

Housing

- Consider increases in affordability levels.
- More aggressively pursue purchasing opportunity sites to ensure that they can be preserved for affordable housing before they are bought by market-rate developers.

Infrastructure / Complete Neighborhoods

- Work with Controller's Office, Capital Planning Office, and the Mayor's Budget Office to solve the existing known funding gap for EN Infrastructure Projects.
- Deploy impact fees more quickly or find ways to use impact fees to leverage other sources that could be deployed sooner (i.e. bond against revenue stream).
- Consider increasing impact fee levels.
- Increase amount of infrastructure, such as additional parks, given that more development has occurred (and will likely continue to occur) than originally anticipated.
- Study how to bring infrastructure improvements sooner.
- Study new funding strategies (such as an IFD or similar) or other finance mechanisms to supplement impact fees and other finance sources to facilitate the creation of complete neighborhoods, a core objective of the EN Plan.
- Improve the process for in kind agreements.
- Consider allocation of waterfront property to increase the amount of green and open space for use by the general public, as illustrated by the successful implementation in Chicago.
- Review structure of the EN CAC. Consider how the CAC can deploy funds faster. Possibly broaden the role of the CAC to include consideration of creation of complete neighborhoods.
- Consider decreasing the number of members on the EN CAC in order to meet quorum more routinely. Impress on the BOS and the Mayor the importance of timely appointments to the CAC.
- Consider legislation that would enable greater flexibility in spending between infrastructure categories so that funds are not as constrained as they are currently set to be by the Planning Code.
- Explore policies that maximize the utilization of existing and new retail tenant space for neighborhood serving retail, so that they are not kept vacant.

Non EN-EIR Projects

- Encourage the City to take a more holistic expansive approach and analysis that include projects not included in the current EN EIR or the EN Geography.

Mission - Projects Completed or Under Environmental Review - 2008 to 2/23/16 (Planning Dept. Data)

| Address | Case No. | Date of Document | Status of Document | Net Housing Units | Cultural, Institutional, Educational | Medical | Management, Information, and Professional Services | PDR | Retail and Entertainment |
|---|----------------|------------------|--------------------|-------------------|--------------------------------------|---------|--|----------|--------------------------|
| 3418 26th Street | 2009.0610E | 8-Nov-10 | Published CPE | 13 | 0 | 0 | 0 | 0 | 0 |
| 80 Julian Avenue | 2009.1095E | 23-Jun-10 | Published CPE | 8 | 0 | 16,000 | 0 | 0 | 0 |
| 411 Valencia | 2009.0180E | 13-May-10 | Published CPE | 16 | 0 | 0 | 0 | -1,550 | 1,370 |
| 490 South Van Ness Avenue | 2010.0043E | 24-Jun-14 | Published CPE | 72 | 0 | 0 | 0 | -1,618 | 1,123 |
| 3420 18th Street | 2012.1572E | 16-Oct-13 | Published CPE | 16 | 0 | 0 | 0 | -4,675 | 1,000 |
| 1875 Mission Street | 2010.0787E | 14-Oct-10 | Published CPE | 38 | 0 | 0 | 0 | -43,695 | 2,523 |
| 17th Street and Folsom Street Park | 2009.1163E | 24-Jan-11 | Published CPE | 0 | 0 | 0 | 0 | 0 | 0 |
| 1501 15th Street | 2008.1395E | 27-Jan-11 | Published CPE | 40 | 0 | 0 | 0 | -1,740 | 9,681 |
| 480 Potrero Avenue | 2011.0430E | 26-Sep-12 | Published Other | 84 | 0 | 0 | 0 | 0 | 0 |
| 626 Potrero Avenue/ 2535 18th Street | 2011.1279E | 16-Jul-12 | Published CPE | 0 | 0 | 15,200 | 0 | -15,000 | 0 |
| 2550-2558 Mission Street | 2005.0694E | 21-Nov-12 | Published Other | 114 | 0 | 0 | 0 | 0 | 14,750 |
| 1450 15th Street | 2013.0124E | 30-Oct-14 | Published CPE | 23 | 0 | 0 | 0 | -6,088 | 0 |
| 300 South Van Ness Avenue | 2011.0953E | 29-Nov-12 | Published CPE | 0 | 0 | 0 | 0 | 0 | 20,040 |
| 346 Potrero Avenue | 2012.0793E | 3-Feb-14 | Published CPE | 72 | 0 | 0 | 0 | -1,500 | 2,760 |
| 1785 15th Street | 2012.0147E | 1-May-13 | Published CPE | 8 | 0 | 0 | 0 | -765 | 0 |
| 1801/1863 Mission Street | 2009.1011E | 19-Mar-15 | Published CPE | 54 | 0 | 0 | 740 | 0 | 2,125 |
| 2600 Harrison St. | 2014.0503E | 19-Aug-15 | Published CPE | 20 | 0 | 0 | 0 | -7,506 | 0 |
| 1924 Mission St. | 2014.0449E | 2-Apr-15 | Published CPE | 12 | 0 | 0 | 0 | -1,180 | 2,315 |
| 600 South Van Ness Avenue | 2013.0614E | 9-Apr-15 | Published CPE | 27 | 0 | 0 | 0 | -1,750 | 3,060 |
| 2000-2070 Bryant St./2815 18th St./1610 Florida St. | 2013.0677E | 26-Sep-15 | Published CPE | 274 | 0 | 0 | -3,540 | -64,450 | 4,105 |
| 1798 Valencia Street | 2013.0840E | 9-Jul-15 | Published CPE | 35 | 0 | 0 | 0 | -2,000 | 3,770 |
| 1198 Valencia Street | 2012.0865E | 31-Jul-15 | Published CPE | 52 | 0 | 0 | 0 | -440 | 5,300 |
| 1050 Valencia Street | 2007.1457E | 5-Oct-10 | Published Other | 16 | 0 | 0 | 0 | 0 | 1,830 |
| 1419 Bryant Street | 2015-005388ENV | 6-Jan-16 | Published CPE | 0 | 44,600 | 0 | 0 | -34,350 | 0 |
| 1979 Mission Street | 2013.1543E | 28-Jan-15 | Active Other | 331 | 0 | 0 | 0 | 0 | -18,239 |
| 2675 Folsom St. | 2014-000601ENV | TBD | Active CPE | 115 | 0 | 0 | 0 | -22,111 | 0 |
| 1900 Mission Street | 2013.1330E | TBD | Active CPE | 11 | 0 | 0 | 0 | -2,064 | 844 |
| 645 Valencia St | 2013.1339E | TBD | Active CPE | 9 | 0 | 0 | 0 | 0 | -4,382 |
| 1800 Mission | 2014.0154E | TBD | Active CPE | 0 | 0 | 0 | 139,607 | -138,742 | 39,000 |
| 2750 19th St. | 2014.0999E | TBD | Active CPE | 60 | 0 | 0 | 0 | -10,934 | 10,112 |
| 1515 South Van Ness Ave | 2014.1020E | TBD | Active CPE | 160 | 0 | 0 | 0 | 0 | -29,940 |
| 3140 16th St | 2014.1105ENV | TBD | Active CPE | 28 | 0 | 0 | 0 | -20,428 | 7,284 |
| 2799/24th St. | 2014.1258ENV | TBD | Active CPE | 8 | 0 | 0 | 0 | 0 | -269 |
| 2435 16th St. | 2014.1201ENV | TBD | Active CPE | 53 | 0 | 0 | 0 | -10,000 | 4,992 |
| 3357-3359 26th St. | 2013.0770ENV | TBD | Active CPE | 8 | 0 | 0 | 0 | 0 | 5,575 |
| 1726-1730 Mission St. | 2014-002026ENV | TBD | Active CPE | 36 | 0 | 0 | 0 | -3,500 | 900 |
| 2100 Mission Street | 2009.0880E | TBD | Active CPE | 29 | 0 | 0 | 0 | -7,630 | 2,640 |
| 200 Potrero Ave. | 2015-004756ENV | TBD | Active CPE | 0 | 0 | 0 | 0 | -27,716 | 30,034 |
| 3314 Cesar Chavez | 2014-008160ENV | TBD | Active CPE | 52 | 0 | 0 | -2,500 | 0 | 1,740 |
| 1798 Bryant St. | 2015-006511ENV | TBD | Active CPE | 131 | 0 | 0 | -5,179 | 0 | 3,514 |
| 2918-2924 Mission St. | 2014.0376ENV | TBD | Active CPE | 38 | 0 | 0 | 0 | 0 | 7,400 |
| 793 South Van Ness | 2015-001360ENV | TBD | Active CPE | 54 | 0 | 0 | 0 | -1,966 | 4,867 |
| 1850 Bryant St. | 2015-011211ENV | TBD | Active CPE | 0 | 0 | 0 | 0 | 188,994 | 0 |
| 953 Treat Ave | 2015-006510ENV | TBD | Active CPE | 8 | 0 | 0 | 0 | 0 | 0 |
| 3620 Cesar Chavez | 2015-009459ENV | TBD | Active CPE | 28 | 0 | 0 | -3,200 | 0 | 940 |
| 344 14th St. & 1463 Stevenson St. | 2014.0948ENV | TBD | Active CPE | 45 | 0 | 0 | 0 | 18,995 | 5,849 |
| 1950 Mission St. | 2016-001514ENV | TBD | Active CPE | 157 | 1,236 | 0 | 0 | 0 | 3,415 |
| 1296 Shotwell St. | 2015-018056ENV | TBD | Active CPE | 96 | 0 | 0 | 850 | -11,664 | 0 |
| | | | | 2,451 | 45,836 | 31,200 | 126,778 | -237,073 | 152,028 |

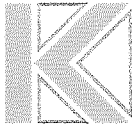
Preferred Project (approved 2008) 1696

| | | | | | | |
|----------|-------|---------|--------|-----------|------------|---------|
| Option A | 782 | 104,400 | 37,200 | 422,021 | 422,021 | 114,000 |
| Option B | 1,118 | 150,300 | 36,900 | 597,242 | 597,242 | 143,400 |
| Option C | 2,054 | 609,480 | 49,448 | 2,214,011 | -3,370,350 | 598,323 |

The CPE for 2000-2070 Bryant Street notes that 2451 residential units had completed or were under environmental review:

"As of February 23, 2016, projects containing 2,451 dwelling units and 355,842 square feet of non-residential space (excluding PDR loss) have completed or are proposed to complete environmental review within the Mission District subarea."

This is in excess of the number of units in the approved Preferred Project, as well as Options A, B and C from the ENP EIR. As a result, the analysis of cumulative impacts contained within the Eastern Neighborhoods Plan EIR, and referenced in the CPE, for this project is no longer relevant. The PEIR is stale and doesn't reflect current conditions. Among the impacts not adequately studied are recreation and open space, transit, traffic, and air quality.



KITTELSON & ASSOCIATES, INC.

TRANSPORTATION ENGINEERING / PLANNING

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FINAL MEMORANDUM

Date: May 11, 2017

Project #: 19814.0

To: Jenny Delumo
San Francisco Planning Department
1650 Mission Street, 4th Floor
San Francisco, CA 94103

From: Tim Erney, AICP/PTP/CTP
Ribeka Toda

Project: 1726 Mission Street (Case No. 2014-002026ENV)

Subject: Transportation Circulation Memorandum (Final)

Kittel & Associates, Inc. (KAI) has prepared this memorandum to summarize the results of the travel demand estimates and site access and circulation evaluation for the proposed development at 1726 Mission Street in San Francisco, California (Case No. 2014-002026ENV herein referred to as the "Project"). This evaluation is based off the revised project description and site plan prepared by Sustainable Living, LLC and provided to KAI in December 2016, and the approved scope of work from the San Francisco Planning Department (see Appendix A). The purpose of this transportation assessment is to estimate the number of daily and peak hour person-trips by mode generated by the Project and identify the potential for transportation-related impacts that could arise from the Project. In particular, KAI assessed the following design and site access/circulation issues:

- Pedestrian access, including to and from nearby transit;
- Bicycle access and parking;
- Transit access;
- Vehicular access and parking;
- Loading access and trash/recycling collection;
- Emergency vehicle access; and,
- Construction impacts.

PROJECT DESCRIPTION

The Project site is located on Lots 004A and 005 of Assessor's Block 3532, on the east side of the block bounded by 13th Street to the north, Mission Street to the east, 14th Street to the south, and Woodward Street to the west. The property is located within the Mission area for the Eastern Neighborhoods (EN) Area Plans, and is in the UMU (Urban Mixed Use) zoning district and the 68-X Height and Bulk District in the *San Francisco General Plan (General Plan)*. The Mission Plan Area allows for a variety of uses, including residential, retail, office, and industrial/Production, Distribution, and Repair (PDR). The study area is shown in the site vicinity map in Figure 1.

The Project site is currently occupied by two buildings consisting of approximately 6,000 square feet of storage and 2,000 square feet of office space. There are two existing curb cuts on Mission Street that directly serve the project site: the north curb cut is 16'-6" feet from the northeast corner of the project site and is 15'-6" feet wide; the south curb cut is 9'-6" feet from the southeast corner of the project site and is 16'-6" feet wide.

As currently proposed, the Project would demolish the existing buildings on the site, fill in the existing curb cuts, and construct a new six-floor mixed-use development consisting of 40 dwelling units (20 one-bedroom and 20 two-bedroom) above approximately 2,250 square feet of PDR space. The ground floor would consist of the lobby to the residential units, the 2,250 square feet of PDR space, and the parking garage. Levels 2-6 would be comprised of the 40 residential dwelling units. The building would be connected vertically via one elevator and two staircases.

Pedestrian access to the proposed residential land uses would be via the lobby entry located along the Mission Street frontage of the Project site. The residential lobby would include a real-time transportation information display. Two exit-only staircases, located on the north and south sides of the lobby, would provide access to Mission Street from the residential units on Levels 2-6. The ground-floor garage would connect to the lobby via the stairwell on the south side of the lobby. The elevator would be accessible from both the garage and the lobby and would be the entrance point for residents to access the dwelling units upstairs. Pedestrian access to the proposed ground floor PDR land uses would be from Mission Street, via the entry door at the southeast corner of the Project site. Eight Class 2 bicycle parking spaces would be installed on the sidewalk along the Project's Mission Street frontage.

Vehicles driving to the site would park in the parking garage provided in the ground level of the proposed building, which would have driveway access on Mission Street. The internal driveway would be 12'-0" feet wide, and the new curb cut would be 10'-0" feet wide. Due to the existing painted and raised median on Mission Street, access to the Project driveway would be right-in/right-out only (a sign would be placed at the garage exit to notify vehicles of the right-turn only exit requirement). There would be a staircase and elevator accessible from the proposed garage. As such, people who park their vehicles in the Project garage would be able to access the residential levels and Mission Street directly from the garage.

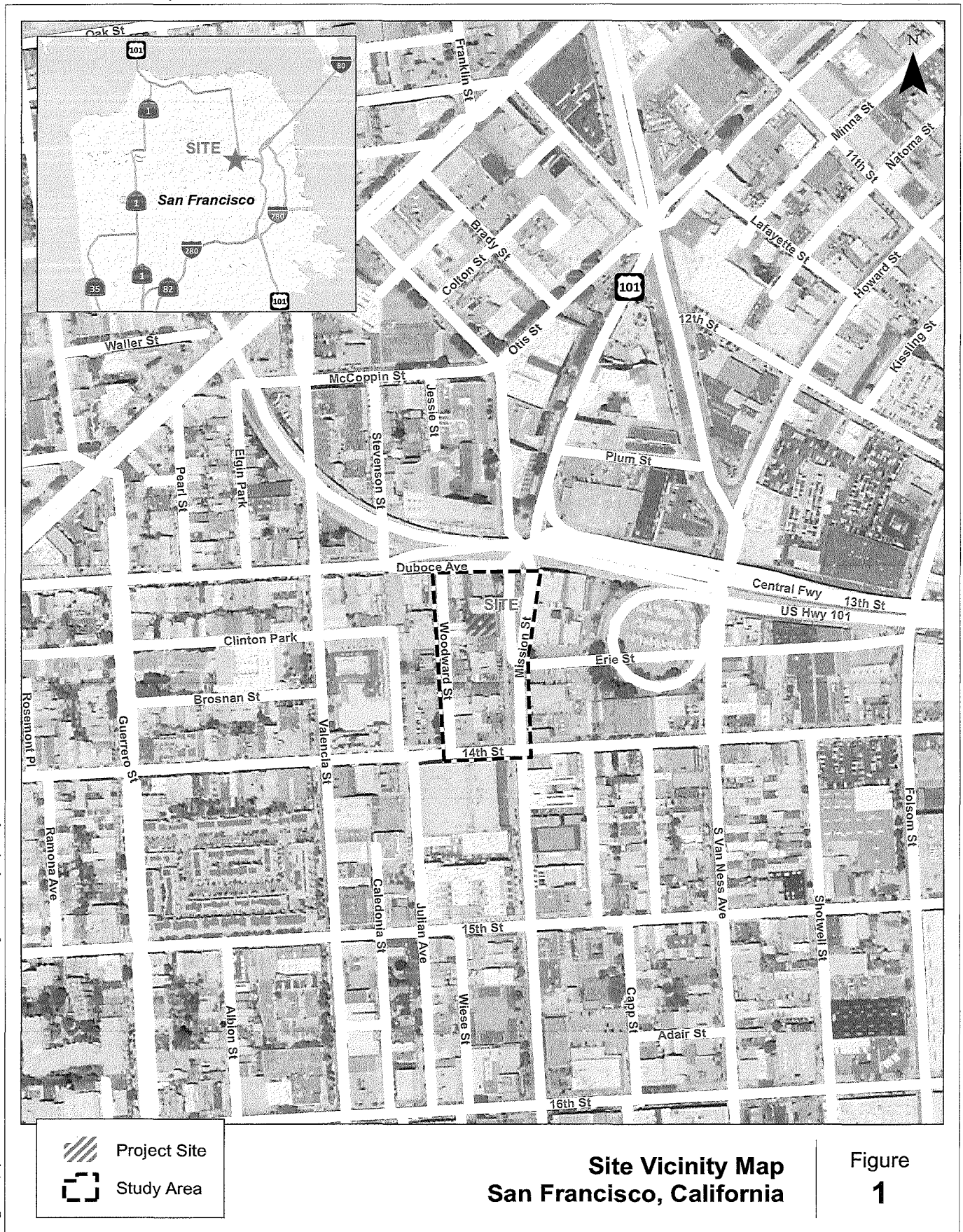
The parking garage on Level 1 would include 21 parking stalls for automobiles in triple stackers (each triple stacker can accommodate a vehicle that is 6'-3" wide, 16'-4" long, and 4'-7" high)¹, one ground-level handicap parking stall, and 62 (Class 1) bicycle parking stalls in stackers (the group of bicycle stackers directly west of the elevator measures approximately 15'-0" wide, 6'-8" long, and 9'-0" high, with bicycles, and the two groups of bicycle stackers to the west of the first group each measures approximately 15'-0" long, 6'-8" wide, and 9'-0" high, with bicycles). Additional storage would be provided for personal car seats, strollers, and two Class 1 bicycle parking spaces for cargo bikes. A bicycle repair station would be located in the Project garage next to the Class 1 bicycle parking stalls.

The Project garage would have a two-gate entry system: the external gate would be located along the Project frontage, and the internal gate would be located 36 feet into the garage driveway. In terms of operations, the internal gate would be down at all times, and operated by a clicker provided to each resident. The location of this gate would provide queueing space for one or two vehicles (given the size of the vehicles that could fit the parking stackers, the length of two queued vehicles would be about 36 feet). The external gate would be down during the overnight hours, and would also be activated by a clicker. For both gates, the clicker would also activate a warning light within the garage that would alert vehicles within the garage that a vehicle is entering. Vehicles inside must wait to exit the garage until the entering vehicle has cleared the Project garage driveway.

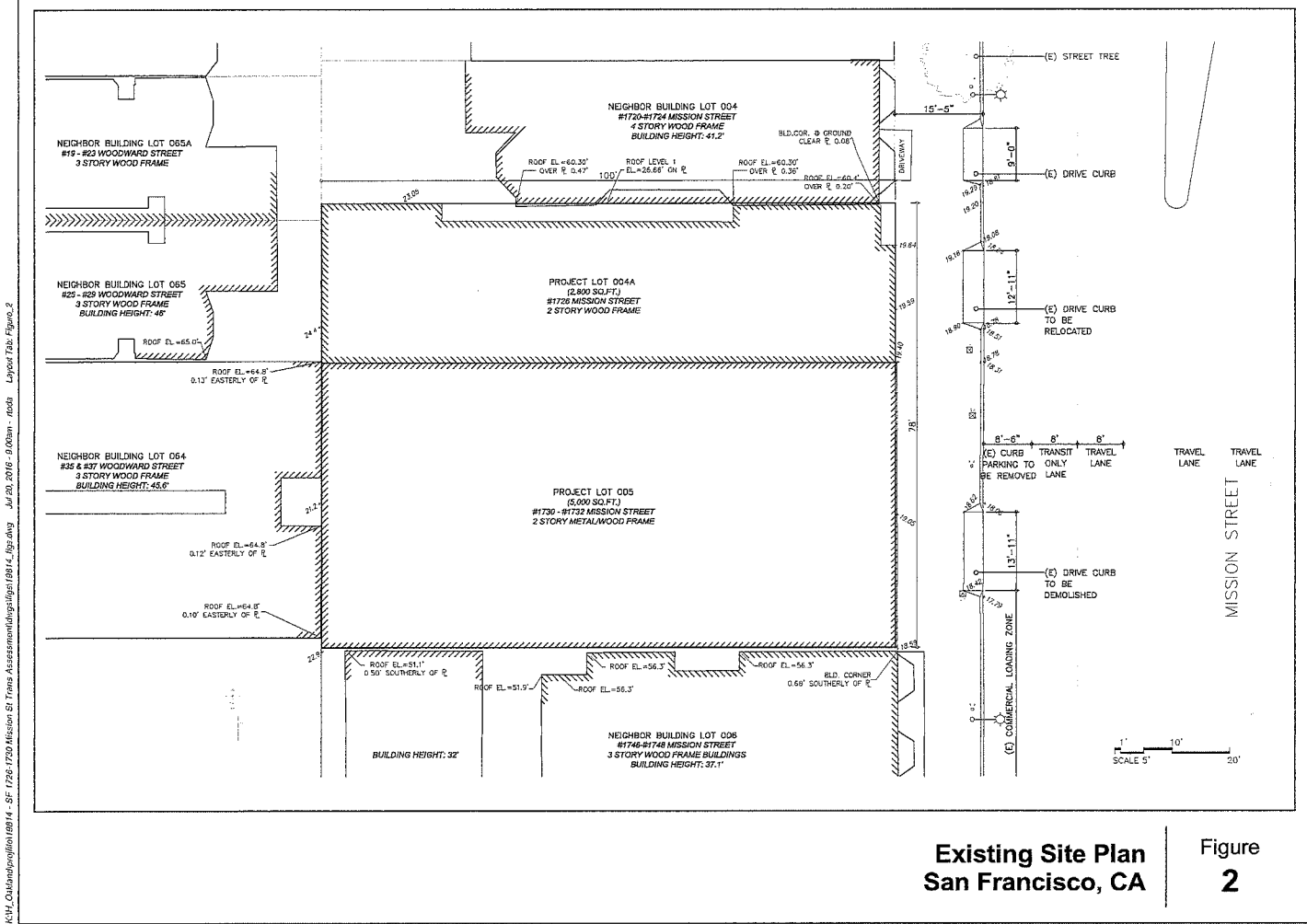
The Project does not propose any off-street freight loading spaces. The Project proposes one 20-foot commercial loading space and two 20-foot metered parking spaces along the Project frontage². Passenger and commercial loading would be accommodated on-street in the proposed loading space or in the available on-street loading or parking spaces near to the Project site. The available nearby on-street loading spaces and the proposed on-street loading and parking spaces along the Project frontage are shown in the existing and proposed site plans (see Appendix B). The Project would provide a reception area adjacent to the residential lobby for receipt of deliveries and temporary storage of packages and other deliveries. The existing site plan is illustrated in Figure 2 and the proposed Project site plan is illustrated in Figure 3. A complete set of Project plans is included in Appendix B.

