



SAN FRANCISCO PLANNING DEPARTMENT

MEMO

DATE: October 8, 2015
TO: Planning Commission
FROM: Rich Sucre, Planner/Preservation Technical Specialist
RE: 363 6th Street Update (Case No. 2011.0586X)

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On July 16, 2015 and September 17, 2015, the Planning Commission continued the Request for a Large Project Authorization for the proposed project at 363 6th Street to October 15, 2015. At the request of the Planning Commission, the Department published a staff report two weeks in advance of the public hearing on October 1, 2015.

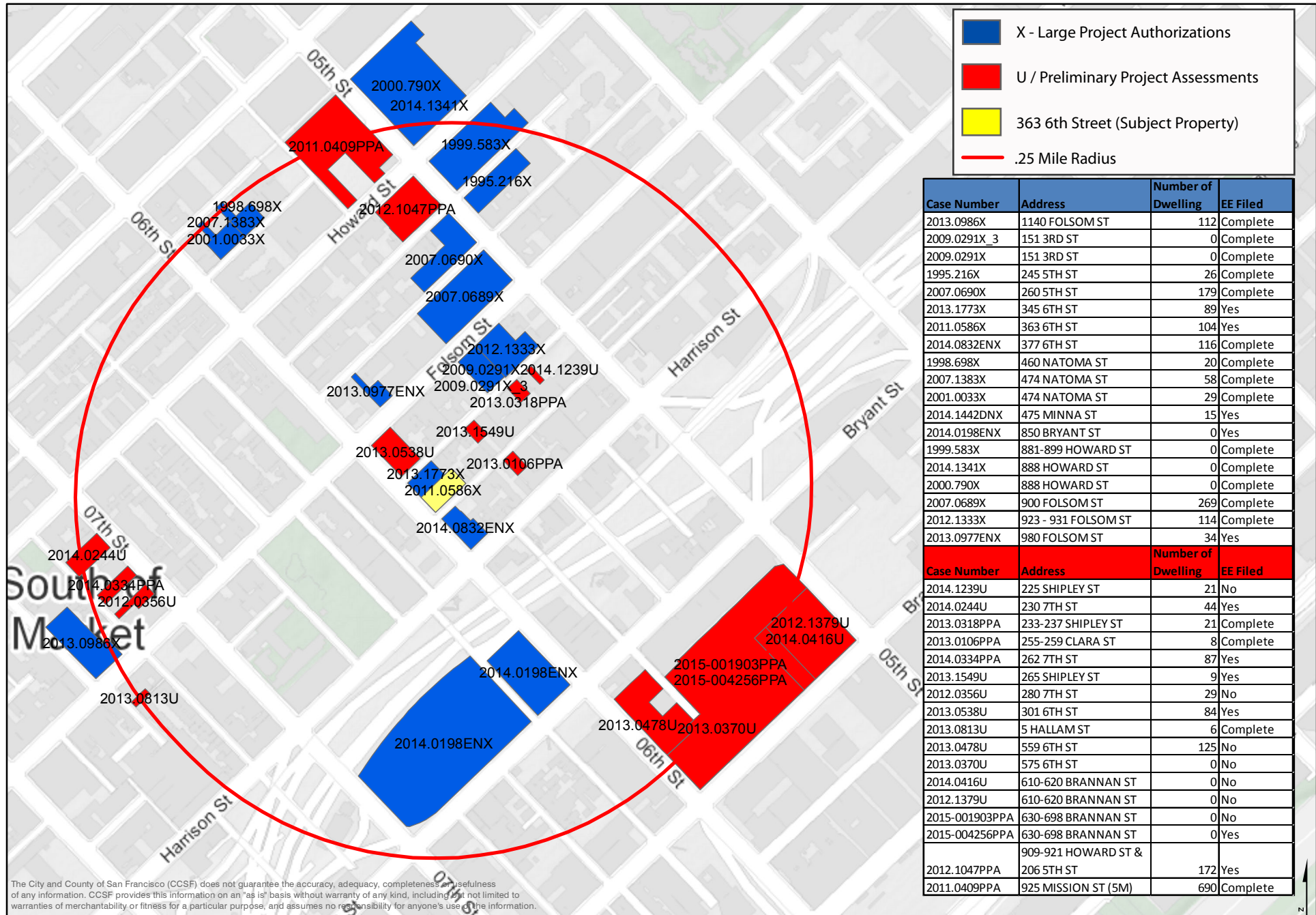
Since publication of the case report, the Department has obtained additional material related to the proposed project at 363 6th Street, including:

- Major Projects Map
- Community Plan Exemption, 363 6th Street (Signed October 2, 2015)
- Costa-Hawkins Agreement
- On October 6, 2015, the Department has received correspondence from the Entertainment Commission, who held a public hearing on the proposed project at 363 6th Street on August 27, 2015. The Entertainment Commission recommends that the Planning Commission adopt a condition of approval regarding "Recommended Noise Attenuation Conditions for Chapter 116 Projects."
- Public Correspondence received after October 1, 2015

Copies of this material have been provided to the Commission with this memorandum.

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Major Projects Within .25 Mile Radius of 363 6th Street



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SAN FRANCISCO PLANNING DEPARTMENT

Certificate of Determination EXEMPTION FROM ENVIRONMENTAL REVIEW

Case No.: 2011.0586E
Project Address: 363 6th Street
Zoning: MUR (Mixed Use – Residential) Zoning District
85-X Height and Bulk District
Block/Lot: 3753/079
Lot Size: 12,800 square feet [0.29 acres]
Plan Area: Eastern Neighborhoods Area Plan
Project Sponsor: Michael Roach, Realtex – (415) 654-5806
Staff Contact: Christopher Espiritu – (415) 575-9022, christopher.espiritu@sfgov.org

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PROJECT DESCRIPTION

The project would include the demolition of an existing approximately 14,400 square-foot (sq ft) industrial building and surface parking lot. The proposed project would also include the construction of a new 9-story, 85-foot tall mixed-use building with 104 dwelling units, 45 vehicle parking spaces and 109 bicycle parking spaces within a basement-level garage. The proposed building would be approximately 85,600 gross square feet (gsf), which includes 700 sq ft for a ground floor commercial space along Sixth Street. The existing industrial building on the approximately 12,800 sq ft lot was constructed in 1920. The project site is located at the corner of Sixth Street and Clara Street in the East South of Market (SoMa) neighborhood. The subject block is bounded by Shipley Street to the north, Clara Street to the south, Fifth Street to the east, and Sixth Street to the west. The project site is a corner lot, with frontages on both Sixth Street and Clara Street. The Interstate 80 freeway is located one-and-a-half blocks south of the project site, and the nearest access ramp is the westbound on-ramp located on the southwest corner of Seventh and Harrison Streets approximately one block southwest of the project site.

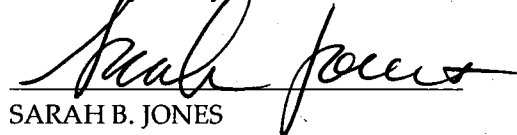
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EXEMPT STATUS

Exempt per Section 15183 of the California Environmental Quality Act (CEQA) Guidelines and California Public Resources Code Section 21083.3

DETERMINATION

I do hereby certify that the above determination has been made pursuant to State and Local requirements.


SARAH B. JONES
Environmental Review Officer

October 2, 2015
Date

cc: Michael Roach, Project Sponsor; Supervisor Jane Kim, District 6; Richard Sucre, Current Planning Division; Virna Byrd, M.D.F.; Exemption/Exclusion File

PROJECT DESCRIPTION (continued)

The ground floor would be used for commercial space and common residential areas, including a residential lobby, accessed from Sixth Street, and the upper floors would contain dwelling units. In total, the proposed building would include 21 studio units, 26 one-bedroom units, and 57 two-bedroom units, approximately 700 sq ft of ground floor commercial space, 2,500 sq ft for rear yard open space, and 7,800 sq ft of usable open space located on a courtyard on the first floor and the rooftop level. The proposed building would require excavation of up to 14 feet below existing grade for a basement level and an additional 30 feet for the proposed building's foundation systems (screw-in steel piles). An existing curb cut (approximately 20 feet wide) is located at the northeast corner of the property along the existing building's Clara Street frontage. Adjacent to the project site, Clara Street is a narrow one-way street with parking on the one side of the street. The project would include 45 off-street vehicle parking spaces within a basement level and the existing curb cut located on the Clara Street frontage would be reduced to a 10-foot-wide curb cut. The basement-level parking garage would include all 45 vehicle parking spaces, as well as 109 bicycle parking spaces (102 Class I bicycle parking spaces and seven Class II bicycle parking spaces) for use by residents and retail visitors.

PROJECT APPROVAL

Required approvals for the proposed project include a Planning Code Section 329 (Large Project Authorization) approval from the Planning Commission and a building permit from the Department of Building Inspection (DBI). The Large Project Authorization approval from the Planning Commission constitutes the Approval Action for the proposed project. The Approval Action date establishes the start of the 30-day appeal period for this CEQA exemption determination pursuant to Section 31.04(h) of the San Francisco Administrative Code.

COMMUNITY PLAN EXEMPTION OVERVIEW

California Public Resources Code Section 21083.3 and CEQA Guidelines Section 15183 provide an exemption from environmental review for projects 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, except as might be necessary to examine whether there are project-specific significant 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 that were not discussed in the underlying EIR; or d) are previously identified in the EIR, but which, as a result of substantial new information that was not known at the time that the EIR was certified, 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 the project solely on the basis of that impact.

This determination evaluates the potential project-specific environmental effects of the 363 6th Street project described above, and incorporates by reference information contained in the Programmatic EIR for the Eastern Neighborhoods Rezoning and Area Plans (PEIR)¹. Project-specific studies were prepared

¹ Planning Department Case No. 2004.0160E and State Clearinghouse No. 2005032048

for the proposed project to determine if the project would result in any significant environmental impacts that were not identified in the Eastern Neighborhoods PEIR.

After several years of analysis, community outreach, and public review, the Eastern Neighborhoods PEIR was adopted in December 2008. The Eastern Neighborhoods PEIR was adopted in part to support housing development in some areas previously zoned to allow industrial uses, while preserving an adequate supply of space for existing and future production, distribution, and repair (PDR) employment and businesses. The Eastern Neighborhoods PEIR also included changes to existing height and bulk districts in some areas, including the project site at 363 6th Street.

The Planning Commission held public hearings to consider the various aspects of the proposed Eastern Neighborhoods Rezoning and Area Plans and related Planning Code and Zoning Map amendments. 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.^{2,3}

In December 2008, after further public hearings, the Board of Supervisors approved and the Mayor signed the Eastern Neighborhoods Rezoning and Planning Code amendments. New zoning districts include districts that would permit PDR uses in combination with commercial uses; districts mixing residential and commercial uses and residential and PDR uses; and new residential-only districts. The districts replaced existing industrial, commercial, residential single-use, and mixed-use districts.

The Eastern Neighborhoods PEIR is a comprehensive programmatic document 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 alternative scenarios. The Eastern Neighborhoods Draft EIR evaluated three rezoning alternatives, two community-proposed alternatives which focused largely on the Mission District, and a “No Project” alternative. The alternative selected, or the Preferred Project, represents a combination of Options B and C. 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.

A major issue of discussion in the Eastern Neighborhoods rezoning process was the degree to which existing industrially-zoned land would be rezoned to primarily residential and mixed-use districts, thus reducing the availability of land traditionally used for PDR employment and businesses. Among other topics, the Eastern Neighborhoods PEIR assesses the significance of the cumulative land use effects of the rezoning by analyzing its effects on the City's ability to meet its future PDR space needs as well as its ability to meet its housing needs as expressed in the City's General Plan.

As a result of the Eastern Neighborhoods rezoning process, the project site was rezoned from RSD (Residential/Service Mixed-Use) to MUR (Mixed Use - Residential) District. The MUR District is intended to promote a vibrant mix of uses. It is also intended to serve as a buffer between residential districts and PDR districts in the Eastern Neighborhoods. Also, the MUR District is designed to maintain and facilitate the growth and expansion of small-scale light industrial, wholesale distribution, arts production and performance/exhibition activities, general commercial and neighborhood-serving retail and personal service activities while protecting existing housing and encouraging the development of housing at a

² San Francisco Planning Department. Eastern Neighborhoods Rezoning and Area Plans Final Environmental Impact Report (FEIR), Planning Department Case No. 2004.0160E, certified August 7, 2008. Available online at: <http://www.sf-planning.org/index.aspx?page=1893>, accessed August 17, 2012.

³ San Francisco Planning Department. San Francisco Planning Commission Motion 17659, August 7, 2008. Available online at: <http://www.sf-planning.org/Modules/ShowDocument.aspx?documentid=1268>, accessed August 17, 2012.

scale and density compatible with the existing neighborhood. The 363 6th Street site, which is located in the South of Market area of the Eastern Neighborhoods, was designated as a site with building up to 85 feet in height.

Individual projects that could occur in the future under the Eastern Neighborhoods Rezoning and Area Plans will undergo project-level environmental evaluation to determine if they would result in further impacts specific to the development proposal, the site, and the time of development and to assess whether additional environmental review would be required. This determination concludes that the proposed project at 363 6th Street is consistent with and was encompassed within the analysis in the Eastern Neighborhoods PEIR. This determination also finds that the Eastern Neighborhoods PEIR adequately anticipated and described the impacts of the proposed 363 6th Street project, and identified the mitigation measures applicable to the 363 6th Street project. The proposed project is also consistent with the zoning controls and the provisions of the Planning Code applicable to the project site.^{4,5} Therefore, no further CEQA evaluation for the 363 6th Street project is required. In sum, the Eastern Neighborhoods PEIR and this Certificate of Exemption for the proposed project comprise the full and complete CEQA evaluation necessary for the proposed project.

PROJECT SETTING

The project site is within the MUR (Mixed-Use Residential) Zoning District and an 85-X Height and Bulk District. The surrounding properties contain a mix of warehouse, automotive repair, residential, office, and commercial/retail uses. The project site contains an existing one-story building that was formerly used as a church. The project site is a corner lot and is adjacent to a vacant lot to the northwest that is currently used for surface parking with a single-story office building (345 6th Street). Adjacent to the project site are a mix of one- to four-story residences located to the northeast. To the southwest, across Sixth Street is a row of multi-story mixed-use structures ranging from one to five stories. Across Clara Street, to the southeast of the project site, is a vacant lot with an existing structure (currently unused/abandoned) located in the opposite corner of the project site at Clara Street and Sixth Street. The project site is located one and a half blocks north of the Interstate 80 freeway, and a westbound on-ramp is located one-half block to the west, at the intersection of Fifth Street and Bryant Street. The major arterial streets surrounding the subject block (Fifth, Fourth, Harrison, Brannan, and Folsom Streets) are multi-lane streets that serve as primary access routes to and from the Interstate 80, Interstate 280, and Highway 101 freeways.

⁴ Adam Varat, San Francisco Planning Department, Community Plan Exemption Eligibility Determination, Citywide Planning and Policy Analysis, 363 6th Street, April 3, 2015. This document is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2011.0586E.

⁵ Jeff Joslin, San Francisco Planning Department, Community Plan Exemption Eligibility Determination, Current Planning Analysis, 363 6th Street, March 25, 2015. This document is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2011.0586E.

POTENTIAL ENVIRONMENTAL EFFECTS

The Eastern Neighborhoods PEIR included analyses of environmental issues including: land use; plans and policies; visual quality and urban design; population, housing, business activity, and employment (growth inducement); transportation; noise; air quality; parks, recreation and open space; shadow; archeological resources; historic architectural resources; hazards; and other issues not addressed in the previously issued initial study for the Eastern Neighborhoods Rezoning and Area Plans. The proposed 363 6th Street project is in conformance with the height, use and density for the site described in the Eastern Neighborhoods PEIR and would represent a small part of the growth that was forecast for the Eastern Neighborhoods plan areas. Thus, the plan analyzed in the Eastern Neighborhoods PEIR considered the incremental impacts of the proposed 363 6th Street project. In addition, the proposed project, at approximately 85 feet in height, would have the potential to cast new shadow on nearby facilities under the jurisdiction of the Recreation and Parks Department. Additional analysis of shadow impacts of the proposed project, as well as other projects of similar height in the immediate vicinity, found that the proposed project would not result in a substantial adverse impact on use of the facility. As a result, the proposed project would not result in any new or substantially more severe impacts than were identified in the Eastern Neighborhoods PEIR.

Significant and unavoidable impacts were identified in the Eastern Neighborhoods PEIR for the following topics: land use, historic architectural resources, transportation and circulation, and shadow. The proposed project would not contribute to the significant unavoidable land use impact identified in the Eastern Neighborhoods PEIR because it would not result in the removal of PDR space. Also, the existing building on the project site was not found to be a historic resource. Thus, the proposed project would not result in demolition, alteration, or modification of any historic resources, and would not therefore contribute to any historic resource impact. Traffic and transit ridership generated by the proposed project would not considerably contribute to the traffic and transit impacts identified in the Eastern Neighborhoods PEIR. Nor would the project contribute to significant new shadow on public open spaces.

The Eastern Neighborhoods PEIR identified feasible mitigation measures to address significant impacts related to noise, air quality, archeological resources, historical resources, hazardous materials, and transportation. **Table 1** below lists the mitigation measures identified in the Eastern Neighborhoods PEIR and states whether each measure would apply to the proposed project.

Table 1 – Eastern Neighborhoods PEIR Mitigation Measures

Mitigation Measure	Applicability
F. Noise	
F-1: Construction Noise (Pile Driving)	Applicable: The project sponsor has agreed to avoid use of impact pile drivers, and to use noise-shielding and muffling devices, as well as the use of sonic or vibratory sheetpile drivers wherever sheetpiles are needed. Project Mitigation Measure 2.
F-2: Construction Noise	Applicable: Temporary construction noise from use of heavy equipment. Project Mitigation

Mitigation Measure	Applicability
	Measure 3.
F-3: Interior Noise Levels	Applicable: Noise-sensitive uses (residences) where street noise exceeds 60 dBA. Project Mitigation Measure 4.
F-4: Siting of Noise-Sensitive Uses	Applicable: Project includes siting of residential uses in where street noise exceeds 60 dBA. Project Mitigation Measure 5.
F-5: Siting of Noise-Generating Uses	Not Applicable: Project would not include noise-generating uses.
F-6: Open Space in Noisy Environments	Applicable: Project includes open space where street noise exceeds 60 dBA. Project Mitigation Measure 6.
G. Air Quality	
G-1: Construction Air Quality	Applicable: Project required to comply with Construction Dust Control Ordinance; project located in area of poor air quality. Project Mitigation Measure 7.
G-2: Air Quality for Sensitive Land Uses	Not applicable: Project required to comply with Health Code Article 38. Requirement satisfied by sponsor.
G-3: Siting of Uses that Emit DPM	Not applicable: Project would not include uses that emit DPM.
G-4: Siting of Uses that Emit other TACs	Applicable: Project would include a backup diesel generator. Project Mitigation Measure 8.
J. Archeological Resources	
J-1: Properties with Previous Studies	Not Applicable: No previous archeological research design and treatment plan is on file for the project site property.
J-2: Properties with no Previous Studies	Applicable: soil disturbance to approximately 22 feet below grade proposed in this mitigation area. Project Mitigation Measure 1
J-3: Mission Dolores Archeological District	Not Applicable: Project is not located within the Mission Dolores Archeological District
K. Historical Resources	
K-1: Interim Procedures for Permit Review in the Eastern Neighborhoods Plan Area	Not Applicable: plan-level mitigation completed by Planning Department
K-2: Amendments to Article 10 of the Planning Code	Not Applicable: plan-level mitigation

Mitigation Measure	Applicability
Pertaining to Vertical Additions in the South End Historic District (East SoMa)	completed by Planning Commission
K-3: Amendments to Article 10 of the Planning Code Pertaining to Alterations and Infill Development in the Dogpatch Historic District (Central Waterfront)	Not Applicable: plan-level mitigation completed by Planning Commission
L. Hazardous Materials	
L-1: Hazardous Building Materials	Applicable: Demolition of existing industrial building. Project Mitigation Measure 9.
E. Transportation	
E-1: Traffic Signal Installation	Not Applicable: plan level mitigation by SFMTA
E-2: Intelligent Traffic Management	Not Applicable: plan level mitigation by SFMTA
E-3: Enhanced Funding	Not Applicable: plan level mitigation by SFMTA & SFTA
E-4: Intelligent Traffic Management	Not Applicable: plan level mitigation by SFMTA & Planning Department
E-5: Enhanced Transit Funding	Not Applicable: plan level mitigation by SFMTA
E-6: Transit Corridor Improvements	Not Applicable: plan level mitigation by SFMTA
E-7: Transit Accessibility	Not Applicable: plan level mitigation by SFMTA
E-8: Muni Storage and Maintenance	Not Applicable: plan level mitigation by SFMTA
E-9: Rider Improvements	Not Applicable: plan level mitigation by SFMTA
E-10: Transit Enhancement	Not Applicable: plan level mitigation by SFMTA
E-11: Transportation Demand Management	Not Applicable: plan level mitigation by SFMTA

Please see the attached Mitigation Monitoring and Reporting Program (MMRP) for the complete text of the applicable mitigation measures. With implementation of these mitigation measures the proposed project would not result in significant impacts beyond those analyzed in the Eastern Neighborhoods PEIR.

PUBLIC NOTICE AND COMMENT

A “Notification of Project Receiving Environmental Review” was mailed on March 12, 2015 to adjacent occupants and owners of properties within 300 feet of the project site. Overall, concerns and issues raised by the public in response to the notice were taken into consideration and incorporated in the environmental review as appropriate for CEQA analysis. No specific comments were received regarding the proposed project, with the exception of individual requests to receive a copy of the environmental determination and to be included in any future notices. The proposed project would not result in significant adverse environmental impacts associated with the issues identified by the public beyond those identified in the Eastern Neighborhoods PEIR.

CONCLUSION

As summarized above and further discussed in the CPE Checklist⁶:

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.

Therefore, the proposed project is exempt from further environmental review pursuant to Public Resources Code Section 21083.3 and CEQA Guidelines Section 15183.

⁶ The CPE Checklist is available for review at the Planning Department, 1650 Mission Street, Suite 400, San Francisco, in Case File No. 2011.0586E.



SAN FRANCISCO PLANNING DEPARTMENT

Community Plan Exemption Checklist

Case No.: **2011.0586E**
Project Address: **363 6th Street**
Zoning: MUR (Mixed Use – Residential) Zoning District
85-X Height and Bulk District
Block/Lot: 3753/079
Lot Size: 12,800 square feet [0.29 acres]
Plan Area: Eastern Neighborhoods Area Plan
Project Sponsor: Michael Roach, Realtex – (415) 654-5806
Staff Contact: Christopher Espiritu – (415) 575-9022, christopher.espiritu@sfgov.org

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PROJECT DESCRIPTION

The project site at 363 Sixth Street is located within San Francisco's East South of Market (SoMs) neighborhood. The project site is located at the corner of Sixth Street and Clara Street in the East South of Market (SoMa) neighborhood. The subject block is bounded by Shipley Street to the north, Clara Street to the south, Fifth Street to the east, and Sixth Street to the west (See Figure 1, Project Location). The project site is a corner lot, with frontages on both Sixth Street and Clara Street. The Interstate 80 freeway is located one-and-a-half blocks south of the project site, and the nearest access ramp is the westbound on-ramp located on the southwest corner of Seventh and Harrison Streets approximately one block southwest of the project site.

The proposed project would include the demolition of an existing approximately 14,400 square-foot (sq ft) industrial building and surface parking lot. The existing industrial building on the approximately 12,800 sq ft lot was constructed in 1920. The proposed project would also include the construction of a new 9-story, 85-foot tall mixed-use building with 104 dwelling units, 45 vehicle parking spaces and 109 bicycle parking spaces within a basement-level garage. The proposed building would be approximately 85,600 gross square feet (gsf), which includes 700 sq ft for a ground floor commercial space along Sixth Street (See Figure 2, Proposed Plans). The ground floor of the proposed nine-story building would be used for commercial space and common residential areas, including a residential lobby, accessed from Sixth Street, and the upper floors would contain dwelling units. In total, the proposed new 85,600-sf building would include 21 studio units, 26 one-bedroom units, and 57 two-bedroom units, approximately 700 sq ft of ground floor commercial space, 2,500 sq ft for rear yard open space, and 7,800 sq ft of usable open space located on a courtyard on the first floor and the rooftop level (See Figure 3, Floor Plans and Roof Plan).

The proposed building would require excavation of up to 14 feet below existing grade for a basement level and the building's foundation systems (screw-in steel piles extending to approximately 30 feet below grade). An existing curb cut (approximately 20 feet wide) is located at the northeast corner of the property along the existing building's Clara Street frontage. Adjacent to the project site, Clara Street is a narrow one-way street with parking on the one side of the street. The project would include 45 off-street vehicle parking spaces within a basement level and the existing curb cut located on the Clara Street frontage would be reduced to a 10-foot-wide curb cut. The basement-level parking garage would include all 45 vehicle parking spaces, as well as 109 bicycle parking spaces (102 Class I bicycle parking spaces and seven Class II bicycle parking spaces) for use by residents and retail visitors.



CITY AND COUNTY OF SAN FRANCISCO
PLANNING DEPARTMENT

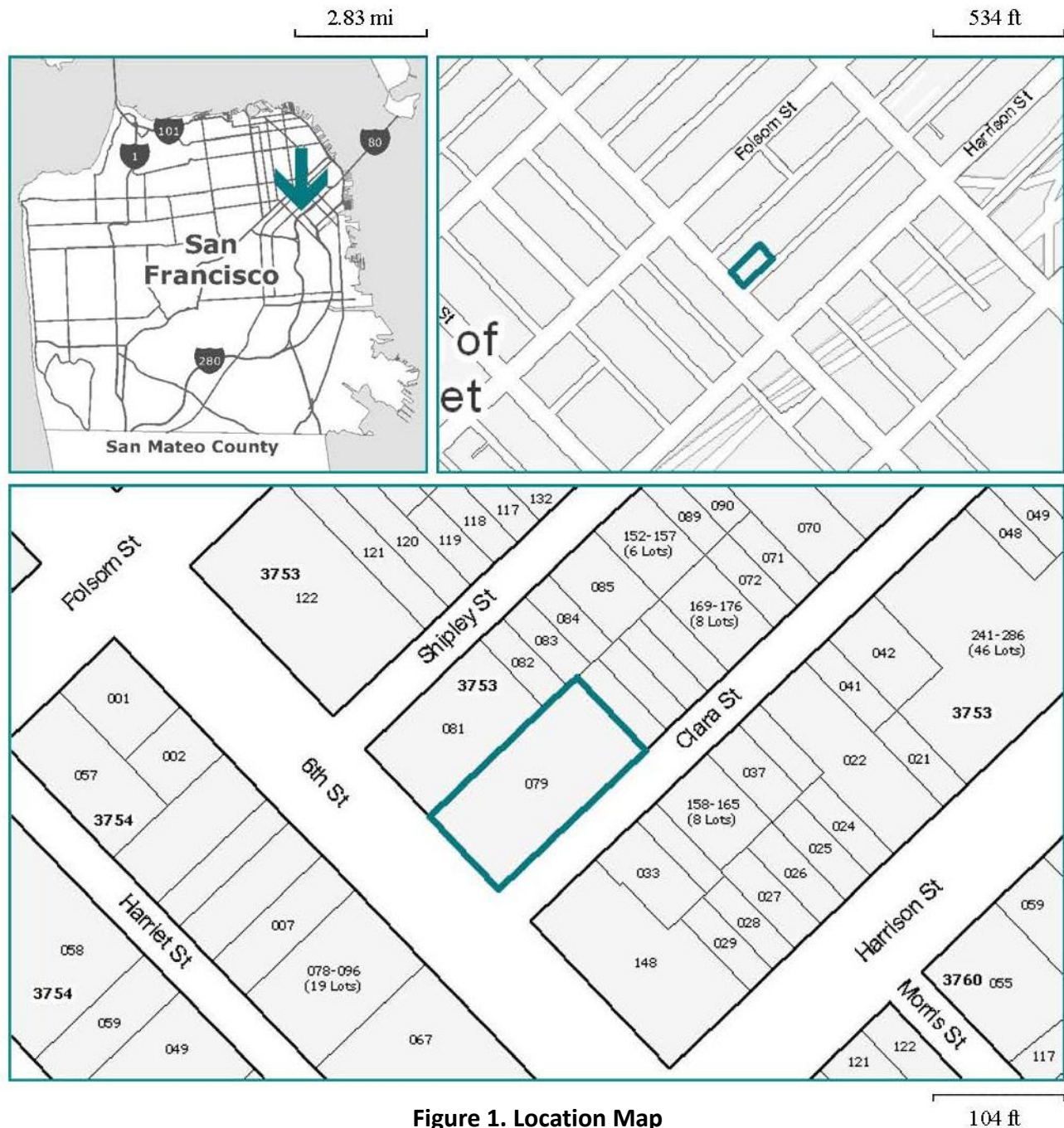
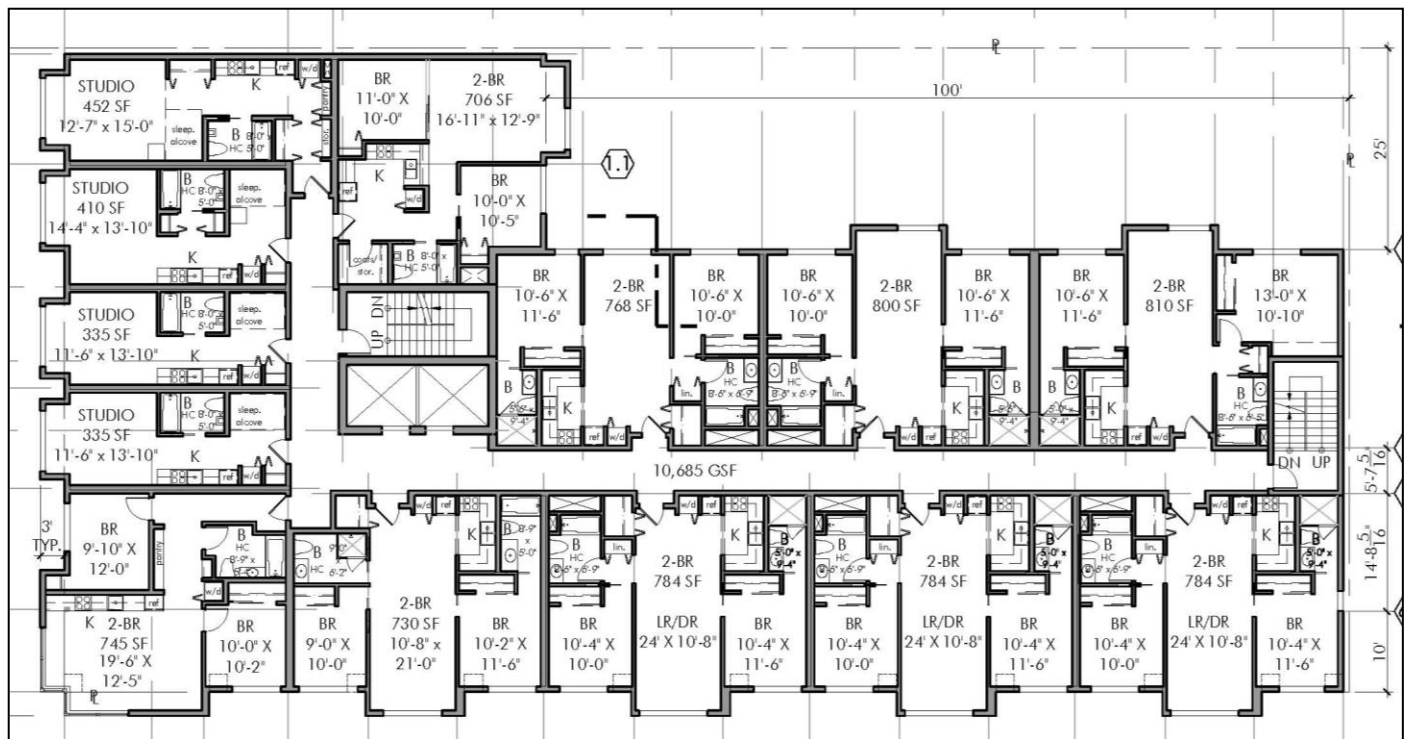


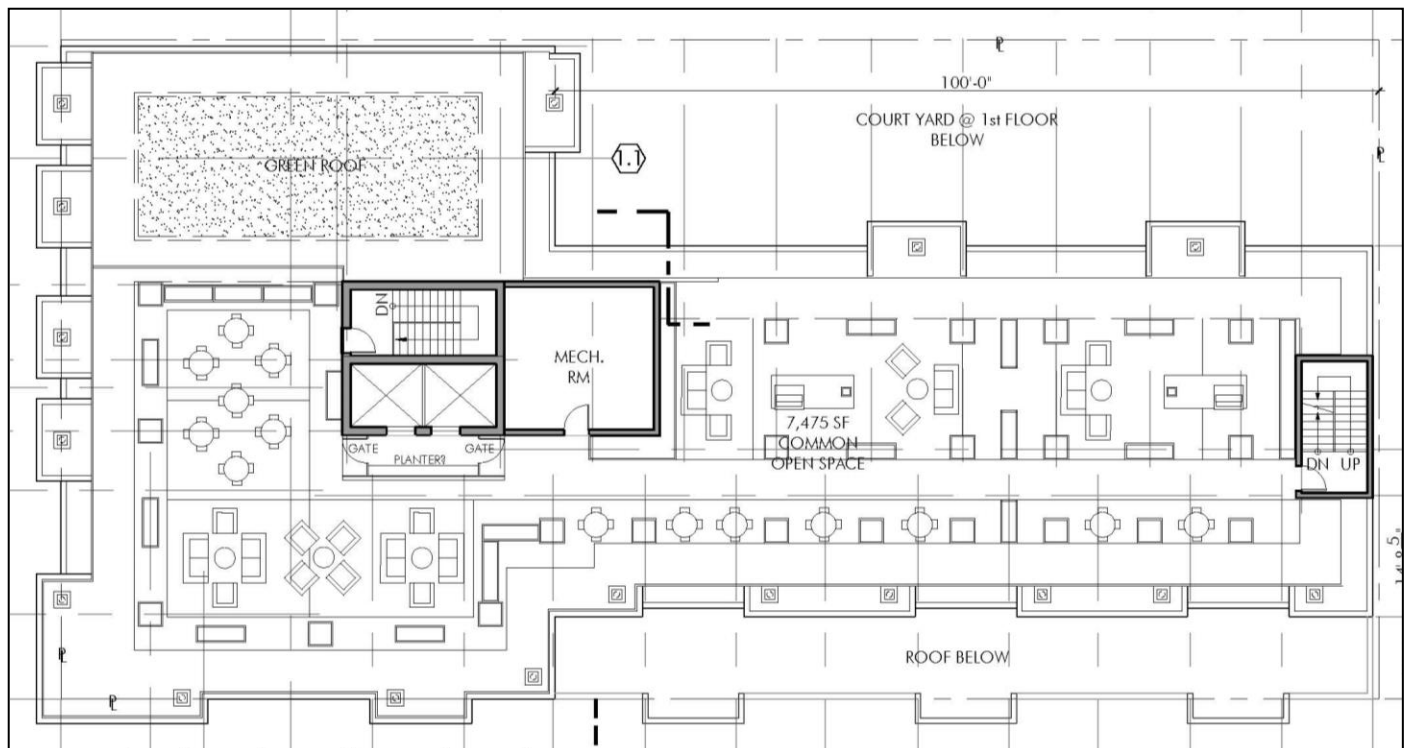
Figure 1. Location Map



**SAN FRANCISCO
PLANNING DEPARTMENT**



Proposed Plan (Floors 3-9)



Proposed Roof Plan



Proposed Elevation (Clara Street)

Proposed Elevation (6th Street)**Figure 4. Proposed Elevations**

The proposed 363 6th Street project would require the following approvals:

Actions by the Planning Commission

- Approval of a Large Project Authorization from the Planning Commission is required per Planning Code Section 329 for the new construction of a building greater than 25,000 gross square feet.

Actions by other City Departments

- Approval of Building Permits from the Department of Building Inspection (DBI) for demolition and new construction. The Large Project Authorization hearing before the Planning Commission is the Approval Action for the project.

EVALUATION OF ENVIRONMENTAL EFFECTS

This Community Plan Exemption (CPE) Checklist evaluates whether the environmental impacts of the proposed project are addressed in the Programmatic Environmental Impact Report for the Eastern Neighborhoods Rezoning and Area Plans (Eastern Neighborhoods PEIR).¹ The CPE Checklist indicates 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 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. Such impacts, if any, will be evaluated in a project-specific Mitigated Negative Declaration or Environmental Impact Report. If no such impacts are identified, the proposed project is exempt from further environmental review in accordance with Public Resources Code Section 21083.3 and CEQA Guidelines Section 15183.

Mitigation measures identified in the PEIR are discussed under each topic area, and measures that are applicable to the proposed project are provided under the Mitigation Measures Section at the end of this checklist.

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 for the above impacts and 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 Muni lines), cultural resources (cumulative impacts from demolition of historical resources), and shadow (program-level impacts on parks).

¹ San Francisco Planning Department, Eastern Neighborhoods Rezoning and Area Plans Final Environmental Impact Report (PEIR), Planning Department Case No. 2004.0160E, State Clearinghouse No. 2005032048, certified August 7, 2008. Available online at: <http://www.sf-planning.org/index.aspx?page=1893>, accessed August 17, 2012.

The proposed project involves the demolition of the existing 12,400-square-foot industrial building. The proposed project would also include the construction of a new nine-story, 85-foot-tall mixed-use building with 104 dwelling units and 700 sq ft of ground-floor commercial uses. As discussed below in this checklist, the proposed project would not result in new, significant environmental effects, or effects of greater severity than were already analyzed and disclosed in the Eastern Neighborhoods PEIR.

CHANGES IN THE REGULATORY ENVIRONMENT

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 affect the physical environment and/or environmental review methodology for projects in the Eastern Neighborhoods plan areas. As discussed in each topic area referenced below, these policies, regulations, statutes, and funding measures have or will implement mitigation measures or further reduce less-than-significant impacts identified in the PEIR. These include:

- State statute regulating Aesthetics and Parking Impacts for Transit Priority Infill, effective January 2014 (see associated heading below);
- 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 process (see Checklist section “Transportation”);
- San Francisco ordinance establishing Noise Regulations Related to Residential Uses Near Places of Entertainment effective June 2015 (see Checklist section “Noise”);
- San Francisco ordinances establishing Construction Dust Control, effective July 2008, and Enhanced Ventilation Required for Urban Infill Sensitive Use Developments, effective December 2014 (see Checklist section “Air Quality”);
- 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 Checklist section “Recreation”);
- Urban Water Management Plan adoption in 2011 and Sewer System Improvement Program process (see Checklist section “Utilities and Service Systems”); and
- Article 22A of the Health Code amendments effective August 2013 (see Checklist section “Hazardous Materials”).

CHANGES IN THE PHYSICAL ENVIRONMENT

Since the certification of the Eastern Neighborhoods PEIR in 2008, as evidenced by the volume of development applications submitted to the Planning Department since 2012, the pace of development activity has increased in the Eastern Neighborhoods plan areas. The Eastern Neighborhoods PEIR projected that implementation of the Eastern Neighborhoods Plan could result in a substantial amount of growth within the Eastern Neighborhoods Plan area, resulting in an increase of approximately 7,400 to 9,900 net dwelling units and 3,200,000 to 6,600,000 square feet of net non-residential space (excluding

PDR loss) through throughout the lifetime of the Plan (year 2025).² The growth projected in the Eastern Neighborhoods PEIR was based on a soft site analysis (i.e., assumptions regarding the potential for a site to be developed through the year 2025) and not based upon the created capacity of the rezoning options (i.e., the total potential for development that would be created indefinitely).³

As of July 31, 2015, projects containing 8,559 dwelling units and 2,231,595 square feet of non-residential space (excluding PDR loss) have completed or are proposed to complete environmental review⁴ within the Eastern Neighborhoods Plan area. These estimates include projects that have completed environmental review (4,885 dwelling units and 1,472,688 square feet of non-residential space) and foreseeable projects, including the proposed project (3,674 dwelling units and 758,907 square feet of non-residential space). Foreseeable projects are those projects for which environmental evaluation applications have been submitted to the San Francisco Planning Department. Of the 4,885 dwelling units that have completed environmental review, building permits have been issued for 3,710 dwelling units, or approximately 76 percent of those units (information is not available regarding building permit non-residential square footage). An issued building permit means the buildings containing those dwelling units are currently under construction or open for occupancy.

Within the East SoMa subarea, the Eastern Neighborhoods PEIR projected that implementation of the Eastern Neighborhoods Plan could result in an increase of 2,300 to 3,100 net dwelling units and 1,000,000 to 1,600,000 net non-residential space (excluding PDR loss) through the year 2025. As of July 31, 2015, projects containing 2,114 dwelling units and 1,041,289 square feet of non-residential space (excluding PDR loss) have completed or are proposed to complete environmental review within the East SoMa subarea. These estimates include projects that have completed environmental review (1,306 dwelling units and 328,018 square feet of non-residential space) and foreseeable projects, including the proposed project (104 dwelling units and 700 square feet of non-residential space). Of the 808 dwelling units that have completed environmental review, building permits have been issued for 745 dwelling units, or approximately 92 percent of those units.

² Tables 12 through 16 of the Eastern Neighborhoods Draft EIR and Table C&R-2 in the Comments and Responses show projected net growth based on proposed rezoning scenarios. A baseline for existing conditions in the year 2000 was included to provide context for the scenario figures for parcels affected by the rezoning, not projected growth totals from a baseline of the year 2000. Estimates of projected growth were based on parcels that were to be rezoned and did not include parcels that were recently developed (i.e., parcels with projects completed between 2000 and March 2006) or have proposed projects in the pipeline (i.e., projects under construction, projects approved or entitled by the Planning Department, or projects under review by the Planning Department or Department of Building Inspection). Development pipeline figures for each Plan Area were presented separately in Tables 5, 7, 9, and 11 in the Draft EIR. Environmental impact assessments for these pipeline projects were considered separately from the Eastern Neighborhoods rezoning effort.

³ San Francisco Planning Department, Community Planning in the Eastern Neighborhoods, Rezoning Options Workbook, Draft, February 2003. This document is available at: <http://www.sf-planning.org/index.aspx?page=1678#background>.

⁴ For this and the Land Use and Land Use Planning section, environmental review is defined as projects that have or are relying on the growth projections and analysis in the Eastern Neighborhoods PEIR for environmental review (i.e., Community Plan Exemptions or Focused Mitigated Negative Declarations and Focused Environmental Impact Reports with an attached Community Plan Exemption Checklist).