¹ Per Klaus Multiparking GmbH, for compact type G63-330 system. See information in Appendix B.

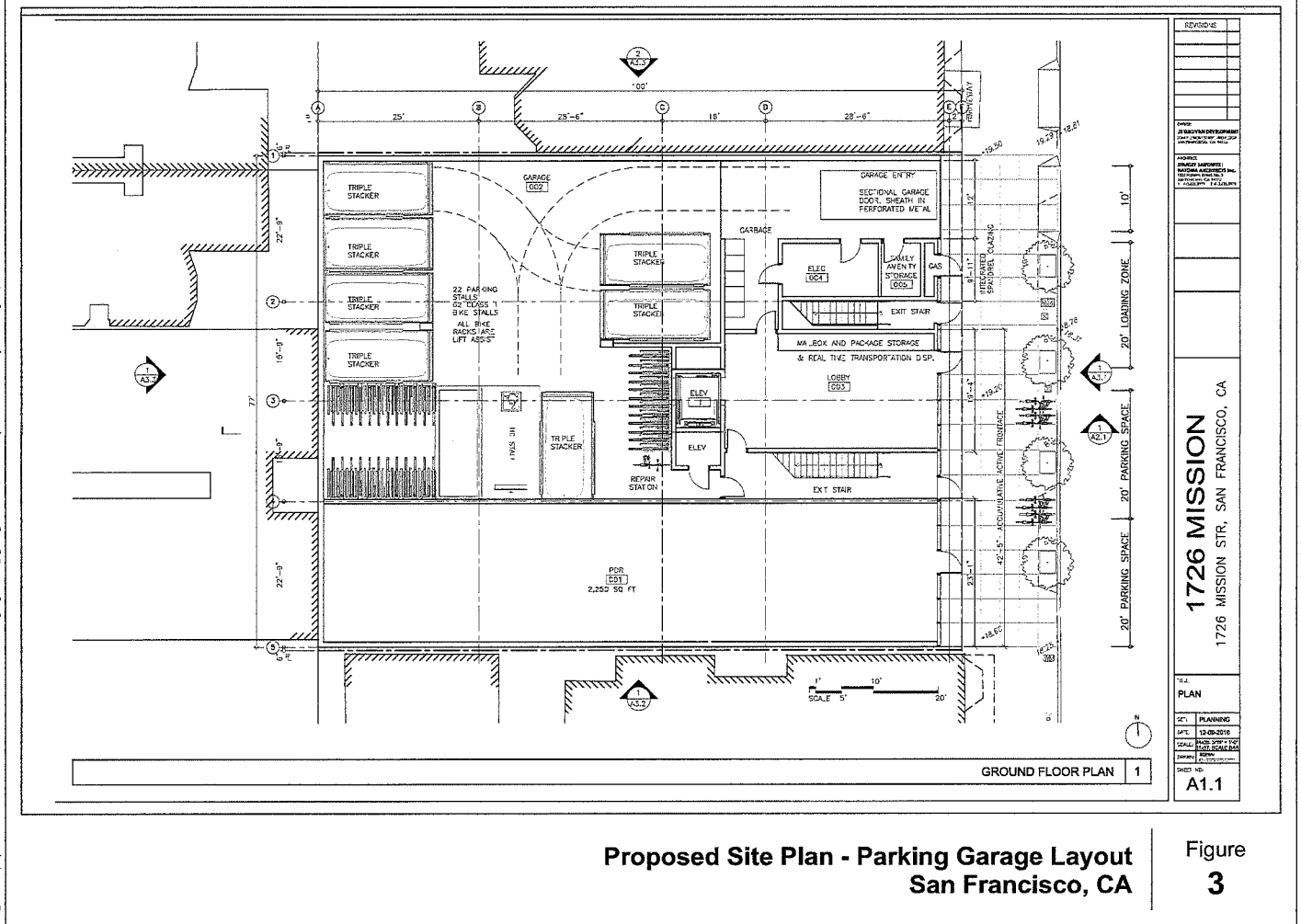
² All proposed changes to the curb parking requirements will require approval from the SFMTA Board.



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K:\HLS\challenging\1726 Mission St Trans Accos\memorandum\figs\1726 Mission St Garage.dwg Jun 27, 2017 - 3:26pm - c.dunkle Layout Tab: Figure_3B

Proposed Site Plan - Parking Garage Layout
San Francisco, CA

Figure
3

EXISTING SITE ACCESS AND CIRCULATION

This section provides a description of the existing transportation conditions in the vicinity of the Project site. The study area includes the area generally bounded by 13th Street to the north, Mission Street to the east, 14th Street to the south, and Woodward Street to the west. Included in this section are descriptions of the existing pedestrian, transit, bikeway, and roadway networks and documentation of the existing traffic, transit, pedestrian, bicycle, loading, emergency vehicle access, and parking conditions.

Transit Access

The study area is served by both local and regional public transit service in the immediate vicinity. Local transit service is provided by San Francisco Municipal Railway (Muni) fixed-route bus lines, while regional transit service is provided by Bay Area Rapid Transit (BART) and San Mateo County Transit District (SamTrans), with additional regional transit service (such as AC Transit, Caltrain, and Golden Gate Transit) accessible by transferring to and from Muni.

Muni provides service within San Francisco, including bus, light rail, streetcar, and cable car service. The Project site has frontages on Mission Street and is directly served by Muni bus lines. The closest transit stop to the Project site is Mission Street/14th Street with service from the 14 Mission and the 49 Van Ness/Mission routes. Other nearby transit stops include Mission Street/13th Street and 150 Otis Street with service from the 14 Mission and the 49 Van Ness/Mission routes, and Mission Street/16th Street with service from the 14/14R Mission, the 22 Fillmore, the 33 Ashbury/18th, the 49 Van Ness/Mission, and the 55 16th Street routes.

There are red transit-only lanes in both directions along Mission Street, which are used by the Muni 14/14R Mission and 49 Van Ness/Mission routes throughout the day. These red transit-only lanes are in effect all day, and are designated for transit-vehicles only, with the exception of right-turning vehicles. These red transit-only lanes were implemented as part of the 14 Mission Rapid Project under *Muni Forward* (previously known as the Transit Effectiveness Project, or "TEP"), a transit and pedestrian improvement plan by the San Francisco Municipal Transportation Authority (SFMTA).

Observations of existing transit conditions were conducted during the weekday PM peak hour, on Thursday, April 7th, 2016, from 5:00 to 6:00 PM. During this period, the nearby bus stops (at the northeast corner of Mission Street/14th Street, and the southwest corner of Mission Street/14th Street) were observed to be crowded with passengers waiting for the three Muni routes that serve the stops. These stops are served by 14 Mission and 49 Van Ness/Mission, with 14R Mission passing through.

BART operates regional rail transit service between San Francisco, the East Bay (from Pittsburg/Bay Point, Richmond, Dublin/Pleasanton, and Fremont), and San Mateo County (Millbrae and San Francisco International Airport). The nearest BART station, the 16th Street/Mission Station, is located at the intersection of Mission and 16th Streets, approximately 0.3 miles south of the Project site.

SamTrans (operated by the San Mateo County Transit District) provides bus service between San Mateo County and San Francisco. The closest SamTrans transit stop to the Project site is 0.5 miles northeast of the Project site at 11th Street/Market Street. At this stop, the 397-Palo Alto Transit Center provides late night service, with drop-off only in the inbound direction (northbound) and pick-up only in the outbound direction (southbound).

AC Transit provides bus service between the western portions of Alameda and Contra Costa counties. AC Transit also operates "Transbay" routes to and from San Francisco, San Mateo and Santa Clara counties. In San Francisco, AC Transit mostly serves the Temporary Transbay Terminal, which is located approximately 2.2 miles northeast of the Project site in the South of Market (SoMa) neighborhood. The Temporary Transbay Terminal can be reached with the Muni 14 Mission route.

Caltrain operates commuter rail transit service between San Francisco and the South Bay (to Gilroy), passing through cities along the Peninsula. The nearest Caltrain station is the San Francisco Station—located at the intersection of 4th Street and King Street, approximately 1.6 miles northeast of the Project site. People can access the San Francisco Station from the Project site on foot or by Muni bus (the N Judah or the 47 Van Ness routes). People can also access Caltrain by taking BART from the 16th Street/Mission Station to the Millbrae station, where they can transfer to Caltrain.

Golden Gate Transit provides bus and ferry service between San Francisco, Marin, Sonoma, and Contra Costa counties. The regional bus service operates daily and the nearest bus stop is located approximately 0.7 miles northeast of the Project site at 8th Street/Mission Street. The Golden Gate Ferry operates daily service between Marin County and San Francisco, and the nearest ferry station is located approximately 2.3 miles northeast of the Project site at the San Francisco Ferry Terminal. People can access the Ferry Terminal by taking BART from the 16th Street/Mission Station to the Embarcadero Station or by taking the Muni 14 Mission route.

Pedestrian Access

Observations of pedestrian conditions in the vicinity of the Project site were conducted on Thursday, April 7th, 2016, from 5:00 to 6:00 PM. Within the study area, there are sidewalks on all streets and pedestrian amenities (i.e., marked crosswalks, pedestrian signal heads, and countdown timers) at all signalized intersections. Due to the long crossing distances for the legs at the Mission Street/13th Street intersection, there are pedestrian refuge islands on each leg of the intersection. Sidewalks are generally 11 feet wide on the east side of Mission Street, 15 feet wide on the west side of Mission Street, 11 feet wide on 14th Street, and 6 feet wide on 13th Street. Curb ramps are provided on all street corners in the study area and are Americans with Disabilities Act (ADA) compliant with pedestrian warning systems (except for at the pedestrian refuge island in the north side of the Mission Street/13th Street intersection, where there are no detectable warnings [truncated domes] on the curb ramps).

Nearby sidewalks and crosswalks were observed to operate at acceptable conditions with pedestrians moving at normal walking speeds and minimal crowding on the sidewalk. However, as vehicles enter and exit the driveway into the gas station at the northwest corner of Mission Street/14th Street, vehicles were observed to pull out of the driveways and partially block the sidewalk while waiting for a gap in the traffic flow.

Pedestrian traffic was concentrated around transit stops and on paths to transit. During the weekday evening peak period, most pedestrians were observed to be traveling south along Mission Street and in both directions (east and west) along 14th Street.

Pedestrian Access to Transit

The primary accesses to local and regional transit are at bus stations at the Mission Street/14th Street intersection and at 16th Street/Mission BART station. There are sidewalks along both sides of Mission Street and 14th Street for pedestrians to access these transit stops.

Pedestrian Safety

According to the San Francisco Department of Public Health's map of pedestrian injuries and fatalities, which uses data from the California Highway Patrol (CHP) collected between 2005 and 2010, Mission Street is considered a High-Injury Corridor from 8th Street to 20th Street.³ High-Injury Corridors represent six percent of San Francisco's street miles and account for 60 percent of severe and fatal injuries reported to the CHP; these corridors are streets where high numbers of pedestrian injuries occur. In addition to the High-Injury Corridors, following intersections within the study area have high level of reported collisions involving pedestrians:⁴

- Otis Street/13th Street, 6 reported injuries;
- Mission Street/Erie Street, 2 reported injuries; and
- Mission Street/14th Street, 7 reported injuries.

Bicycle Access, Parking, and Volumes

Bicycle Access

Several major Citywide Bicycle Routes are located in the nearby vicinity. Within three blocks of the Project site are bike routes running eastbound on 14th Street, and running in both directions on Valencia Street. Observations of bicycle conditions in the vicinity of the Project site were conducted on Thursday, April 7th, 2016, from 5:00 to 6:00 PM. A moderate level of bicycle activity (about 50 to

³ San Francisco Department of Public Health. San Francisco Pedestrian Injuries – High-Injury Corridors. Online: <http://sfgov.maps.arcgis.com/apps/OnePane/basicviewer/index.html?appid=ed7db4c4bf084aeea8f805c5e68c69ad>

⁴ San Francisco Transportation Information Map. Injury statistics based on analysis of California Highway Patrol SWITRS data, 2005-2012. Online: <http://sftransportationmap.org>

100 per hour) was observed in the study area, primarily concentrated in the southbound direction along Mission Street, which has no bike lane but numerous cyclists were observed in the red transit-only lane. Field observations indicated that there are potential for conflicts between vehicles and bicyclists along Mission Street; where bicycle facilities are not provided and there are transit-only lanes, bicyclists were observed to ride within the transit-only lane or the narrow section between the transit-only lane and the on-street parking spaces, and had to divert around buses when they were pulling into and out of stops, or move out of the way for oncoming buses.

Bicycle Parking

There were no bicycle parking spaces observed in the site vicinity.

Vehicular Access

The Project site is located approximately 150 feet south of the southwest corner of the intersection of Mission Street and 13th Street. The following sections present the regional and local access to the Project site.

Regional Access

Regional access to the Project site is provided by Interstate 80 (I-80), Interstate 280 (I-280), and US Highway 101 (US 101).

Interstate 80 (I-80) is a generally eight lane freeway that mostly runs east-west about 0.75 miles east of the Project site and provides regional access to and from the East Bay. Access from I-80 is via its interchange with United States Highway 101 (US 101) approximately 0.75 miles east of the Project site. Other nearby on- and off-ramps that provide service to the Project site include at the 7th and 8th Street ramps.

Interstate 280 (I-280) is a generally six lane freeway that runs north-south about 1.25 miles east of the Project site and provides regional access to and from the South Bay/Peninsula. Nearby access to I-280 is provided at on- and off-ramps at Mariposa Street, about 1.5 miles southeast of the Project site, plus at its interchange with US 101, approximately 2.5 miles south of the Project site. I-280 and U.S. 101 continue as parallel freeways southbound along the Peninsula before intersecting again in San Jose.

United States Highway 101 (US 101) is a generally eight lane freeway that runs north-south approximately 200 feet north of the Project site and provides regional access to and from the North and South Bay. Nearby access to the South Bay is via the Van Ness Avenue/13th Street on-ramp and the Bayshore Boulevard off-ramp. Access to the North Bay is provided via the Potrero Avenue on-ramp and the Van Ness Avenue off-ramp. Within San Francisco, US 101 comprises segments of Van Ness Avenue and continues as Lombard Street, Richardson Avenue, and Doyle Drive to the Golden

Gate Bridge, linking San Francisco to the greater North Bay region. Gough Street and Divisadero Street provide alternative routes to Lombard Street/US 101.

Local Access

Local access to the Project site is provided primarily by Mission Street, 14th Street and Duboce Avenue/13th Street.

Mission Street runs east-west between The Embarcadero and US 101, north-south between US 101 and Cesar Chavez Street, and runs parallel to I-280, merging briefly with CA-82 (El Camino Real), from Cesar Chavez to Chestnut Avenue in South San Francisco. Mission Street is a two-way roadway and it splits between Mission Street (northbound) and Otis Street (southbound) between Duboce Avenue/13th Street to South Van Ness Avenue. In the vicinity of the Project site, Mission Street has two lanes in both directions and a raised median for approximately 150 feet leading up to the northbound approach of the 13th Street intersection, and has sidewalks and on-street metered parking on both sides of the street. Mission Street is considered a High-Injury Corridor from 8th Street to 20th Street (1.64 miles). There are currently no bicycle facilities on 16th Street. In the vicinity of the Project site, the *General Plan* identifies Mission Street as a Transit Conflict Street in the Congestion Management Program (CMP) Network, a Citywide Pedestrian Network Street, a Neighborhood Commercial Street, and a Transit Preferential Street (Transit-Oriented).

14th Street runs east-west between Buena Vista Terrace and Harrison Street. 14th Street is a one-way street with two travel lanes in the eastbound direction between Church Street and Folsom Street, and is a two-way street with one lane in each direction between Buena Vista Terrace and Church Street and between Folsom Street and Harrison Street. In the vicinity of the Project site, 14th Street has two lanes in the eastbound direction and on-street metered parking on both sides of the street. 14th Street is part of Citywide Bicycle Route 30 adjacent to the Project site.

Duboce Avenue/13th Street/Division Street runs east-west between Market Street and De Haro Street (Duboce Avenue to the west of Mission Street, 13th Street between Mission Street and Bryant Street, and Division Street to the east of Bryant Street) and it mainly runs under US 101. In the vicinity of the Project site, 13th Street has two lanes westbound and three lanes eastbound and on-street parking on the south side of the eastbound direction and on the north side of the westbound direction. There are currently no bicycle facilities on 13th Street. The *General Plan* identifies 13th Street as a Major Arterial in the CMP Network and a Metropolitan Transportation System (MTS) Street.

Loading Conditions

Existing loading conditions along Mission Street, adjacent to the Project site, were qualitatively assessed during the weekday PM peak period field observations conducted on Thursday, April 7th, 2016 from 5:00 to 6:00 PM.

There is one loading space adjacent to the Project site and two loading spaces directly south of the Project site along the west side of Mission Street. These loading spaces are marked with a yellow curb for commercial loading (20 feet each, 60 feet total) between 6:00 AM and 6:00 PM Mondays through Saturdays. During field observations on April 7th, 2016, commercial loading activity on these three loading spaces along Mission Street was minimal and these loading spaces were mostly unoccupied. Loading activity was accommodated within existing loading spaces and loading-related vehicles were not observed to double-park on streets adjacent to the Project site. Based on field observations, only one or two of the three loading spaces were observed to be occupied at one time.

No on-street loading spaces are currently provided on 13th Street or 14th Street adjacent to the Project site.

Emergency Vehicle Access

Emergency vehicle access in the study area is primarily provided from Mission Street and Duboce Avenue/13th Street/Division Street. The nearest fire stations are SF Fire Department Station 36 at Franklin Street/Oak Street, approximately 0.4 miles north of the Project site, and Station 6 at Sanchez Street/Henry Street, approximately 0.6 miles southwest of the Project site. All streets that comprise the route from the fire stations to the study area are sufficiently wide enough to provide adequate emergency vehicle access. During peak commute times, general traffic congestion throughout the study area may result in minor delay to emergency vehicle response.

PROJECT TRAVEL DEMAND

Project Trip Generation

The Project travel demand was determined on a weekday daily basis and during the weekday PM peak hour, which is defined as the peak one-hour of the weekday PM peak period (4:00 PM to 6:00 PM) during which the maximum use of the transportation system typically occurs. Project trip generation rates were estimated using weekday daily and PM peak hour rates for "Residential" and "Manufacturing/Industrial" provided in the SF Planning Department's *Transportation Impact Analysis Guidelines for Environmental Review ("SF Guidelines")*, published in October 2002.

The Project-generated person-trips were distributed to San Francisco's four quadrants and the rest of the Bay Area and then assigned to travel modes in order to determine the number of auto, transit, walk, and "other" trips generated by the Project, where "other" includes bicycle, motorcycle, taxi, and additional modes.

Mode shares and Average Vehicle Occupancy (AVO) rates for residential work trips were based on United States Census Bureau five-year estimates of commute trip travel behavior from the *2010-2014 American Community Survey (ACS)* for the census tract (Tract 201.00), which contains the Project.

Mode shares and AVO rates for residential non-work PDR work and PDR non-work trips were based on data for Superdistrict 3 (SD-3) contained in Appendix E of the *SF Guidelines*.

Person-trip generation estimates are presented in Table 1, mode share is presented in Table 2, and person-trips by mode are presented in Table 3. Project travel demand calculations are included in Appendix B.

Table 1: Person-Trip Generation Estimates

| Land Use | Size | SF Guidelines Rate | | Daily Person-Trips | Weekday PM Peak Hour Person-Trips | | |
|--------------------------|---|----------------------------|-------------------------------------|--------------------|-----------------------------------|-----------------|-----------------|
| | | Daily | Weekday PM Peak Hour Share of Daily | | In | Out | Total |
| Residential ¹ | 40 dwelling units (20 1-BR units 20 2-BR units) | 7.5 trips per unit (1-BR) | 17.3% | 150 trips (1-BR) | 17 trips (1-RR) | 9 trips (1-BR) | 26 trips (1-BR) |
| | | 10.0 trips per unit (2-BR) | | 200 trips (2-BR) | 23 trips (2-BR) | 12 trips (2-BR) | 35 trips (2-BR) |
| PDR ² | 2,250 sf | 7.9 trips per 1,000 sf | 12.4% | 18 | 0 | 2 | 2 |
| Total | | | | 368 | 40 | 23 | 63 |

Source: Kittelson & Associates, Inc. 2016.

Notes:

1 The daily trip generation rate for the residential land use is a weighted average of the daily rates for various dwelling unit types presented in the *SF Guidelines*, based on the number of each unit type in the Project description. Studio/1-bedroom = 7.5 trips per unit, 2+ -bedrooms = 10.0 trips per unit. (20 units x 7.5 trips/unit) + (20 units x 10.0 trips/unit) = 350 trips

2 PDR space analyzed as Manufacturing/Industrial

Table 2: Mode Share by Trip Purpose

| Land Use – Trip Purpose | Mode Share | | | | AVO | Source |
|-------------------------|--------------|--------------|--------------|--------------|-------------|---|
| | Auto | Transit | Walk | Other | | |
| Residential – Work | 22.7% | 47.0% | 14.4% | 15.9% | 1.05 | American Community Survey Five-Year (2010-2014) Estimates |
| Residential – Non-Work | 56.1% | 18.8% | 16.7% | 8.5% | 2.26 | |
| PDR – Work Trips | 71.0% | 20.2% | 5.8% | 2.9% | 1.28 | SF Guidelines, Appendix E |
| PDR – Non-Work | 56.1% | 18.8% | 16.7% | 8.5% | 2.26 | |
| Total Overall | 44.3% | 28.8% | 16.7% | 10.2% | 1.74 | |

Source: Kittelson & Associates, Inc. 2016. US Census Bureau American Community Survey Five-Year (2010-2014) Estimates. SF Planning Department, *SF Guidelines (Tables E-5 and E-14)*, 2002.

Notes: AVO = Average Vehicle Occupancy

All mode splits for Superdistrict 3.

Table 3: Person-Trip Generation Estimates by Mode

| Mode | Weekday PM Peak Hour Person-Trips by Mode | | |
|---------------------------|---|-----------|-----------|
| | In | Out | Total |
| Auto | 16 | 9 | 25 |
| Transit | 13 | 7 | 20 |
| Walk | 6 | 4 | 10 |
| Other | 5 | 3 | 8 |
| Total Person-Trips | 40 | 23 | 63 |
| Total Vehicle-Trips | 9 | 6 | 15 |

Source: Kittelson & Associates, Inc. 2016.