Growth that has occurred within the Plan area since adoption of the Eastern Neighborhoods PEIR has been planned for and the effects of that growth were anticipated and considered in the Eastern Neighborhoods PEIR. Although the reasonably foreseeable growth in the residential land use category is approaching the projections within the Eastern Neighborhoods PEIR, the non-residential reasonably foreseeable growth is between approximately 34 and 69 percent of the non-residential projections in the Eastern Neighborhoods PEIR. The Eastern Neighborhoods PEIR utilized the growth projections to analyze the physical environmental impacts associated with that growth for the following environmental impact topics: Land Use; Population, Housing, Business Activity, and Employment; Transportation; Noise; Air Quality; Parks, Recreation, and Open Space; Utilities/Public Services; and Water. The analysis took into account the overall growth in the Eastern Neighborhoods and did not necessarily analyze in isolation the impacts of growth in one land use category, although each land use category may have differing severities of effects. Therefore, given the growth from the reasonably foreseeable projects have not exceeded the overall growth that was projected in the Eastern Neighborhoods PEIR, information that was not known at the time of the PEIR has not resulted in new significant environmental impacts or substantially more severe adverse impacts than discussed in the PEIR.

AESTHETICS AND PARKING IMPACTS FOR TRANSIT PRIORITY INFILL DEVELOPMENT

Public Resources Code Section 21099(d), effective January 1, 2014, provides that, “aesthetics and parking impacts of a residential, mixed-use residential, or employment center project on an infill site located within a transit priority area shall not be considered significant impacts on the environment.” Accordingly, aesthetics and parking are no longer to be considered in determining if a project has the potential to result in significant environmental effects for projects that meet 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, this checklist does not consider aesthetics or parking in determining the significance of project impacts under CEQA.⁵ Project elevations are included in the project description, and an assessment of parking demand is included in the Transportation section for informational purposes.

⁵ San Francisco Planning Department. Transit-Oriented Infill Project Eligibility Checklist for 363 6th Street, March 1, 2015. This document is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400 as part of Case File No. 2011.0586E.

<i>Topics:</i>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
1. LAND USE AND LAND USE PLANNING— Would the project:				
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Have a substantial impact upon the existing character of the vicinity?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The Eastern Neighborhoods PEIR determined that adoption of the Area Plans would result in an unavoidable significant impact on land use due to the cumulative loss of PDR. The proposed project would not remove any existing PDR uses and would therefore not contribute to any impact related to loss of PDR uses that was identified in the Eastern Neighborhoods PEIR. In addition, the project site was zoned list zoning prior to ENRSD (Residential/Service Mixed-Use) prior to the rezoning of Eastern Neighborhoods, which did not encourage PDR uses and the rezoning of the project site did not contribute to the significant impact.

The Eastern Neighborhoods PEIR determined that implementation of the Area Plans would not create any new physical barriers in the Eastern Neighborhoods because the rezoning and Area Plans do not provide for any new major roadways, such as freeways that would disrupt or divide the project area or individual neighborhoods or subareas.

The Citywide Planning and Current Planning Divisions of the Planning Department have determined that the proposed project is permitted in the MUR (Mixed Use – Residential) Zoning District and is consistent with the height, bulk, density and land uses envisioned in the East SoMa Area Plan. The project falls within the Folsom Street Corridor and Mixed Use generalized zoning district. The Folsom Street Corridor district strengthens the role of Folsom Street as the key neighborhood-serving boulevard in SoMa by requiring housing as part of all new developments, with limited office and retail allowed. The Mixed Use district acknowledges and maintains the mixed character of the area by encouraging PDR, small office, and residential uses. As a primarily residential project with limited retail uses, the proposed development is consistent with this designation.^{6,7}

⁶ Adam Varat, Senior Planner, San Francisco Planning Department, Community Plan Exemption Eligibility Determination, Citywide Planning and Policy Analysis, 363 6th Street, April 3, 2015. This document is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2011.0586E.

Because the proposed project is consistent with the development density established in the Eastern Neighborhoods Rezoning and area Plans, implementation of the proposed project would not result in significant impacts that were not identified in the Eastern Neighborhoods PEIR related to land use and land use planning, and no mitigation measures are necessary.

Topics:	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
2. POPULATION AND HOUSING— Would the project:				
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Displace substantial numbers of existing housing units or create demand for additional housing, necessitating the construction of replacement housing?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

One of the objectives of the Eastern Neighborhoods Area Plans is to identify appropriate locations for housing in the City's industrially zoned land to meet the citywide demand for additional housing. The PEIR concluded that an increase in population in the Plan Areas is expected to occur as a secondary effect of the proposed rezoning and that any population increase would not, in itself, result in adverse physical effects, but would serve to advance key City policy objectives, such as providing housing in appropriate locations next to Downtown and other employment generators and furthering the City's Transit First policies. It was anticipated that the rezoning would result in an increase in both housing development and population in all of the Area Plan neighborhoods. The Eastern Neighborhoods PEIR determined that the anticipated increase in population and density would not result in significant adverse physical effects on the environment. No mitigation measures were identified in the PEIR.

The proposed project would demolish the existing industrial building with a new nine-story mixed-use building containing 104 dwelling units and 700 sq ft of ground-floor commercial space. The increase in housing would also result in an increase in demand for jobs, though not all residents would seek employment within the Eastern Neighborhoods area. No displacement of existing housing would occur, as there is no housing present on the project site. With implementation of the proposed project, 104 new

⁷ Jeff Joslin, Director of Current Planning, San Francisco Planning Department, Community Plan Exemption Eligibility Determination, Current Planning Analysis, 363 6th Street, March 25, 2015. This document is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2011.0586E.

dwelling units would be added to San Francisco's housing stock. As stated in the "Changes in the Physical Environment" section above, these direct effects of the proposed project on population and housing are within the scope of the population growth anticipated under the Eastern Neighborhoods Rezoning and Area Plans and evaluated in the Eastern Neighborhoods PEIR.

For the above reasons, the proposed project would not result in significant impacts on population and housing that were not identified in the Eastern Neighborhoods PEIR.

<i>Topics:</i>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
3. CULTURAL AND PALEONTOLOGICAL RESOURCES—Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5, including those resources listed in Article 10 or Article 11 of the San Francisco Planning Code?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Historic Architectural Resources

Pursuant to CEQA Guidelines Sections 15064.5(a)(1) and 15064.5(a)(2), historical resources are buildings or structures that are listed, or are eligible for listing, in the California Register of Historical Resources or are identified in a local register of historical resources, such as Articles 10 and 11 of the San Francisco Planning Code. The Eastern Neighborhoods PEIR determined that future development facilitated through the changes in use districts and height limits under the Eastern Neighborhoods Area Plans could have substantial adverse changes on the significance of both individual historical resources and on historical districts within the Plan Areas. The PEIR determined that approximately 32 percent of the known or potential historical resources in the Plan Areas could potentially be affected under the preferred alternative. The Eastern Neighborhoods PEIR found this impact to be significant and unavoidable. This impact was addressed in a Statement of Overriding Considerations with findings and adopted as part of the Eastern Neighborhoods Rezoning and Area Plans approval on January 19, 2009.

The project site was evaluated in the South of Market Historic Resource Survey and was rated "6Z", meaning that the project site was found to be ineligible for inclusion into the National Register of Historic Places, the California Register of Historic Resources, or local designation. According to the South of Market Historic Resource Survey, the property was determined to be ineligible due to the building

undergoing severe modifications from its original architectural style. The project site is not located within or adjacent to any identified historic districts. The nearest historic district is the Western SoMa Light Industrial and Residential Historic District, located less than two blocks to the northwest of the project site. The project site is too far from the district to result in any substantive effects. Therefore, the proposed project would not contribute to the significant historic resource impact identified in the Eastern Neighborhoods PEIR, and no historic resource mitigation measures would apply to the proposed project.

For these reasons, the proposed project would not result in significant impacts on historic architectural resources that were not identified in the Eastern Neighborhoods PEIR.

Archeological Resources

The Eastern Neighborhoods PEIR determined that implementation of the Area Plan could result in significant impacts on archeological resources and identified three mitigation measures that would reduce these potential impacts to a less than significant level. Eastern Neighborhoods PEIR Mitigation Measure J-1 applies to properties for which a final archeological research design and treatment plan is on file at the Northwest Information Center and the Planning Department. Mitigation Measure J-2 applies to properties for which no archeological assessment report has been prepared or for which the archeological documentation is incomplete or inadequate to serve as an evaluation of potential effects on archeological resources under CEQA. Mitigation Measure J-3, which applies to properties in the Mission Dolores Archeological District, requires that a specific archeological testing program be conducted by a qualified archeological consultant with expertise in California prehistoric and urban historical archeology.

The proposed project includes excavation to approximately 14 feet below the existing ground surface with an additional 30 feet for the building's foundation systems (screw-in steel piles) on a property subject to Eastern Neighborhoods PEIR Mitigation Measure J-2 (properties with no previous archeological studies). Mitigation Measure J-2 states that any soil-disturbing project on parcels within the J-2 area requires a preliminary archeological sensitivity study prepared by a qualified archeologist having expertise in California prehistoric and urban historical archeology. Based on this study, a determination shall be made if additional measures are needed to reduce the potential effects of a project on archeological resource to a less-than-significant level. The Planning Department's archeological staff conducted a Preliminary Archeological Review (PAR) in conformance with the study requirements of Mitigation Measure J-2.⁸ The PAR noted that the proposed basement level would require excavation of up to 14 feet below ground surface and involve soil disturbance and removal of approximately 5,180 cubic yards of soil. The PAR concluded that archeological testing (the Planning Department's third standard archeological mitigation measure) would be needed to fulfill the requirements of Eastern Neighborhoods PEIR Mitigation Measure J-2. The project sponsor has agreed to implement Eastern Neighborhoods PEIR

⁸ Allison Vanderslice, Staff Archeologist, San Francisco Planning Department, *Preliminary Archeological Review: Checklist, 363 6th Street*. This document is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2011.0586E.

Mitigation Measure J-2, including the requirements of the Planning Department's third standard archeological mitigation measure, as Project Mitigation Measure 1 – Archeological Testing (full text provided in the "Mitigation Measures" section below).

For these reasons, the proposed project would not result in significant impacts on archeological resources that were not identified in the Eastern Neighborhoods PEIR.

<i>Topics:</i>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
4. TRANSPORTATION AND CIRCULATION— Would the project:				
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with an applicable congestion management program, including but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a change in air traffic patterns, including either an increase in traffic levels, obstructions to flight, or a change in location, that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The Eastern Neighborhoods PEIR anticipated that growth resulting from the zoning changes would not result in significant impacts related to pedestrians, bicyclists, loading, emergency access, or construction. As the proposed project is within the development projected under the Eastern Neighborhoods Rezoning and Area Plans, there would be no additional impacts on pedestrians, bicyclists, loading, emergency access, or construction beyond those analyzed in the Eastern Neighborhoods PEIR.

However, the Eastern Neighborhoods PEIR anticipated that growth resulting from the zoning changes could result in significant impacts on traffic and transit ridership, and identified 11 transportation

mitigation measures, which are described further below in the Traffic and Transit sub-sections. Even with mitigation, however, it was anticipated that the significant adverse cumulative traffic impacts and the cumulative impacts on transit lines could not be fully mitigated. Thus, these impacts were found to be significant and unavoidable.

The project site is not located within an airport land use plan area, or in the vicinity of a private airstrip. Therefore, the Community Plan Exemption Checklist topic 4c is not applicable.

Trip Generation

The proposed project would include the construction of a new mixed-use building with 104 dwelling units and 700 sq ft for ground-floor commercial uses. The proposed project would include 45 vehicle parking spaces and 109 bicycle parking spaces (102 Class I and seven Class II spaces) within a basement-level garage. The proposed garage would be accessed from an entrance/exit on Clara Street. The proposed dwelling units would be accessed from a residential lobby located on Sixth Street.

Trip generation of the proposed project was calculated using information in the 2002 Transportation Impacts Analysis Guidelines for Environmental Review (SF Guidelines) developed by the San Francisco Planning Department.⁹ The proposed project would generate an estimated 1,028 person trips (inbound and outbound) on a weekday daily basis, consisting of 271 person trips by auto, 190 transit trips, 409 walk trips and 157 trips by other modes. During the p.m. peak hour, the proposed project would generate an estimated 42 vehicle trips (accounting for vehicle occupancy data for this Census Tract).

Traffic

Mitigation Measures E-1 through E-4 in the Eastern Neighborhoods PEIR were adopted as part of the Plan with uncertain feasibility to address significant traffic impacts. These measures are not applicable to the proposed project, as they are plan-level mitigations to be implemented by City and County agencies. Since certification of the PEIR, SFMTA has been engaged in public outreach regarding some of the parking-related measures identified in Mitigation Measures E-2 and E-4: Intelligent Traffic Management, although they have not been implemented. Measures that have been implemented include traffic signal installation at Rhode Island/16th streets as identified in Mitigation Measure E-1 and enhanced funding as identified in Mitigation Measure E-3 through San Francisco propositions A and B passed in November 2014. Proposition A authorized the City to borrow \$500 million through issuing general obligation bonds in order to meet some of the transportation infrastructure needs of the City. These funds are allocated for constructing transit-only lanes and separated bikeways, installing new boarding islands and escalators at Muni/BART stops, installing sidewalk curb bulb-outs, raised crosswalks, median islands, and bicycle parking and upgrading Muni maintenance facilities, among various other improvements. Proposition B, which also passed in November 2014, amends the City Charter to increase the amount the City provided to the SFMTA based on the City's population, with such funds to be used to improve Muni service and

⁹ San Francisco Planning Department, Transportation Calculations for 363 6th Street, May 1, 2015. These calculations are available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2011.0586E.

street safety. Some of this funding may be applied to transportation projects within the Eastern Neighborhoods Plan area.

The proposed project's vehicle trips would travel through the intersections surrounding the project block. Intersection operating conditions are characterized by the concept of Level of Service (LOS), which ranges from A to F and provides a description of an intersection's performance based on traffic volumes, intersection capacity, and vehicle delays. LOS A represents free flow conditions, with little or no delay, while LOS F represents congested conditions, with extremely long delays; LOS D (moderately high delays) is considered the lowest acceptable level in San Francisco. The intersections near the project site (within approximately 800 feet) include Sixth/Harrison, Sixth/Folsom, Sixth/Howard, Sixth/Bryant, Fifth/Harrison, Fifth/Folsom, Fifth/Howard, and Fifth/Bryant streets. Table 1 provides existing and cumulative LOS data gathered for these intersections, per the 923 Folsom Street project and Western SoMa Community Plan.¹⁰

Table 1: Level of Service at Nearby Intersections

<u>Intersection</u>	<u>Existing LOS</u>	<u>Cumulative LOS</u> <u>(2030)</u>
Sixth Street/Harrison Street	LOS B	LOS F
Sixth Street/Folsom Street	LOS C	LOS F
Sixth Street/Howard Street	LOS C	LOS F
Sixth Street/Bryant Street	LOS B	LOS C
Fifth Street/Harrison Street	LOS E	LOS F
Fifth Street/Folsom Street	LOS B	LOS F
Fifth Street/Howard Street	LOS B	LOS E
Fifth Street/Bryant Street	LOS E	LOS F

Sources: 923 Folsom Street (2013.1333E), Western SoMa Community Plan (2008.0877E).

The proposed project would generate an estimated 42 new p.m. peak hour vehicle trips that could travel through surrounding intersections. This amount of new p.m. peak hour vehicle trips would not substantially increase traffic volumes at these or other nearby intersections, would not substantially

¹⁰ 923 Folsom Street (2013.1333E) and Western SoMa Community Plan (2008.0877E). These documents are available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of their respective case file numbers.

increase average delay that would cause intersections that currently operate at acceptable LOS to deteriorate to unacceptable LOS, or would not substantially increase average delay at intersections that currently operate at unacceptable LOS.

The proposed project would not contribute considerably to LOS delay conditions as its contribution of an estimated 42 new p.m. peak-hour vehicle trips would not be a substantial proportion of the overall traffic volume or the new vehicle trips generated by Eastern Neighborhoods' Plan projects. The proposed project would also not contribute considerably to 2025 cumulative conditions and thus, the proposed project would not have any significant cumulative traffic impacts.

For the above reasons, the proposed project would not result in significant impacts on traffic that were not identified in the Eastern Neighborhoods PEIR.

Transit

Mitigation Measures E-5 through E-11 in the Eastern Neighborhoods PEIR were adopted as part of the Plan with uncertain feasibility to address significant transit impacts. These measures are not applicable to the proposed project, as they are plan-level mitigations to be implemented by City and County agencies. In compliance with a portion of Mitigation Measure E-5: Enhanced Transit Funding, the City adopted impact fees for development in Eastern Neighborhoods that goes towards funding transit and complete streets. In addition, the City is currently conducting outreach regarding Mitigation Measures E-5: Enhanced Transit Funding and Mitigation Measure E-11: Transportation Demand Management as part of the Transportation Sustainability Program. 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 the Transit Effectiveness Project (TEP), which was approved by the SFMTA Board of Directors in March 2014. The TEP (now called Muni Forward) includes system-wide review, evaluation, and recommendations to improve service and increase transportation efficiency. Examples of transit priority and pedestrian safety improvements within the Eastern Neighborhoods Plan area as part of Muni Forward include the 14 Mission Rapid Transit Project, the 22 Fillmore Extension along 16th Street to Mission Bay (expected construction between 2017 and 2020), and the Travel Time Reduction Project on Route 9 San Bruno (initiation in 2015). In addition, Muni Forward includes service improvements to various routes with the Eastern Neighborhoods Plan area; for instance the implemented new Route 55 on 16th Street.

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 Boulevard. 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 area 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.

The project site is located within a quarter mile of several local transit lines including Muni lines 8/8AX/8BX Bayshore Express, 12 Folsom/Pacific, 27 Bryant, 30 Stockton, 45 Union/Stockton, 47 Van Ness, 76X Marin Headlands, and 91 Owl. The proposed project would be expected to generate 268 daily transit trips, including 45 during the p.m. peak hour. Given the wide availability of nearby transit, the addition of 45 p.m. peak hour transit trips would be accommodated by existing capacity. As such, the proposed project would not result in unacceptable levels of transit service or cause a substantial increase in delays or operating costs such that significant adverse impacts in transit service could result.

Each of the rezoning options in the Eastern Neighborhoods PEIR identified significant and unavoidable cumulative impacts relating to increases in transit ridership on Muni lines, with the Preferred Project having significant impacts on seven lines. Of those lines, the project site is located within a quarter-mile of Muni line 27 Bryant.

The proposed project would not contribute considerably to these conditions as its minor contribution of 45 p.m. peak hour transit trips would not be a substantial proportion of the overall additional transit volume generated by Eastern Neighborhood projects. The proposed project would also not contribute considerably to 2025 cumulative transit conditions and thus would not result in any significant cumulative transit impacts.

For the above reasons, the proposed project would not result in significant impacts that were not identified in the Eastern Neighborhoods PEIR related to transit and would not contribute considerably to cumulative transit impacts that were identified in the Eastern Neighborhoods PEIR.

<i>Topics:</i>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
5. NOISE—Would the project:				
a) Result in exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

<i>Topics:</i>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
d) Result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan area, or, where such a plan has not been adopted, in an area within two miles of a public airport or public use airport, would the project expose people residing or working in the area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project located in the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Be substantially affected by existing noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The Eastern Neighborhoods PEIR determined that implementation of the Eastern Neighborhoods Area Plans and Rezoning would result in significant noise impacts during construction activities and due to conflicts between noise-sensitive uses in proximity to noisy uses such as PDR, retail, entertainment, cultural/institutional/educational uses, and office uses. The Eastern Neighborhoods PEIR also determined that incremental increases in traffic-related noise attributable to implementation of the Eastern Neighborhoods Area Plans and Rezoning would be less than significant. The Eastern Neighborhoods PEIR therefore identified six noise mitigation measures that would reduce noise impacts from construction and noisy land uses to less-than-significant levels.

Eastern Neighborhoods PEIR Mitigation Measures F-1 and F-2 relate to construction noise. Mitigation Measure F-1 addresses individual projects that include pile-driving, and Mitigation Measure F-2 addresses individual projects that include particularly noisy construction procedures (including pile-driving). A screw-in steel pile system with a concrete slab is proposed as part of the building's foundation. Impact pile driving would be recommended as noted in the proposed project's Geotechnical Report.¹² Since piles are needed as part of the proposed building's foundation, and pile driving is feasible from a geotechnical standpoint, Mitigation Measure F-1, which pertains to construction noise resulting from pile driving, is applicable to the proposed project. As part of Mitigation Measure F-1, the project sponsor would be required to use equipment with state-of-the-art noise shielding and muffling devices and to reduce noise and vibration impacts using sonic or vibratory sheetpile drivers.. Other heavy equipment would be required during construction of the proposed building, so Mitigation Measure F-2, which requires use of site-specific construction noise attenuation measures under the supervision of a qualified acoustical consultant, is applicable to the proposed project at 363 6th Street. The project sponsor

¹² AGS, Inc. Final Geotechnical Study Report, 345 and 363 6th Street. March 2014. This document is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2011.0586E.

has agreed to implement Eastern Neighborhoods PEIR Mitigation Measures F-1 and F-2 as Project Mitigation Measures 2 and 3 (full text provided in the “Mitigation Measures” section below), which requires use of site-specific construction noise attenuation measures under the supervision of a qualified acoustical consultant

In addition, all construction activities for the proposed project (approximately 18 months) would be subject to and would comply with the San Francisco Noise Ordinance (Article 29 of the San Francisco Police Code) (Noise Ordinance). Construction noise is regulated by the Noise Ordinance. The Noise Ordinance requires that construction work be conducted in the following manner: (1) noise levels of construction equipment, other than impact tools, must not exceed 80 dBA at a distance of 100 feet from the source (the equipment generating the noise); (2) impact tools must have intake and exhaust mufflers that are approved by the Director of the Department of Public Works (DPW) or the Director of the Department of Building Inspection (DBI) to best accomplish maximum noise reduction; and (3) if the noise from the construction work would exceed the ambient noise levels at the site property line by 5 dBA, the work must not be conducted between 8:00 p.m. and 7:00 a.m. unless the Director of DPW authorizes a special permit for conducting the work during that period.

DBI is responsible for enforcing the Noise Ordinance for private construction projects during normal business hours (8:00 a.m. to 5:00 p.m.). The Police Department is responsible for enforcing the Noise Ordinance during all other hours. Nonetheless, during the construction period for the proposed project of approximately 18 months, occupants of the nearby properties could be disturbed by construction noise. Times may occur when noise could interfere with indoor activities in nearby residences and other businesses near the project site. The increase in noise in the project area during project construction would not be considered a significant impact of the proposed project, because the construction noise would be temporary, intermittent, and restricted in occurrence and level, as the contractor would be required to comply with the Noise Ordinance and Eastern Neighborhoods PEIR Mitigation Measures F-1 and F-2, which would reduce construction noise impacts to a less than significant level.

Eastern Neighborhoods PEIR Mitigation Measures F-3 and F-4 require that a detailed analysis of noise reduction requirements be conducted for new development that includes noise-sensitive uses located along streets with noise levels above 60 dBA (Ldn) or near existing noise-generating uses. Since certification of the PEIR, San Francisco adopted Noise Regulations Relating to Residential Uses Near Places of Entertainment (Ordinance 70-15, effective June 19, 2015). The intent of the regulations is to address noise conflicts between residential uses and in noise critical areas, such as in proximity to highways, country roads, city streets, railroads, rapid transit lines, airports, nighttime entertainment venues or industrial areas. Residential structures to be located where the day-night average sound level (Ldn) or community noise equivalent level (CNEL) exceeds 60 decibels shall require an acoustical analysis with the application of a building permit showing that the proposed design will limit exterior noise to the 45 decibels in any habitable room. Furthermore, the regulations require the Planning Department and Planning Commission to consider the compatibility of uses when approving residential uses adjacent to or near existing permitted places of entertainment and take all reasonably available

means through the City's design review and approval processes to ensure that the design of such new residential development projects take into account the needs and interests of both the places of entertainment and the future residents of the new development.

The regulations and procedures set forth by the San Francisco Noise Regulations Relating to Residential Uses Near Places of Entertainment are consistent with the provisions of PEIR Mitigation Measure F-3 and F-4. In accordance with PEIR Mitigation Measure F-3 and F-4, the project sponsor has conducted an environmental noise study demonstrating that the proposed project can feasibly attain acceptable interior noise levels.¹³ The proposed project would add noise-sensitive uses (dwelling units) in an area where street noise levels exceed 60 dBA (Ldn). Therefore, Mitigation Measures F-3 and F-4 apply to the proposed project, and have been agreed to by the project sponsor as Project Mitigation Measures 4 and 5, respectively (full text provided in the "Mitigation Measures" section below).

Eastern Neighborhoods PEIR Mitigation Measure F-5 addresses impacts related to individual projects that include new noise-generating uses that would be expected to generate noise levels in excess of ambient noise in the proposed project site vicinity. The proposed project does not include noise-generating land uses, so Mitigation Measure F-5 is not applicable.

Mitigation Measure F-6 addresses impacts from existing ambient noise levels on open space required under the Planning Code for new development that includes noise sensitive uses. The proposed project includes open space in a first-level interior courtyard and on a roof top open space. Mitigation Measure F-6 is therefore applicable to the proposed project, and has been agreed to by the project sponsor as Project Mitigation Measure 6 (full text provided in the "Mitigation Measures" section below). The noise study prepared in accordance with Mitigation Measure F-6 (Project Mitigation Measure 4) addressed noise levels at the proposed outdoor spaces, and concluded that the courtyard and roof deck would be adequately shielded from ambient noise by intervening residential buildings and the proposed rooftop wind shelter. Exterior noise levels at these spaces would therefore be below 60 dBA (Ldn).

The project site is not located within an airport land use plan area, within two miles of a public airport, or in the vicinity of a private airstrip. Therefore, topic 12e and f from the CEQA Guidelines, Appendix G is not applicable.

For the above reasons, the proposed project would not result in significant noise impacts that were not identified in the Eastern Neighborhoods PEIR.

¹³ Robert King, arc Management, 363 6th Street *Environmental Noise Report*. March 18, 2014. This document is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2011.0586E.

<i>Topics:</i>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
6. AIR QUALITY—Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal, state, or regional ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The Eastern Neighborhoods PEIR identified potentially significant air quality impacts resulting from construction activities and impacts to sensitive land uses¹⁴ as a result of exposure to elevated levels of diesel particulate matter (DPM) and other toxic air contaminants (TACs). The Eastern Neighborhoods PEIR identified four mitigation measures that would reduce these air quality impacts to less-than-significant levels and stated that with implementation of identified mitigation measures, the Area Plan would be consistent with the Bay Area 2005 Ozone Strategy, the applicable air quality plan at that time. All other air quality impacts were found to be less than significant.

Eastern Neighborhoods PEIR Mitigation Measure G-1 addresses air quality impacts during construction, PEIR Mitigation Measure G-2 addresses the siting of sensitive land uses near sources of TACs and PEIR Mitigation Measures G-3 and G-4 address proposed uses that would emit DPM and other TACs.

Construction Dust Control

Eastern Neighborhoods PEIR Mitigation Measure G-1 Construction Air Quality requires individual projects involving construction activities to include dust control measures and to maintain and operate construction equipment so as to minimize exhaust emissions of particulates and other pollutants. The San Francisco Board of Supervisors subsequently approved a series of amendments to the San Francisco Building and Health Codes, generally referred to as the Construction Dust Control Ordinance (Ordinance 176-08, effective July 30, 2008). The intent of the Construction Dust Control Ordinance is to reduce the

¹⁴ The Bay Area Air Quality Management District (BAAQMD) considers sensitive receptors as: children, adults or seniors occupying or residing in: 1) residential dwellings, including apartments, houses, condominiums, 2) schools, colleges, and universities, 3) daycares, 4) hospitals, and 5) senior care facilities. BAAQMD, Recommended Methods for Screening and Modeling Local Risks and Hazards, May 2011, page 12.

quantity of fugitive dust generated during site preparation, demolition, and construction work in order to protect the health of the general public and of on-site workers, minimize public nuisance complaints, and to avoid orders to stop work by DBI. Project-related construction activities would result in construction dust, primarily from ground-disturbing activities. In compliance with the Construction Dust Control Ordinance, the project sponsor and contractor responsible for construction activities at the project site would be required to control construction dust on the site through a combination of watering disturbed areas, covering stockpiled materials, street and sidewalk sweeping and other measures.

The regulations and procedures set forth by the San Francisco Dust Control Ordinance would ensure that construction dust impacts would not be significant. These requirements supersede the dust control provisions of PEIR Mitigation Measure G-1. Therefore, the portion of PEIR Mitigation Measure G-1 Construction Air Quality that addresses dust control is no longer applicable to the proposed project.

Criteria Air Pollutants

While the Eastern Neighborhoods PEIR determined that at a program-level the Eastern Neighborhoods Rezoning and Area Plans would not result in significant regional air quality impacts, the PEIR states that “Individual development projects undertaken in the future pursuant to the new zoning and area plans would be subject to a significance determination based on the BAAQMD’s quantitative thresholds for individual projects.”¹⁵ The BAAQMD’s CEQA Air Quality Guidelines (Air Quality Guidelines) provide screening criteria¹⁶ for determining whether a project’s criteria air pollutant emissions would violate an air quality standard, contribute to an existing or projected air quality violation, or result in a cumulatively considerable net increase in criteria air pollutants. Pursuant to the Air Quality Guidelines, projects that meet the screening criteria do not have a significant impact related to criteria air pollutants. Criteria air pollutant emissions during construction and operation of the proposed project would meet the Air Quality Guidelines screening criteria. The proposed project would add 104 dwelling units and 700 sq ft of ground-floor commercial space, which is below the residential screening criterion of 240 dwelling units and the most restrictive retail criterion of 5,000 square feet. Therefore, the project would not have a significant impact related to criteria air pollutants, and a detailed air quality assessment is not required.

Health Risk

Since certification of the PEIR, San Francisco Board of Supervisors approved a series of amendments to the San Francisco Building and Health Codes, generally referred to as the Enhanced Ventilation Required for Urban Infill Sensitive Use Developments or Health Code, Article 38 (Ordinance 224-14, effective December 8, 2014)(Article 38). The purpose of Article 38 is to protect the public health and welfare by establishing an Air Pollutant Exposure Zone and imposing an enhanced ventilation requirement for all

¹⁵ San Francisco Planning Department, Eastern Neighborhood’s Rezoning and Area Plans Final Environmental Impact Report. See page 346. Available online at: <http://www.sf-planning.org/Modules/ShowDocument.aspx?documentid=4003>. Accessed June 4, 2014.

¹⁶ Bay Area Air Quality Management District, CEQA Air Quality Guidelines, updated May 2011. See pp. 3-2 to 3-3.

urban infill sensitive use development within the Air Pollutant Exposure Zone. The Air Pollutant Exposure Zone as defined in Article 38 are areas that, based on modeling of all known air pollutant sources, exceed health protective standards for cumulative PM_{2.5} concentration, cumulative excess cancer risk, and incorporates health vulnerability factors and proximity to freeways. Projects within the Air Pollutant Exposure Zone require special consideration to determine whether the project's activities would expose sensitive receptors to substantial air pollutant concentrations or add emissions to areas already adversely affected by poor air quality.

Construction

The project site is located within an identified Air Pollutant Exposure Zone; therefore, the ambient health risk to sensitive receptors from air pollutants is considered substantial. The proposed project would require heavy-duty off-road diesel vehicles and equipment during three months of the anticipated 18-month construction period. Thus, Project Mitigation Measure 7 Construction Air Quality has been identified to implement the portions of Eastern Neighborhoods PEIR Mitigation Measure G-1 related to emissions exhaust by requiring engines with higher emissions standards on construction equipment. Project Mitigation Measure 7 Construction Air Quality would reduce DPM exhaust from construction equipment by 89 to 94 percent compared to uncontrolled construction equipment.¹⁷ Therefore, impacts related to construction health risks would be less than significant through implementation of Project Mitigation Measure 7 Construction Air Quality. The full text of Project Mitigation Measure 7 Construction Air Quality is provided in the Mitigation Measures Section below.

Siting Sensitive Land Uses

For sensitive use projects within the Air Pollutant Exposure Zone as defined by Article 38, such as the proposed project, the Ordinance requires that the project sponsor submit an Enhanced Ventilation Proposal for approval by the Department of Public Health (DPH) that achieves protection from PM_{2.5} (fine particulate matter) equivalent to that associated with a Minimum Efficiency Reporting Value 13 filtration. DBI will not issue a building permit without written notification from the Director of Public Health that the applicant has an approved Enhanced Ventilation Proposal.

¹⁷ PM emissions benefits are estimated by comparing off-road PM emission standards for Tier 2 with Tier 1 and 0. Tier 0 off-road engines do not have PM emission standards, but the United States Environmental Protection Agency's *Exhaust and Crankcase Emissions Factors for Nonroad Engine Modeling – Compression Ignition* has estimated Tier 0 engines between 50 hp and 100 hp to have a PM emission factor of 0.72 g/hp-hr and greater than 100 hp to have a PM emission factor of 0.40 g/hp-hr. Therefore, requiring off-road equipment to have at least a Tier 2 engine would result in between a 25 percent and 63 percent reduction in PM emissions, as compared to off-road equipment with Tier 0 or Tier 1 engines. The 25 percent reduction comes from comparing the PM emission standards for off-road engines between 25 hp and 50 hp for Tier 2 (0.45 g/bhp-hr) and Tier 1 (0.60 g/bhp-hr). The 63 percent reduction comes from comparing the PM emission standards for off-road engines above 175 hp for Tier 2 (0.15 g/bhp-hr) and Tier 0 (0.40 g/bhp-hr). In addition to the Tier 2 requirement, ARB Level 3 VDECSs are required and would reduce PM by an additional 85 percent. Therefore, the mitigation measure would result in between an 89 percent (0.0675 g/bhp-hr) and 94 percent (0.0225 g/bhp-hr) reduction in PM emissions, as compared to equipment with Tier 1 (0.60 g/bhp-hr) or Tier 0 engines (0.40 g/bhp-hr).

In compliance Article 38, the project sponsor has submitted an initial application to DPH.¹⁸ The regulations and procedures set forth by Article 38 would ensure that exposure to sensitive receptors would not be significant. These requirements supersede the provisions of Eastern Neighborhoods PEIR Mitigation Measure G-2. Therefore, Eastern Neighborhoods PEIR Mitigation Measure G-2 Air Quality for Sensitive Land Uses is no longer applicable to the proposed project, and impacts related to siting new sensitive land uses would be less than significant through compliance with Article 38.

Siting New Sources

The proposed project would not be expected to generate 100 trucks per day or 40 refrigerated trucks per day. Therefore, Eastern Neighborhoods PEIR Mitigation Measure G-3 is not applicable. However, the proposed project would include a backup diesel generator, which would emit DPM, a TAC. Therefore, Project Mitigation Measure 8 Best Available Control Technology for Diesel Generators has been identified to implement the portions of Eastern Neighborhoods PEIR Mitigation Measure G-4 related to siting of uses that emit TACs by requiring the engine to meet higher emission standards. Project Mitigation Measure 8 Best Available Control Technology for Diesel Generators would reduce DPM exhaust from stationary sources by 89 to 94 percent compared to uncontrolled stationary sources. Impacts related to new sources of health risk would be less than significant through implementation of Project Mitigation Measure 8 Best Available Control Technology for Diesel Generators. The full text of Project Mitigation Measure 8 Best Available Control Technology for Diesel Generators is provided in the Mitigation Measures Section below.

Conclusion

For the above reasons, the construction exhaust emissions portion of the Eastern Neighborhoods PEIR air quality mitigation measure G-1, as well as PEIR air quality mitigation measure G-4 regarding diesel generators, are applicable to the proposed project and the project would not result in significant air quality impacts that were not identified in the PEIR.

¹⁸ SFDPH, 363 6th Street - Article 38 Application, June 10, 2015. This document is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case File No 2011.0586E

<i>Topics:</i>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
7. GREENHOUSE GAS EMISSIONS—Would the project:				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with any applicable plan, policy, or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The Eastern Neighborhoods PEIR assessed the GHG emissions that could result from rezoning of the East SoMa Area Plan under the three rezoning options. The Eastern Neighborhoods Rezoning Options A, B, and C are anticipated to result in GHG emissions on the order of 4.2, 4.3 and 4.5 metric tons of CO₂E¹⁹ per service population,²⁰ respectively. The Eastern Neighborhoods PEIR concluded that the resulting GHG emissions from the three options analyzed in the Eastern Neighborhoods Area Plans would be less than significant. No mitigation measures were identified in the PEIR.

Regulations outlined in San Francisco's Strategies to Address Greenhouse Gas Emissions have proven effective as San Francisco's GHG emissions have measurably reduced when compared to 1990 emissions levels, demonstrating that the City has met and exceeded EO S-3-05, AB 32, and the Bay Area 2010 Clean Air Plan GHG reduction goals for the year 2020. The proposed project was determined to be consistent with San Francisco's GHG Reduction Strategy. Other existing regulations, such as those implemented through AB 32, will continue to reduce a proposed project's contribution to climate change. Therefore, the proposed project's GHG emissions would not conflict with state, regional, and local GHG reduction plans and regulations, and thus the proposed project's contribution to GHG emissions would not be cumulatively considerable or generate GHG emissions, either directly or indirectly, that would have a significant impact on the environment.

As the proposed project is within the development projected under the Eastern Neighborhoods Rezoning and Area Plans, there would be no additional impacts on greenhouse gas emissions beyond those analyzed in the Eastern Neighborhoods PEIR.

¹⁹ CO₂E, defined as equivalent Carbon Dioxide, is a quantity that describes other greenhouse gases in terms of the amount of Carbon Dioxide that would have an equal global warming potential.

²⁰ Memorandum from Jessica Range to Environmental Planning staff, Greenhouse Gas Analyses for Community Plan Exemptions in Eastern Neighborhoods, April 20, 2010. This memorandum provides an overview of the GHG analysis conducted for the Eastern Neighborhoods PEIR and provides an analysis of the emissions using a service population (equivalent of total number of residents and employees) metric.

<i>Topics:</i>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
8. WIND AND SHADOW—Would the project:				
a) Alter wind in a manner that substantially affects public areas?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Create new shadow in a manner that substantially affects outdoor recreation facilities or other public areas?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Wind

Based on the height and location of the proposed approximately 85-foot-tall building, a pedestrian wind assessment (“Wind Assessment”) was prepared by a qualified wind consultant for the proposed project.²¹ The objective of the Wind Assessment was to provide a qualitative evaluation of the potential wind impacts of the proposed development, which provides a screening-level estimation of the potential wind impact. The Wind Assessment found that the existing wind conditions on the adjacent streets do not exceed the 26-mile-per-hour wind hazard criterion for a single full hour, or approximately 0.0114 percent of the time, as outlined in the San Francisco Planning Code Section 148. Further, the development as a whole structure has its long axis aligned along a southwest to northeast direction which aligns the long axis of the buildings across prevailing winds, which would tend to maximize the amount of wind intercepted by the structure. The construction of an adjacent, approximately 82-foot-tall, building at 345 6th Street development would provide shelter to the most exposed (northwest) face of the proposed 363 6th Street building, as only the upper stories of the proposed project would be exposed to prevailing winds. The Wind Assessment also found that the proposed building would not cause winds that would reach or exceed the 26-mile-per-hour wind hazard criterion at all pedestrian areas on and around the proposed development and that wind speeds at building entrances and public sidewalks would be suitable for the intended pedestrian usage.

Shadow

Planning Code Section 295 generally prohibits new structures above 40 feet in height that would cast additional shadows on open space that is under the jurisdiction of the San Francisco Recreation and Park Commission between one hour after sunrise and one hour before sunset, at any time of the year, unless that shadow would not result in a significant adverse effect on the use of the open space. Under the Eastern Neighborhoods Rezoning and Area Plans, sites surrounding parks could be redeveloped with taller buildings without triggering Section 295 of the Planning Code because certain parks are not subject

²¹ Donald Ballanti, Consulting Meteorologist - *Wind/Comfort Study for the 363 Sixth Street Project, San Francisco*, March 26, 2013. This document is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, San Francisco, as part of Case File No. 2011.0586E.

to Section 295 of the Planning Code (i.e., under jurisdiction of departments other than the Recreation and Parks Department or privately owned). The Eastern Neighborhoods PEIR could not conclude if the rezoning and community plans would result in less-than-significant shadow impacts because the feasibility of complete mitigation for potential new shadow impacts of unknown proposed proposals could not be determined at that time. Therefore, the PEIR determined shadow impacts to be significant and unavoidable. No mitigation measures were identified in the PEIR.

The proposed project would construct an 85-foot-tall building; therefore, the Planning Department prepared a preliminary shadow fan analysis a shadow analysis to determine whether the project would have the potential to cast new shadow on nearby parks.²² The shadow fan analysis, which did not take intervening buildings into account, identified a possibility of the proposed project casting shadow on the Victoria Manalo Draves Park and the Gene Friend Recreation Center located to the west of the project site (See Figure 5). Both facilities are subject to Section 295 of the Planning Code because they are under the jurisdiction of the Recreation and Parks Department. Based on the results of the preliminary shadow fan analysis, a more detailed Shadow Study was prepared, including a quantitative analysis of the potential shadow impacts of the proposed project that accounts for surrounding buildings.²³

²² San Francisco Planning Department, *Preliminary Shadow Fan Analysis, 363 6th Street*, January 15, 2014. This document is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2011.0586E.

²³ Adam Noble, CADP. *363 6th Street Shadow Analysis with Cumulative Analysis of 345 6th Street*. June 8, 2015. This document is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2011.0586E.



Source: Adam Noble, CADP

Figure 5.
Victoria Manalo Draves Park and Gene Friend Recreation Center

The Proposition K Memorandum dated February 3, 1989, developed by the Recreation and Park Department and the Planning Department, provided tolerance levels for the Absolute Cumulative Limit of new shading for specific parks and established criteria for parks not yet named in the memo but still subject to Section 295 Review. The established tolerance limits are based on the additional new shadow-foot-hours expressed as a percentage of the theoretical total foot-hours of sunlight for each park over a period of one year. The Victoria Manalo Draves Park was not included in the 1989 memo, however, the park would be subject to the qualitative criteria (larger than 2 acres and shadowed less than 20% of the year).²⁴ The Proposition K memo establishes a potentially permissible quantitative limit for additional shadows where the Absolute Cumulative Limit is up to 1.0% if the specific shadow meets the additional qualitative criteria. The Gene Friend Recreation Center is referenced in the 1989 Prop K memo with an Absolute Cumulative Limit of 0% additional shading.

The Shadow Study determined that the proposed project would not cast new shadow on the Victoria Manalo Draves Park. The location of the proposed Project's new shadow falls on areas of the park that are already shaded by the adjacent or nearby structures. As a result, the proposed Project would add no new square foot hours of shadow on the park. Therefore, no shadow impacts to Victoria Manalo Draves Park would occur.