As shown in Table 1, the Project is estimated to generate 63 person-trips during the weekday PM peak hour (40 inbound, 23 outbound). As shown in Table 3, based on the expected mode split and average vehicle occupancy presented in Table 2, the Project would generate 25 auto person-trips, 10 walk trips, 20 transit trips, and 8 “other” trips during the weekday PM peak hour. These auto person-trips would result in 15 vehicle-trips during the weekday PM peak hour (9 inbound and 6 outbound).

The estimated loading demand for the Project is shown in Table 4. The loading demand calculation for the Project is based on rates from the *SF Guidelines* for residential and PDR (light industry) uses. In total, the Project would generate an average of 2.5 delivery/service vehicle trips per day, which corresponds to a demand of less than one loading space during the average and peak hour of loading activity.

Table 4: Loading Demand Estimates

| Land Use | Size (Square Feet) | Delivery/Service (Vehicle-Trips per Day) | Loading Demand (Spaces) | |
|--------------|-----------------------|---|----------------------------|-------------|
| | | | Average Hour | Peak Hour |
| Residential | 33,643 | 1.0 | 0.05 | 0.06 |
| PDR | 2,250 | 1.5 | 0.07 | 0.08 |
| Total | 35,843 | 2.5 | 0.12 | 0.14 |

Source: *SF Guidelines*, 2002. Kittelson & Associates, Inc. 2017.

Notes: Square Feet = SF; Peak hour truck trip generation generally occurs during the off peak hours and does not coincide with the PM peak hour used in other transportation analysis.

Loading demand rates:

R = Turnover (R = 0.03 for residential, R = 0.65 for PDR [light industry])

Daily Trips = (SF / 1,000) * R

Average Hour = (SF / 1,000) * R / 9 / 2.4

Peak Hour = (GSF / 1,000) * (R * 1.25) / 9 / 2.4

Existing Uses

The Project site is currently occupied by two buildings containing storage and office uses. Doorway counts were conducted to determine the current activity patterns of the existing use. This data was collected on a typical weekday (Tuesday, March 29, 2016) from 5:00 PM to 6:00 PM, to represent typical weekday PM peak period (4:00 PM to 6:00 PM) conditions. Counts were conducted at the doorways to the east side of the existing site on Mission Street. The collected doorway count data is summarized in Table 5 and provided in Appendix C.

As shown in Table 5, existing uses at the Project site generate approximately 4 person-trips (3 inbound, 1 outbound) during the weekday PM peak hour.

Table 5: Existing Doorway Counts

| Time Period | Mission Street Doorways | |
|---------------------------------------|-------------------------|----------|
| | In | Out |
| 5:00 to 5:15 PM | 2 | 0 |
| 5:15 to 5:30 PM | 1 | 0 |
| 5:30 to 5:45 PM | 0 | 0 |
| 5:45 to 6:00 PM | 0 | 1 |
| Hourly Total (5:00 to 6:00 PM) | 3 | 1 |

Source: Kittelson & Associates, Inc., 2016.
 Notes: Doorway counts conducted on Tuesday, March 29, 2016.

Doorway counts indicate that the Project would displace minimal trips associated with the existing uses (less than five during the weekday PM peak hour), and no vehicles were observed to be driving into the driveway. In order to present a conservative analysis, the evaluation of the impacts associated with the Project is based off of the assumptions of all new trips, with no trip credits taken for existing uses. As such, the new trips for each mode are those presented in Table 3.

IMPACT ASSESSMENT

The Project site plan (Figure 3 and Appendix A) has been reviewed for implications to access, connectivity, circulation, traffic management, and safety for each mode of travel. The results of this review and impact assessment are summarized in this section.

The following are the significance criteria used by the City and County of San Francisco Planning Department for the determination of impacts associated with a proposed project:⁵

⁵ The project is subject to Senate Bill (SB) 743, which provides that “aesthetics and parking impacts of a residential, mixed-use residential, or employment center project on an infill site within a transit priority area shall not be considered significant impacts on the environment”. The Planning Department will continue to consider any secondary physical impacts associated with

- The project would have a significant effect on the environment if it would cause substantial additional vehicle miles traveled (VMT);
 - For residential projects, a project would cause substantial additional VMT if it exceeds existing regional household VMT per capita minus 15 percent;
 - For retail projects, a project that would cause substantial additional VMT would result in a net increase in total VMT. The San Francisco Planning Department would use a VMT efficiency metric approach for retail projects consistent with office projects: a project would cause substantial additional VMT if it exceeds the existing regional VMT per retail employee minus 15 percent; and
 - For mixed use projects, each component of the mixed-use project would be evaluated independently per the significance criteria described above.
- The project would have a significant effect on the environment if it would substantially induce additional automobile travel by increasing physical roadway capacity in congested areas;
- The project would have a significant effect on the environment if it would cause a substantial increase in transit demand that could not be accommodated by adjacent transit capacity, resulting in unacceptable levels of transit service; or cause a substantial increase in delays or operating costs such that significant adverse impacts in transit service levels could result. With the Muni and regional transit screenline analyses, the project would have a significant effect on the transit provider if project-related transit trips would cause the capacity utilization standard to be exceeded during the peak hour;
- The project would have a significant effect on the environment if it would result in substantial overcrowding on public sidewalks, create potentially hazardous conditions for pedestrians, or otherwise interfere with pedestrian accessibility to the site and adjoining areas;
- The project would have a significant effect on the environment if it would create potentially hazardous conditions for bicyclists or otherwise substantially interfere with bicycle accessibility to the site and adjoining areas;
- The project would have a significant effect on the environment if it would result in a loading demand during the peak hour of loading activities that could not be accommodated within proposed on-site loading facilities or within convenient on-street loading zones, and create potentially hazardous conditions or significant delays affecting traffic, transit, bicycles, or pedestrians;
- The project would have a significant effect on the environment if it would result in inadequate emergency access; and

constrained supply through the applicable aspects of the transportation analysis (CEQA Update: Senate Bill 743 Summary – Aesthetics, Parking and Traffic [November, 26, 2013]).

- Construction-related impacts generally would not be considered significant due to their temporary and limited duration.

Vehicle Impacts

The following section analyzes vehicle miles traveled (VMT), vehicle access to the site and internal circulation. The potential effect of the Project driveway and garage on transit, pedestrians and bicyclists is discussed in later sections.

VMT Impacts

A project would have a significant effect on the environment if it would cause substantial additional VMT or would substantially induce additional automobile travel by increasing physical roadway capacity in congested areas or by adding new roadways to the network.

Public Resources Code Section 21099(b)(1), effective January 1, 2014, requires that the State Office of Planning and Research (OPR) develop revisions to the CEQA Guidelines establishing criteria for determining the significance of transportation impacts of projects that “promote the reduction of greenhouse gas emissions, the development of multimodal transportation networks, and a diversity of land uses.” CEQA Section 21099(b)(2) states that upon certification of the revised guidelines for determining transportation impacts pursuant to Section 21099(b)(1), automobile delay, as described solely by level of service or similar measures of vehicular capacity or traffic congestion shall not be considered a significant impact on the environment under CEQA.

In January 2016, OPR published for public review and comment a *Revised Proposal on Updates to the CEQA Guidelines on Evaluating Transportation Impacts in CEQA*⁶ (“proposed transportation impact guidelines”) with a draft recommendation that transportation impacts for projects be measured using a vehicle miles traveled (VMT) metric, rather than the Level of Service (LOS) metric. On March 3, 2016, in anticipation of the future certification of the proposed transportation impact guidelines, the San Francisco Planning Commission adopted a resolution (consistent with OPR’s recommendation) to use the VMT metric instead of automobile delay (as measured by LOS) to evaluate the transportation impacts of projects (Resolution 19579). (Note: the VMT metric does not apply to the analysis of project impacts on non-automobile modes of travel such as riding transit, walking, and bicycling.)

The *Proposed Transportation Impact Guidelines* recommend screening criteria to identify types, characteristics, or locations of projects that would not result in significant impacts to VMT⁷. If a project meets screening criteria, then it is presumed that VMT impacts would be less than significant for the project and a detailed VMT analysis is not required.

⁶ This document is available online at: https://www.opr.ca.gov/s_sb743.php.

⁷ *Revised Proposal on Updates to the CEQA Guidelines on Evaluation Transportation Impacts in CEQA* by the Office of Planning and Research. www.opr.ca.gov/docs/Revised_VMT_CEQA_Guidelines_Proposal_January_20_2016.pdf

One of the screening criteria is the *Map-Based Screening for Residential, Office, and Retail Projects* criterion. This criterion states that if the Project site is located in a transportation analysis zone (TAZ) where the existing and future (2040) average daily VMT per capita or per employee is 15 percent or more below the corresponding regional VMT ratio, VMT impacts are presumed to be less than significant and a detailed VMT analysis is not required.

Table 6 summarizes the existing and cumulative average VMT per capita for residential and PDR uses in TAZ 236, the zone in which the Project site is located.

Table 6: Daily Vehicle Miles Traveled

| Land Use | Existing | | |
|--------------------------|------------------|--|---|
| | Regional Average | Threshold (Regional Average Minus 15%) | Project Traffic Analysis Zone (TAZ 236) |
| Households (Residential) | 17.2 | 14.6 | 4.3 |
| Employment (Office) | 19.1 | 16.2 | 7.6 |

Source: SF Planning Department, sftransportationmap.org, 2016. KAI, 2017.
 The office category refers to all other employment other than retail.

As shown in Table 6, existing average daily VMT per capita for residential uses in TAZ 236 is 4.3 miles, which is 75 percent below the existing regional average daily VMT per capita of 17.2 miles. Existing average daily VMT per employee in TAZ 236 is 7.6 miles, which is 40 percent below the existing regional average daily VMT per employee of 19.18 miles.

The Project site is located in an area where average daily VMT per capita or and VMT per employee under existing conditions would be more than 15 percent below the regional average for these land uses. Therefore, the Project would thus meet the Map-Based screening criterion and the Project’s land uses would not contribute considerably to any substantial cumulative increase in VMT.

The Project is not a transportation project. However, the Project would include features that would alter the transportation network. These features include on-street commercial loading spaces and a new curb cut. These features fit within the general types of projects identified above that would not substantially induce automobile travel. Therefore, impacts on VMT would be less than significant.

In addition, the Project is subject to the San Francisco TDM Program under San Francisco Planning Code Section 169, and must submit a TDM Plan (see Appendix D).⁸ The Project would include the following TDM measures to reduce the number of Project-generated vehicles:

⁸ Projects with a Development Application filed before January 1, 2018 shall be subject to 75 percent of the applicable target requirement. Source: TDM Program Application. Online: http://default.sfplanning.org/forms/TDM_Program_Application.pdf

- ACTIVE-2: Bicycle Parking, Option D (4 points). One and a half Class 1 bicycle parking space would be provided for each dwelling unit (60 Class 1 spaces) and four Class 2 bicycle parking spaces would be provided for every 20 dwelling units (8 Class 2 spaces).
- ACTIVE-5A: Bicycle Repair Station (1 point). On-site tools and space for bicycle repair would be provided.
- DELIVERY-1: Delivery Supportive Amenities (1 point). The Project would include an area for receipt of deliveries that offers temporary storage for packages and other deliveries, to be located adjacent to the residential lobby.
- FAM-1: Family TDM Amenities, Option A (1 point). The Project would include on-site secure storage for personal car seats and stroller and two Class 1 bicycle parking spaces for cargo bicycles.
- INFO-2: Real-Time Transportation Displays (1 point). The Project would provide real-time transportation information on displays in prominent locations on the site, including each major pedestrian entry/exit.
- LU-2: On-Site Affordable Housing, Option C (3 points). On-site affordable housing. Seven units (18 percent) would be below market rate (at 55 percent or less of average median income).
- PKG-1: Unbundle Parking, Location D (4 points). Parking spaces leased or sold separately from rental or purchase fees.
- PKG-4: Parking Supply, Option B (2 points). The Project would provide parking in an amount less than or equal to 90 percent and greater than 80 percent of the neighborhood parking rate.

Consistent with requirements outlined the San Francisco Planning Code Section 169, the project sponsor commits to monitoring, reporting, and compliance throughout the life of the project to ensure the TDM Plan is being implemented correctly, on an on-going basis.

Traffic Impacts

Pursuant to the recent revisions to the CEQA Guidelines by OPR, the San Francisco Planning Department (in March 2016) adopted the OPR recommendations to use a VMT-based metric instead of automobile delay to evaluate the traffic-related impacts of projects. Therefore, vehicle delay (i.e., intersection LOS) is no longer used as a significance criterion in San Francisco, and traffic impacts are assessed based on whether a proposed project would cause traffic hazards.

Vehicular Access to the Project Site

The Project garage would be located approximately 150 feet south of the Mission Street/13th Street intersection. Due to the raised and striped median on Mission Street, the Project driveway would have right-in/right-out access. Vehicles heading northbound on Mission Street would be unable to make a left-turn to enter the Project driveway and vehicles leaving the Project garage would be unable to make a left-turn to head northbound on Mission Street. The Project site is located in an area with numerous east/west and north/south streets and vehicles would easily be able to alter their route to access the Project site or reach their desired destination from the Project site.

Given the high volume of traffic on Mission Street (including Muni buses), drivers in the Project garage could potentially have difficulty safely exiting the Project garage. However, because the intersection of Mission Street/13th Street is signalized, there are gaps in the southbound traffic flow (this was also observed during field observations conducted on Thursday, April 7th, 2016 from 5:00 to 6:00 PM), thus providing opportunities for safe vehicular egress from the driveway. As illustrated in the Project's site plan (Figure 3), there are no on-street parking spaces or street trees (existing or proposed) directly north of Project's driveway that would impede sight lines to oncoming vehicles and buses. Overall, the Project would not result in a significant impact to street operations due to vehicular ingress/egress or result in hazardous conditions.

Internal Circulation

The width of the driveway within the garage would be approximately 12 feet. This would provide sufficient space for one-way traffic, thus affecting the ingress and egress to and from the garage. In addition, 21 of the 22 parking spaces in the ground-level garage would be provided in triple-stackers. With triple-stackers, only one vehicle can enter or exit the stacker at one time. As such, if multiple vehicles need to concurrently utilize the stacker, they would need to wait until the movements of the first vehicle are completed. With the configuration of the garage, there would be space for one or two vehicles to wait without blocking access to other stackers.

The Project proposes to provide 22 off-street parking spaces (including one handicapped stall) for the residents of the Project in the ground-level garage (21 in triple stackers, 1 in ground-level stalls). As presented in Table 3, there would be 15 Project-generated weekday PM peak hour vehicle trips (9 inbound and 6 outbound), and some of these vehicles may enter or exit the Project garage at the same time. However, the recessed driveway and the warning light alerting exiting vehicles of entering vehicles would prioritize inbound vehicles over outbound vehicles at the Project driveway and garage, and minimize the potential for conflict between entering and exiting vehicles and for entering vehicles to queue across the sidewalk and into the transit-only lane on Mission Street.

As noted earlier, there would be approximately 36 feet of internal queuing space between the interior gate and the edge of the property, which can accommodate up to two queued vehicles. Given the number of inbound vehicles that are projected to use the driveway during the weekday PM

peak hour (about one every 6 to 7 minutes), the potential for queues that would extend more than one or two vehicles would be minimal.

Given the relatively low number of entering and exiting vehicles generated by the Project during the weekday PM peak hour and the ability to accommodate these vehicles in internal storage, the Project garage would have a less-than-significant impact with respect to queuing into the public right-of-way (across the sidewalk and/or into the transit-only lane) or to the safety of pedestrians on the sidewalk. *Improvement Measure TR-1: Queue Abatement* and *Improvement Measure TR-2: Warning Systems* have been identified to reduce the potential for conflicts at the Project driveway:

Improvement Measure TR-1: Queue Abatement

To minimize the vehicle queues at the Project driveway into the public right-of-way, the Project would be subject to the Planning Department's vehicle queue abatement Conditions of Approval:

It should be the responsibility of the owner/operator of any off-street parking facility with more than 20 parking spaces (excluding loading and car-share spaces) to ensure that recurring vehicle queues do not occur on the public right-of-way. A vehicle queue is defined as one or more vehicles (destined to the parking facility) blocking any portion of any public street, alley or sidewalk for a consecutive period of three minutes or longer on a daily or weekly basis.

If a recurring queue occurs, the owner/operator of the parking facility should employ abatement methods as needed to abate the queue. Appropriate abatement methods will vary depending on the characteristics and causes of the recurring queue, as well as the characteristics of the parking facility, the street(s) to which the facility connects, and the associated land uses (if applicable).

Suggested abatement methods include but are not limited to the following: redesign of facility to improve vehicle circulation and/or on-site queue capacity; employment of parking attendants; installation of LOT FULL signs with active management by parking attendants; use of valet parking or other space-efficient parking techniques; use of off-site parking facilities or shared parking with nearby uses; use of parking occupancy sensors and signage directing drivers to available spaces; travel demand management strategies such as additional bicycle parking, customer shuttles, delivery services; and/or parking demand management strategies such as parking time limits, paid parking, time-of-day parking surcharge, or validated parking.

If the Planning Director, or his or her designee, suspects that a recurring queue is present, the Department should notify the property owner in writing. Upon request, the owner/operator should hire a qualified transportation consultant to evaluate the conditions at the site for no less than seven days. The consultant should prepare a

monitoring report to be submitted to the Department for review. If the Department determines that a recurring queue does exist, the facility owner/operator should have 90 days from the date of the written determination to abate the queue.

Improvement Measure TR-2: Warning System

Implement the following measures to the satisfaction of Planning and SFMTA staff:

- Install a warning system (e.g., visual and/or audio devices) to alert pedestrians when a vehicle is exiting from the Project garage;
- Maintain a minimum 5'-0" by 5'-0" sight distance triangle at the driveway entrance/exit;
- Install convex mirrors at the Project driveway; and,
- Install "STOP" pavement markings and signage for exiting drivers to look both ways at the garage exit, prior to crossing the sidewalk.

Provision of a warning system and adequate sight distance at driveways would improve visibility between pedestrians and oncoming vehicles and increase awareness of other users, and installation of "STOP" markings would remind drivers to stop and look both ways prior to exiting. Individually and in combination, implementation of these measures would reduce potential for conflicts at the Project driveway.

Transit Impacts

As shown in Table 3, the Project would add 20 new transit trips to the surrounding network during the weekday PM peak hour.

The Project site is served by Muni 14 Mission and 49 Van Ness/Mission bus lines, which both serve the site with a frequency of approximately eight buses per hour for each route in each direction (northbound and southbound). Assuming that half of the 20 new transit trips will be heading northbound (10 new trips) and the other half southbound (10 new trips), there would be a maximum of 10 new passengers waiting at each of the northbound and southbound bus stops at the Mission Street/14th Street intersection. With two lines serving each bus stop and eight buses per hour for each line, the Project would be adding less than one passenger per bus during the weekday PM peak hour, and each passenger would wait at the bus stop no more than eight minutes. While the existing bus stops were observed to be crowded during the evening commute hour, the Project is not anticipated to add a substantial number of passengers to these bus stops during the weekday PM peak hour. Given the relatively low increase in transit riders generated by the Project and the number of transit options available in the site vicinity, it is anticipated that the new Project-generated transit trips could be accommodated by the existing transit capacity for the various transit providers and would not substantially affect transit operations on adjacent streets.

The red transit-only lane on the west side of Mission Street (for southbound buses) is located adjacent to the proposed garage entrance on Mission Street. As more vehicles enter and exit from this new garage entrance with the Project, there would be a potential for increased conflicts between vehicles using the driveway and transit vehicles in the red transit-only lane. *Improvement Measure TR-1* has been identified to monitor and manage any queues and reduce potential for queues to develop.

In particular, the Project driveway would be 12-feet wide and would provide both inbound and outbound access. As discussed earlier, this configuration could result in internal conflicts between inbound and outbound vehicles, which may lead to the queuing of entering vehicles, which could spill back to Mission Street. If this occurs, operations of Muni buses may be affected, as they would need to reduce speeds or change lanes and travel in the adjacent southbound lane to bypass queued vehicles. With the prioritization of inbound vehicles over outbound vehicles in the Project garage with the recessed driveway and the warning light in the garage, inbound vehicles will be cleared out of the public right-of-way and into the garage driveway, minimizing the potential for impact to the transit-only lane.

Overall, the Project's effect on transit operations would be less-than-significant due to the relatively low number of vehicles accessing the Project driveway during the weekday PM peak hour, and the configuration of the garage driveway that will facilitate the clearing of inbound vehicles from the public right-of-way. In addition, as previously noted, implementation of the *Improvement Measure TR-1* would further reduce the potential for vehicle queuing into the bus-only lane.

Pedestrian Impacts

As shown in Table 3, the Project would add 30 new pedestrian trips (including 10 walk-only and 20 walk-to-transit trips) to the surrounding network during the weekday PM peak hour. Pedestrian access points to the residential lobby and PDR space would be located along the Mission Street frontage.

Given the relatively low amount of pedestrian activity generated by the Project and the current levels of pedestrians on the surrounding streets, it is anticipated that the new Project-generated pedestrian trips could be accommodated on the adjacent facilities and would not substantially affect pedestrian operations on nearby sidewalks or crosswalks. Overall, sidewalks and crosswalks in the Project vicinity are adequately wide to accommodate existing pedestrian circulation and would also be sufficient to accommodate the expected increase in pedestrian traffic.

The Project proposes several enhancements that would improve conditions for pedestrians, including:

- Eliminate existing 15'-6" foot curb cut and 16'-6" foot curb cut along the Mission Street frontage (one new curb cut would be added with the Project);

- Install street trees (up to four) along the Mission Street frontage; and,
- Provide ground-floor commercial space at the southeast corner of the Project site.

These enhancements would generally improve the quality of the pedestrian environment. As Mission Street has been identified as a High-Injury Corridor, these enhancements would improve pedestrian conditions in a corridor where high numbers of pedestrian injuries have been reported.

As the Project would provide a new off-street parking facility and associated driveway, vehicles entering and exiting the garage may conflict with pedestrians on Mission Street. However, although the Project would provide 22 parking spaces, the amount of vehicular movements would be relatively low during the weekday PM peak hour (9 inbound and 6 outbound). In addition, field observations taken in the study area indicate moderate pedestrian volumes on the sidewalk in front of the Project site. As such, the Project would not result in a substantial increase in conflicts between vehicles and pedestrians. *Improvement Measure TR-2* has been proposed to improve visibility between pedestrians traveling on the sidewalk and vehicles entering/exiting the garage to further minimize the potential for conflicts between these users.

Overall, the Project's effect on pedestrians would be less-than-significant due to the relatively low number of vehicles accessing the Project driveway during the weekday PM peak hour, and the moderate pedestrian volumes on the sidewalk along the Project frontage. Implementation of the proposed design treatments as identified in *Improvement Measure TR-2* would improve pedestrian conditions along the Project frontage and further reduce the potential for conflicts.

Bicycle Impacts

The Project site is located within biking distance of the Civic Center, SoMa, Mission Bay, and Mission districts. In addition, there are nearby bicycle lanes within two blocks of the Project, with bike routes running eastbound on 14th Street, and running in both directions on Valencia Street. As a result, a portion of the "other" trips would be assumed to be bicycle trips. Assuming all of the "other" trips shown in Table 3 are bicycle trips, the Project would add up to eight bicycle trips to the surrounding network during the weekday PM peak hour.