As shown on Figure 6, the proposed project would cast new shadow on the Gene Friend Recreation Center, which is estimated to add a 0.02788 percent increase in shadow as a percentage of Theoretically Available Annual Sunlight (TAAS). New shadow would be cast by the proposed project on 20 days in the fall and winter from Sunrise +1 hour (7:30 AM to 8:22 AM) with all shadows gone no later than 8:41 AM. The longest duration of new shadow would be approximately 22 minutes and the average shadow would be cast for less than 12 minutes. All new shadow cast occurs before the park opens and is mostly projected on walkways, a small portion of the green field adjacent to the corner of 6th Street and Folsom Street.

Further, the new shadow cast on the Gene Friend Recreation Center by the proposed project would be 0.02788%, which would be above the allowed Absolute Cumulative Limit, up to 0%, as outlined in the 1989 Proposition K Memorandum. Additional shadow load on the facility would not be recommended unless the qualitative criteria can be met, and the ACL standard is increased by 0.02379%.

The Qualitative Analysis performed by the Shadow Study noted that the Gene Friend Recreation Center is an enclosed park that is locked when not in operation. Site visits were conducted to evaluate the use of the open areas of the park. In the morning, the number of individuals using the open areas varied from 6 to 17 people with most visitors using the lawn area and surrounding benches to rest or sleep. As the day progresses, the playground and basketball court become more active with children and youth utilizing

²⁴ Qualitative criteria for each park should be based on existing shadow profiles, important times of day, important seasons in the year, size and duration of new shadows and the public good served by buildings casting new shadow.

the open areas in the afternoon. The peak use of Gene Friend Recreation Center's open areas is in the afternoon.

The proposed project casts new shadow on Gene Friend Recreation Center in the morning before the park is open. All shadow would be gone by 8:41 AM, 19 minutes before the gates open. The new shadow cast is not during an important time of day for the park and would not adversely affect the usage pattern of Gene Friend Recreation Center. Also, the proposed project would cast new shadow on Gene Friend Recreation Center for a few minutes, on 20 days in the fall and winter. As a percentage, new shadow would be cast on approximately 5 percent of the days of the year (i.e., 20 out of 365 days) and, assuming, only days when the park is open (Tuesday-Saturday), new shadow would only be cast on approximately 8 percent of the days of the year (i.e., 20 out of 240 days).

The proposed project would cast a 6,023.83 square-foot shadow at its largest. This shadow occurs on 20 days during fall and winter at 7:30 AM and is gone by 7:38 AM. New shadow cast by the proposed project would have an average duration of approximately 12 minutes. At its shortest, new shadow would be cast for 5 minutes and 24 seconds, and at its longest, new shadow would be cast for 22 minutes and 48 seconds. At its largest, the new shadow would be cast on 13% of the total area of the Gene Friend Recreation Center. However, this would occur during times in the morning when the park is not open to the public.

Finally, the proposed project would cast a majority of new shadow on passive recreational areas such as the walkways and a portion of the green field south of the Recreation Center Building. New shadow cast on the green field is also in the corner, adjacent to existing trees and a 3-foot tall wall that encloses the park and new shadow on the playground is adjacent to trees.

As shown in Figure 7, the proposed project, in combination with the proposed 345 6th Street development—an approximately 82-foot-tall building adjacent to the project site—would contribute to the significant cumulative shadow impact identified in the Eastern Neighborhoods PEIR.²⁵ New shadow on the Gene Friend Recreation Center from both the proposed project would not result in a substantial adverse impact on use of the facility. Therefore, the proposed project would contribute to the significant cumulative impact anticipated, identified, and analyzed in the Eastern Neighborhoods PEIR, and would not result in any new project-specific significant impact.

The proposed project would result less-than-significant impacts on shadow. However, no thresholds for cumulatively considerable impacts were established within the Eastern Neighborhoods PEIR. As such, the impacts identified above would only be a minor, incremental contribution.

²⁵ 345 6th Street Project. Case Number 2013.1773E.

The proposed project would also shade portions of nearby streets and sidewalks and private property at times within the project vicinity. Shadows upon streets and sidewalks would not exceed levels commonly expected in urban areas and would be considered a less-than-significant effect under CEQA. Although occupants of nearby property may regard the increase in shadow as undesirable, the limited increase in shading of private properties as a result of the proposed project would not be considered a significant impact under CEQA.

For the above reasons, the proposed project would not result in significant impacts related to shadow that were not identified in the Eastern Neighborhoods PEIR.



Figure 6. Net New Shadow by 363 6th Street Project



Figure 7. Cumulative Shadow by 345 6th Street and 363 6th Street Projects

<i>Topics:</i>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
9. RECREATION—Would the project:				
a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facilities would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Physically degrade existing recreational resources?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The Eastern Neighborhoods PEIR concluded that implementation of the Eastern Neighborhoods Rezoning and Area Plans would not result in substantial or accelerated deterioration of existing recreational resources or require the construction or expansion of recreational facilities that may have an adverse effect on the environment. No mitigation measures related to recreational resources were identified in the Eastern Neighborhoods PEIR.

As part of the Eastern Neighborhoods adoption, the City adopted impact fees for development in Eastern Neighborhoods that goes towards funding recreation and open space. Since certification of the PEIR, the voters of San Francisco passed the 2012 San Francisco Clean and Safe Neighborhood Parks Bond providing the Recreation and Parks Department an additional \$195 million to continue capital projects for the renovation and repair of parks, recreation, and open space assets. This funding is being utilized for improvements and expansion to Garfield Square, South Park, Potrero Hill Recreation Center, Warm Water Cove Park, and Pier 70 Parks Shoreline within the Eastern Neighborhoods Plan area. The impact fees and the 2012 San Francisco Clean and Safe Neighborhood Parks Bond are funding measures similar to that described in PEIR Improvement Measure H-1: Support for Upgrades to Existing Recreation Facilities.

An update of the Recreation and Open Space Element (ROSE) of the General Plan was adopted in April 2014. The amended ROSE provides a 20-year vision for open spaces in the City. It includes information and policies about accessing, acquiring, funding, and managing open spaces in San Francisco. The amended ROSE identifies areas within the Eastern Neighborhoods Plan area for acquisition and the locations where proposed new open spaces and open space connections should be built, consistent with PEIR Improvement Measure H-2: Support for New Open Space. Two of these open spaces, Daggett Park and at 17th and Folsom, are set to open in 2015 and 2016, respectively. In addition, the amended ROSE identifies the role of both the Better Streets Plan (refer to “Transportation” section for description) and the Green Connections Network in open space and recreation. Green Connections are special streets and

paths that connect people to parks, open spaces, and the waterfront, while enhancing the ecology of the street environment. Six routes identified within the Green Connections Network cross the Eastern Neighborhoods Plan area: Mission to Peaks (Route 6); Noe Valley to Central Waterfront (Route 8), a portion of which has been conceptually designed; Tenderloin to Potrero (Route 18); Downtown to Mission Bay (Route 19); Folsom, Mission Creek to McLaren (Route 20); and Shoreline (Route 24)

As the proposed project would not degrade recreational facilities and is within the development projected under the Eastern Neighborhoods Rezoning and Area Plans, there would be no additional impacts on recreation beyond those analyzed in the Eastern Neighborhoods PEIR.

<i>Topics:</i>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
10. UTILITIES AND SERVICE SYSTEMS—Would the project:				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Have sufficient water supply available to serve the project from existing entitlements and resources, or require new or expanded water supply resources or entitlements?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in a determination by the wastewater treatment provider that would serve the project that it has inadequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The Eastern Neighborhoods PEIR determined that the anticipated increase in population would not result in a significant impact to the provision of water, wastewater collection and treatment, and solid waste collection and disposal. No mitigation measures were identified in the PEIR.

Since certification of the PEIR, the San Francisco Public Utilities Commission (SFPUC) adopted the 2010 Urban Water Management Plan (UWMP) in June 2011. The UWMP update includes City-wide demand

projections to the year 2035, compares available water supplies to meet demand and presents water demand management measures to reduce long-term water demand. Additionally, the UWMP update includes a discussion of the conservation requirement set forth in Senate Bill 7 passed in November 2009 mandating a statewide 20% reduction in per capita water use by 2020. The UWMP includes a quantification of the SFPUC's water use reduction targets and plan for meeting these objectives. The UWMP projects sufficient water supply in normal years and a supply shortfall during prolonged droughts. Plans are in place to institute varying degrees of water conservation and rationing as needed in response to severe droughts.

In addition, the SFPUC is in the process of implementing the Sewer System Improvement Program, which is a 20-year, multi-billion dollar citywide upgrade to the City's sewer and stormwater infrastructure to ensure a reliable and seismically safe system. The program includes planned improvements that will serve development in the Eastern Neighborhoods Plan area including at the Southeast Treatment Plant, the Central Bayside System, and green infrastructure projects, such as the Mission and Valencia Green Gateway.

As the proposed project is within the development projected under the Eastern Neighborhoods Rezoning and Area Plans, there would be no additional impacts on utilities and service systems beyond those analyzed in the Eastern Neighborhoods PEIR.

<i>Topics:</i>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
11. PUBLIC SERVICES—Would the project:				
a) Result in substantial adverse physical impacts associated with the provision of, or the need for, new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any public services such as fire protection, police protection, schools, parks, or other services?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The Eastern Neighborhoods PEIR determined that the anticipated increase in population would not result in a significant impact to public services, including fire protection, police protection, and public schools. No mitigation measures were identified in the PEIR.

As the proposed project is within the development projected under the Eastern Neighborhoods Rezoning and Area Plans, there would be no additional impacts on public services beyond those analyzed in the Eastern Neighborhoods PEIR.

<i>Topics:</i>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
12. BIOLOGICAL RESOURCES—Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

As discussed in the Eastern Neighborhoods PEIR, the Eastern Neighborhoods Plan area is in a developed urban environment that does not provide native natural habitat for any rare or endangered plant or animal species. There are no riparian corridors, estuaries, marshes, or wetlands in the Plan Area that could be affected by the development anticipated under the Area Plan. In addition, development envisioned under the Eastern Neighborhoods Area Plan would not substantially interfere with the movement of any resident or migratory wildlife species. For these reasons, the PEIR concluded that implementation of the Area Plan would not result in significant impacts on biological resources, and no mitigation measures were identified.

The project site is located within East SoMa Plan area of the Eastern Neighborhoods Area Plan and therefore, does not support habitat for any candidate, sensitive or special status species. As such, implementation of the proposed project would not result in significant impacts to biological resources not identified in the Eastern Neighborhoods PEIR.

<i>Topics:</i>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
13. GEOLOGY AND SOILS—Would the project:				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? (Refer to Division of Mines and Geology Special Publication 42.)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Be located on geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code, creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Change substantially the topography or any unique geologic or physical features of the site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The Eastern Neighborhoods PEIR concluded that implementation of the Plan would indirectly increase the population that would be subject to an earthquake, including seismically induced ground-shaking, liquefaction, and landslides. The PEIR also noted that new development is generally safer than comparable older development due to improvements in building codes and construction techniques. Compliance with applicable codes and recommendations made in project-specific geotechnical analyses would not eliminate earthquake risks, but would reduce them to an acceptable level, given the seismically active characteristics of the Bay Area. Thus, the PEIR concluded that implementation of the Plan would not result in significant impacts with regard to geology, and no mitigation measures were identified in the Eastern Neighborhoods PEIR.

A geotechnical investigation was prepared for the proposed project.²⁶ The report concluded that the proposed building may be adequately supported by a concrete floor slab foundation with screw-in steel piles extending 30 feet below existing grade. Since piles are needed as part of the proposed building's foundation, and pile driving is recommended from a geotechnical standpoint. The report recognizes that the project site is located in a seismic hazard zone (liquefaction zone), and concludes that the proposed foundation system would adequately address the risk of liquefaction.

The project is required to conform to the San Francisco Building Code, which ensures the safety of all new construction in the City. DBI will review the project-specific geotechnical report during its review of the building permit for the project. In addition, DBI may require additional site specific soils report(s) through the building permit application process, as needed. The DBI requirement for a geotechnical report and review of the building permit application pursuant to DBI's implementation of the Building Code would ensure that the proposed project would have no significant impacts related to soils, seismic or other geological hazards.

In light of the above, the proposed project would not result in a significant effect related to seismic and geologic hazards. Therefore, the proposed project would not result in significant impacts related to geology and soils that were not identified in the Eastern Neighborhoods PEIR, and no mitigation measures are necessary.

<i>Topics:</i>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
14. HYDROLOGY AND WATER QUALITY—Would the project:				
a) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner that would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

²⁶ AGS, Inc. Final Geotechnical Study Report, 345 and 363 6th Street. March 2014. This document is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2011.0586E.

<i>Topics:</i>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other authoritative flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Place within a 100-year flood hazard area structures that would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j) Expose people or structures to a significant risk of loss, injury or death involving inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The Eastern Neighborhoods PEIR determined that the anticipated increase in population would not result in a significant impact on hydrology and water quality, including the combined sewer system and the potential for combined sewer outflows. No mitigation measures were identified in the PEIR.

The project site is mostly covered by the two-story industrial building and the concrete-paved open parking area along Clara Street. The proposed building would fully cover the project site. Therefore, no increase or decrease of the impervious surface coverage on the project site would occur. Further, the project site is not located in an area that is subject to flooding. As a result, the proposed project would not increase stormwater runoff.

Therefore, the proposed project would not result in any significant impacts related to hydrology and water quality that were not identified in the Eastern Neighborhoods PEIR.

<i>Topics:</i>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
15. HAZARDS AND HAZARDOUS MATERIALS— Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Expose people or structures to a significant risk of loss, injury, or death involving fires?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The Eastern Neighborhoods PEIR noted that implementation of any of the proposed project's rezoning options would encourage construction of new development within the project area. The PEIR found that there is a high potential to encounter hazardous materials during construction activities in many parts of the project area because of the presence of 1906 earthquake fill, previous and current land uses associated with the use of hazardous materials, and known or suspected hazardous materials cleanup cases. However, the PEIR found that existing regulations for facility closure, Under Storage Tank (UST) closure, and investigation and cleanup of soil and groundwater would ensure implementation of measures to protect workers and the community from exposure to hazardous materials during construction.

Hazardous Building Materials

The Eastern Neighborhoods PEIR determined that future development in the Plan Area may involve demolition or renovation of existing structures containing hazardous building materials. Some building materials commonly used in older buildings could present a public health risk if disturbed during an accident or during demolition or renovation of an existing building. Hazardous building materials addressed in the PEIR include asbestos, electrical equipment such as transformers and fluorescent light ballasts that contain PCBs or di (2 ethylhexyl) phthalate (DEHP), fluorescent lights containing mercury vapors, and lead-based paints. Asbestos and lead based paint may also present a health risk to existing building occupants if they are in a deteriorated condition. If removed during demolition of a building, these materials would also require special disposal procedures. The Eastern Neighborhoods PEIR identified a significant impact associated with hazardous building materials including PCBs, DEHP, and mercury and determined that that Mitigation Measure L-1: Hazardous Building Materials, as outlined below, would reduce effects to a less-than-significant level. Because the proposed development includes demolition of an existing building, Project Mitigation Measure 9 (Mitigation Measure L-1) would apply to the proposed project. See full text of Project Mitigation Measure 9 (Mitigation Measure L-1: Hazardous Building Materials) in the Mitigation Measures Section below.

Soil and Groundwater Contamination

Since certification of the PEIR, Article 22A of the Health Code, also known as the Maher Ordinance, was expanded to include properties throughout the City where there is potential to encounter hazardous materials, primarily industrial zoning districts, sites with industrial uses or underground storage tanks, sites with historic bay fill, and sites in close proximity to freeways or underground storage tanks. The over-arching goal of the Maher Ordinance is to protect public health and safety by requiring appropriate handling, treatment, disposal and when necessary, mitigation of contaminated soils that are encountered in the building construction process. Projects that disturb 50 cubic yards or more of soil that are located on sites with potentially hazardous soil or groundwater within Eastern Neighborhoods Plan area are subject to this ordinance.

The proposed project would require greater than 50 cubic yards of soil disturbance on a site with known former industrial use. Therefore, the project is subject to Article 22A of the Health Code, also known as the Maher Ordinance, which is administered and overseen by the Department of Public Health (DPH). The Maher Ordinance requires the project sponsor to retain the services of a qualified professional to prepare a Phase I Environmental Site Assessment (ESA) that meets the requirements of Health Code Section 22.A.6.

The Phase I ESA would determine the potential for site contamination and level of exposure risk associated with the project. Based on that information, the project sponsor may be required to conduct soil and/or groundwater sampling and analysis. Where such analysis reveals the presence of hazardous

substances in excess of state or federal standards, the project sponsor is required to submit a site mitigation plan (SMP) to the DPH or other appropriate state or federal agency, and to remediate any site contamination in accordance with an approved SMP prior to the issuance of any building permit.

In compliance with the Maher Ordinance, the project sponsor has submitted a Maher Application to DPH and a Phase I Environmental Site Assessment has been prepared to assess the potential for site contamination. The report identified that the existing building consisted of various non-hazardous materials storage. A review of building and Fire Insurance Maps noted that prior to the construction of the existing building, land uses for the site included a warehouse, livery, and market. No hazardous materials or evidence of prior inappropriate storage of hazardous materials were found at the site during the Phase I analysis. No records of underground fuel storage tanks were found, and the existing building's foundation was found to be intact with no evidence of hazardous materials seeping into the soil or groundwater. The report noted that other businesses in the area routinely store and dispose of materials that could be hazardous.

The proposed project would be required to remediate potential soil or groundwater contamination described above in accordance with Article 22A of the Health Code. Therefore, the proposed project would not result in any significant impacts related to hazardous materials that were not identified in the Eastern Neighborhoods PEIR.

Therefore, the proposed project would not result in significant impacts related to hazards or hazardous materials that were not identified in the Eastern Neighborhoods PEIR.

<i>Topics:</i>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
16. MINERAL AND ENERGY RESOURCES— Would the project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Encourage activities which result in the use of large amounts of fuel, water, or energy, or use these in a wasteful manner?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The Eastern Neighborhoods PEIR determined that the Area Plan would facilitate the construction of both new residential units and commercial buildings. Development of these uses would not result in use of large amounts of fuel, water, or energy in a wasteful manner or in the context of energy use throughout the City and region. The energy demand for individual buildings would be typical for such projects and

would meet, or exceed, current state and local codes and standards concerning energy consumption, including Title 24 of the California Code of Regulations enforced by DBI. The Plan Area does not include any natural resources routinely extracted and the rezoning does not result in any natural resource extraction programs. Therefore, the Eastern Neighborhoods PEIR concluded that implementation of the Area Plan would not result in a significant impact on mineral and energy resources. No mitigation measures were identified in the PEIR.

As the proposed project is within the development projected under the Eastern Neighborhoods Rezoning and Area Plans, there would be no additional impacts on mineral and energy resources beyond those analyzed in the Eastern Neighborhoods PEIR.

<i>Topics:</i>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
17. AGRICULTURE AND FOREST RESOURCES:—Would the project:				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)) or timberland (as defined by Public Resources Code Section 4526)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The Eastern Neighborhoods PEIR determined that no agricultural resources exist in the Area Plan; therefore the rezoning and community plans would have no effect on agricultural resources. No mitigation measures were identified in the PEIR. The Eastern Neighborhoods PEIR did not analyze the effects on forest resources.

As the proposed project is within the development projected under the Eastern Neighborhoods Rezoning and Area Plans, there would be no additional impacts on agriculture and forest resources beyond those analyzed in the Eastern Neighborhoods PEIR.

MITIGATION MEASURES

Archeological Resources

Project Mitigation Measure 1 – Archeological Mitigation Measure III (Testing)

Based on a reasonable presumption that archeological resources may be present within the project site, the following measures shall be undertaken to avoid any potentially significant adverse effect from the proposed project on buried or submerged historical resources. The project sponsor shall retain the services of an archaeological consultant from the rotational Department Qualified Archaeological Consultants List (QACL) maintained by the Planning Department archaeologist. The project sponsor shall contact the Department archaeologist to obtain the names and contact information for the next three archeological consultants on the QACL. The archeological consultant shall undertake an archeological testing program as specified herein. In addition, the consultant shall be available to conduct an archeological monitoring and/or data recovery program if required pursuant to this measure. The archeological consultant's work shall be conducted in accordance with this measure at the direction of the Environmental Review Officer (ERO). All plans and reports prepared by the consultant as specified herein shall be submitted first and directly to the ERO for review and comment, and shall be considered draft reports subject to revision until final approval by the ERO. Archeological monitoring and/or data recovery programs required by this measure could suspend construction of the project for up to a maximum of four weeks. At the direction of the ERO, the suspension of construction can be extended beyond four weeks only if such a suspension is the only feasible means to reduce to a less than significant level potential effects on a significant archeological resource as defined in CEQA Guidelines Sect. 15064.5 (a) and (c).

Consultation with Descendant Communities: On discovery of an archeological site²⁷ associated with descendant Native Americans, the Overseas Chinese, or other potentially interested descendant group an appropriate representative²⁸ of the descendant group and the ERO shall be contacted. The representative of the descendant group shall be given the opportunity to monitor archeological field investigations of the site and to offer recommendations to the ERO regarding appropriate archeological treatment of the site, of recovered data from the site, and, if applicable, any interpretative treatment of the associated archeological site. A copy of the Final Archaeological Resources Report shall be provided to the representative of the descendant group.