Commercial and residential developments are required by the *San Francisco Planning Code* to provide safe and secure bicycle parking. Based on these requirements (see Section 155.2), the Project would be required to provide a minimum of 40 Class 1 spaces and three Class 2 spaces. As shown in the site plan, the Project proposes to provide a bicycle storage area in the garage in the ground level that could accommodate 62 Class 1 bicycle stalls in stackers. The Project would also provide eight Class 2 bicycle stalls in front of the proposed residential lobby entrance on Mission Street. The provision of Class 2 bicycle stalls on the sidewalk would be subject to the review and approval of SFMTA.

Bicycle access to the proposed secure bicycle storage area in the ground floor garage would be provided from Mission Street via the various pedestrian entrances into the building – the lobby entry, the secondary lobby entry, the PDR entry, and the garage entry. Bicyclists accessing the on-site

bicycle parking would be expected to pull over to the curb, dismount, and walk through the pedestrian entrances, and pass through one set of internal doors to reach the bicycle storage area located in the garage on the ground floor of the building, adjacent to the elevator. Residents accessing the bicycle storage area from the dwelling units on Levels 2-6 would use the elevator or the two staircases that lead to the lobby to access the garage. While it is anticipated that most bicyclists would access the building via the lobby, some bicyclists may choose to access the garage from Mission Street. In this case, there would be a potential conflict between vehicles and bicycles entering and exiting the garage, especially given the 12-foot width of the driveway which would not provide sufficient separation between vehicles and bicycles. The two-gate entry at the Project driveway and the warning light of incoming vehicles or bicycles would minimize this potential for conflict between vehicles and bicycles.

The red transit-only lane on the west side of Mission Street (in the southbound direction), which carries a high volume of bicyclists, is located adjacent to the proposed garage entrance on Mission Street. As vehicles enter and exit from this new garage entrance with the Project, there would be a potential for increased conflict between vehicles using the driveway and bicyclists in the red transit-only lane. However, given the relatively low vehicular activity at this driveway (15 vehicles during the weekday PM peak hour), the Project would not have a substantial effect to bicyclist circulation.

The Project would meet *San Francisco Planning Code* requirements for bicycle parking, and new bicycle trips generated by the Project could be accommodated on the existing facilities and would not substantially affect bicycle operations on surrounding streets. Therefore, the Project would have a less-than-significant impact on bicycle operations.

Loading Impacts

Loading impacts discussed in this section includes freight loading, passenger loading, and recycling/trash pick-up operations. The assessment of loading impacts evaluates the proposed loading supply versus the supply required by the *San Francisco Planning Code* and the anticipated average and peak hour loading demands.

Loading Supply and Demand

Loading demand consists of the number of delivery and service vehicle-trips generated by the Project, plus the number of loading spaces that would be required to accommodate the demand. The number of daily delivery/service vehicle-trips was estimated based on the size of the proposed land uses and a truck trip generation rate (specific to each land use) based on the anticipated hours of operation, turnover of loading spaces, and an hourly distribution of trips from the *SF Guidelines*.

The Project does not propose any off-street freight loading spaces and, based on the size of the uses, none would be required under the *San Francisco Planning Code* (Section 152.1). The Project proposes

one 20-foot commercial loading space and two 20-foot metered parking spaces along the Project frontage.⁹ Passenger and commercial loading would be accommodated on-street in the proposed loading space or in the available on-street loading or parking spaces near to the Project site. Based on the *SF Guidelines* methodology and shown in Table 4, the Project would generate a daily loading demand of 2.5 delivery/service vehicle trips, which would result in a demand for 0.1 loading spaces during an average hour and 0.1 loading spaces during the peak hour of loading activity.

Loading Operations

Since the Project does not propose any off-street loading spaces, all loading activities would need to be handled on-street in the one proposed commercial loading space along the Project frontage or in nearby available loading spaces (there are three existing loading spaces to the south of the Project frontage), as shown in Figure 2 and Figure 3. With the Project, two existing curb cuts on Mission Street would be eliminated (one new curb cut will be added) and replaced with a new curb, which may provide more space for on-street parking. The following presents the passenger loading, freight/service vehicle loading, and trash/recycling pick-up operations with the Project.

Passenger Loading. No dedicated passenger loading (white zone) would be provided by the Project. It is anticipated that Project residents and visitors would utilize available nearby on-street loading spaces for passenger loading, or would arrange for drop-off/pick-up within the Project garage.

Freight/Service Vehicle Loading. The Project does not propose an off-street loading dock. Therefore, daily loading/service vehicle activities (such as FedEx trucks or goods for the PDR spaces) would need to be handled on-street. Given the Project's loading demand would be equal to less than one commercial loading space during the average and peak hours, and the existing availability of on-street loading spaces, it is anticipated that the Project's demand could be met within existing and proposed on-street loading spaces (eight along Mission Street, which were generally available during the weekday PM peak period, as observed on Thursday, April 7th, 2016, from 5:00 to 6:00 PM).

Trash/Recycling Pick-Up Operations. At this time, the operations of the trash and recycling pick-up have not yet been finalized. Based on preliminary information from conversations with Recology, and consistent with Recology's current collection practices, garbage and recycling trucks would conduct curbside pick-up. As currently proposed, trash and recycling storage would be provided in the garbage area, located in the garage on the ground floor of the Project. On collection days, building management would be responsible for bringing the trash and recycling bins curbside prior to pick-up and returning them immediately following collection. As currently proposed, Recology vehicles would have access to the curbside trash collection area from Mission Street. This curbside trash collection area would be adjacent to the red transit-only lane on southbound Mission Street. If nearby on-street parking spaces are not available, Recology vehicles may need to stop in the transit-only lane in order to conduct the pick-up, which would affect any transit vehicles in the lane during this brief period.

⁹ All proposed changes to the curb parking requirements will require approval from the SFMTA Board.

Since trash collection occurs two to three times a week and during the early morning (before 6 AM) and the potential blocking of the transit-only lane would only last a few minutes, the impact to the transit lane would be less-than-significant. Garbage storage and pick-up procedures would need to be confirmed with SFMTA and Recology prior to implementation.

Residential Move-In/Move-Out Operations. It is anticipated that residents would utilize available on-street parking or loading spaces for their move-in/move-out activities. Typically, these activities would occur during off-peak times, such as in the evenings and weekends, when there are lower traffic and pedestrian volumes on the roadway network. As such, residential move-in/move-out operations would not substantially affect conditions along Mission Street. All move-in/move-out activity would need to be scheduled and coordinated with building management. If curb parking becomes necessary for loading activities, building management would be required to reserve those spaces through the local station of the SF Police Department.

The Project's loading demand would be less than one commercial loading space during the average and peak hours and could be accommodated within the existing and proposed on-street commercial loading spaces, as described above. Thus, the Project's impacts on loading would be less than significant.

Emergency Vehicle Access Impacts

Emergency vehicle access to the Project site would be provided from Mission Street and Duboce Avenue/13th Street/Division Street. All streets that comprise the routes from the fire stations to the Project site are sufficiently wide enough to provide adequate emergency vehicle access. The Project does not propose modifications to the existing roadway network or major modifications (circulation patterns or design features) to Mission Street or Duboce Avenue that would preclude or otherwise alter access by emergency vehicles. Therefore, the Project would have a less-than-significant impact on emergency vehicle operations.

Construction Impacts

The construction plans have not yet been finalized. Based on preliminary information provided by the project sponsor, construction is expected to take 14 months, with phasing anticipated as follows:

1. Demolition (1 week)
2. Shoring and excavation (1 month)
3. Concrete (1 month)
4. Framing (4 months)
5. MEP (3 months)

6. Windows (1 month)

7. Finishing (4 months)

Prior to construction, as part of the construction application phase, the Project Sponsor and construction contractor(s) would be required to meet with Public Works and SFMTA staff to develop and review truck routing plans for demolition, disposal of excavated materials, materials delivery and storage, as well as staging for construction vehicles. The construction contractor would be required to meet the *City of San Francisco's Regulations for Working in San Francisco Streets* (the Blue Book)¹⁰, including those regarding sidewalk and lane closures, and would meet with SFMTA staff to determine if any special traffic permits would be required. In addition to the regulations in the Blue Book, the contractor would be responsible for complying with all city, state and federal codes, rules and regulations.

Staging would likely occur from the Project site and the adjacent Mission Street sidewalk. In addition, trucks may need to stop on Mission Street to perform construction activity, such as concrete pours. In order to minimize the impact to the red transit-only lane that is adjacent to the Project site on southbound Mission Street, the on-street parking in front of the Project site would likely be restricted to allow access for construction-related trucks. A portion of the sidewalk (which is approximately 13 feet wide) would be used for staging, and protection would be added above the remaining sidewalk to maintain safe pedestrian travel. The Project Sponsor may consider not allowing construction trucks to access the Project site during the weekday PM peak period to reduce the potential for conflict with buses. In general, lane and sidewalk closures are subject to review and approval by the SFMTA's Transportation Advisory Staff Committee (TASC) for permanent travel lane and sidewalk closures, and the Interdepartmental Staff Committee on Traffic and Transportation (ISCOTT) for temporary sidewalk and travel lane closures. Both TASC and ISCOTT are interdepartmental committees that include representatives from the Public Works, SFMTA, Police Department, Fire Department, and the Planning Department. Due to the relatively small size of the development and its mid-block location, the Project would have a less-than-significant impact due to construction activity.

CUMULATIVE CONDITIONS

SFMTA plans to implement transit and streetscape improvements under *Muni Forward*, as well as bicycle infrastructure improvements under the *Bike Plan*. Elements of both of these plans have already been implemented in the Project site vicinity, and the improved conditions as a result of these projects would be able to accommodate the future growth planned in the area, including the additional activity due to the Project. In a one-block area around the Project site, there are no

¹⁰ The *SFMTA Blue Book*, 8th Edition, is available online through the SFMTA website (www.sfmta.com)

planned large development projects¹¹. There are currently two active projects in the one-block area around the Project site, 1463 Stevenson Street (Planning Department Case No. 2014.0948) and 235 Valencia Street (Planning Department Case No. 2016-007877).

While these projects would add an additional 95 residents to the Project site vicinity, they are not anticipated to result in substantial impacts in combination with the Project due to the relatively small size of the developments. As a result, cumulative conditions near the Project site are anticipated to be similar to current conditions, with the addition of general background growth in the activity levels due to development outside of the study area.

The following are the potential future impacts of the Project under cumulative conditions:

VMT Impacts

Table 7 summarizes the cumulative average VMT per capita for residential and PDR uses in TAZ 236, the zone in which the Project site is located.

Table 7: Daily Vehicle Miles Traveled

| Land Use | Cumulative Year 2040 | | |
|--------------------------|----------------------|--|---|
| | Regional Average | Threshold (Regional Average Minus 15%) | Project Traffic Analysis Zone (TAZ 236) |
| Households (Residential) | 16.1 | 13.7 | 3.6 |
| Employment (Office) | 17.1 | 14.5 | 7.1 |

Source: SF Planning Department, sftransportationmap.org, 2016. KAI, 2017.
 The office category refers to all other employment other than retail.

As shown in Table 7, projected 2040 average daily VMT per capita for residential uses in TAZ 236 is 3.6 miles, which is 77 percent below the projected 2040 regional average daily VMT per capita of 16.1 miles. Projected average daily VMT per employee in TAZ 236 is 7.1 miles, which is 42 percent below the projected 2040 regional average daily VMT per employee of 14.6 miles.

The Project site is located in an area where average daily VMT per capita or and VMT per employee under cumulative 2040 conditions would be more than 15 percent below the regional average for these land uses. Therefore, the Project would thus meet the Map-Based screening criterion and the Project’s land uses would not contribute considerably to any substantial cumulative increase in VMT.

¹¹ San Francisco Permits in My Neighborhood Map. Map of planning applications, active and completed, compiled by the Planning Department. Online <http://sf-planning.org/active-permits-my-neighborhood>

Traffic Impacts

The Project would generate an estimated 15 new weekday PM peak hour vehicle trips. As discussed above, the project-generated vehicle trips could be accommodated within the existing transportation system without resulting in impacts to the roadway conditions. Under 2040 Cumulative conditions, there is not projected to be a substantial growth in traffic volumes or reduced roadway capacity in the future. As such, the Project would not be anticipated to have any additional significant traffic-related impacts under Cumulative conditions.

Transit Conditions

The Project would generate an estimated 20 new weekday PM peak hour transit trips. As described above, the Project site is in proximity to numerous Muni transit routes, including the 14/14R Mission, 22 Fillmore, 33 Ashbury/18th, 49 Van Ness/Mission, and 55 16th Street routes. The new Project trips would be dispersed across these routes. Furthermore, with the transit service improvements implemented under *Muni Forward*, the transit service frequency, transit service span, and the transit service vehicles have been improved to accommodate growth in future transit ridership along the Mission Street corridor. There are no other planned projects in the Project site vicinity that would reduce transit service or capacity. As such, the Project would not be anticipated to have any additional significant transit-related impacts under Cumulative conditions.

Pedestrian Conditions

The Project would add 30 new weekday PM peak hour pedestrian trips, which could be accommodated by existing sidewalks and crosswalks in the Project vicinity. In addition, with the streetscape improvements implemented under *Muni Forward*, the pedestrian conditions would be improved, which will help accommodate growth in future pedestrian volumes along the Mission Street corridor. There are no other planned projects in the Project site vicinity that would reduce pedestrian capacity or conditions. As such, the Project would not be anticipated to have any additional significant pedestrian-related impacts under Cumulative conditions.

Bicycle Conditions

While the bicycle infrastructure improvements under the *San Francisco Bicycle Plan* (the “*Bike Plan*”) in the Project site vicinity have already been implemented, the *Bike Plan* includes future projects in other areas around San Francisco that will expand the existing bicycle network, enabling more bicyclists to travel further and more safely on the streets of San Francisco, including bicyclists for the Project. The *Bike Plan* shows near-term bicycle improvement projects along Market Street between 11th Street and 17th Street, and along 17th Street generally between Market Street and Potrero Avenue. The *Bike Plan* also shows long-term bicycle improvement projects along Capp Street, between 15th Street and 26th Street, and along Shotwell Street between 14th Street and 26th Street.

The Project would only add a minimal number of bicycles to the network, and would thus not negatively impact the future bicycle network. There are no other planned projects in the Project site vicinity that would reduce bicycle infrastructure or capacity. As such, the Project would not be anticipated to have any additional significant bicycle-related impacts under Cumulative conditions.

Construction Conditions

The construction of the Project may overlap with the construction of other projects in the area, such as 1463 Stevenson Street and 235 Valencia Street. However, given the distance between these projects and their relative sizes, it is unlikely that the combined effect of construction activities would affect access, traffic, and pedestrians on streets used as access routes to and from the Project site (e.g., Mission Street and Duboce Avenue). Overall, localized cumulative construction-related transportation impacts could occur as a result of cumulative projects that generate increased traffic at the same time and on the same roads as the Project. The construction manager for each individual project would work with the City to develop a detailed and coordinated plan that would address construction vehicle routing, traffic control, and pedestrian and bicycle accommodation in the work zone for the duration of any overlap in construction activity.

The cumulative impacts of multiple nearby construction projects would not be considerable, as the construction of the Project and other projects would be temporary. Therefore, the Project, in combination with past, present, and reasonably foreseeable development, would have a less than significant transportation-related construction impact under Cumulative conditions.

Emergency Access Conditions

While there would be a general increase in vehicle traffic associated with planned and reasonably foreseeable development in the vicinity, all streets that comprise emergency access routes to the Project site are sufficiently wide enough to provide adequate emergency vehicles. The Project would not create potentially hazardous conditions for emergency vehicles, or otherwise interfere with emergency vehicle accessibility to the site and adjoining areas. Overall, the Project, in combination with past, present, and reasonably foreseeable development, would have a less than significant impact on emergency vehicle access under Cumulative conditions.

Vehicle Capacity and Loading Conditions

As mentioned above, there are no planned large developments in the area and the two small planned developments that are currently under review are not anticipated to result in substantial increases in vehicular activity in the vicinity of the Project site. In addition, there are no planned transportation projects in the study area that would reduce vehicular capacity or loading capacity on the roadway. As such, the Project would not be anticipated to have any additional significant vehicular-, or loading-related impacts under Cumulative conditions.

Overall, the Project, in combination with past, present, and foreseeable projects, would not result in a cumulatively considerable impact on transportation conditions.

SUMMARY AND RECOMMENDATIONS

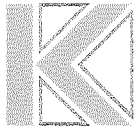
To identify the effect of the Project, qualitative assessments of Project-related impacts were conducted for pedestrians, bicyclists, transit, vehicles, parking, and loading. The Project is consistent with off-street vehicular parking, bicycle parking, and off-street loading *San Francisco Planning Code* requirements (see Appendix E), and would meet its requirements for the provision of TDM measures. The Project and the addition of Project-generated activities would not result in any significant impacts. Therefore, no mitigation measures would be required. In addition, considering known transportation network and development projects in the vicinity of the project site, the Project would not result in any significant impacts or cumulative considerable contributions to Cumulative conditions.

There are some design issues with respect to the configuration of the driveway in the Project garage that may result in vehicles queuing and blocking the sidewalk and/or the street, which may result in potential conflicts between vehicles, pedestrians, bicycles, and transit vehicles. To address these concerns, *Improvement Measure TR-1* and *Improvement Measure TR-2* have been identified:

- Improvement Measure TR-1: Queue Abatement (see Page 21)
- Improvement Measure TR-2: Warning System (see Page 22)

With the provision of these recommended measures, the effect of the Project on the surrounding transportation network would be minimized.

Appendix A
Scope of Work and Approval



FINAL SCOPE OF WORK

1726 Mission Street (2015-002026ENV) Transportation Circulation Memorandum

Kittelison & Associates, Inc. (KAI) is pleased to submit this Scope of Work for the transportation circulation memorandum for the proposed 1726 Mission Street (Case number 2015-002026ENV) project in San Francisco, California (herein referred to as the "Project"). As currently proposed, the Project would replace two existing buildings on the site consisting of approximately 8,000 square feet of storage and 2,000 square feet of office space, with a six-floor building of mixed-use development consisting of 36 dwelling units (12 1-bedroom and 24 2-bedroom) above approximately 1,000 square feet of commercial/retail space with 27 vehicle parking spaces, 36 class 1 bicycle parking spaces, and four class 2 bicycle parking spaces for the residential land uses. The project site is located within the Eastern Neighborhoods Area Plans, for which the Eastern Neighborhoods Area Plans EIR (herein referred to as the "EN EIR") was adopted in 2008.

This transportation circulation memorandum will be a stand-alone document that includes the analysis, assumptions and other technical elements that can be used to complete the environmental review for this Project.

The following scope of work has been developed based on the San Francisco Planning Department guidelines for the environmental review of projects within the City (primarily the Planning Department's *Transportation Impact Analysis Guidelines for Environmental Review*, published in October 2002, and our experience with similar projects.

TASK 1: PROJECT DESCRIPTION

KAI will describe the Project in a Project Description section. This section will include a summary of the existing uses at the Project site, as well as the surrounding uses in the vicinity of the Project. It will also describe the proposed Project, include its land uses, and provision of on-site vehicular parking, bicycle parking and loading facilities. A site plan will be provided that clearly indicates the location and associated dimensions of the Project pedestrian, bicycle, and vehicular access points, as well as the location of any off-street parking spaces for vehicles and bicycles, on-street loading spaces, and garbage/trash facilities.

TASK 2: EXISTING CONDITIONS

KAI will describe the existing conditions in the immediate vicinity of the Project site, including descriptions of the nearby pedestrian, bicycle, roadway, and transit networks, documentation of the existing pedestrian, bicycle, traffic, transit, loading, and emergency vehicle access conditions, and connections to the local and regional roadway networks. This will also include a map of the transportation facilities adjacent to the Project site.

Pedestrian Access: KAI will observe and document general pedestrian conditions in the vicinity of the Project site. Pedestrian conditions will be described as they relate to the area, including safety and right-of-way issues, as well as access to transit.

Bicycle Access and Parking: KAI will observe and document general bicyclist conditions in the vicinity of the Project site, including on-street bicycle facilities and any local bicycle parking. Bicyclist conditions will be described as they relate to the area, including safety and right-of-way issues. In addition, existing and potential new bicycle facilities (from the SF Bicycle Plan) will be noted.

Traffic and vehicle access: KAI will qualitatively describe existing traffic and circulation conditions in the immediate vicinity of the Project site. This will include descriptions of regional and local access routes (including nearby freeway on- and off-ramps), and safety and right-of-way issues.

Transit: KAI will observe and document adjacent existing transit facilities, including nearby transit routes and stops (including all commuter rail, light rail, and bus services) with a quarter-mile of the Project site. Qualitative transit information will include a description of Muni's peak periods, and nearest stop locations.

Loading: KAI will observe and document the current on-street loading spaces provided in the immediate vicinity of the Project site.

Emergency Vehicle Access: KAI will qualitatively describe emergency vehicle access to the Project site.

TASK 3: PROJECT TRAVEL DEMAND ESTIMATES

The net-new travel demand for the Project will be estimated, which will account for the displacement of the current uses on the Project site.

SF Guidelines Trip Generation/Distribution/Mode Split: KAI will estimate the number of weekday daily and PM peak hour trips generated by the Project, followed by trip distribution by mode and by origin/destination. The trip generation, mode split and distribution of the Project trips will be based on data from the *SF Guidelines* and the U.S. Census journey-to-work data.

Trip Credits for Existing Uses: The Project would displace an existing use on the site. To account for the elimination of this land use, KAI will collect weekday PM peak hour (4:00 PM to 6:00 PM) doorway counts at the building access points. The observed activity levels would be applied to determine the net travel demand of the Project.

Net New Trips: Incorporating the data, analysis and conclusions from the above tasks, KAI will estimate the net new trips anticipated to be generated by the Project.

Loading Demand: KAI will estimate the daily, average, and peak hour loading demand for the Project. The loading demand will be based on data from the *SF Guidelines*.

TASK 4: TRANSPORTATION ANALYSIS

The Project will be reviewed for implications to access, connectivity, circulation, traffic management, and safety. Based on a review of the proposed site plan and observations conducted at the site, KAI will qualitatively assess site access and circulation (for all modes), and identify impacts, as needed. Cumulative impacts will be discussed qualitatively, relative to the findings in the EN EIR.

Pedestrian Access: KAI will qualitatively assess the effect of the Project on pedestrian conditions in and around the Project site, including the number of new pedestrian trips that could be added to the existing network. The adequacy of pedestrian connections to nearby transit stops will be determined qualitatively, and potential pedestrian safety issues will be identified. This assessment will primarily focus on issues at potential conflict locations (e.g., proposed curb cut for new access to parking garage).

Bicycle Access and Parking: KAI will qualitatively assess the effect of the Project on bicycle conditions in and around the Project site, including the number of new bicycle trips that could be added to the existing network. The adequacy of bicycle connections to proposed bicycle parking facilities and nearby bicycle routes will be determined qualitatively, and potential bicycle safety issues will be identified. In addition, the City of San Francisco *Planning Code* requirements for bicycle parking will be identified and compared to the proposed supply.