Archeological Testing Program. The archeological consultant shall prepare and submit to the ERO for review and approval an archeological testing plan (ATP). The archeological testing program

²⁷ By the term "archeological site" is intended here to minimally include any archeological deposit, feature, burial, or evidence of burial.

²⁸ An "appropriate representative" of the descendant group is here defined to mean, in the case of Native Americans, any individual listed in the current Native American Contact List for the City and County of San Francisco maintained by the California Native American Heritage Commission and in the case of the Overseas Chinese, the Chinese Historical Society of America. An appropriate representative of other descendant groups should be determined in consultation with the Department archaeologist.

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

At the completion of the archeological testing program, the archeological consultant shall submit a written report of the findings to the ERO. If based on the archeological testing program the archeological consultant finds that significant archeological resources may be present, the ERO in consultation with the archeological consultant shall determine if additional measures are warranted. Additional measures that may be undertaken include additional archeological testing, archeological monitoring, and/or an archeological data recovery program. No archeological data recovery shall be undertaken without the prior approval of the ERO or the Planning Department archeologist. If the ERO determines that a significant archeological resource is present and that the resource could be adversely affected by the proposed project, at the discretion of the project sponsor either:

- A) The proposed project shall be re-designed so as to avoid any adverse effect on the significant archeological resource; or
- B) A data recovery program shall be implemented, unless the ERO determines that the archeological resource is of greater interpretive than research significance and that interpretive use of the resource is feasible.

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

- The archeological consultant, project sponsor, and ERO shall meet and consult on the scope of the AMP reasonably prior to any project-related soils disturbing activities commencing. The ERO in consultation with the archeological consultant shall determine what project activities shall be archeologically monitored. In most cases, any soils- disturbing activities, such as demolition, foundation removal, excavation, grading, utilities installation, foundation work, driving of piles (foundation, shoring, etc.), site remediation, etc., shall require archeological monitoring because of the risk these activities pose to potential archaeological resources and to their depositional context;
- The archeological consultant shall advise all project contractors to be on the alert for evidence of the presence of the expected resource(s), of how to identify the evidence of the expected resource(s), and of the appropriate protocol in the event of apparent discovery of an archeological resource;

- The archeological monitor(s) shall be present on the project site according to a schedule agreed upon by the archeological consultant and the ERO until the ERO has, in consultation with project archeological consultant, determined that project construction activities could have no effects on significant archeological deposits;
- The archeological monitor shall record and be authorized to collect soil samples and artifactual/ecofactual material as warranted for analysis;
- If an intact archeological deposit is encountered, all soils-disturbing activities in the vicinity of the deposit shall cease. The archeological monitor shall be empowered to temporarily redirect demolition/excavation/pile driving/construction activities_and equipment until the deposit is evaluated. If in the case of pile driving activity (foundation, shoring, etc.), the archeological monitor has cause to believe that the pile driving activity may affect an archeological resource, the pile driving activity shall be terminated until an appropriate evaluation of the resource has been made in consultation with the ERO. The archeological consultant shall immediately notify the ERO of the encountered archeological deposit. The archeological consultant shall make a reasonable effort to assess the identity, integrity, and significance of the encountered archeological deposit, and present the findings of this assessment to the ERO.

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

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

The scope of the ADRP shall include the following elements:

- *Field Methods and Procedures.* Descriptions of proposed field strategies, procedures, and operations.
- *Cataloguing and Laboratory Analysis.* Description of selected cataloguing system and artifact analysis procedures.
- *Discard and Deaccession Policy.* Description of and rationale for field and post-field discard and deaccession policies.

- *Interpretive Program.* Consideration of an on-site/off-site public interpretive program during the course of the archeological data recovery program.
- *Security Measures.* Recommended security measures to protect the archeological resource from vandalism, looting, and non-intentionally damaging activities.
- *Final Report.* Description of proposed report format and distribution of results.
- *Curation.* Description of the procedures and recommendations for the curation of any recovered data having potential research value, identification of appropriate curation facilities, and a summary of the accession policies of the curation facilities.

Human Remains and Associated or Unassociated Funerary Objects. The treatment of human remains and of associated or unassociated funerary objects discovered during any soils disturbing activity shall comply with applicable State and Federal laws. This shall include immediate notification of the Coroner of the City and County of San Francisco and in the event of the Coroner's determination that the human remains are Native American remains, notification of the California State Native American Heritage Commission (NAHC) who shall appoint a Most Likely Descendant (MLD) (Pub. Res. Code Sec. 5097.98). The archeological consultant, project sponsor, ERO, and MLD shall have up to but not beyond six days of discovery to make all reasonable efforts to develop an agreement for the treatment of human remains and associated or unassociated funerary objects with appropriate dignity (CEQA Guidelines. Sec. 15064.5(d)). The agreement should take into consideration the appropriate excavation, removal, recordation, analysis, custodianship, curation, and final disposition of the human remains and associated or unassociated funerary objects. Nothing in existing State regulations or in this mitigation measure compels the project sponsor and the ERO to accept recommendations of an MLD. The archeological consultant shall retain possession of any Native American human remains and associated or unassociated burial objects until completion of any scientific analyses of the human remains or objects as specified in the treatment agreement if such as agreement has been made or, otherwise, as determined by the archeological consultant and the ERO.

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

Once approved by the ERO, copies of the FARR shall be distributed as follows: California Archaeological Site Survey Northwest Information Center (NWIC) shall receive one (1) copy and the ERO shall receive a copy of the transmittal of the FARR to the NWIC. The Environmental Planning division of the Planning Department shall receive one bound, one unbound and one unlocked, searchable PDF copy on CD of the FARR along with copies of any formal site recordation forms (CA DPR 523 series) and/or documentation for nomination to the National Register of Historic Places/California Register of Historical Resources. In instances of high public

interest in or the high interpretive value of the resource, the ERO may require a different final report content, format, and distribution than that presented above.

Noise

Project Mitigation Measure 2 – Construction Noise (Eastern Neighborhoods Mitigation Measure F-1)

For subsequent development projects within proximity to noise-sensitive uses that would include pile-driving, individual project sponsors shall ensure that piles be pre-drilled wherever feasible to reduce construction-related noise and vibration. No impact pile drivers shall be used unless absolutely necessary. Contractors would be required to use pile-driving equipment with state-of-the-art noise shielding and muffling devices. To reduce noise and vibration impacts, sonic or vibratory sheetpile drivers, rather than impact drivers, shall be used wherever sheetpiles are needed. Individual project sponsors shall also require that contractors schedule pile-driving activity for times of the day that would minimize disturbance to neighbors.

Project Mitigation Measure 3 – Construction Noise (Eastern Neighborhoods Mitigation Measure F-2)

Where environmental review of a development project undertaken subsequent to the adoption of the proposed zoning controls determines that construction noise controls are necessary due to the nature of planned construction practices and the sensitivity of proximate uses, the Planning Director shall require that the sponsors of the subsequent development project develop a set of site-specific noise attenuation measures under the supervision of a qualified acoustical consultant. Prior to commencing construction, a plan for such measures shall be submitted to the Department of Building Inspection to ensure that maximum feasible noise attenuation will be achieved. These attenuation measures shall include as many of the following control strategies as feasible:

- Erect temporary plywood noise barriers around a construction site, particularly where a site adjoins noise-sensitive uses;
- Utilize noise control blankets on a building structure as the building is erected to reduce noise emission from the site;
- Evaluate the feasibility of noise control at the receivers by temporarily improving the noise reduction capability of adjacent buildings housing sensitive uses;
- Monitor the effectiveness of noise attenuation measures by taking noise measurements;

- Post signs on-site pertaining to permitted construction days and hours and complaint procedures and who to notify in the event of a problem, with telephone numbers listed.

Project Mitigation Measure 4 – Interior Noise Levels (Eastern Neighborhoods Mitigation Measure F-3)

For new development including noise-sensitive uses located along streets with noise levels above 60 dBA (Ldn), as shown in EIR Figure 18, where such development is not already subject to the California Noise Insulation Standards in Title 24 of the California Code of Regulations, the project sponsor shall conduct a detailed analysis of noise reduction requirements. Such analysis shall be conducted by person(s) qualified in acoustical analysis and/or engineering. Noise insulation features identified and recommended by the analysis shall be included in the design, as specified in the San Francisco General Plan Land Use Compatibility Guidelines for Community Noise to reduce potential interior noise levels to the maximum extent feasible.

Project Mitigation Measure 5 – Siting of Noise-Sensitive Uses (Eastern Neighborhoods Mitigation Measure F-4)

To reduce potential conflicts between existing noise-generating uses and new sensitive receptors, for new development including noise-sensitive uses, the Planning Department shall require the preparation of an analysis that includes, at a minimum, a site survey to identify potential noise-generating uses within 900 feet of, and that have a direct line-of-sight to, the project site, and including at least one 24-hour noise measurement (with maximum noise level readings taken at least every 15 minutes), prior to the first project approval action. The analysis shall be prepared by persons qualified in acoustical analysis and/or engineering and shall demonstrate with reasonable certainty that Title 24 standards, where applicable, can be met, and that there are no particular circumstances about the proposed project site that appear to warrant heightened concern about noise levels in the vicinity. Should such concerns be present, the Department may require the completion of a detailed noise assessment by person(s) qualified in acoustical analysis and/or engineering prior to the first project approval action, in order to demonstrate that acceptable interior noise levels consistent with those in the Title 24 standards can be attained.

Project Mitigation Measure 6 – Open Space in Noisy Environments (Eastern Neighborhoods Mitigation Measure F-6)

To minimize effects on development in noisy areas, for new development including noise-sensitive uses, the Planning Department shall, through its building permit review process, in conjunction with noise analysis required pursuant to Mitigation Measure F-4, require that open space required under the Planning Code for such uses be protected, to the maximum feasible extent, from existing ambient noise levels that could prove annoying or disruptive to users of the open space. Implementation of this measure could involve, among other things,

site design that uses the building itself to shield on-site open space from the greatest noise sources, construction of noise barriers between noise sources and open space, and appropriate use of both common and private open space in multi-family dwellings, and implementation would also be undertaken consistent with other principles of urban design.

Air Quality

Project Mitigation Measure 7 – Construction Air Quality (Eastern Neighborhoods Mitigation Measure G-1)

The City shall condition approval of individual development proposals under the proposed project upon implementation of an appropriate dust abatement program, patterned after the Bay Area Air Quality Management District (BAAQMD) approach described below.

The BAAQMD approach to dust abatement, as put forth in the BAAQMD CEQA Guidelines, calls for “basic” control measures that should be implemented at all construction sites, “enhanced” control measures that should be implemented at construction sites greater than four acres in area, and “optional” control measures that should be implemented on a case-by-case basis at construction sites that are large in area, located near sensitive receptors or which, for any other reason, may warrant additional emissions reductions.

Elements of the “basic” dust control program for project components that disturb less than four acres shall include, but not necessarily be limited to the following:

- Water all active construction areas at least twice daily. Watering should be sufficient to prevent airborne dust from leaving the site. Increased watering frequency may be necessary whenever wind speeds exceed 15 miles per hour. Reclaimed water should be used whenever possible.
- Cover all trucks hauling soil, sand, and other loose materials or require all trucks to maintain at least two feet of freeboard (i.e., the minimum required space between the top of the load and the top of the trailer).
- Pave, apply water (reclaimed if possible) three times daily, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas and staging areas at construction sites.
- Sweep streets (with water sweepers using reclaimed water if possible) at the end of each day if visible soil material is carried onto adjacent paved roads.

Elements of the “enhanced” dust abatement program for project components that disturb four or more acres are unlikely to be required, in that no sites anticipated for development in the Plan area are as large as four acres. Should a site this size be proposed for development, dust

control shall include all of the “basic” measures in addition to the following measures to be implemented by the construction contractor(s):

- Hydroseed or apply (non-toxic) soil stabilizers to inactive construction areas (previously graded areas inactive for one month or more).
- Enclose, cover, water twice daily or apply (non-toxic) soil stabilizers to exposed stockpiles (dirt, sand, etc.).
- Limit traffic speeds on unpaved roads to 15 miles per hour.
- Limit the amount of the disturbed area at any one time, where possible.
- Pave all roadways, driveways, sidewalks, etc. as soon as possible. In addition, building pads should be laid as soon as possible after grading unless seeding or soil binders are used.
- Replant vegetation in disturbed areas as quickly as possible.
- Designate a person or persons to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust offsite. Their duties shall include holidays and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the BAAQMD prior to the start of construction.

The “optional” dust-control measures supplement the “basic” and “enhanced” programs to address site-specific issues. They include:

- Install wheel washers where vehicles enter and exit unpaved roads onto streets, or wash off trucks and equipment leaving the site.
- Install windbreaks, or plant tree/vegetative wind breaks at windward side(s) of construction areas.
- Suspend excavation and grading activity when winds (instantaneous gusts) exceed 25 mph.

Ordinance 175-91, passed by the San Francisco Board of Supervisors on May 6, 1991, requires that non-potable water be used for dust control activities. Therefore, project sponsors would require that construction contractors obtain reclaimed water from the Clean Water Program for this purpose.

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

Implementation of Mitigation Measure G-1 would reduce construction-related air quality effects to a less-than-significant level.

Project Mitigation Measure 8 – Best Available Control Technology for Diesel Generators (Implementing Eastern Neighborhoods PEIR Mitigation Measure G-4)

The project sponsor shall ensure that the backup diesel generator meet or exceed one of the following emission standards for particulate matter: (1) Tier 4 certified engine, or (2) Tier 2 or Tier 3 certified engine that is equipped with a California Air Resources Board (ARB) Level 3 Verified Diesel Emissions Control Strategy (VDECS). A non-verified diesel emission control strategy may be used if the filter has the same particulate matter reduction as the identical ARB verified model and if the Bay Area Air Quality Management District (BAAQMD) approves of its use. The project sponsor shall submit documentation of compliance with the BAAQMD New Source Review permitting process (Regulation 2, Rule 2, and Regulation 2, Rule 5) and the emission standard requirement of this mitigation measure to the Planning Department for review and approval prior to issuance of a permit for a backup diesel generator from any City agency.

Hazardous Materials

Project Mitigation Measure 9 – Hazardous Building Materials (Eastern Neighborhoods Mitigation Measure L-1)

The City shall condition future development approvals to require that the subsequent project sponsors ensure that any equipment containing PCBs or DEPH, such as fluorescent light ballasts, are removed and properly disposed of according to applicable federal, state, and local laws prior to the start of renovation, and that any fluorescent light tubes, which could contain mercury, are similarly removed and properly disposed of. Any other hazardous materials identified, either before or during work, shall be abated according to applicable federal, state, and local laws.

Free Recording Requested Pursuant to
Government Code Section 27383

When recorded, mail to:
San Francisco Planning Department
1650 Mission Street, Room 400
San Francisco, California 94103
Attn: Director

Lots 079 in Assessor's Block 3753

**AGREEMENT TO PROVIDE ON-SITE AFFORDABLE HOUSING UNITS BETWEEN
THE CITY AND COUNTY OF SAN FRANCISCO AND CLARA/6TH LLC, RELATIVE
TO THE DEVELOPMENT KNOWN AS 363 SIXTH STREET**

THIS AGREEMENT TO PROVIDE ON-SITE AFFORDABLE HOUSING UNITS ("Agreement") dated for reference purposes only as of this 7 day of October, 2015, is by and amongst the CITY AND COUNTY OF SAN FRANCISCO, a political subdivision of the State of California (the "City"), acting by and through its Planning Department, and CLARA/6TH LLC, a California limited liability company ("Developer"), with respect to the project approved for 363 Sixth Street (the "Project"). City and Developer are also sometimes referred to individually as a "Party" and together as the "Parties."

RECITALS

This Agreement is made with reference to the following facts:

A. Code Authorization. Chapter 4.3 of the California Government Code directs public agencies to grant concessions and incentives to private developers for the production of housing for lower income households. The Costa-Hawkins Rental Housing Act (California Civil Code Sections 1954.50 et seq., hereafter "Costa-Hawkins Act") imposes limitations on the establishment of the initial and all subsequent rental rates for a dwelling unit with a certificate of occupancy issued after February 1, 1995, with exceptions, including an exception for dwelling units constructed pursuant to a contract with a public entity in consideration for a direct financial contribution or any other form of assistance specified in Chapter 4.3 of the California Government Code (Section 1954.52(b)). Pursuant to Civil Code Section 1954.52(b), the City's Board of Supervisors has enacted as part of the Inclusionary Affordable Housing Program, Planning Code Section 415 et seq, procedures and requirements for entering into an agreement with a private developer to memorialize the concessions and incentives granted to the developer and to provide an exception to the Costa-Hawkins Act for the inclusionary units included in the developer's project.

B. Property Subject to this Agreement. The property that is the subject of this Agreement consists of the real property in the City and County of San Francisco at Assessor's Block 3753, Lot 079, located on the corner of Sixth and Clara Streets (hereinafter "Property"). The Property is more particularly described in Exhibit A attached hereto. The Property is owned in fee by Developer.

C. Development Proposal; Intent of the Parties. The Developer proposes to demolish an existing two-story commercial building and construct a 9-story, approximately 85,571 gross square foot mixed-use building, containing 104 dwelling units, 700 gross square feet of ground floor retail, 102 "Class 1" bicycle spaces, and 7 "Class 2" bicycle spaces (the "Project"). The dwelling units would be offered as rental units and the inclusionary affordable housing would be provided on-site. The Project would fulfill its inclusionary affordable housing requirement by providing 12% of the dwelling units, or 12 below-market rate (BMR) units, on-site, assuming that 104 residential units are constructed.

On _____, 201_, pursuant to Motion No. _____, the Planning Commission issued a Large Project Authorization for the Project under Section 329 (the "Large Project Authorization") to allow exceptions to (i) the required rear yard, pursuant to Planning Code Section 134(f); (ii) permitted obstructions over the street, setback, yard or usable open space, pursuant to Planning Code Section 136, to allow additional usable open space through bay windows; and (iii) dwelling unit exposure, pursuant to Planning Code Section 140, for 26 dwelling units on the Project's 3rd to 9th floors facing the inner court. A Notice of Special Restrictions containing Conditions of Approval of the Large Project Authorization was recorded against the Property on _____ 201_ (NSR No. _____).

The Large Project Authorization is referred to herein as the "Project Approval". The dwelling units that are the subject of this Agreement are the Project's on-site inclusionary units representing twelve percent (12%) of the Project's dwelling units, which assuming that 104 dwelling units are constructed, would total 12 inclusionary units (the "Inclusionary Units"). The dwelling units in the Project that are not Inclusionary Units, representing eighty-eight percent (88%) of the Project's dwelling units, which assuming that 104 units are constructed would total 92 units, are referred to herein as the "Market Rate Units."

This Agreement is not intended to impose restrictions on the Market Rate Units, any portions of the Project other than the Inclusionary Units, or any future development at the Property that is not a part of the Project. This Agreement relates solely to the Inclusionary Units and shall have no legal effect in the event that the Project is not constructed. The Parties acknowledge that this Agreement is entered into in consideration of the respective burdens and benefits of the Parties contained in this Agreement and in reliance on their agreements, representations and warranties.

D. Inclusionary Affordable Housing Program. The Inclusionary Affordable Housing Program, San Francisco Planning Code Section 415 et seq. (the "Affordable Housing Program") provides that developers of any housing project consisting of ten or more units must pay an Affordable Housing Fee, as defined therein. The Affordable Housing Program provides that developers may be eligible to meet the requirements of the program through the alternative means of entering into an agreement with the City and County of San Francisco pursuant to Chapter 4.3 of the California Government Code, for concessions and incentives, pursuant to which the developer covenants to provide affordable on-site units as an alternative to payment of the Affordable Housing Fee to satisfy the requirements of the Affordable Housing Program and in consideration of the City's concessions and incentives.

E. Developer's Election to Provide On-Site Units. Developer has elected to enter into this Agreement to provide the Inclusionary Units in lieu of payment of the Affordable Housing Fee in satisfaction of its obligation under the Affordable Housing Program and to provide for an exception to the rent restrictions of the Costa-Hawkins Act for the Inclusionary Units only.

F. Compliance with All Legal Requirements. It is the intent of the Parties that all acts referred to in this Agreement shall be accomplished in such a way as to fully comply with the California Environmental Quality Act (Public Resources Code Section 21000 et seq., "CEQA"), Chapter 4.3 of the California Government Code, the Costa-Hawkins Act, the San Francisco Planning Code, and all other applicable laws and regulations.

G. Project's Compliance with CEQA. Pursuant to section 15183 of the CEQA Guidelines, California Public Resources Section 21083.3, and Chapter 31 of the San Francisco Administrative Code, the Planning Department published a Certificate of Exemption ("CPE") from Environmental Review for the Project on **October 2, 2015**. The Planning Commission subsequently reviewed and concurred with the information contained in the CPE at a noticed public hearing on _____, 201__ (Motion No. _____).

H. General Plan Findings. This Agreement is consistent with the objectives, policies, general land uses and programs specified in the General Plan and any applicable area or specific plan, and the Priority Policies enumerated in Planning Code Section 101.1, as set forth in Planning Commission Motion No. _____.

AGREEMENT

The Parties acknowledge the receipt and sufficiency of good and valuable consideration and agree as follows:

1. GENERAL PROVISIONS

1.1 Incorporation of Recitals and Exhibits. The preamble paragraph, Recitals, and Exhibits, and all defined terms contained therein, are hereby incorporated into this Agreement as if set forth in full.

2. CITY'S DENSITY BONUS AND CONCESSIONS AND INCENTIVES FOR THE INCLUSIONARY UNITS.

2.1 Exceptions, Concessions and Incentives. The Developer has received the following exceptions, concessions and incentives for the production of the Inclusionary Units on-site.