Traffic and Vehicular Access: As currently proposed, the Project would include 27 vehicle parking spaces in the form of triple stackers for the proposed residential use and would not provide any parking spaces for the proposed commercial use. This assessment will primarily focus on issues at potential conflict locations (e.g., proposed curb cut and pedestrians traveling along Mission Street), internal site circulation within the parking garage (e.g., queuing for the stacked spaces and width of the driveway), and vehicle access to the site, given proximity to the freeway and its right-in/right-out only access along Mission Street due to the raised median on Mission Street. This assessment will also include a qualitative review of conditions in the future, based on the 2030 Cumulative analysis in the EN EIR.

Transit Operations: As the Project is located on a high-frequency transit corridor, KAI will qualitatively assess the effect of the Project on bus operations, such as the potential for queuing vehicles at the driveway to interfere with transit operations along Mission Street. KAI will also identify potential conflicts with vehicles entering and exiting the project site. In addition, proposed changes under Muni Forward or other transit programs/plans will be assessed in the context of the Project, and will also account for other changes to the transit network documented in the 2030 Cumulative conditions from the EN EIR.

Loading Access, Trash/Recycling Collection, and Move-in/Move-out: As currently proposed, the Project would not include an off-street loading dock; as such, all loading activities would need to occur on-street. KAI will describe and qualitatively assess access to existing nearby on-street loading spaces for commercial and residential passenger loading. Additionally, KAI will describe anticipated trash/recycling collection procedures and residential move-in/move-out activities. If needed, KAI will identify any on-street loading spaces that should be incorporated into the Project description. It should be noted that any loss of on-street parking due to provision of one on-street loading space would likely be offset by the elimination of existing curb-cut which could be converted to one on-street parking space.

Emergency Vehicle Access: KAI will qualitatively assess emergency vehicle access to the Project site. This evaluation will identify potential on-site emergency vehicle access conflicts and overall accessibility to the Project site.

Construction Impacts: KAI will qualitatively evaluate potential short-term construction impacts that would be generated as part of the buildout of the Project, such as any temporary street closures or modifications to Muni bus facilities or operations.

TASK 5: RELATED PLANS (EASTERN NEIGHBORHOODS AND MUNI FORWARD)

KAI will provide a brief description of the Eastern Neighborhoods Area Plan and describe the consistency of the Project with the EN EIR. KAI will also compare the impacts and findings of significance of this study with the findings from the EN EIR for 1726 Mission Street for each mode of travel. If the impacts and findings of significance for the Project are found to be in excess of those identified in the EN EIR, further analysis may be needed per the environmental review required by the Community Plan Exemption process (Section 15183 of California Environmental Quality Act [CEQA]).

KAI will also describe completed and/or planned improvements under the EN EIR, as well as the status of the ongoing Muni Forward and Bicycle Plan projects identified in the vicinity of the Project.

TASK 6: MITIGATION MEASURES AND IMPROVEMENT MEASURES

KAI will identify project-generated impacts to the transportation network under the Existing plus Project and 2030 Cumulative scenarios. Mitigation measures, as developed in the EN EIR, will be applied to improve operations where significant project-related impacts have been identified, and improvement measures, also from the EN EIR, will be applied where non-significant impacts have been identified. All mitigation and improvement measures will be linked back to the EN EIR, as appropriate. Any new Project-specific mitigation and/or improvement measures will be noted.

TASK 7: SUMMARY/CONCLUSIONS

KAI will present the summary and conclusions in a Draft Transportation Circulation Memorandum, incorporating the data, analysis and conclusions from the above tasks. This memorandum will be submitted to the San Francisco Planning Department for review by the appropriate agencies (Planning Department and MTA). KAI will incorporate comments and prepare a Second Draft Transportation Circulation Memorandum. The San Francisco Planning Department will perform a second review of the memorandum and provide additional comments, if needed. KAI will incorporate the second round of comments and prepare a Screencheck Final Transportation Circulation Memorandum, and then will submit a Final Transportation Circulation Memorandum for the City's approval. This memorandum will be submitted in electronic format (PDF and WORD formats).

ANTICIPATED SCHEDULE

The delivery of the Technical Memorandum will follow the schedule outlined below:

| Task | Month (week ending date) | | | | | | | | | | | | | | | | | | | |
|----------------------------|--------------------------|---|----|----|----|-----|----|----|----|---|------|----|----|---|------|----|----|----|-----|--|
| | April | | | | | May | | | | | June | | | | July | | | | Aug | |
| | 1 | 8 | 15 | 22 | 29 | 6 | 13 | 20 | 27 | 3 | 10 | 17 | 24 | 1 | 8 | 15 | 22 | 29 | 5 | |
| City Approval of Final SOW | ⊗ | | | | | | | | | | | | | | | | | | | |
| Technical Analysis | | | | | | | | | | | | | | | | | | | | |
| Preparation of Draft Memo | | | | | | ⊗ | | | | | | | | | | | | | | |
| City Review and Comments | | | | | | | | | | | | | | | | | | | | |
| Second Draft Memo | | | | | | | | | | | | | ⊗ | | | | | | | |
| City Review | | | | | | | | | | | | | | | | | | | | |
| Screencheck Final | | | | | | | | | | | | | | | | | | ⊗ | | |
| City Review | | | | | | | | | | | | | | | | | | | | |
| Final Memo Approval | | | | | | | | | | | | | | | | | | | ⊗ | |

Notes:

This schedule includes the following assumptions:

- No changes to the Project description are made.
- Six week review period for the Draft Memorandum, three week review period for Second Draft, and two week review period for the Screencheck.
- No substantive re-analysis is needed for the Second Draft or Final Memorandum.

KAI task
 City task
⊗ Milestone/deliverable



SAN FRANCISCO PLANNING DEPARTMENT

TRANSPORTATION STUDY SCOPE OF WORK *ACKNOWLEDGEMENT AND APPROVAL*

1650 Mission St.
Suite 400
San Francisco,
CA 94103-2479

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

Date: April, 2016

Transmittal To: KAI

The proposed scope of work for 1726 Mission Street (2015-002026ENV) Transportation Circulation Memorandum dated April 1, 2016 is hereby

- Approved as submitted
- Approved as revised and resubmitted
- Approved subject to comments below
- Not approved, pending modifications specified below and resubmitted

Signed: *Walter Kras* *Michael Li*
 Transportation Planner Environmental Review Planner

Note: A copy of this approval and the final scope of work are to be appended to the transportation study. The Department advises consultants and project sponsors that review of the draft transportation report may identify issues or concerns of other City agencies not addressed in the scope of work hereby approved, and that the scope of work may need to be modified to accommodate such additional issues.

Appendix B
Project Plans

SHEET INDEX

| | | |
|--------|---------------------|----------------|
| A-0.0 | TITLE SHEET | SCALE AS NOTED |
| A-0.1 | PROJECT DATA | NTS |
| A-0.2A | EXISTING SITE PLAN | SCALE AS NOTED |
| A-0.2B | PROJECT SITE PLAN | SCALE AS NOTED |
| A-0.3 | YARD ANALYSIS | SCALE AS NOTED |
| A-0.4A | STREET ELEVATION | NTS |
| A-0.4B | STREET VIEWS | NTS |
| A-0.4C | STREET VIEWS | NTS |
| A-0.5A | STREET PERSPECTIVE | NTS |
| A-1.1 | FLOOR PLAN | SCALE AS NOTED |
| A-1.2 | FLOOR PLAN | SCALE AS NOTED |
| A-1.3 | FLOOR PLAN | SCALE AS NOTED |
| A-1.4 | FLOOR PLAN | SCALE AS NOTED |
| A-2.1 | SECTION | SCALE AS NOTED |
| A-3.1 | ELEVATION | SCALE AS NOTED |
| A-3.2 | ELEVATION | SCALE AS NOTED |
| A-3.3 | ELEVATION | SCALE AS NOTED |
| A-3.4 | ELEVATION | SCALE AS NOTED |
| A-5.2 | WALL SECTION | SCALE AS NOTED |
| D-1.1 | EXISTING FLOOR PLAN | SCALE AS NOTED |
| D-1.2 | EXISTING FLOOR PLAN | SCALE AS NOTED |

PROJECT DESCRIPTION

DEMOLISH EXISTING TWO-STORY BUILDING, CONSTRUCT A 6-STORY, 156 FOOT TALL MIXED-USE BUILDING CONSISTING OF GROUND FLOOR PDR, AND AT GRADE 22 CAR PARKING GARAGE. THERE WILL BE 40 DWELLING UNITS LOCATED ON 5 STORIES ABOVE THE GROUND FLOOR. TOTAL FAR IS 33,893 SF. THE PROJECT PROPOSES 2,250 SF PDR.

PROJECT DATA

| | |
|---------------------|--|
| PROJECT SITE | 1726 MISSION STREET |
| CROSS STREETS | 14TH STREET |
| ASSESSOR'S PARCEL # | 3232 / 4A AND 5 |
| ZONING | UMU |
| OCCUPANCY TYPE | S-2, R-2, M (PDR) |
| CONSTRUCTION TYPE | TYPE IIIA |
| LOT SIZE | 7,800 SQ FT |
| HEIGHT | 65'0" TO ROOFLINE |
| HOUSING UNITS | 40 (50% 2BD) |
| PARKING STALLS | 22 STALLS AT GRADE PARKING |
| BIKE STALLS | RESIDENTIAL=62 CLASS 1 STALLS, 8 CLASS 2 STALLS (3 RED) |

GROSS BUILDING AREA CALCULATION (NCR W/ SPRINKLER) :

| OCCUPANCY | PROPOSED |
|--------------|-----------|
| GF | 4,261 SF |
| 2F | 27,145 SF |
| N (PDR) | 2,250 SF |
| MISC (LOBBY) | 2,217 SF |
| TOTAL | 35,873 SF |

MAP



PERSPECTIVES



DIRECTORY

| | | |
|------------|---|-----------|
| ARCHITECT: | NATIMA ARCHITECTS, INC. 1022 NATOMA STREET #3 SAN FRANCISCO, CA 94103 P: 415.626.8377 x112 F: 415.626.8576 nkaye@natimaitz.com | NEIL KAYE |
|------------|---|-----------|

REVISIONS

| NO. | DESCRIPTION |
|-----|-------------|
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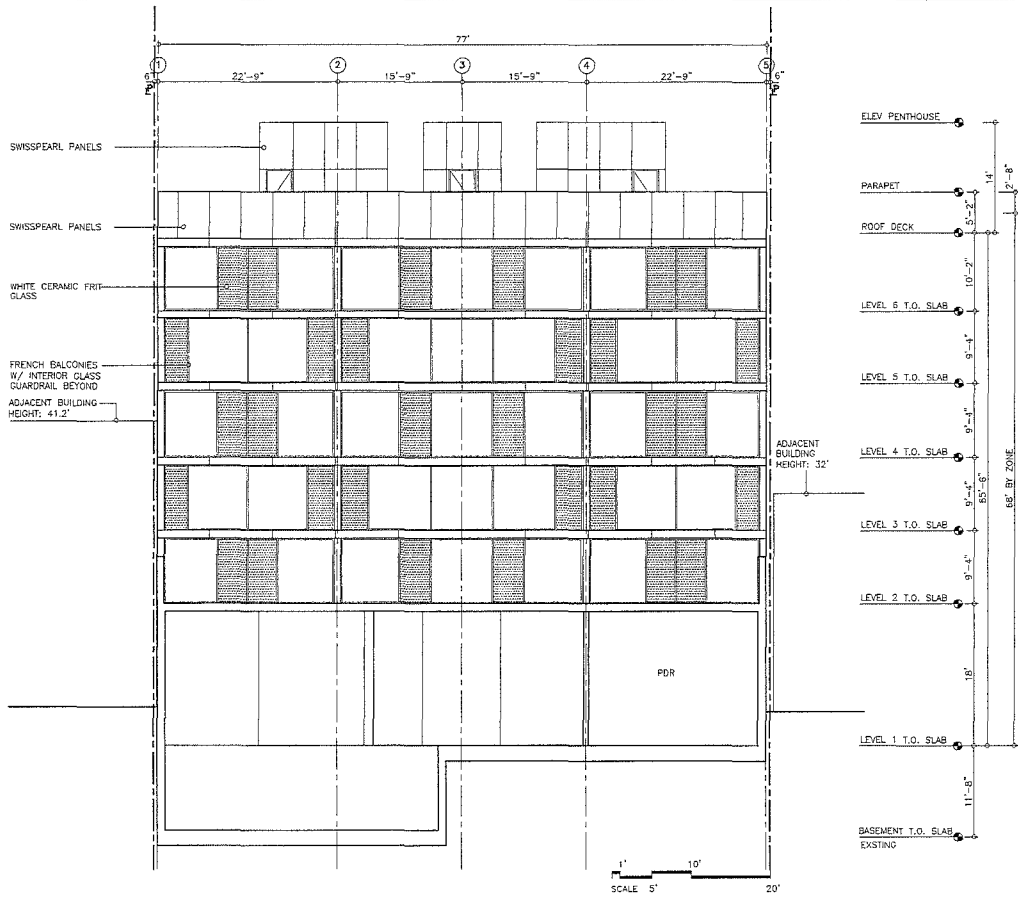
DATE: 12-09-2016
BY: J. SULLIVAN DEVELOPMENT
SAN FRANCISCO, CA 94103

PROJECT ARCHITECT:
NATIMA ARCHITECTS, INC.
1022 NATOMA STREET #3
SAN FRANCISCO, CA 94103
P: 415.626.8377 x112
F: 415.626.8576
nkaye@natimaitz.com

1726 MISSION
 1726 MISSION STR, SAN FRANCISCO, CA

TITLE SHEET

| | |
|-------------|------------|
| SCH: | PLANNING |
| DATE: | 12-09-2016 |
| SCALE: | NTS |
| DRAWN: | ZDWA |
| CHECKED BY: | |
| SHEET NO.: | A0.0 |



WEST ELEVATION 1

| NO. | DESCRIPTION | DATE |
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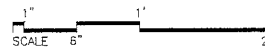
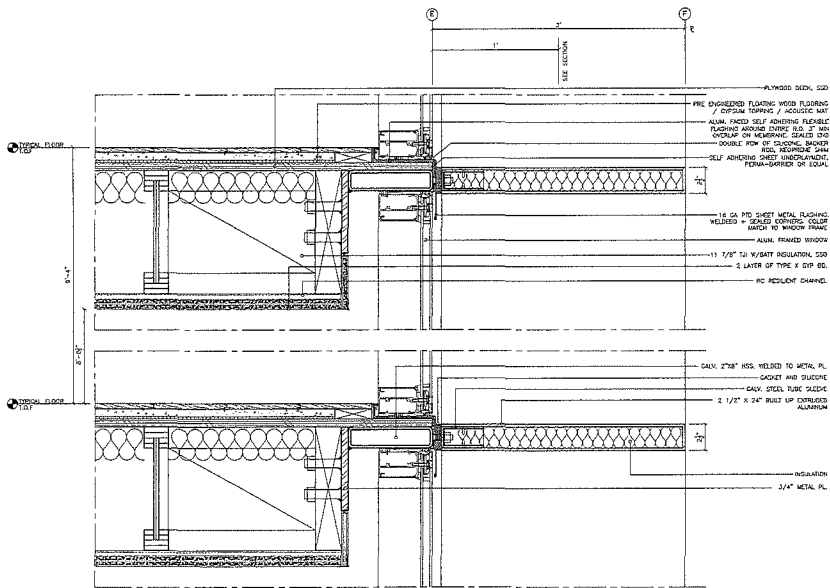
OWNER
 CITY OF SAN FRANCISCO
 DEPARTMENT OF PUBLIC WORKS
 SAN FRANCISCO, CA 94102

ARCHITECT
 SHAW-WOODS ARCHITECTS INC.
 100 CALIFORNIA STREET, SUITE 200
 SAN FRANCISCO, CA 94102
 TEL: 415.398.1234 FAX: 415.398.1235

1726 MISSION
 1726 MISSION STR, SAN FRANCISCO, CA

TITLE
ELEVATION

SET: PLANNING
 DATE: 10-09-2016
 SCALE: 1/8" = 1'-0"
 DRAWN: [Name]
 SHEET NO:
A3.3



TYPICAL ACOUSTIC SUNSHADE DETAIL 1

| NO. | REVISIONS |
|-----|-----------|
| | |
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| | |

OWNER
 15 SILVERMAN DEVELOPMENT
 SAN FRANCISCO, CA 94111

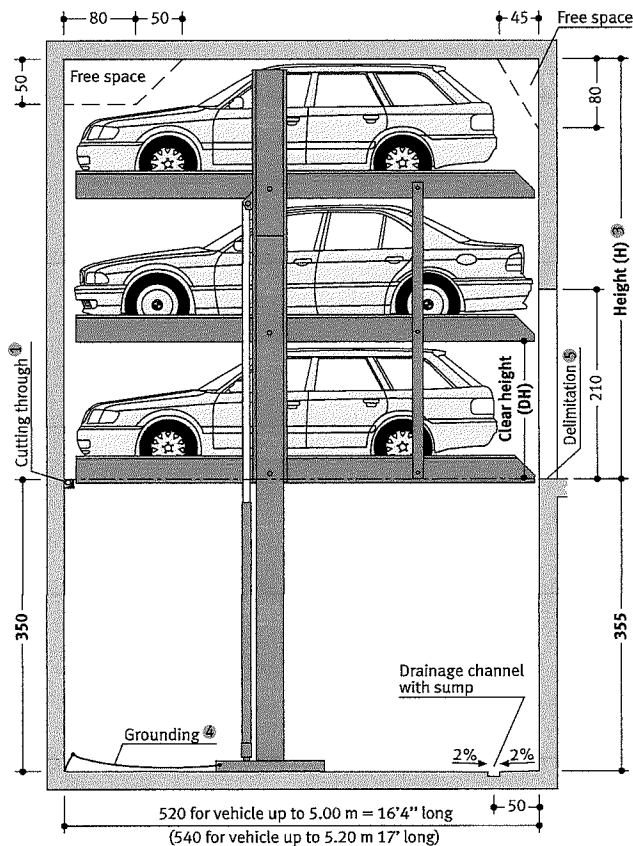
ARCHITECT
 STRANET ARCHITECTS
 NATIONAL ARCHITECTS INC.
 1070 MARKET ST.
 10TH FLOOR
 SAN FRANCISCO, CA 94102

1726 MISSION
 1726 MISSION STR., SAN FRANCISCO, CA

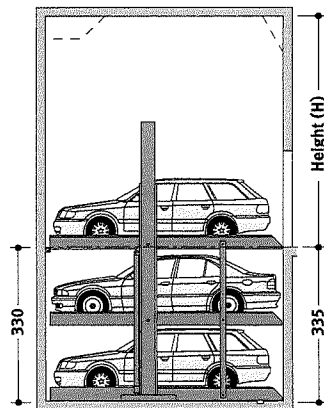
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|-----------|-----------------|
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| DCY | PLANNING |
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| DRAWN | 3/20/17 |
| CHECKED | 3/20/17 |
| SHEET NO. | A5.1 |

- Page 1
Section
Dimensions
Car data
- Page 2
Width
dimensions
- Page 3
Approach
Load plan
Installation
- Page 4
Electrical
installation
Technical
data
- Page 5
To be per-
formed by the
customer
Description

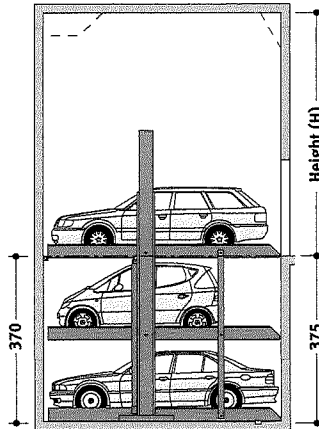
Standard Type G63-350



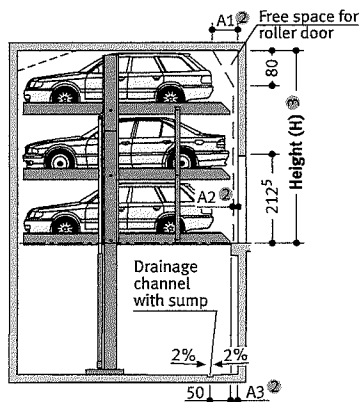
Compact Type G63-330



Exklusive Type G63-370



Garage with door in front of the car parking system



Notes

- 1 For dividing walls: cutting through 10 x 10 cm (for pipes).
- 2 Dimensions A1, A2 and A3 must be coordinated with the door supplier.
- 3 If the total height is greater, the max. vehicle height for the upper parking space increases accordingly.
- 4 Potential equalization from foundation grounding connection to system (provided by the customer).
- 5 In compliance with DIN EN 14 010, 10 cm wide yellow-black markings compliant to ISO 3864 must be applied by the customer to the edge of the pit in the entry area (see «load plan» page 3).
- 6 Load increase possible only for EB against surcharge.

Product Data Stack Parker G63



Dimensions:

All space requirements are minimum finished dimensions. Tolerances for space requirements $+3_0$. Dimensions in cm.

EB (single platform) = 3 vehicles
DB (double platform) = 6 vehicles

| Typ | H | DH** |
|----------|-----|------|
| G63-330 | 480 | 155 |
| G63-350* | 510 | 165 |
| G63-370 | 540 | 175 |

* = Standard Type ** = without car

Suitable for:

Standard passenger car and station wagon.
Height and length according to contour.

| Type | H | car height | | |
|----------|-----|------------|--------|-------|
| | | upper | middle | lower |
| G63-330 | 480 | 150 | | |
| G63-350* | 510 | 160 | | |
| G63-370 | 540 | 170 | | |

* = Standard Type

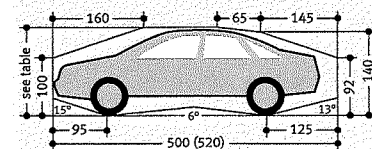
width 1.90 m

weight max. 2000 kg***

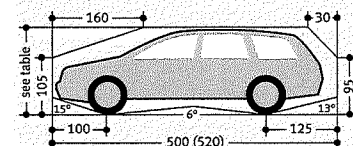
wheel load max. 500 kg***

*** = Special design: EB max. 2500 kg/wheel load max. 625 kg

Standard passenger car



Standard station wagon



Standard passenger cars are vehicles without any sports options such as spoilers, low-profile tyres etc.



Klaus Multiparking GmbH
Hermann-Krum-Straße 2
D-88319 Aitrach

Phone +49-75 65-5 08-0

Fax +49-75 65-5 08-88

E-Mail info@multiparking.com

Page 1
Section
Dimensions
Car data

Page 2
Width
dimensions

Page 3
Approach
Load plan
Installation

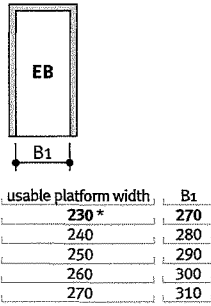
Page 4
Electrical
installation
Technical
data

Page 5
To be performed
by the customer
Description

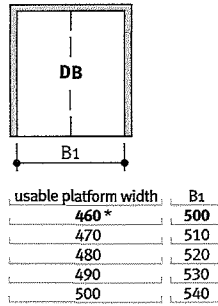
Width for basement garage

Dividing walls

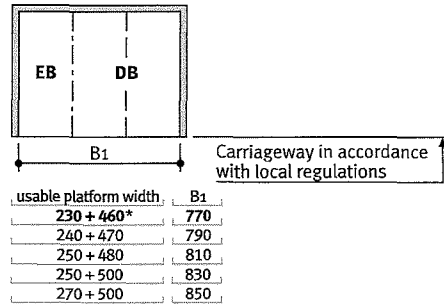
Single Platform (EB)



Double Platform (DB)

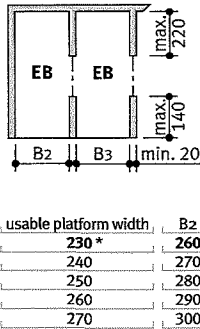


Single and Double Platform (EB + DB) – Example

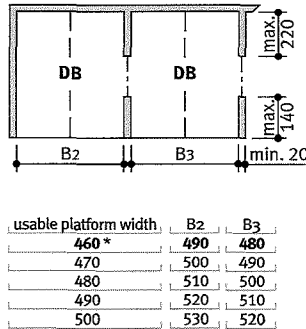


Columns in pit

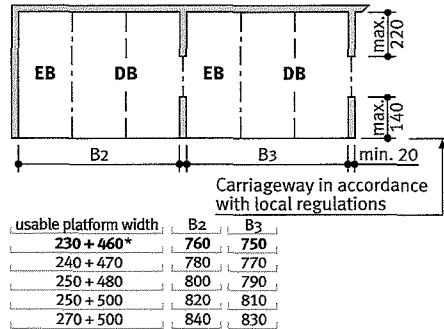
Single Platform (EB)



Double Platform (DB)

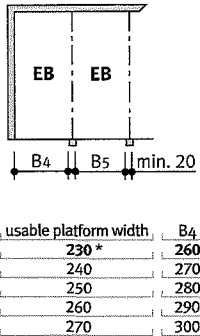


Single and Double Platform (EB + DB) – Example

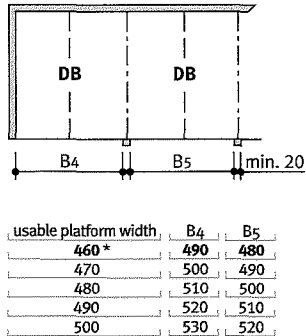


Columns outside pit

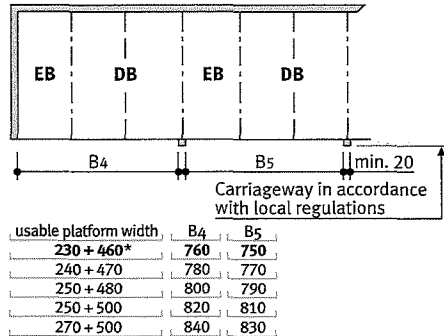
Single Platform (EB)



Double Platform (DB)

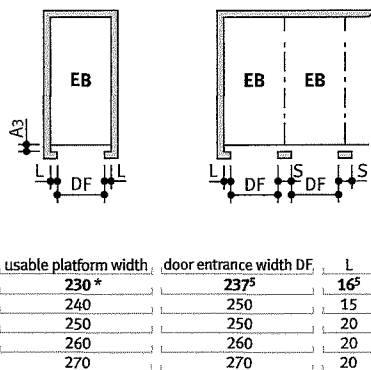


Single and Double Platform (EB + DB)



Widths for garage with door in front of car parking system

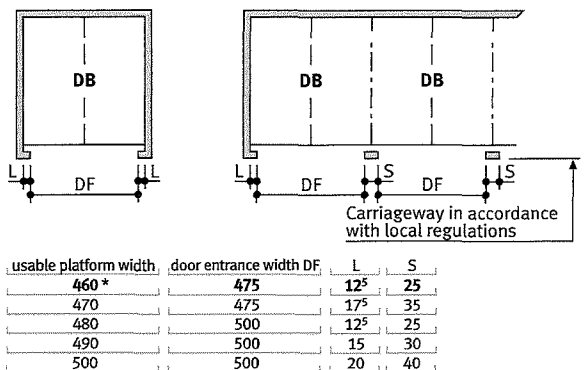
Single platform (EB)



A3 = seat-engaging surface (dimensions require coordination with door supplier).

Allround door dimensions require coordination between door supplier and local agency of Klaus Multiparking.

Double platform (DB)



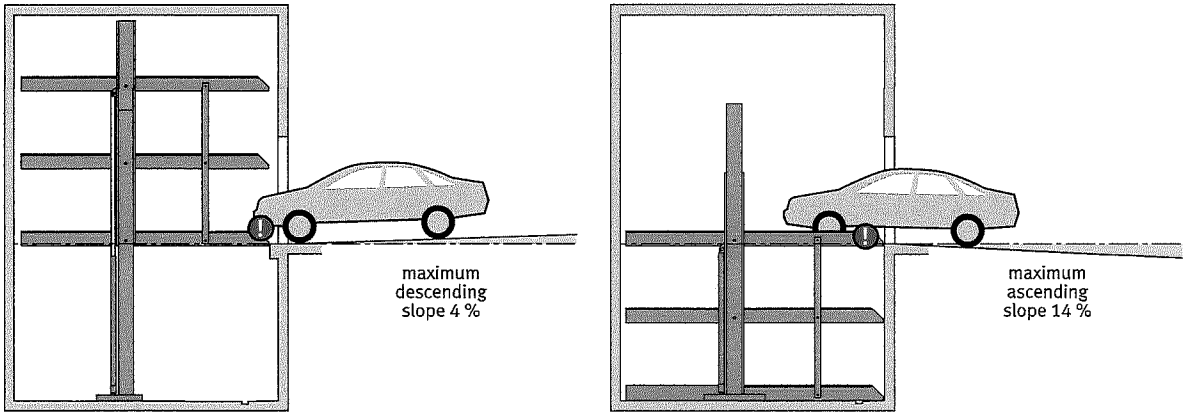
* = standard width (parking space width 2.30 m)

Please note:

End parking spaces are generally more difficult to drive into. Therefore we recommended for end parking spaces our wider platforms. For the greatest possible ease-of-use, we recommend platform widths of 250 to 270 (EB) or 500 (DB). Parking on standard width platforms with larger vehicles may make getting into and out of the vehicle difficult. This depends on type

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Section
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- Page 2
Width
dimensions
- Page 3
Approach
Load plan
Installation
- Page 4
Electrical
installation
Technical
data
- Page 5
To be performed by the customer
Description

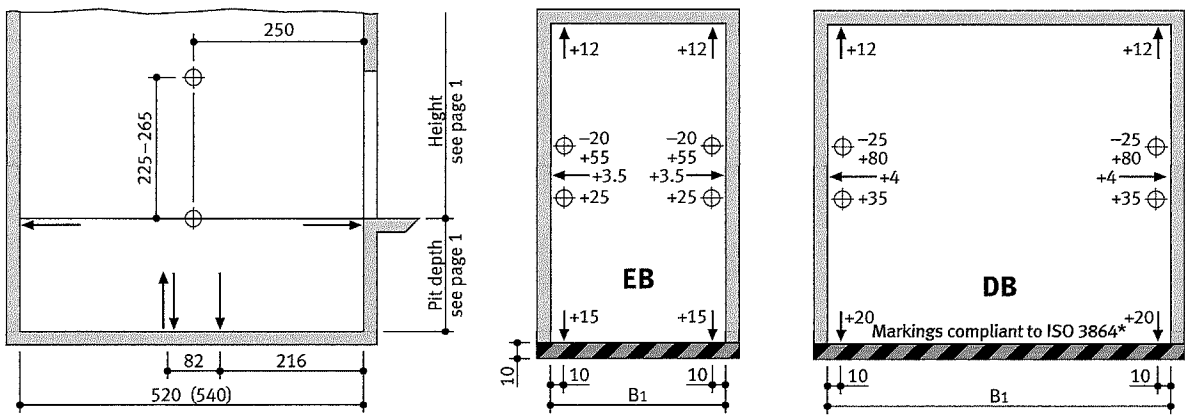
Approach



! The illustrated maximum approach angles must not be exceeded. Incorrect approach angles will cause serious manoeuvring & positioning problems on the parking system for which the local agency of Klaus accepts no responsibility.

Load plan

Forces in kN

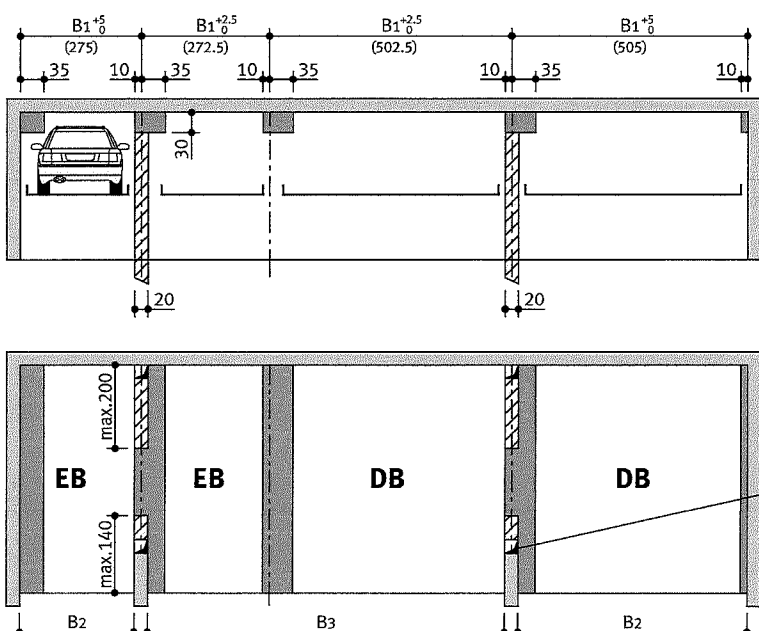


! Units are dowelled to the floor. Drilling depth: approx. 15 cm.
Floor and walls below the drive-in level are to be made of concrete (quality minimum C20/25)!

* = Colors used in this illustration are not ISO 3864 compliant

Installation data

Free space for longitudinal and vertical ducts (e.g. ventilation)



B₁, B₂, B₃ = (see table on page 2)

Free space for vertical pipelines, ventilation branch canals

Free space for horizontal ducting

Approach level

Free space only applicable if vehicle is parked forwards = FRONT FIRST and driver's door on the left side.

() = Dimensions in brackets illustrate an example for usable platform width 230/460 cm.

Example for ventilation branch canal and/or vertical pipelines.

Page 1
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Dimensions
Car data

Page 2
Width
dimensions

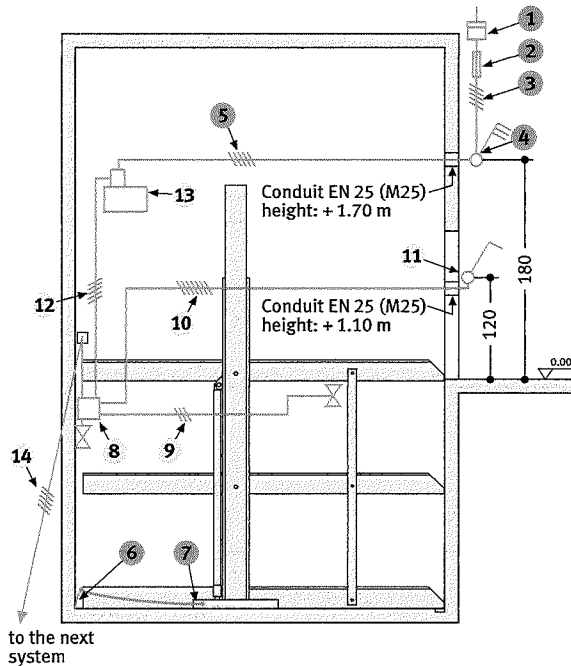
Page 3
Approach
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Installation

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installation
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Page 5
To be performed
by the customer
Description

Electrical installation

Installation diagram



Electrical data (to be performed by the customer)

| No. | Quantity | Description | Position | Frequency |
|-----|------------|---|--------------------------------|--------------|
| 1 | 1 | Electricity meter | in the supply line | |
| 2 | 1 | Main fuse: 3 x fuse 20 A (slow) or circuit breaker 3 x 20 A (trigger characteristic K or C) | in the supply line | 1 per unit |
| 3 | 1 | Supply line 5 x 2.5 mm ² (3 PH + N + PE) with marked wire and protective conductor | to main switch | 1 per unit |
| 4 | 1 | Lockable main switch | defined at the plan evaluation | 1 per unit |
| 5 | 1 | Supply line 5 x 2.5 mm ² (3 PH + N + PE) with marked wire and protective conductor | from main switch to unit | 1 per unit |
| 6 | every 10 m | Foundation earth connector | corner pit floor | |
| 7 | 1 | Equipotential bonding in accordance with DIN EN 60204 from foundation earth connector to the system | | 1 per system |

Electrical data (included in delivery of Klaus Multiparking)

| No. | Description |
|-----|--|
| 8 | Terminal box |
| 9 | Control line 3 x 0.75 mm ² (PH + N + PE) |
| 10 | Control line 7 x 1.5 mm ² with marked wire and protective conductor |
| 11 | Operating device |
| 12 | Control line 5 x 1.5 mm ² with marked wire and protective conductor |
| 13 | Hydraulic unit 5.2 kW, three-phase current, 400 V / 50 Hz |
| 14 | Control line 5 x 1.5 mm ² with marked wire and protective conductor |

Technical data

Range of application

Generally, this parking system is not suited for short-time parkers (temporary parkers). Please do not hesitate to contact your local KLAUS agency for further assistance.

Units

Low-noise power units mounted to rubber-bonded-to metal mountings are installed. Nevertheless we recommend that parking system's garage be built separately from the dwelling.

Available documents

- wall recess plans
- maintenance offer/contract
- declaration of conformity
- test sheet on airborne and slid-borne sound

Corrosion protection

See separate sheet regarding corrosion protection.

Railings

If the permissible drop opening is exceeded, railings are to be mounted on the systems. If there are traffic routes next to or behind the installations, railings compliant to DIN EN ISO 13857 must be installed by the customer. Railings must also be in place during construction.

Environmental conditions

Environmental conditions for the area of multiparking systems: Temperature range -10 to +40 °C. Relative humidity 50 % at a maximum outside temperature of +40 °C. If lifting or lowering times are specified, they refer to an environmental temperature of +10 °C and with the system set up directly next to the hydraulic unit. At lower temperatures or with longer hydraulic lines, these times increase.

Sound insulation

According to DIN 4109 (Sound insulation in buildings), para. 4, annotation 4, Klaus Multiparkings are part of the building services (garage systems).

Normal sound insulation:

DIN 4109, para. 4, Sound insulation against noises from building services.

Table 4 in para. 4.1 contains the permissible sound level values emitted from building services for personal living and working areas. According to line 2 the maximum sound level in personal living and working areas must not exceed 30 dB (A). *Noises created by users are not subject to the requirements (see table 4, DIN 4109).*

The following measures are to be taken to comply with this value:

- Sound protection package according to offer/order (Klaus Multiparking GmbH)
- Minimum sound insulation of building $R'_w = 57$ dB (to be provided by customer)

Increased sound insulation (special agreement):

DIN 4109, Amendment 2, Information on planning and execution, proposals for increased sound insulation.

Agreement: Maximum sound level in personal living and working areas 25 dB (A). *Noises created by users are not subject to the requirements (see table 4, DIN 4109).*

The following measures are to be taken to comply with this value:

- Sound protection package according to offer/order (Klaus Multiparking GmbH)
- Minimum sound insulation of building $R'_w = 62$ dB (to be provided by customer)

Note: User noises are noises created by individual users in our Multiparking systems. These can be noises from accessing the platforms, slamming of vehicle doors, motor and brake noises.

| | |
|------------|--|
| Page 1 | Section |
| Dimensions | Car data |
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| Page 3 | Approach Load plan Installation |
| Page 4 | Electrical installation Technical data |
| Page 5 | To be performed by the customer Description |

To be performed by the customer

Safety fences

Any constraints that may be necessary according to DIN EN ISO 13857 in order to provide protection for the park pits for pathways directly in front, next to or behind the unit. This is also valid during construction. Railings for the system are included in the series delivery when necessary.

Numbering of parking spaces

Consecutive numbering of parking spaces.

Building services

Lighting, ventilation, fire extinguishing and fire alarm systems.

Drainage

For the front area of the pit we recommend a drainage channel, which you connect to a floor drain system or sump (50 x 50 x 20 cm). The drainage channel may be inclined to the side, however not the pit floor itself (longitudinal incline is available). For reasons of environmental protection we recommend to paint the pit floor, and to provide oil and petrol separators in the connections to the public sewage network.

Strip footings

If due to structural conditions strip footings must be effected, the customer shall provide an accessible platform reaching to the top of the said strip footings to enable and facilitate themounting work.

Marking

According to DIN EN 14 010, a warning that identifies this danger area must be placed in the entrance area that conforms to ISO 3864. This must be done according to EN 92/58/EWG for systems with a pit (platforms within the pit) 10 cm from the edge of the pit.

Wall cuttings

Any necessary wall cuttings according to page 1.

Electrical supply to the main switch / Foundation earth connector

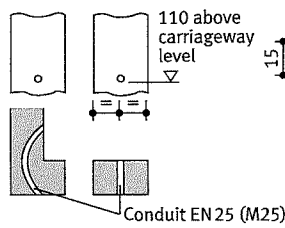
Suitable electrical supply to the main switch and the control wire line must be provided by the customer during installation. The functionality can be monitored on site by our fitters together with the electrician. If this cannot be done during installation for some reason for which the customer is responsible, the customer must commission an electrician at their own expense and risk.

In accordance with DIN EN 60204 (Safety of Machinery, Electrical Equipment), grounding of the steel structure is necessary, provided by the customer (distance between grounding max. 10 m).

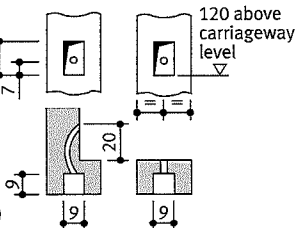
Operating device

Cable conduits and recesses for operating device (for double wing doors: please contact the local agency of Klaus Multiparking).

Operating device exposed



Operating device concealed



If the following are not included in the quotation, they will also have to be provided / paid for by the customer:

- Mounting of contactor and terminal box to the wall valve, complete wiring of all elements in accordance with the circuit diagram
- Costs for final technical approval by an authorized body
- Main switch
- Control line from main switch to hydraulic unit

Description Single platform (EB) and Double platform (DB)

General description

Multiparking system providing independent parking spaces for 3 cars (EB), 2 x 3 cars (DB), one on top of the other each.

Dimensions are in accordance with the underlying dimensions of parking pit, height and width

The parking bays are accessed horizontally (installation deviation $\pm 1\%$).

Vehicles are positioned on each parking space using wheel stops on the right side (adjust according to operating instructions).

Operation via operating device with hold-to-run-device using master keys.

The operating elements are usually mounted either in front of the column or on the outside of the door frame

Operating instructions are attached to each operator's stand.

For garages with doors at the front of the parking system the special dimensional requirements have to be taken into account.

Multiparking system consisting of:

- 2 steel pillars with base elements (mounted on the floor)
- 2 sliding platforms (mounted to the steel pillars with sliding bearings)
- 2 platforms
- 1 mechanic synchronization control system (to ensure synchronous operation of the hydraulic cylinders while lowering and lifting the platform)
- 2 hydraulic cylinders
- 2 rigid supports (connect the platforms)
- Welded hydraulic lines up to installed globe valve
- Dowels, screws, connecting elements, bolts, etc.
- The platforms and parking spaces are end-to-end accessible for parking!

Platforms consisting of:

- Platform base sections
- Adjustable wheel stops
- Canted access plates
- Side members
- Central side member [only DB]
- Cross members
- Safety railings - along the upper, middle and lower platform (if required)
- Screws, nuts, washers, distance tubes, etc.

Hydraulic system consisting of:

- Hydraulic cylinder
- Solenoid valve
- Safety valve
- Hydraulic conduits
- Screwed joints
- High-pressure hoses
- Installation material

Electric system consisting of:

- Operating device (Emergency Stop, lock, 1 master key per parking space)
- Terminal box at wall valve
- Reed contact

Hydraulic unit consisting of:

- Hydraulic power unit (low-noise, installed onto a console with a rubber-bonded-to-metal mounting)
- Hydraulic oil reservoir
- Oil filling
- Internal geared wheel pump
- Pump holder
- Clutch
- 3-phase-AC-motor (5.2 kW, 230/400 V, 50 Hz)
- Contactor (with thermal overcurrent relay and control fuse)
- Test manometer
- Pressure relief valve
- Hydraulic hoses (which reduce noise transmission onto the hydraulic pipe)

We reserve the right to change this specification without further notice

The Klaus company reserves the right in the course of technical progress to use newer or other technologies, systems, processes, procedures or standards in the fulfillment of their obligations other than those originally offered provided the customer derives no disadvantage from

Appendix C
Travel Demand Calculations

1726-1730 Mission Street
Travel Demand Summary

Project Description

| Land Use | Size | Description |
|-------------|--------|-------------|
| Residential | 40 | Total Units |
| | 20 | studio/1-BR |
| | 20 | 2+BR |
| | 33,643 | gross sq ft |
| PDR | 2,250 | Total Sq Ft |

Source: Natoma Architects, 2015.

Travel Demand Summary

| Mode | Daily | | | PM Peak Hour | | |
|----------------------|-------------|-----------|------------|--------------|----------|-----------|
| | Residential | PDR | Total | Residential | PDR | Total |
| Auto | 158 | 11 | 169 | 24 | 1 | 25 |
| Transit | 98 | 3 | 102 | 20 | 0.4 | 20 |
| Walk | 56 | 2 | 58 | 9 | 0.2 | 10 |
| Other | 38 | 1 | 39 | 7 | 0.1 | 7 |
| Total | 350 | 18 | 368 | 61 | 2 | 63 |
| Vehicle Trips | 83 | 7 | 90 | 14 | 1 | 15 |

| Mode | Weekday PM Peak Hour | | | | | | | | |
|----------------------|----------------------|-----------|-----------|----------|----------|----------|---------------|-----------|-----------|
| | Residential | | | PDR | | | Overall Total | | |
| | In | Out | Total | In | Out | Total | In | Out | Total |
| Auto | 16 | 8 | 24 | 0 | 1 | 1 | 16 | 9 | 25 |
| Transit | 13 | 7 | 20 | 0 | 0.4 | 0.4 | 13 | 7 | 20 |
| Walk | 6 | 3 | 9 | 0 | 0.2 | 0.2 | 6 | 4 | 10 |
| Other | 5 | 2 | 7 | 0 | 0.1 | 0.1 | 5 | 3 | 8 |
| Total | 40 | 21 | 61 | 0 | 2 | 2 | 40 | 23 | 63 |
| Vehicle Trips | 9 | 5 | 14 | 0 | 1 | 1 | 9 | 6 | 15 |

Residential Trip Generation and Parking Demand (SF Guidelines)

| Unit Type | Units | Daily Rate | Parking Demand |
|--------------|-----------|-------------|----------------|
| Studio | 0 | 7.5 | 1.1 |
| 1 Bedroom | 20 | 7.5 | 1.1 |
| 2 Bedroom | 20 | 10.0 | 1.5 |
| 2+ Bedroom | 0 | 10.0 | 1.5 |
| Total | 40 | 8.75 | 1.30 |

Residential In/Out Splits

| Direction | Work | Non-Work |
|-----------|------|----------|
| Inbound | 100% | 33% |
| Outbound | 0% | 67% |

PDR In/Out Splits

| Direction | Work | Non-Work |
|-----------|------|----------|
| Inbound | 0% | 50% |
| Outbound | 100% | 50% |

PM Peak Hour In/Out Splits

| Direction | Residential | PDR (Man/nd) |
|-----------|-------------|--------------|
| Inbound | 67% | 17% |
| Outbound | 34% | 84% |

Appendix D
Doorway Counts



7409 SW Tech Center Dr, Ste B150
Tigard, OR 97223
971-223-0003
www.qualitycounts.net

Order Number: 137669
Date: 3/29/16

Mission St & Erie St

| In/Out | Door Used | Time | Notes |
|--------|-----------|-------|---|
| In | 1 | 17:00 | 2 Pedestrians make multiple trips unloading stuff |
| In | 1 | 17:21 | |
| Out | 1 | 17:53 | |

Appendix E
TDM Checklist



APPLICATION PACKET OF INFORMATION FOR Transportation Demand Management Program

WHAT IS THE TRANSPORTATION DEMAND MANAGEMENT (TDM) PROGRAM?