2.1.1 Project Approval and Density Bonus. The Project Approval included the Large Project Authorization allowing exceptions to to allow exceptions to (i) the required rear yard, pursuant to Planning Code Section 134(f); (ii) permitted obstructions over the street, setback, yard or usable open space, pursuant to Planning Code Section 136, to allow additional usable open space through bay windows; and (iii) dwelling unit exposure, pursuant to Planning Code Section 140, for 26 dwelling units on the Project's 1st through 7th floors facing the inner

court. This Project Approval permitted development of the Project at a greater density than would otherwise have been permitted under the Planning Code.

2.1.2 Waiver of Affordable Housing Fee. City hereby determines that the Developer has satisfied the requirements of the Affordable Housing Program by covenanting to provide the Inclusionary Units on-site, as provided in Section 3.1, and accordingly hereby waives the obligation of the Developer to pay the Affordable Housing Fee. City would not be willing to enter into this Agreement and waive the Affordable Housing Fee without the understanding and agreement that Costa-Hawkins Act provisions set forth in California Civil Code section 1954.52(a) do not apply to the Inclusionary Units as a result of the exemption set forth in California Civil Code section 1954.52(b). Upon completion of the Project and identification of the Inclusionary Units, Developer agrees to record a notice of restriction against the Inclusionary Units in the form required by the Affordable Housing Program.

2.2 Costa-Hawkins Act Inapplicable to Inclusionary Units Only.

2.2.1 Inclusionary Units. The parties acknowledge that, under Section 1954.52(b) of the Costa-Hawkins Act, the Inclusionary Units are not subject to the Costa Hawkins Act. Through this Agreement, Developer hereby enters into an agreement with a public entity in consideration for forms of concessions and incentives specified in California Government Code Sections 65915 et seq. The concessions and incentives are comprised of, but not limited to, the concessions and incentives set forth in Section 2.1.

2.2.2 Market Rate Units. The Parties hereby agree and acknowledge that this Agreement does not alter in any manner the way that the Costa-Hawkins Act or any other law, including the City's Rent Stabilization and Arbitration Ordinance (Chapter 37 of the San Francisco Administrative Code) apply to the Market Rate Units.

3. **COVENANTS OF DEVELOPER**

3.1 On-Site Inclusionary Affordable Units. In consideration of the concessions and incentives set forth in Section 2.1 and in accordance with the terms and conditions set forth in the Affordable Housing Program and the Project Approval, upon Developer obtaining its first certificate of occupancy for the Project, Developer shall provide twelve percent (12%) of the dwelling units as on-site Inclusionary Units in lieu of payment of the Affordable Housing Fee. For example, based on the contemplated total of 104 units comprising the Project, a total of 12 Inclusionary Units would be required in the aggregate for the entire Project in lieu of payment of the Affordable Housing Fee.

3.2 Developer's Waiver of Rights Under the Costa-Hawkins Act Only as to the Inclusionary Units. The Parties acknowledge that under the Costa-Hawkins Act, the owner of newly constructed residential real property may establish the initial and all subsequent rental rates for dwelling units in the property without regard to the City's Residential Rent Stabilization and Arbitration Ordinance (Chapter 37 of the San Francisco Administrative Code). The Parties also understand and agree that the Costa-Hawkins Act does not and in no way shall limit or otherwise affect the restriction of rental charges for the Inclusionary Units because this Agreement falls within an express exception to the Costa-Hawkins Act as a contract with a

public entity in consideration for a direct financial contribution or other forms of assistance specified in Chapter 4.3 (commencing with section 65915) of Division 1 of Title 7 of the California Government Code including but not limited to the density bonus, concessions and incentives specified in Section 2. Developer acknowledges that the density bonus and concessions and incentives result in identifiable and actual cost reductions to the Project. Should the Inclusionary Units be deemed subject to the Costa-Hawkins Act, as a material part of the consideration for entering into this Agreement, Developer, on behalf of itself and all its successors and assigns to this Agreement, hereby expressly waives, now and forever, any and all rights it may have under the Costa-Hawkins Act with respect only to the Inclusionary Units (but only the Inclusionary Units and not as to the Market Rate Units) consistent with Section 3.1 of this Agreement. Without limiting the foregoing, Developer, on behalf of itself and all successors and assigns to this Agreement, agrees not to bring any legal or other action against City seeking application of the Costa-Hawkins Act to the Inclusionary Units for so long as the Inclusionary Units are subject to the restriction on rental rates pursuant to the Affordable Housing Program. The Parties understand and agree that the City would not be willing to enter into this Agreement without the waivers and agreements set forth in this Section 3.2.

3.3 Developer's Waiver of Right to Seek Waiver of Affordable Housing Program. Developer specifically agrees to be bound by all of the provisions of the Affordable Housing Program applicable to on-site inclusionary units with respect to the Inclusionary Units. Developer covenants and agrees that it will not seek a waiver of the provisions of the Affordable Housing Program applicable to the Inclusionary Units.

3.4 No Obligation to Construct. By entering into this Agreement, Developer is not assuming any obligation to construct the Project, and the covenants of Developer hereunder become operative only in the event Developer elects to proceed with construction of the Project.

4. MUTUAL OBLIGATIONS

4.1 Good Faith and Fair Dealing. The Parties shall cooperate with each other and act in good faith in complying with the provisions of this Agreement and implementing the Project Approval.

4.2 Other Necessary Acts. Each Party shall execute and deliver to the other all further instruments and documents as may be reasonably necessary to carry out this Agreement, the Project Approval, the Affordable Housing Program (as applied to the Inclusionary Units) and applicable law in order to provide and secure to each Party the full and complete enjoyment of its rights and privileges hereunder.

4.3 Effect of Future Changes to Affordable Housing Program. The City hereby acknowledges and agrees that, in the event that the City adopts changes to the Affordable Housing Program after the date this Agreement is executed by both Parties, nothing in this Agreement shall be construed to limit or prohibit any rights Developer may have to modify Project requirements with respect to the Inclusionary Units to the extent permitted by such changes to the Affordable Housing Program.

5. DEVELOPER REPRESENTATIONS, WARRANTIES AND COVENANTS.

5.1 Interest of Developer. Developer represents that it is the legal and equitable fee owner of the Property, that it has the power and authority to bind all other persons with legal or equitable interest in the Property to the terms of this Agreement, and that all other persons holding legal or equitable interest in the Inclusionary Units are to be bound by this Agreement. Developer is a limited liability company, duly organized and validly existing and in good standing under the laws of the State of California. Developer has all requisite power and authority to own property and conduct business as presently conducted. Developer has made all filings and is in good standing in the State of California.

5.2 No Conflict With Other Agreements; No Further Approvals; No Suits. Developer warrants and represents to the best of its knowledge that it is not a party to any other agreement that would conflict with the Developer's obligations under this Agreement. Neither Developer's articles of organization, bylaws, or operating agreement, as applicable, nor any other agreement which Developer is a party to in any way prohibits, limits or otherwise affects the right or power of Developer to enter into and perform all of the terms and covenants of this Agreement. To the best of Developer's knowledge, no consent, authorization or approval of, or other action by, and no notice to or filing with, any governmental authority, regulatory body or any other person is required for the due execution, delivery and performance by Developer of this Agreement or any of the terms and covenants contained in this Agreement. To Developer's knowledge, there are no pending or threatened suits or proceedings or undischarged judgments affecting Developer or any of its members before any court, governmental agency, or arbitrator which might materially adversely affect Developer's business, operations, or assets or Developer's ability to perform under this Agreement.

5.3 No Inability to Perform; Valid Execution. Developer warrants and represents that it has no knowledge of any inability to perform its obligations under this Agreement. The execution and delivery of this Agreement and the agreements contemplated hereby by Developer have been duly and validly authorized by all necessary action. This Agreement will be a legal, valid and binding obligation of Developer, enforceable against Developer in accordance with its terms.

5.4 Conflict of Interest. Through its execution of this Agreement, the Developer acknowledges that it is familiar with the provisions of Section 15.103 of the City's Charter, Article III, Chapter 2 of the City's Campaign and Governmental Conduct Code, and Section 87100 et seq. and Section 1090 et seq. of the California Government Code, and certifies that it does not know of any facts which constitute a violation of said provisions and agrees that it will immediately notify the City if it becomes aware of any such fact during the term of this Agreement.

5.5 Notification of Limitations on Contributions. Through execution of this Agreement, the Developer acknowledges that it is familiar with Section 1.126 of City's Campaign and Governmental Conduct Code, which prohibits any person who contracts with the City, whenever such transaction would require approval by a City elective officer or the board on which that City elective officer serves, from making any campaign contribution to the officer at any time from the commencement of negotiations for the contract until three (3) months after the date the contract is approved by the City elective officer or the board on which that City elective officer serves. San Francisco Ethics Commission Regulation 1.126-1 provides that negotiations

are commenced when a prospective contractor first communicates with a City officer or employee about the possibility of obtaining a specific contract. This communication may occur in person, by telephone or in writing, and may be initiated by the prospective contractor or a City officer or employee. Negotiations are completed when a contract is finalized and signed by the City and the contractor. Negotiations are terminated when the City and/or the prospective contractor end the negotiation process before a final decision is made to award the contract.

5.6 Nondiscrimination. In the performance of this Agreement, Developer agrees not to discriminate on the basis of the fact or perception of a person's, race, color, creed, religion, national origin, ancestry, age, height, weight, sex, sexual orientation, gender identity, domestic partner status, marital status, disability or Acquired Immune Deficiency Syndrome or HIV status (AIDS/HIV status), or association with members of such protected classes, or in retaliation for opposition to discrimination against such classes, against any City employee, employee of or applicant for employment with the Developer, or against any bidder or contractor for public works or improvements, or for a franchise, concession or lease of property, or for goods or services or supplies to be purchased by the Developer. A similar provision shall be included in all subordinate agreements let, awarded, negotiated or entered into by the Developer for the purpose of implementing this Agreement.

6. AMENDMENT; TERMINATION

6.1 Amendment or Termination. Except as provided in Sections 6.2 (Automatic Termination) and 8.3 (Remedies for Default), this Agreement may only be amended or terminated with the mutual written consent of the Parties.

6.1.1 Amendment Exemptions. No amendment of a Project Approval or subsequent Project Approval, or the approval of a subsequent Project Approval, shall require an amendment to this Agreement. Upon approval, any such matter shall be deemed to be incorporated automatically into the Project and this Agreement (subject to any conditions set forth in the amendment or subsequent Project Approval). Notwithstanding the foregoing, in the event of any direct conflict between the terms of this Agreement and a subsequent Project Approval, or between this Agreement and any amendment to a Project Approval or subsequent Project Approval, then the terms of this Agreement shall prevail and any amendment to this Agreement shall be accomplished as set forth in Section 6.1 above.

6.2 Automatic Termination. This Agreement shall automatically terminate in the event that the Inclusionary Units are no longer subject to regulation as to the rental rates of the Inclusionary Units and/or the income level of households eligible to rent the Inclusionary Units under the Affordable Housing Program, or successor program.

7. TRANSFER OR ASSIGNMENT; RELEASE; RIGHTS OF MORTGAGEES; CONSTRUCTIVE NOTICE

7.1 Agreement Runs With The Land. City acknowledges that Developer may assign or transfer its rights, duties and obligations under the Project Approval and this Agreement and/or convey any interest it owns in the Property to another person or entity without City consent. Any assignee or successor to Developer's rights to the Project Approval and/or

Property shall be referred to herein as a "Transferee". Any Transferee may also subsequently assign or transfer its rights, duties and obligations under this Agreement and/or convey any interest it owns in the Property to another person or entity. As provided in Section 9.2, this Agreement runs with the land and any Transferee will be bound by all of the terms and conditions of this Agreement.

7.2 Rights of Developer. The provisions in this Section 7 shall not be deemed to prohibit or otherwise restrict Developer from (i) granting easements or licenses or similar agreements to facilitate development of the Property, (ii) encumbering the Property or any portion of the improvements thereon by any mortgage, deed of trust, or other device securing financing with respect to the Property or Project, (iii) granting one or more leasehold interests in all or any portion of the Property, or (iv) transferring all or a portion of the Property pursuant to a sale, transfer pursuant to foreclosure, conveyance in lieu of foreclosure, or other remedial action in connection with a mortgage. None of the terms, covenants, conditions, or restrictions of this Agreement or the Project Approval shall be deemed waived by City by reason of the rights given to the Developer pursuant to this Section 7.2. Furthermore, although the Developer initially intends to operate the Project on a rental basis, nothing in this Agreement shall prevent Developer from later selling all or part of the Project on a condominium basis, provided that such sale is permitted by, and complies with, all applicable City and State laws including, but not limited to that, with respect to any inclusionary units, those shall only be sold pursuant to the City Procedures for sale of inclusionary units under the Affordable Housing Program.

7.3 Developer's Responsibility for Performance. If Developer transfers or assigns all or any portion of the Property or any interest therein to any other person or entity, Developer shall continue to be responsible for performing the obligations under this Agreement as to the transferred property interest until such time as there is delivered to the City a legally binding agreement pursuant to which the Transferee assumes and agrees to perform Developer's obligations under this Agreement from and after the date of transfer of the Property (or an interest therein) to the Transferee (an "Assignment and Assumption Agreement"), but not thereafter. The City is entitled to enforce each and every such obligation assumed by the Transferee directly against the Transferee as if the Transferee were an original signatory to this Agreement with respect to such obligation. Accordingly, in any action by the City against a Transferee to enforce an obligation assumed by the Transferee, the Transferee shall not assert any defense against the City's enforcement of performance of such obligation that is attributable to Developer's breach of any duty or obligation to the Transferee arising out of the transfer or assignment, the Assignment and Assumption Agreement, the purchase and sale agreement, or any other agreement or transaction between the Developer and the Transferee. The transferor Developer shall remain responsible for the performance of all of its obligations under the Agreement prior to the date of transfer, and shall remain liable to the City for any failure to perform such obligations prior to the date of the transfer.

7.4 Release Upon Transfer or Assignment. Upon the Developer's transfer or assignment of all or a portion of the Property or any interest therein, including the Developer's rights and interests under this Agreement, the Developer shall be released from any obligations required to be performed from and after the date of transfer under this Agreement with respect to the portion of the Property so transferred; provided, however, that (i) the Developer is not then in default under this Agreement and (ii) the Transferee executes and delivers to the City the legally

binding Assignment and Assumption Agreement. Following any transfer, in accordance with the terms of this Section 7, a default under this Agreement by the Transferee shall not constitute a default by the Developer under this Agreement and shall have no effect upon the Developer's rights under this Agreement as to the remaining portions of the Property owned by the Developer. Further, a default under this Agreement by the Developer as to any portion of the Property not transferred or a default under this Agreement by the Developer prior to the date of transfer shall not constitute a default by the Transferee and shall not affect any of Transferee's rights under this Agreement.

7.5 Rights of Mortgagees; Not Obligated to Construct; Right to Cure Default.

7.5.1 Notwithstanding anything to the contrary contained in this Agreement (including without limitation those provisions that are or are intended to be covenants running with the land), a mortgagee or beneficiary under a deed of trust, including any mortgagee or beneficiary who obtains title to the Property or any portion thereof as a result of foreclosure proceedings or conveyance or other action in lieu thereof, or other remedial action, ("Mortgagee") shall not be obligated under this Agreement to construct or complete the Inclusionary Units required by this Agreement or to guarantee their construction or completion solely because the Mortgagee holds a mortgage or other interest in the Property or this Agreement. A breach of any obligation secured by any mortgage or other lien against the mortgaged interest or a foreclosure under any mortgage or other lien shall not by itself defeat, diminish, render invalid or unenforceable, or otherwise impair the obligations or rights of the Developer under this Agreement.

7.5.2 Subject to the provisions of Section 7.5.1, any person, including a Mortgagee, who acquires title to all or any portion of the mortgaged property by foreclosure, trustee's sale, deed in lieu of foreclosure, or otherwise shall succeed to all of the rights and obligations of the Developer under this Agreement and shall take title subject to all of the terms and conditions of this Agreement. Nothing in this Agreement shall be deemed or construed to permit or authorize any such holder to devote any portion of the Property to any uses, or to construct any improvements, other than the uses and improvements provided for or authorized by the Project Approval and this Agreement.

7.5.3 If City receives a written notice from a Mortgagee or from Developer requesting a copy of any Notice of Default delivered to Developer and specifying the address for service thereof, then City shall deliver to such Mortgagee, concurrently with service thereon to Developer, any Notice of Default delivered to Developer under this Agreement. In accordance with Section 2924 of the California Civil Code, City hereby requests that a copy of any notice of default and a copy of any notice of sale under any mortgage or deed of trust be mailed to City at the address shown on the first page of this Agreement for recording, provided that no Mortgagee or trustee under a deed of trust shall incur any liability to the City for any failure to give any such notice of default or notice of sale except to the extent the City records a request for notice of default and notice of sale in compliance with Section 2924b of the California Civil Code (a "Request for Special Notice") with respect to a specific mortgage or deed of trust and the Mortgagee or trustee fails to give any notice required under Section 2924b of the California Civil Code as a result of the recordation of a Request for Special Notice.

7.5.4 A Mortgagee shall have the right, at its option, but no obligation, to cure any default or breach by the Developer under this Agreement within the same time period as Developer has to remedy or cause to be remedied any default or breach, plus an additional period of (i) thirty (30) calendar days to cure a default or breach by the Developer to pay any sum of money required to be paid hereunder and (ii) ninety (90) days to cure or commence to cure a non-monetary default or breach and thereafter to pursue such cure diligently to completion; provided that if the Mortgagee cannot cure a non-monetary default or breach without acquiring title to the Property, then so long as Mortgagee is diligently pursuing foreclosure of its mortgage or deed of trust, Mortgagee shall have until ninety (90) days after completion of such foreclosure to cure such non-monetary default or breach. Mortgagee may add the cost of such cure to the indebtedness or other obligation evidenced by its mortgage, provided that if the breach or default is with respect to the construction of the improvements on the Property, nothing contained in this Section or elsewhere in this Agreement shall be deemed to permit or authorize such Mortgagee, either before or after foreclosure or action in lieu thereof or other remedial measure, to undertake or continue the construction or completion of the improvements (beyond the extent necessary to conserve or protect improvements or construction already made) without first having expressly assumed the obligation to the City, by written agreement reasonably satisfactory to the City, to complete in the manner provided in this Agreement the improvements on the Property or the part thereof to which the lien or title of such Mortgagee relates. Notwithstanding a Mortgagee's agreement to assume the obligation to complete in the manner provided in this Agreement the improvements on the Property or the part thereof acquired by such Mortgagee, the Mortgagee shall have the right to abandon completion of the improvement at any time thereafter.

7.5.5 If at any time there is more than one mortgage constituting a lien on any portion of the Property, the lien of the Mortgagee prior in lien to all others on that portion of the mortgaged property shall be vested with the rights under this Section 7.5 to the exclusion of the holder of any junior mortgage; provided that if the holder of the senior mortgage notifies the City that it elects not to exercise the rights sets forth in this Section 7.5, then each holder of a mortgage junior in lien in the order of priority of their respective liens shall have the right to exercise those rights to the exclusion of junior lien holders. Neither any failure by the senior Mortgagee to exercise its rights under this Agreement nor any delay in the response of a Mortgagee to any notice by the City shall extend Developer's or any Mortgagee's rights under this Section 7.5. For purposes of this Section 7.5, in the absence of an order of a court of competent jurisdiction that is served on the City, a then current title report of a title company licensed to do business in the State of California and having an office in the City setting forth the order of priority of lien of the mortgages shall be reasonably relied upon by the City as evidence of priority. Nothing in this Agreement shall impair the foreclosure rights of any mortgagee.

7.6 Constructive Notice. Every person or entity who now or hereafter owns or acquires any right, title or interest in or to any portion of the Project or the Property is and shall be constructively deemed to have consented and agreed to every provision contained herein, whether or not any reference to this Agreement is contained in the instrument by which such person acquired an interest in the Project or the Property.

8. ENFORCEMENT OF AGREEMENT; REMEDIES FOR DEFAULT; DISPUTE RESOLUTION

8.1 Enforcement. The only parties to this Agreement are the City and the Developer. This Agreement is not intended, and shall not be construed, to benefit or be enforceable by any other person or entity whatsoever.

8.2 Default. For purposes of this Agreement, the following shall constitute a default under this Agreement: the failure to perform or fulfill any material term, provision, obligation, or covenant hereunder and the continuation of such failure for a period of thirty (30) calendar days following a written notice of default and demand for compliance; provided, however, if a cure cannot reasonably be completed within thirty (30) days, then it shall not be considered a default if a cure is commenced within said 30-day period and diligently prosecuted to completion thereafter, but in no event later than one hundred twenty (120) days.

8.3 Remedies for Default. In the event of an uncured default under this Agreement, the remedies available to a Party shall include specific performance of the Agreement in addition to any other remedy available at law or in equity. In addition, the non-defaulting Party may terminate this Agreement subject to the provisions of this Section 8 by sending a Notice of Intent to Terminate to the other Party setting forth the basis for the termination. The Agreement will be considered terminated effective upon receipt of a Notice of Termination. The Party receiving the Notice of Termination may take legal action available at law or in equity if it believes the other Party's decision to terminate was not legally supportable.

8.4 No Waiver. Failure or delay in giving notice of default shall not constitute a waiver of default, nor shall it change the time of default. Except as otherwise expressly provided in this Agreement, any failure or delay by a Party in asserting any of its rights or remedies as to any default shall not operate as a waiver of any default or of any such rights or remedies; nor shall it deprive any such Party of its right to institute and maintain any actions or proceedings that it may deem necessary to protect, assert, or enforce any such rights or remedies.