The City and County of San Francisco ("City") is projected to grow substantially through 2040, and this growth will bring more cars. The Transportation Demand Management (TDM) Program is aimed at improving and expanding the City's transportation system, and it creates a policy framework for new private development to minimize its impact on the transportation system. The TDM Program helps ensure that new developments are designed to make it easier for residents, tenants, employees, and visitors to get around by sustainable travel modes, such as transit, walking, and biking. Property owners choose from a variety of TDM measures, which are intended to reduce Vehicle Miles Traveled ("VMT") associated with a particular type of development project.

Planning Code Section 169 identifies the applicability for the TDM Program and establishes the TDM Program Standards. The TDM Program Standards contain the specific requirements necessary for a Development Project's compliance with the TDM Program. These requirements include submittal of one or more TDM Plans. The TDM Plan(s) shall document the Development Project's compliance with the TDM Program, including the Development Project's point target and associated TDM measures selected to achieve that point target.

WHEN IS A TDM PLAN NECESSARY?

In general, any Development Project that meets the applicability criteria of Planning Code Section 169.3 shall be subject to the TDM Program requirements, and must submit a TDM Plan. This includes projects that propose:

- Addition/Construction of ten (10) or more Dwelling Units
- Addition/Construction of ten (10) or more bedrooms of Group Housing
- New construction resulting in 10,000 square feet of **occupied floor area** or more of any use other than Residential, excluding any area used for accessory parking
- Any Change of Use of 25,000 square feet of **occupied floor area** or more of any use other than Residential, excluding any area used for accessory parking, if:
 - The Change of Use involves a change from a Residential use to any use other than Residential, or
 - The Change of Use involves a change from any use other than Residential to another use other than Residential.

Projects that are 100% Affordable Housing, or projects that are for Parking Garages or Parking Lots that are not included within a larger Development Project, are exempt from the TDM Program requirements.

Projects with a Development Application filed, or an Environmental Evaluation Application deemed complete on or before September 4, 2016, shall be subject to 50% of the applicable target requirement. Projects not meeting the above criteria, but which file a Development Application before January 1, 2018, shall be subject to 75% of the applicable target requirement. Projects submitting their first Development Application on or after January 1, 2018 shall be subject to 100% of the target requirement.

HOW DOES THE PROCESS WORK?

If the project is subject to the TDM Program per Planning Code Section 169.3, the Project Sponsor shall fill out and submit the accompanying application form, along with the associated application fee, at the time of submittal for the first Development Application for the project.

For projects that require a pre-application community meeting, the Project Sponsor must discuss potential TDM measures at the meeting and solicit feedback from the local community to be taken into consideration when preparing the proposed TDM Plan application for submission. In addition, if the project requires a Preliminary Project Assessment (PPA), the Project Sponsor is required to submit a draft TDM Plan with the PPA application.

Once the TDM Plan is received, Planning Department staff will review the application for compliance with the TDM Program Standards in conjunction with review of the Development Application for the project. The project will be subject to the TDM Program Standards in effect on the date the TDM Plan application is accepted at the Planning Department.

A project's TDM Plan will be finalized prior to Planning Department approval of the associated building permit. The final TDM Plan will be recorded as a Notice in the Official Records of the Recorder of the City. Neither the Planning Commission or the Zoning Administrator can waive, reduce, or adjust the requirements of the TDM Program through the approval process for the Development Application. However, a Development Project's finalized TDM Plan may be subsequently modified after the issuance of a building or site permit, in accordance with Planning Code Section 169.4 and the TDM Program Standards.

All projects subject to the TDM Program must designate a TDM coordinator: the point of contact for Planning Department staff on the project's compliance with the TDM Program. The project's TDM coordinator will also coordinate a pre-occupancy site visit with Planning Department staff, and will submit Pre-Occupancy and Ongoing Monitoring and Reporting Forms along with the associated monitoring fee. These steps will help the Department ensure that the project will continue to comply with its TDM Plan.

WHO MAY SUBMIT A TDM PLAN?

The TDM Plan will be recorded on the property and will run with the property in perpetuity. Therefore, the property owner or a party designated as the owner's agent may submit the TDM Plan application.

FEES:

Please refer to the Planning Department Fee Schedule available at www.sfplanning.org or at the Planning Information Center (PIC) located at 1660 Mission Street, First Floor, San Francisco. For questions related to the Fee Schedule, please call the PIC at (415) 558-6377.

Submission of a TDM Plan application includes an initial application submittal fee. Should the cost of staff time exceed the initial fee paid, an additional fee for time and materials may be billed upon completion of the hearing process or permit approval. Monitoring for compliance will occur once a year beginning 18 months after occupancy, or will occur once every 3 years for those property owners that are in good standing after a period of 5 consecutive years. Such monitoring will be subject to a separate application and associated fee.

Development Projects consisting of 24 or fewer Dwelling Units shall be exempt from the periodic compliance review fee and the voluntary TDM Plan update review fee, but shall otherwise be subject to the TDM Program, including the required payment of the initial application fee.

Any land use that requires a TDM Plan, but will be occupied by a non-profit organization that will receive funding from the City to provide services at the subject property shall be exempt from all TDM application fees, provided it files a fee waiver application with the TDM Plan application at the time of submittal, and additional fee waivers with each Ongoing Monitoring and Reporting Form, and as needed if there is a voluntary TDM Plan update submittal. These non-profit fee waivers shall be revoked if a change occurs in the use or tenancy of the project, such that the minimum requirements for a waiver are no longer met.

TDM PLAN UPDATE:

Following occupancy of a project, if a property owner wishes to change their TDM Plan and select different measures they may submit a TDM Plan Update application, so long as it would still allow them to achieve the required point target for their Development Project. The attached application will also be used for the TDM Plan Update application, and will require a Letter of Authorization from the property owner and a written description of any programmatic TDM measures to be offered. Additionally, for a TDM Plan Update application, a set of plans must be submitted showing any physical TDM measures.



TRANSPORTATION DEMAND MANAGEMENT (TDM) PROGRAM

APPLICATION SUBMITTAL REQUIREMENTS

The attached application for a TDM Plan includes a basic project description, necessary contact information, more detailed project description tables that identify the proposed land use(s), relevant point target(s) for the project, and a TDM Menu worksheet that lists the various measures the project may select in order to meet the required point target. For any programmatic TDM measures you must include a written description of the services to be provided. For physical TDM measures, the plans associated with the Development Application must show the location, number, and/or dimensions of these measures; however, a separate set of drawings is not required with the TDM application. Please answer all questions fully. Please type or print in ink and attach pages if necessary.

For assistance in preparing a TDM Plan, the Department provides a number of resources available online. Please visit <http://sf-planning.org/tdm-materials-and-resources> for more information.

WHAT TO SUBMIT:

1. One (1) original of this application signed by owner or agent, with all blanks filled in.
2. A digital copy of all documents submitted (may be provided via CD or USB drive), containing the application and any other submittal materials that are available electronically.
3. Additional Information for Programmatic TDM Measures: the application must be accompanied by a written description of the services to be provided for any programmatic TDM measures.
4. A check made payable to the "San Francisco Planning Department" for the required application fee amount. (See Fee Schedule and/or Calculator)

Additionally, if you are not the property owner:

5. Written documentation from the property owner designating the Applicant as an Authorized Agent.

All plans and other exhibits submitted with this application will be retained as part of the permanent public record in this case.

HOW TO SUBMIT:

To file your TDM Plan application, please bring the application and all accompanying materials with you at the time of your intake appointment for the project's Development Application.

To schedule an appointment, please send an email request along with the intake appointment request form to:

CPC.Intake@sfgov.org.

Intake request forms are available here: <http://sf-planning.org/permit-forms-applications-and-fees>.

Projects that only require a Building Permit Application or if the Building Permit Application is the first Development Application filed for the project, the TDM Plan application may be submitted in person at the Planning Information Center at 1660 Mission Street, first floor.

Español: Si desea ayuda sobre cómo llenar esta solicitud en español, por favor llame al 415-575-9010. Tenga en cuenta que el Departamento de Planificación requerirá al menos un día hábil para responder

中文: 如果您希望獲得使用中文填寫這份申請表的幫助, 請致電415-575-9010。請注意, 規劃部門需要至少一個工作日來回應。

Tagalog: Kung gusto mo ng tulong sa pagkumpleto ng application na ito sa Filipino, paki tawagan ang 415-575-9121. Paki tandaan na mangangailangan ang Planning Department ng hindi kukulangin sa isang araw na pantrabaho para makasagot.



TRANSPORTATION DEMAND MANAGEMENT (TDM) PLAN APPLICATION

Property Owner's Information

Name: Sustainable Living, LLC

Address: 1592 Mission Street
San Francisco, CA 94123

Email Address: jdennis@foundationre.com

Telephone: _____

Applicant Information (if applicable)

Name: Jody Knight Same as above

Company/Organization: Reuben, Junius & Rose, LLP

Address: One Bush Street, Suite 600
San Francisco, CA 94104

Email Address: jknight@reubenlaw.com

Telephone: (415) 567-9000

Please Select Billing Contact: Owner Applicant Other (see below for details)

Name: _____ Email: _____ Phone: _____

Please Select Primary Project/TDM Contact: Owner Applicant Billing Other (see below for details)

Name: _____ Email: _____ Phone: _____

Property Information

Project Address: 1726-1732 Mission Street Block/Lot(s): 3532 / 4A, 005

Project Description:

Please provide a narrative project description that summarizes the project and its purpose. See Attachment

LAND USE TABLES

If you are not sure of the eventual size of the project, provide the maximum estimates.

Gross Floor Area and Occupied Floor Area are defined in Planning Code Section 102.

| Land Use Category A (Retail) | |
|-------------------------------------|--|
| Gross Floor Area (GFA) | |
| Occupied Floor Area (OFA) | |
| Number of Accessory Parking Spaces | |
| Target Points | |

| Land Use Category B (Office) | |
|-------------------------------------|--|
| Gross Floor Area (GFA) | |
| Occupied Floor Area (OFA) | |
| Number of Accessory Parking Spaces | |
| Target Points | |

| Land Use Category C (Residential) | |
|--|--------|
| Gross Floor Area (GFA) | 35,893 |
| Occupied Floor Area (OFA) | |
| Number of Accessory Parking Spaces | 22 |
| Target Points | |

| Land Use Category D (Other) | |
|------------------------------------|-------|
| Gross Floor Area (GFA) | 2,250 |
| Occupied Floor Area (OFA) | |
| Number of Accessory Parking Spaces | 0 |
| Target Points | |

TDM PLAN WORKSHEET

| Category | Measure | Points | Land Use Category | | | |
|------------|--|--------|-------------------|-------------|------------------|------------|
| | | | A Retail | B Office | C Residential | D Other |
| ACTIVE-1 | Improve Walking Conditions: Option A; or | 1 | Ⓜ | Ⓜ | Ⓜ | ○ |
| | Improve Walking Conditions: Option B | 1 | Ⓜ | Ⓜ | Ⓜ | ○ |
| ACTIVE-2 | Bicycle Parking: Option A; or | 1 | Ⓜ | Ⓜ | Ⓜ | Ⓜ |
| | Bicycle Parking: Option B; or | 2 | Ⓜ | Ⓜ | Ⓜ | Ⓜ |
| | Bicycle Parking: Option C; or | 3 | Ⓜ | Ⓜ | Ⓜ | Ⓜ |
| | Bicycle Parking: Option D | 4 | Ⓜ | Ⓜ | Ⓜ | 4 |
| ACTIVE-3 | Showers and Lockers | 1 | Ⓜ | Ⓜ | Ⓜ | Ⓜ |
| ACTIVE-4 | Bike Share Membership: Location A; or | 1 | Ⓜ | Ⓜ | Ⓜ | ○ |
| | Bike Share Membership: Location B | 2 | Ⓜ | Ⓜ | Ⓜ | ○ |
| ACTIVE-5A | Bicycle Repair Station | 1 | Ⓜ | Ⓜ | Ⓜ | 1 |
| ACTIVE-5B | Bicycle Maintenance Services | 1 | Ⓜ | Ⓜ | Ⓜ | ○ |
| ACTIVE-6 | Fleet of Bicycles | 1 | Ⓜ | Ⓜ | Ⓜ | ○ |
| ACTIVE-7 | Bicycle Valet Parking | 1 | Ⓜ | Ⓜ | Ⓜ | ○ |
| CSHARE-1 | Car-share Parking and Membership: Option A; or | 1 | Ⓜ | Ⓜ | Ⓜ | Ⓜ |
| | Car-share Parking and Membership: Option B; or | 2 | Ⓜ | Ⓜ | Ⓜ | Ⓜ |
| | Car-share Parking and Membership: Option C; or | 3 | Ⓜ | Ⓜ | Ⓜ | Ⓜ |
| | Car-share Parking and Membership: Option D; or | 4 | Ⓜ | Ⓜ | Ⓜ | ○ |
| | Car-share Parking and Membership: Option E | 5 | Ⓜ | Ⓜ | Ⓜ | ○ |
| DELIVERY-1 | Delivery Supportive Amenities | 1 | Ⓜ | Ⓜ | Ⓜ | 1 |
| DELIVERY-2 | Provide Delivery Services | 1 | Ⓜ | Ⓜ | Ⓜ | ○ |
| FAMILY-1 | Family TDM Amenities: Option A; and/or | 1 | Ⓜ | Ⓜ | Ⓜ | 1 |
| | Family TDM Amenities: Option B | 1 | Ⓜ | Ⓜ | Ⓜ | Ⓜ |
| FAMILY-2 | On-site Childcare | 2 | Ⓜ | Ⓜ | Ⓜ | Ⓜ |
| FAMILY-3 | Family TDM Package | 2 | Ⓜ | Ⓜ | Ⓜ | Ⓜ |
| HOV-1 | Contributions or Incentives for Sustainable Transportation: Option A; or | 2 | Ⓜ | Ⓜ | Ⓜ | ○ |
| | Contributions or Incentives for Sustainable Transportation: Option B; or | 4 | Ⓜ | Ⓜ | Ⓜ | ○ |
| | Contributions or Incentives for Sustainable Transportation: Option C; or | 6 | Ⓜ | Ⓜ | Ⓜ | ○ |
| | Contributions or Incentives for Sustainable Transportation: Option D | 8 | Ⓜ | Ⓜ | Ⓜ | ○ |
| HOV-2 | Shuttle Bus Service: Option A; or | 7 | Ⓜ | Ⓜ | Ⓜ | ○ |
| | Shuttle Bus Service: Option B | 14 | Ⓜ | Ⓜ | Ⓜ | ○ |

- Ⓜ = applicable to land use category.
- Ⓜ = applicable to land use category, see fact sheets for further details regarding project size and/or location.
- Ⓜ = applicable to land use category only if project includes some parking.
- Ⓜ = not applicable to land use category.
- = project sponsor can select these measures for

NOTE: Please tally the points on the next page.

NOTE: A project sponsor can only receive up to 14 points between HOV-2 and HOV-3.

| Category | Measure | Points | Land Use Category | | | |
|----------|--|--------|-------------------|-------------|------------------|------------|
| | | | A Retail | B Office | C Residential | D Other |
| HOV-3 | Vanpool Program: Option A; or | 1 | Ⓟ | Ⓟ | ⊘ | ⊘ |
| | Vanpool Program: Option B; or | 2 | Ⓟ | Ⓟ | ⊘ | ⊘ |
| | Vanpool Program: Option C; or | 3 | Ⓟ | Ⓟ | ⊘ | ⊘ |
| | Vanpool Program: Option D; or | 4 | Ⓟ | Ⓟ | ⊘ | ⊘ |
| | Vanpool Program: Option E; or | 5 | Ⓟ | Ⓟ | ⊘ | ⊘ |
| | Vanpool Program: Option F; or | 6 | Ⓟ | Ⓟ | ⊘ | ⊘ |
| | Vanpool Program: Option G | 7 | Ⓟ | Ⓟ | ⊘ | ⊘ |
| INFO-1 | Multimodal Wayfinding Signage | 1 | Ⓟ | Ⓟ | Ⓟ | Ⓟ |
| INFO-2 | Real Time Transportation Information Displays | 1 | Ⓟ | Ⓟ | Ⓟ | 1 |
| INFO-3 | Tailored Transportation Marketing Services: Option A; or | 1 | Ⓟ | Ⓟ | Ⓟ | ⊘ |
| | Tailored Transportation Marketing Services: Option B; or | 2 | Ⓟ | Ⓟ | Ⓟ | ⊘ |
| | Tailored Transportation Marketing Services: Option C; or | 3 | Ⓟ | Ⓟ | Ⓟ | ⊘ |
| | Tailored Transportation Marketing Services: Option D | 4 | Ⓟ | Ⓟ | Ⓟ | ⊘ |
| LU-1 | Healthy Food Retail in Underserved Area | 2 | Ⓟ | ⊘ | ⊘ | ⊘ |
| LU-2 | On-site Affordable Housing: Option A; or | 1 | ⊘ | ⊘ | Ⓟ | ⊘ |
| | On-site Affordable Housing: Option B; or | 2 | ⊘ | ⊘ | Ⓟ | ⊘ |
| | On-site Affordable Housing: Option C; or | 3 | ⊘ | ⊘ | Ⓟ | 3 |
| | On-site Affordable Housing: Option D | 4 | ⊘ | ⊘ | Ⓟ | ⊘ |
| PKG-1 | Unbundle Parking: Location A; or | 1 | ⓅⓅ | ⓅⓅ | ⓅⓅ | ⊘ |
| | Unbundle Parking: Location B; or | 2 | ⓅⓅ | ⓅⓅ | ⓅⓅ | 4 |
| | Unbundle Parking: Location C; or | 3 | ⓅⓅ | ⓅⓅ | ⓅⓅ | ⊘ |
| | Unbundle Parking: Location D; or | 4 | ⓅⓅ | ⓅⓅ | ⓅⓅ | ⊘ |
| | Unbundle Parking: Location E | 5 | ⓅⓅ | ⓅⓅ | ⓅⓅ | ⊘ |
| PKG-2 | Parking Pricing | 2 | Ⓟ | Ⓟ | ⊘ | ⊘ |
| PKG-3 | Parking Cash Out: Non-residential Tenants | 2 | Ⓟ | Ⓟ | ⊘ | ⊘ |
| PKG-4 | Parking Supply: Option A; or | 1 | Ⓟ | Ⓟ | Ⓟ | Ⓟ |
| | Parking Supply: Option B; or | 2 | Ⓟ | Ⓟ | Ⓟ | 2 |
| | Parking Supply: Option C; or | 3 | Ⓟ | Ⓟ | Ⓟ | Ⓟ |
| | Parking Supply: Option D; or | 4 | Ⓟ | Ⓟ | Ⓟ | ⊘ |
| | Parking Supply: Option E; or | 5 | Ⓟ | Ⓟ | Ⓟ | ⊘ |
| | Parking Supply: Option F; or | 6 | Ⓟ | Ⓟ | Ⓟ | ⊘ |
| | Parking Supply: Option G; or | 7 | Ⓟ | Ⓟ | Ⓟ | ⊘ |
| | Parking Supply: Option H; or | 8 | Ⓟ | Ⓟ | Ⓟ | ⊘ |
| | Parking Supply: Option I; or | 9 | Ⓟ | Ⓟ | Ⓟ | ⊘ |
| | Parking Supply: Option J; or | 10 | Ⓟ | Ⓟ | Ⓟ | ⊘ |
| | Parking Supply: Option K | 11 | Ⓟ | Ⓟ | Ⓟ | ⊘ |

- Ⓟ = applicable to land use category.
- Ⓜ = applicable to land use category, see fact sheets for further details regarding project size and/or location.
- Ⓟ = applicable to land use category only if project includes some parking.
- ⊘ = not applicable to land use category.
- ⊘ = project sponsor can select these measures for

| Land Use Category Totals | | | | |
|-----------------------------|--------|--------|-------------|-------|
| | A | B | C | D |
| | Retail | Office | Residential | Other |
| Point Subtotal from Page 1: | _____ | _____ | 7 | _____ |
| Point Subtotal from Page 2: | _____ | _____ | 10 | _____ |
| Total: | _____ | _____ | 17 | _____ |

APPLICANT'S AFFIDAVIT

Under penalty of perjury the following declarations are made:

- a) The undersigned is the owner or authorized agent of the owner of this property.
- b) The information presented is true and correct to the best of my knowledge.
- c) The TDM Program Standards included multiple options to meet the target, and of those options, the owner has selected the TDM measures included in the TDM Plan application.
- d) Other information or applications may be required.

Signature

Jody Knight

Name (Printed)

Authorized Agent

(415) 567-9000

jknight@reubenlaw.com

Relationship to Project
(i.e. Owner, Architect, etc.)

Phone

Email

For Department Use Only

Application received by Planning Department:

By: _____

Date: _____



TDM Tool Results

April 14, 2017, 7:18 pm



LOCATION:

Address:

TAZ:

APN:

PROJECT CHARACTERISTICS:

COMMENTS:

Category C Residential

Category C - Residential

PARKING

PKG 1 Unbundle Parking (pdf/measure/pkg1.pdf)

Yes

+4 Neighborhood Parking Rate: 0.62

Location B

PKG 4 Parking Supply (pdf/measure/pkg4.pdf)

Yes

+2 Neighborhood Parking Rate: 0.62

Project Parking Rate: 0.55 Option B

Current Point:

17

Target Point:

14

ACTIVE TRANSPORTATION

ACTIVE-1 Improve Walking Conditions (pdf/measure/act1.pdf)

No

Option A Option B

ACTIVE-2 Bicycle Parking (pdf/measure/act2.pdf)

Yes

+4

Option A Option B Option C Option D

ACTIVE-4 Bike Share Membership (pdf/measure/act4.pdf)

No

>1,000feet <=1,000feet

(Click here for the bay area bike share station map) (<http://www.bayareabikeshare.com/stations>)

ACTIVE-5a Bicycle Repair Station (pdf/measure/act5a.pdf)

Yes

+1

ACTIVE-5b Bicycle Maintenance Station

No

4/14/2017

San Francisco Transportation Demand Management Tool (SF TDM Tool)

ACTIVE-5a Bicycle Repair Station (pdf/measure/act5a.pdf)

Yes **+1**

ACTIVE-5b Bicycle Maintenance Services (pdf/measure/act5b.pdf)

No

ACTIVE-6 Fleet of Bicycles (pdf/measure/act6.pdf)

No

Category C - Residential

Current Point:

17

Target Point:

14

CAR SHARE

CSHARE-1 Car-Share Parking (pdf/measure/cshare1.pdf)

No

Option A Option B Option C Option D

Option E

DELIVERY

DELIVERY-1 Delivery Supportive Amenities (pdf/measure/del1.pdf)

Yes **+1**

FAMILY

FAM-1 Family TDM - Amenities (pdf/measure/fam1.pdf)

Yes **+1** Option A Option B

FAM-2 On-site Childcare (pdf/measure/fam2.pdf)

No

4/14/2017

San Francisco Transportation Demand Management Tool (SF TDM Tool)

Category C - Residential

FAM-2 Street Structure (pdf/measure/fam2.pdf)

FAM-3 Family TDM Package (pdf/measure/fam3.pdf)

No

Current Point:

Target Point:

17

14

HIGH OCCUPANCY VEHICLES

HOV-1 Contributions or Incentives (pdf/measure/hov1.pdf)

No

Option A Option B Option C Option D

HOV-2 Shuttle Bus Service (pdf/measure/hov2.pdf)

No

Option A Option B

COMMUNICATIONS AND INFORMATION

INFO-1 Multimodal Wayfinding Signage (pdf/measure/info1.pdf)

No

INFO-2 Real Time Transportation Displays (pdf/measure/info2.pdf)

Yes +1

INFO-3 Tailored Transportation Marketing Services (pdf/measure/info3.pdf)

No

Option A Option B Option C Option D

LAND USE

LU-2a On-site Affordable Housing (income >55% ≤80% AML)

No

Appendix F
Planning Code Compliance Table

Appendix D. Planning Code Compliance

| Project Description: | | | | |
|--|---|--|--|---------------------|
| 40 residential units (20 1-bedroom, and 20 2-bedroom) = 27,145 gsf 1,000 gsf commercial/retail 27 vehicle parking spaces (residential) 40 bicycle parking spaces (40 Class 1 and 2 Class 2 spaces for residential/no Class 1 and 2 Class 2 spaces for retail) | | | | |
| Zoning: Urban Mixed Use (UMU) | | | | |
| Topic | Planning Code Reference | Planning Code Requirement | Proposed Project | Existing Conditions |
| Vehicle Parking (Off-Street) | § 151 Residential | One per dwelling unit = 40 spaces | 40 spaces provided (compliant) | n/a |
| | § 151 Retail | If occupied floor area < 5,000 sf = 0 spaces | None provided (compliant) | |
| Car-Share Parking (Off-Street) | § 166 Residential | 50 – 200 dwelling units = 1 space | None provided (complaint) | n/a |
| | § 166 Retail | 0 to 24 parking spaces = 0 Car-Share spaces | None provided (compliant) | |
| Bicycle Parking (Off-Street) | § 155.2 Residential (Table 155.2) | One Class 1 per dwelling unit = 40 Class 1 spaces | 40 Class 1 spaces provided (compliant) | n/a |
| | | One Class 2 per 20 dwelling units = 2 Class 2 spaces | 2 Class 2 spaces provided (compliant) | |
| | § 155.2 Retail (Table 155.2) | One Class 1 per 7,500 sf of occupied floor area = 0 Class 1 spaces | None provided (compliant) | |
| | | One Class 2 per 750 sf of occupied floor area = 2 Class 2 spaces | 2 Class 2 spaces provided (compliant) | |
| Freight Loading (Off-Street) | § 152 Residential (Table 152) | 0 to 100,000 gsf = 0 space required | None provided (compliant) | n/a |
| | § 152 Retail (Table 152) | 0 – 10,000 gsf = 0 spaces required | None provided (compliant) | |
| Pedestrian Improvements | § 138.1 Streetscape and Pedestrian Improvements | | Does not apply | |
| TDM Program | (to come) | | Applies (see Appendix E) | |

From: [BOS Legislation, \(BOS\)](#)
To: jscottweaver@aol.com; jknight@reubenlaw.com
Cc: [Givner, Jon \(CAT\)](#); [Stacy, Kate \(CAT\)](#); [Byrne, Marlena \(CAT\)](#); [Jensen, Kristen \(CAT\)](#); [Rahaim, John \(CPC\)](#); [Sanchez, Scott \(CPC\)](#); [Gibson, Lisa \(CPC\)](#); [Rodgers, AnMarie \(CPC\)](#); [Starr, Aaron \(CPC\)](#); [Navarrete, Joy \(CPC\)](#); [Lynch, Laura \(CPC\)](#); [Jain, Devyani \(CPC\)](#); [Ajello Hoagland, Linda \(CPC\)](#); [BOS-Supervisors](#); [BOS-Legislative Aides](#); [Calvillo, Angela \(BOS\)](#); [Somera, Ailsa \(BOS\)](#); [Goldstein, Cynthia \(BOA\)](#); [BOS Legislation, \(BOS\)](#)
Subject: HEARING NOTICE: Exemption Determination Appeal - Proposed Project at 1726-1730 Mission Street - Appeal Hearing on July 25, 2017
Date: Tuesday, July 11, 2017 1:27:30 PM
Attachments: [image001.png](#)

Good afternoon,

The Office of the Clerk of the Board has scheduled an appeal hearing for Special Order before the Board of Supervisors on **July 25, 2017, at 3:00 p.m.**, to hear an appeal regarding the Exemption Determination for the proposed project at 1726-1730 Mission Street.

Please find the following link to the hearing notice for the matter:

[Hearing Notice - July 25, 2017](#)

I invite you to review the entire matter on our [Legislative Research Center](#) by following the link below:

[Board of Supervisors File No. 170808](#)

Thank you,

Brent Jalipa

Legislative Clerk

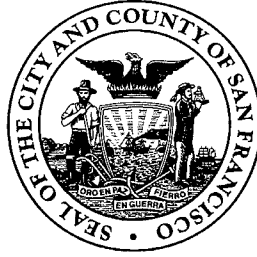
Board of Supervisors - Clerk's Office
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102
(415) 554-7712 | Fax: (415) 554-5163
brent.jalipa@sfgov.org | www.sfbos.org



Click [here](#) to complete a Board of Supervisors Customer Service Satisfaction form

***Disclosures:** Personal information that is provided in communications to the Board of Supervisors is subject to disclosure under the California Public Records Act and the San Francisco Sunshine Ordinance. Personal information provided will not be redacted. Members of the public are not required to provide personal identifying information when they communicate with the Board of Supervisors and its committees. All written or oral communications that members of the public submit to the Clerk's Office regarding pending legislation or hearings will be made available to all members of the public for inspection and copying. The Clerk's Office does not redact any information from these submissions. This means that personal information—including names, phone numbers, addresses and similar information that a member of the public elects to submit to the Board and its committees—may appear on the Board of Supervisors' website or in other public documents that members of the public may inspect or copy.*

BOARD of SUPERVISORS



City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 554-5227

NOTICE OF PUBLIC HEARING

BOARD OF SUPERVISORS OF THE CITY AND COUNTY OF SAN FRANCISCO

NOTICE IS HEREBY GIVEN THAT the Board of Supervisors of the City and County of San Francisco will hold a public hearing to consider the following appeal and said public hearing will be held as follows, at which time all interested parties may attend and be heard:

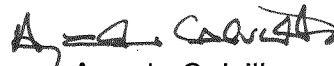
Date: Tuesday, July 25, 2017

Time: 3:00 p.m.

Location: Legislative Chamber, City Hall, Room 250
1 Dr. Carlton B. Goodlett, Place, San Francisco, CA

Subject: **File No. 170808.** Hearing of persons interested in or objecting to the determination of exemption from environmental review under the California Environmental Quality Act issued as a Community Plan Evaluation on May 24, 2017, approved on June 1, 2017, for the proposed project at 1726-1730 Mission Street, to demolish a 11,200 square foot, two-story industrial building, and to construct a six-story, 66-foot tall, 33,589 square foot mixed-use building with 40 dwelling units, approximately 2,250 square feet of ground floor Production, Distribution and Repair, and 22 off-street parking spaces within the urban mixed-use zoning district and a 68-X height and bulk district. (District 9) (Appellant: J. Scott Weaver, on behalf of Our Mission No Eviction) (Filed July 3, 2017)

In accordance with Administrative Code, Section 67.7-1, persons who are unable to attend the hearing on this matter may submit written comments prior to the time the hearing begins. These comments will be made as part of the official public record in this matter and shall be brought to the attention of the Board of Supervisors. Written comments should be addressed to Angela Calvillo, Clerk of the Board, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA, 94102. Information relating to this matter is available in the Office of the Clerk of the Board and agenda information relating to this matter will be available for public review on Friday, July 21, 2017.


Angela Calvillo
Clerk of the Board

BOARD of SUPERVISORS



City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 544-5227

PROOF OF MAILING

Legislative File No. 170808

Description of Items: Public Hearing Notice - Hearing - Appeal of CEQA Exemption Determination - Proposed Project at 1726-1730 Mission Street


I, Brent Jalipa, an employee of the City and County of San Francisco, mailed the above described document(s) by depositing the sealed items with the United States Postal Service (USPS) with the postage fully prepaid as follows:

Date: July 11, 2017

Time: 8:45 a.m.

USPS Location: Repro Pick-up Box in the Clerk of the Board's Office (Rm 244)

Mailbox/Mailslot Pick-Up Times (if applicable): N/A

Signature: 

Instructions: Upon completion, original must be filed in the above referenced file.

BOARD of SUPERVISORS



City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 544-5227

July 10, 2017

File No. 170808
Planning Case No. 2014-002026ENX

Received from the Board of Supervisors Clerk's Office one check, in the amount of Five Hundred Seventy Eight Dollars (\$578) representing the filing fee paid by J. Scott Weaver, on behalf of Our Mission No Eviction, for the appeal of the CEQA Exemption Determination for the proposed project at 1726-1730 Mission Street.

Planning Department
By:

Tony
Print Name

[Signature] 7/11/17
Signature and Date

From: BOS Legislation, (BOS)
To: jscottweaver@aol.com; jknight@reubenlaw.com
Cc: [Givner, Jon \(CAT\)](#); [Stacy, Kate \(CAT\)](#); [Byrne, Marlana \(CAT\)](#); [Jensen, Kristen \(CAT\)](#); [Rahaim, John \(CPC\)](#); [Sanchez, Scott \(CPC\)](#); [Gibson, Lisa \(CPC\)](#); [Rodgers, AnMarie \(CPC\)](#); [Starr, Aaron \(CPC\)](#); [Navarrete, Joy \(CPC\)](#); [Lynch, Laura \(CPC\)](#); [Jain, Devyani \(CPC\)](#); [Ajello Hoagland, Linda \(CPC\)](#); BOS-Supervisors; BOS-Legislative Aides; [Calvillo, Angela \(BOS\)](#); [Somera, Alisa \(BOS\)](#); [Goldstein, Cynthia \(BOA\)](#); BOS Legislation, (BOS)
Subject: Exemption Determination Appeal - Proposed Project at 1726-1730 Mission Street - Appeal Hearing on July 25, 2017
Date: Monday, July 10, 2017 4:09:10 PM
Attachments: [image001.png](#)

Good afternoon,

The Office of the Clerk of the Board has scheduled an appeal hearing for Special Order before the Board of Supervisors on **July 25, 2017, at 3:00 p.m.** Please find linked below a letter of appeal filed for the proposed project at 1726-1730 Mission Street, as well as direct links to the Planning Department's timely filing determination, and an informational letter from the Clerk of the Board.

[Exemption Determination Appeal Letter - July 3, 2017](#)

[Planning Department Memo - July 7, 2017](#)

[Clerk of the Board Letter - July 7, 2017](#)

I invite you to review the entire matter on our [Legislative Research Center](#) by following the link below:

[Board of Supervisors File No. 170808](#)

Please note that the hearing date is swiftly approaching. Our office must notice this appeal hearing tomorrow, Tuesday, July 11, 2017. If you have any special recipients for the hearing notice, kindly provide a list of addresses for interested parties to us in Excel spreadsheet format by 11:00 am, July 11, 2017.

Thank you,

Brent Jalipa

Legislative Clerk

Board of Supervisors - Clerk's Office
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102
(415) 554-7712 | Fax: (415) 554-5163
brent.jalipa@sfgov.org | www.sfbos.org



Click [here](#) to complete a Board of Supervisors Customer Service Satisfaction form

***Disclosures:** Personal information that is provided in communications to the Board of Supervisors is subject to disclosure under the California Public Records Act and the San Francisco Sunshine Ordinance. Personal information provided will not be redacted. Members of the public are not required to provide personal identifying information when they communicate with the Board of Supervisors and its committees. All written or oral communications that members of the public submit to the*

Clerk's Office regarding pending legislation or hearings will be made available to all members of the public for inspection and copying. The Clerk's Office does not redact any information from these submissions. This means that personal information—including names, phone numbers, addresses and similar information that a member of the public elects to submit to the Board and its committees—may appear on the Board of Supervisors' website or in other public documents that members of the public may inspect or copy.




SAN FRANCISCO PLANNING DEPARTMENT

MEMO

DATE: July 7, 2017

TO: Angela Calvillo, Clerk of the Board of Supervisors

FROM: Lisa Gibson, Environmental Review Officer
 Devyani Jain, Acting Deputy Environmental Review Officer 

RE: Appeal Timeliness Determination – 1726-1730 Mission Street
 Planning Department Case No. 2014-002026ENV

1650 Mission St.
 Suite 400
 San Francisco,
 CA 94103-2479

Reception:
 415.558.6378

Fax:
 415.558.6409

Planning
 Information:
 415.558.6377

An appeal of the Community Plan Evaluation (CPE) for the proposed project at 1726-1730 Mission Street (Planning Department Case No. 2014-002026ENV), was filed with the Office of the Clerk of the Board of Supervisors on July 3, 2017, by J. Scott Weaver (Appellant) on behalf of Our Mission No Eviction. As explained below, the Planning Department finds the appeal to be timely filed.

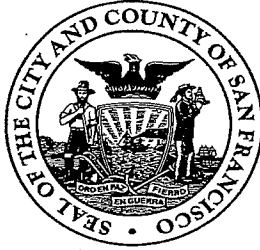
| Date of Approval Action | 30 Days after Approval Action | Appeal Deadline (Must Be Day Clerk of Board's Office Is Open) | Date of Appeal Filing | Timely? |
|-------------------------|-------------------------------|---|-----------------------|---------|
| June 1, 2017 | July, 1, 2017 | July 3, 2017 | July 3, 2017 | Yes |

Approval Action: On May 24, 2017, the Planning Department issued a Community Plan Evaluation (CPE) for the proposed project. The Approval Action for the project was Large Project Authorization by the Planning Commission, which occurred on June 1, 2017 (Date of the Approval Action).

Appeal Deadline: Section 31.16(a) and (e) of the San Francisco Administrative Code states that any person or entity may appeal an exemption determination (including a CPE) to the Board of Supervisors during the time period beginning with the date of the exemption determination (including a CPE) and ending 30 days after the Date of the Approval Action. The 30th day after the Date of the Approval Action was Saturday, July 1, 2017. The next day when the Office of the Clerk of the Board of Supervisors was open was Monday, July 3, 2017 (Appeal Deadline).

Appeal Filing and Timeliness: The Appellant filed the appeal of the exemption determination on Jul 3, 2017, prior to the end of the Appeal Deadline. Therefore, the appeal is considered timely.

BOARD of SUPERVISORS



City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 415-554-5184
Fax No. 415-554-5163
TDD/TTY No. 415-554-5227

July 7, 2017

J. Scott Weaver
West Bay Law
4104 24th Street #957
San Francisco, California 94114

**Subject: Appeal of CEQA Exemption Determination - Proposed Project at
1726-1730 Mission Street**

Dear Mr. Weaver:

The Office of the Clerk of the Board is in receipt of a memorandum dated July 7, 2017, from the Planning Department regarding their determination on the timely filing of appeal of the CEQA Exemption Determination for the proposed project at 1726-1730 Mission Street.

The Planning Department has determined that the appeal was filed in a timely manner.

Pursuant to Administrative Code, Section 31.16, a hearing date has been scheduled for **Tuesday, July 25, 2017, at 3:00 p.m.**, at the Board of Supervisors meeting to be held in City Hall, 1 Dr. Carlton B. Goodlett Place, Legislative Chamber, Room 250, San Francisco, CA 94102.

Please provide to the Clerk's Office by noon:

20 days prior to the hearing: names and addresses of interested parties to be notified of the hearing, in spreadsheet format; and

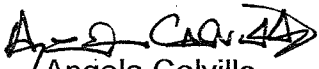
11 days prior to the hearing: any documentation which you may want available to the Board members prior to the hearing.

For the above, the Clerk's office requests one electronic file (sent to bos.legislation@sfgov.org) and two copies of the documentation for distribution.

NOTE: If electronic versions of the documentation are not available, please submit 18 hard copies of the materials to the Clerk's Office for distribution. If you are unable to make the deadlines prescribed above, it is your responsibility to ensure that all parties receive copies of the materials.

If you have any questions, please feel free to contact Legislative Clerks Brent Jalipa at (415) 554-7712, or Lisa Lew at (415) 554-7718.

Very truly yours,


Angela Calvillo
Clerk of the Board

- c: Jody Knight, Project Sponsor, Reuben, Junius & Rose, LLP
- Jon Givner, Deputy City Attorney
- Kate Stacy, Deputy City Attorney
- Marlena Byrne, Deputy City Attorney
- John Rahaim, Planning Director
- Scott Sanchez, Zoning Administrator, Planning Department
- Lisa Gibson, Environmental Review Officer, Planning Department
- Aaron Starr, Manager of Legislative Affairs, Planning Department
- AnMarie Rodgers, Senior Policy Advisor, Planning Department
- Joy Navarrete, Environmental Planning
- Jeanie Poling, Environmental Planning
- Linda Ajello Hoagland, Staff Contact, Planning Department
- Jonas Ionin, Planning Commission Secretary

Lew, Lisa (BOS)

From: BOS Legislation, (BOS)
Sent: Monday, July 03, 2017 11:54 AM
To: Rahaim, John (CPC)
Cc: 'Jon Givner'; Stacy, Kate (CAT); 'Marlena.Byrne@sfgov.org'; Sanchez, Scott (CPC); Gibson, Lisa (CPC); Jain, Devyani (CPC); Rodgers, AnMarie (CPC); Starr, Aaron (CPC); Ajello Hoagland, Linda (CPC); Ionin, Jonas (CPC); BOS-Supervisors; BOS-Legislative Aides; Calvillo, Angela (BOS); Somera, Alisa (BOS); BOS Legislation, (BOS)
Subject: Appeal of CEQA Exemption Determination - Proposed Project at 1726-1730 Mission Street - Timeliness Determination Request
Attachments: Appeal Ltr 070317.pdf; COB Ltr 070317.pdf

Greetings Director Rahaim:

The Office of the Clerk of the Board is in receipt of an appeal of the CEQA Exemption Determination for the proposed project at 1726-1730 Mission Street. The appeal was filed by J. Scott Weaver on behalf of Our Mission No Eviction on July 3, 2017.

Please find the attached letter of appeal and timely filing determination request letter from the Clerk of the Board.

Kindly review for timely filing determination.

Regards,

Lisa Lew

Board of Supervisors
San Francisco City Hall, Room 244
San Francisco, CA 94102
P 415-554-7718 | F 415-554-5163
lisa.lew@sfgov.org | www.sfbos.org



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Disclosures: Personal information that is provided in communications to the Board of Supervisors is subject to disclosure under the California Public Records Act and the San Francisco Sunshine Ordinance. Personal information provided will not be redacted. Members of the public are not required to provide personal identifying information when they communicate with the Board of Supervisors and its committees. All written or oral communications that members of the public submit to the Clerk's Office regarding pending legislation or hearings will be made available to all members of the public for inspection and copying. The Clerk's Office does not redact any information from these submissions. This means that personal information—including names, phone numbers, addresses and similar information that a member of the public elects to submit to the Board and its committees—may appear on the Board of Supervisors' website or in other public documents that members of the public may inspect or copy.

BOARD of SUPERVISORS



City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 544-5227

July 3, 2017

To: John Rahaim
Planning Director

From: Angela Calvillo
Clerk of the Board of Supervisors

Subject: Appeal of California Environmental Quality Act (CEQA) Determination of Exemption from Environmental Review - 1726-1730 Mission Street

An appeal of the CEQA Determination of Exemption from Environmental Review for the proposed project at 1726-1730 Mission Street was filed with the Office of the Clerk of the Board by J. Scott Weaver on behalf of Our Mission No Eviction on July 3, 2017.

Pursuant to Administrative Code, Chapter 31.16, I am forwarding this appeal, with attached documents, to the Planning Department to determine if the appeal has been filed in a timely manner. The Planning Department's determination should be made within three (3) working days of receipt of this request.

If you have any questions, please feel free to contact Legislative Clerks Brent Jalipa at (415) 554-7712, or Lisa Lew at (415) 554-7718.

c: Jon Givner, Deputy City Attorney
Kate Stacy, Deputy City Attorney
Marlena Byrne, Deputy City Attorney
Scott Sanchez, Zoning Administrator, Planning Department
Lisa Gibson, Environmental Review Officer, Planning Department
Devjani Jain, Acting Environmental Review Officer, Planning Department
AnMarie Rodgers, Senior Policy Advisor, Planning Department
Aaron Starr, Manager of Legislative Affairs, Planning Department
Linda Ajello Hoagland, Staff Contact, Planning Department
Jonas Ionin, Planning Commission Secretary, Planning Department

Introduction Form

By a Member of the Board of Supervisors or the Mayor

Time stamp
or meeting date

I hereby submit the following item for introduction (select only one):

- 1. For reference to Committee. (An Ordinance, Resolution, Motion, or Charter Amendment)
- 2. Request for next printed agenda Without Reference to Committee.
- 3. Request for hearing on a subject matter at Committee.
- 4. Request for letter beginning "Supervisor [] inquires"
- 5. City Attorney request.
- 6. Call File No. [] from Committee.
- 7. Budget Analyst request (attach written motion).
- 8. Substitute Legislation File No. []
- 9. Reactivate File No. []
- 10. Question(s) submitted for Mayoral Appearance before the BOS on []

Please check the appropriate boxes. The proposed legislation should be forwarded to the following:

- Small Business Commission Youth Commission Ethics Commission
- Planning Commission Building Inspection Commission

Note: For the Imperative Agenda (a resolution not on the printed agenda), use a Imperative Form.

Sponsor(s):

Clerk of the Board

Subject:

Hearing - Appeal of Determination of Community Plan Evaluation - 1726-1730 Mission Street

The text is listed below or attached:

Hearing of persons interested in or objecting to a Community Plan Evaluation issued by the Planning Department under the California Environmental Quality Act on May 24, 2017, for the proposed project at 1726-1730 Mission Street, approved on June 1, 2017, to demolish a 11,200 square foot, two-story industrial building, and to construct a six-story, 66-foot tall, 33,589 square foot mixed-use building with 40 dwelling units, approximately 2,250 square feet of ground floor Production, Distribution and Repair, and 22 off-street parking spaces within the urban mixed-use zoning district and a 68-X height and bulk district. (District 9) (Appellant: J. Scott Weaver, on behalf of Our Mission No Eviction) (Filed July 3, 2017)