9. MISCELLANEOUS PROVISIONS

9.1 Entire Agreement. This Agreement, including the preamble paragraph, Recitals and Exhibits, constitute the entire understanding and agreement between the Parties with respect to the subject matter contained herein.

9.2 Binding Covenants; Run With the Land. From and after recordation of this Agreement, all of the provisions, agreements, rights, powers, standards, terms, covenants and obligations contained in this Agreement shall be binding upon the Parties, and their respective heirs, successors (by merger, consolidation, or otherwise) and assigns, and all persons or entities acquiring the Property, any lot, parcel or any portion thereof, or any interest therein, whether by sale, operation of law, or in any manner whatsoever, and shall inure to the benefit of the Parties and their respective heirs, successors (by merger, consolidation or otherwise) and assigns. Regardless of whether the procedures in Section 7 are followed, following recordation of this Agreement all of its provisions shall be enforceable during the term hereof as equitable servitudes and constitute covenants and benefits running with the land pursuant to applicable law, including but not limited to California Civil Code Section 1468.

9.3 Applicable Law and Venue. This Agreement has been executed and delivered in and shall be interpreted, construed, and enforced in accordance with the laws of the State of California. All rights and obligations of the Parties under this Agreement are to be performed in the City and County of San Francisco, and such City and County shall be the venue for any legal action or proceeding that may be brought, or arise out of, in connection with or by reason of this Agreement.

9.4 Construction of Agreement. The Parties have mutually negotiated the terms and conditions of this Agreement and its terms and provisions have been reviewed and revised by legal counsel for both City and Developer. Accordingly, no presumption or rule that ambiguities shall be construed against the drafting Party shall apply to the interpretation or enforcement of this Agreement. Language in this Agreement shall be construed as a whole and in accordance with its true meaning. The captions of the paragraphs and subparagraphs of this Agreement are for convenience only and shall not be considered or referred to in resolving questions of construction. Each reference in this Agreement to this Agreement or any of the Project Approval shall be deemed to refer to the Agreement or the Project Approval as it may be amended from time to time pursuant to the provisions of the Agreement, whether or not the particular reference refers to such possible amendment.

9.5 Project Is a Private Undertaking; No Joint Venture or Partnership.

9.5.1 The development proposed to be undertaken by Developer on the Property is a private development. The City has no interest in, responsibility for, or duty to third persons concerning any of said improvements. The Developer shall exercise full dominion and control over the Property, subject only to the limitations and obligations of the Developer contained in this Agreement or in the Project Approval.

9.5.2 Nothing contained in this Agreement, or in any document executed in connection with this Agreement, shall be construed as creating a joint venture or partnership between the City and the Developer. Neither Party is acting as the agent of the other Party in any respect hereunder. The Developer is not a state or governmental actor with respect to any activity conducted by the Developer hereunder.

9.6 Signature in Counterparts. This Agreement may be executed in duplicate counterpart originals, each of which is deemed to be an original, and all of which when taken together shall constitute one and the same instrument.

9.7 Time of the Essence. Time is of the essence in the performance of each and every covenant and obligation to be performed by the Parties under this Agreement.

9.8 Notices. Any notice or communication required or authorized by this Agreement shall be in writing and may be delivered personally or by registered mail, return receipt requested. Notice, whether given by personal delivery or registered mail, shall be deemed to have been given and received upon the actual receipt by any of the addressees designated below as the person to whom notices are to be sent. Either Party to this Agreement may at any time, upon written notice to the other Party, designate any other person or address in substitution of the

person and address to which such notice or communication shall be given. Such notices or communications shall be given to the Parties at their addresses set forth below:

To City:

John Rahaim
Director of Planning
San Francisco Planning Department
1650 Mission Street
San Francisco, California 94102

with a copy to:

Dennis J. Herrera, Esq.
City Attorney
City Hall, Room 234
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102
Attn: Evan A. Gross, Dep. City Attorney

To Developer:

Clara/6TH LLC
505 Sansome Street, Suite 400
San Francisco, CA 94111
Attn: Tomas Janik

and a copy to:

Reuben, Junius & Rose, LLP
One Bush Street, Suite 600
San Francisco, CA 94104
Tel: (415) 567-9000
Fax: (415) 399-9480
E-mail: mloper@reubenlaw.com
Attn: Mark Loper

9.9 Severability. If any term, provision, covenant, or condition of this Agreement is held by a court of competent jurisdiction to be invalid, void, or unenforceable, the remaining provisions of this Agreement shall continue in full force and effect unless enforcement of the remaining portions of the Agreement would be unreasonable or grossly inequitable under all the circumstances or would frustrate the purposes of this Agreement.

9.10 MacBride Principles. The City urges companies doing business in Northern Ireland to move toward resolving employment inequities and encourages them to abide by the MacBride Principles as expressed in San Francisco Administrative Code Section 12F.1 et seq. The City also urges San Francisco companies to do business with corporations that abide by the MacBride Principles. Developer acknowledges that it has read and understands the above statement of the City concerning doing business in Northern Ireland.

9.11 Tropical Hardwood and Virgin Redwood. The City urges companies not to import, purchase, obtain or use for any purpose, any tropical hardwood, tropical hardwood wood product, virgin redwood, or virgin redwood wood product.

9.12 Sunshine. The Developer understands and agrees that under the City's Sunshine Ordinance (San Francisco Administrative Code, Chapter 67) and the State Public Records Law (Gov't Code Section 6250 et seq.), this Agreement and any and all records, information, and materials submitted to the City hereunder are public records subject to public disclosure.

9.13 Effective Date. This Agreement will become effective on the date that the last Party duly executes and delivers this Agreement.

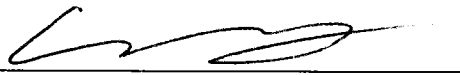
IN WITNESS WHEREOF, the Parties hereto have executed this Agreement as of the day and year first above written.

CITY

CITY AND COUNTY OF SAN
FRANCISCO,
a municipal corporation

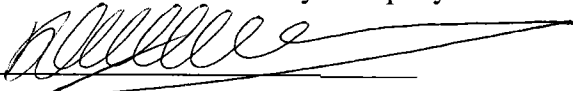
Approved as to form:
Dennis J. Herrera, City Attorney

By: _____
John Rahaim
Director of Planning

By: _____
Evan A. Gross
Deputy City Attorney

DEVELOPER

CLARA/6TH LLC,
a California Limited Liability Company

By: _____
Its: Manager

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

A Notary Public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA
COUNTY OF _____

On _____ before me, _____

a Notary Public, personally appeared, _____
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are
subscribed to the within instrument and acknowledged to me that he/she/they executed the same
in his/her/their authorized capacity(ies) and by his/her/their signature(s) on the instrument the
person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California
that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature of Notary Public

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

A Notary Public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA

COUNTY OF _____

On _____ before me, _____

a Notary Public, personally appeared, _____
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are
subscribed to the within instrument and acknowledged to me that he/she/they executed the same
in his/her/their authorized capacity(ies) and by his/her/their signature(s) on the instrument the
person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California
that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature of Notary Public

EXHIBIT A

Legal Description of Property

Parcel One:

Beginning at the point of the intersection of the Northeasterly line of Sixth Street with the Northwesterly line of Clara Street; running thence Northeasterly along said line of Clara Street 137 feet and 6 inches; thence at a right angle Northeasterly 80 feet; thence at a right angle Southwesterly 137 feet and 6 inches to the Northeasterly line of Sixth Street; thence at a right angle Southeasterly along said line of Sixth Street 80 feet to the point of beginning.

Being a portion of 100 Vara Block No. 383.

Parcel Two:

Beginning at a point on the Northwesterly line of Clara Street, distant thereon 137 feet and 6 inches Northeasterly from the Northeasterly line of Sixth Street; running thence Northeasterly along said line of Clara Street 22 feet and 6 inches; thence at a right angle Northwesterly 80 feet; thence at a right angle Southwesterly 22 feet and 6 inches; thence at a right angle Southeasterly 80 feet to the point of beginning.

Being a portion of 100 Vara Block No. 383.

Assessor's Lot 079; Block 3753

Sucre, Richard (CPC)

From: Kane, Jocelyn (ADM)
Sent: Tuesday, October 06, 2015 4:41 PM
To: Sucre, Richard (CPC)
Cc: 'michael@realtexgroup.com'
Subject: 363 6th Street

Richard,

On **Aug 27, 2015**, the Entertainment Commission received notification of the proposed residential project at **363 6th Street**. The project is located within 300 radial feet of a Place of Entertainment ("POE") and is subject to Chapter 116 of the Administrative Code.

In accordance with the Entertainment Commission's approved "*Guidelines for Entertainment Commission Review of Residential Development Proposals Under Administrative Code Chapter 116*," Entertainment Commission staff determined that a hearing on this project was required under Section 116.7(c) of the Administrative Code.

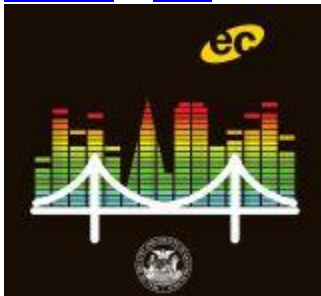
This hearing was held on October 6, 2015, and the Entertainment Commission made a motion to recommend the standard "*Recommended Noise Attenuation Conditions for Chapter 116 Projects*," (see link below.) The Commission recommends that the Planning Department and/or Department of Building Inspection adopt these standard recommendations into the development permit(s) for this project.

<http://www.sfgov2.org/modules/showdocument.aspx?documentid=3048>

In addition, we have asked project sponsor to communicate with the Entertainment Commission regarding the final choice of window materials, as they indicated that they have not made that decision at this time.

Thanks very much.

Jocelyn Kane, Executive Director
San Francisco Entertainment Commission
City Hall, Room 453
415 554-5793 (voice)
415 554-7934 (fax)
jocelyn.kane@sfgov.org
[facebook](#) [blog](#)





RECOMMENDED NOISE ATTENUATION CONDITIONS FOR CHAPTER 116 RESIDENTIAL PROJECTS:

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



**SAN FRANCISCO ELECTRICAL CONSTRUCTION INDUSTRY
Labor-Management Office of Business Development**

55 Fillmore Street, Suite 100 • San Francisco • CA 94117
Tel. 415.241.0126 • Fax 415.241.0129



Richard Sucre

San Francisco Planning Department

1650 Mission Street, Ste. 400

San Francisco, CA 94103

RE: 363 6TH Street, San Francisco (Case #2011.0586K and 2011.0586KX)

Dear Mr. Sucre,

I am writing this letter to inform you that the San Francisco Electrical Contractors Association, the Electrical Workers Local Union 6, Sheet Metal Workers Local 104 and Sprinkler Fitters Local 483 are opposed to the project proposed at 363 6th Street, San Francisco. We believe this project will not be beneficial for the local community and the City of San Francisco.

In keeping with the goals and objectives of the San Francisco General Plan, we believe development projects should contribute to economically vibrant, healthy and equitable communities. It is critical that development projects hire local construction workers and pay area standard wages and benefits to the construction workforce. Not only will this ensure those construction wages are reinvested into the local economy, it will allow those workers to continue to live in San Francisco. In order to ensure we have equitable communities, it is critical that development projects provide middle-class career pathways for local youth through State of California Approved Building and Construction Trades Apprenticeship Programs.

We feel this project does not promote the above mentioned ideals that would benefit and strengthen the local community and the City of San Francisco. Therefore, we are opposed to the project.

Respectfully,

Joel Koppel

Director



SAN FRANCISCO PLANNING DEPARTMENT

Executive Summary Large Project Authorization

HEARING DATE: OCTOBER 15, 2015
CONTINUED FROM: JULY 16, 2015 & SEPTEMBER 17, 2015

Date: October 1, 2015
Case No.: **2011.0586KX**
Project Address: **363 6th STREET**
Zoning: MUR (Mixed Use-Residential) Zoning District
SoMa Youth and Family Special Use District
85-X Height and Bulk District
Block/Lot: 3753/079
Project Sponsor: Michael Roach, Realtex, Inc.
505 Sansome Street, Suite 400
San Francisco, CA 94111
Staff Contact: Richard Sucre – (415) 575-9108
richard.sucre@sfgov.org
Recommendation: **Approval with Conditions**

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

PROJECT DESCRIPTION

The proposed project includes demolition of the existing two-story former warehouse, currently used as a church (measuring 12,396 square feet), and new construction of a nine-story (85-feet tall) residential building (approximately 85,571 gross square feet) with 104 dwelling units, approximately 700 square feet of ground floor commercial space, 45 off-street, below-grade parking spaces, 102 Class 1 bicycle parking spaces, and 7 Class 2 bicycle parking spaces. The project includes a dwelling unit mix consisting of 56 two-bedroom units, 20 one-bedroom units, and 28 studios. The proposed project also includes common open space via a ground floor courtyard and a roof deck, as well as private open space for three dwelling units via private terraces. The entrance to the off-street parking is approximately 10-ft wide and is located off of Clara Street.

SITE DESCRIPTION AND PRESENT USE

The project site is located at the northeast corner of 6th and Clara Streets on a rectangular corner lot (with a lot area of 12,800 sq ft) with approximately 80-ft of frontage along 6th Street, and 160-ft of frontage along Clara Street. Currently, the subject lot contains a two-story former warehouse that is currently used as a church, as well as a small surface parking area in the rear.

SURROUNDING PROPERTIES AND NEIGHBORHOOD

The project site is located in the MUR Zoning District along a mixed-use corridor in the East SoMa Area Plan. The immediate neighborhood includes two gas stations to the south, a one-story automotive repair

and storage facility on the adjacent site to the north, and several three-to-four-story live/work complexes to the west across 6th Street. To the east, Clara Street possesses a five-story live/work complex, as well as several one-to-three-story single-family and multi-family dwelling units. The project site is within proximity to Gene Friend Recreation Center and Victoria Manolo Davies Park. Other zoning districts in the vicinity of the project site include: MUG (Mixed Use-General), SALI (Service/Arts/Light Industrial), P (Public), and SoMa NCT (SoMa Neighborhood Commercial Transit).

ENVIRONMENTAL REVIEW

Pursuant to the Guidelines of the State Secretary of Resources for the implementation of the California Environmental Quality Act (CEQA), on October 1, 2015, the Planning Department of the City and County of San Francisco determined that the proposed application was exempt from further environmental review under Section 15183 of the CEQA Guidelines and California 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 Area Plan Final EIR. Since the 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.

HEARING NOTIFICATION

TYPE	REQUIRED PERIOD	REQUIRED NOTICE DATE	ACTUAL NOTICE DATE	ACTUAL PERIOD
Classified News Ad	20 days	June 26, 2015	June 26, 2015	109 days
Posted Notice	20 days	June 26, 2015	June 26, 2015	109 days
Mailed Notice	20 days	June 26, 2015	June 26, 2015	109 days

The project received a formal continuance from the Planning Commission on July 15th and September 17th, 2015.

The proposal requires a Section 312 Neighborhood notification, which was conducted in conjunction with the required hearing notification for the Large Project Authorization.

PUBLIC COMMENT

As of October 1, 2015, the Department has numerous public correspondences regarding the proposed project (See Attached). The majority of this correspondence has expressed support for the proposed project. The opposition to the project has expressed concerns over the ground floor uses and the project's overall height.

ISSUES AND OTHER CONSIDERATIONS

- Large Project Authorization Modifications: As part of the Large Project Authorization (LPA), the Commission may grant modifications from certain Planning Code requirements for projects that

exhibit outstanding overall design and are complementary to the design and values of the surrounding area. The proposed project requests modifications from: 1) rear yard (Planning Code Section 134); 2) permitted obstructions over the street (Planning Code Section 136); 3) dwelling unit exposure (Planning Code Section 140); and, 4) off-street parking (Planning Code Section 151.1). Department staff is generally in agreement with the proposed modifications given the overall project and its design.

- Shadow: Per Planning Code Section 295, the Commission must grant authorization to new construction projects that will cast shade or shadow upon any property under the jurisdiction of the Recreation and Park Commission. On October 15, 2015, the Planning Commission and Recreation and Parks Commission will host a joint meeting to consider the shadow impacts upon Gene Friend Recreation Center. The Project will cast new shadow upon Gene Friend Recreation Center. Since Gene Friend Recreation Center possesses a shadow budget, the two Commissions must take joint action to increase the shadow budget of the center, and also adopt a motion that the additional shadow caused by the Project would not be adverse to the use of Gene Friend Recreation Center.
- Inclusionary Affordable Housing: The Project has elected the on-site affordable housing alternative, identified in Planning Code Section 415.6 and 419.3. The project site is located within the MUR Zoning District, which requires 12% of the total number of units to be designated as part of the inclusionary affordable housing program. The Project contains 104 dwelling units and the Project Sponsor will fulfill this requirement by providing the 12 affordable units on-site, which will be available for rent. As part of the project, the Project Sponsor has entered into a Costa-Hawkins Agreement with the City. A copy of this agreement will be provided at the Planning Commission Hearing.
- Interim PDR Moratorium: Per Board File No. 140951/Enactment No. 210-14, the project site is located within the area governed by the Interim Moratorium on PDR Conversion in the Proposed Central South of Market Plan Area. However, the proposed project submitted an Environmental Evaluation Application on June 22, 2012; therefore, the interim moratorium controls do not apply to this project, since the legislation exempts projects which submitted an environmental evaluation application on or before September 1, 2014.
- Entertainment Commission: In compliance with Ordinance No. 70-15, the Project Sponsor will review the Project at the Entertainment Commission on October 6, 2015. The Department shall provide an update of the Entertainment Commission's review at the public hearing on October 15, 2015.
- SoMa Youth and Family Special Use District (SUD): The Project is generally consistent with the SoMa Youth and Family SUD, since the proposal exceeds the required percentage of two-bedroom dwelling units. Therefore, the Project produces new housing opportunities, which are more suitable for families.
- Development Impact Fees: The Project would be subject to the following development impact fees, which are estimated as follows:

FEE TYPE	PLANNING CODE SECTION/FEE	AMOUNT
Eastern Neighborhoods Impact Fee	423 (@ \$13.35)	\$9,345

FEE TYPE	PLANNING CODE SECTION/FEE	AMOUNT
(700 sq ft – Tier 3; Change in Use from PDR to Non-Residential)		
Eastern Neighborhoods Impact Fee (11,696 sq ft – Tier 3; Change in Use from PDR to Residential)	423 (@ \$15.78)	\$184,563
Eastern Neighborhoods Impact Fee (73,175 sq ft – Tier 3; New Residential)	423 (@ \$19.42)	\$1,421,059
	TOTAL	\$1,614,967

Please note that these fees are subject to change between Planning Commission approval and approval of the associated Building Permit Application, as based upon the annual updates managed by the Development Impact Fee Unit of the Department of Building Inspection.

REQUIRED COMMISSION ACTION

In order for the project to proceed, the Commission must grant a Large Project Authorization pursuant to Planning Code Section 329 to allow the new construction of a nine-story (85-ft tall) residential building with 105 dwelling units and ground floor retail, and to allow modifications to the requirements for rear yard (Planning Code Section 134), permitted obstructions over the street (Planning Code Section 136), dwelling unit exposure (Planning Code Section 140), and off-street parking (Planning Code Section 151.1).

BASIS FOR RECOMMENDATION

The Department believes this project is approvable for the following reasons:

- The Project complies with the applicable requirements of the Planning Code.
- The Project is consistent with the objectives and policies of the General Plan.
- The Project is located in a zoning district where residential and ground floor commercial uses are principally permitted.
- The Project produces a new mixed-use development with ground floor retail and significant site updates, including street trees, landscaping, and common open space.
- The Project is consistent with and respects the existing neighborhood character, and provides an appropriate massing and scale for a large corner parcel.
- The Project complies with the First Source Hiring Program.
- The Project adds 104 new dwelling units to the City's housing stock.
- The Project exceeds the number of required two-bedroom dwelling units and produces new housing more suitable for families.
- The Project will fully utilize the Eastern Neighborhoods Area Plan controls, and will pay the appropriate development impact fees.

RECOMMENDATION: Approval with Conditions
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Attachments:

Draft Motion-Large Project Authorization
Draft Resolution-Raise Shadow Budget of Gene Friend Recreation Center
Draft Motion-Shadow Findings
Parcel Map
Sanborn Map
Aerial Photograph
Zoning Map
Height and Bulk Map
Site Photos
Architectural Drawings
Affidavit for Compliance with the Inclusionary Affordable Housing Program
Affidavit for First Source Hiring Program
Affidavit for Anti-Discriminatory Housing Policy
Shadow Analysis
Public Correspondence

Attachment Checklist

- | | |
|---|--|
| <input checked="" type="checkbox"/> Executive Summary | <input checked="" type="checkbox"/> Project Sponsor Submittal |
| <input checked="" type="checkbox"/> Draft Motion | Drawings: <u>Existing Conditions</u> |
| <input type="checkbox"/> Environmental Determination | <input checked="" type="checkbox"/> Check for legibility |
| <input checked="" type="checkbox"/> Zoning District Map | Drawings: <u>Proposed Project</u> |
| <input checked="" type="checkbox"/> Height & Bulk Map | <input checked="" type="checkbox"/> Check for legibility |
| <input checked="" type="checkbox"/> Parcel Map | <input type="checkbox"/> Health Dept. Review of RF levels |
| <input checked="" type="checkbox"/> Sanborn Map | <input type="checkbox"/> RF Report |
| <input checked="" type="checkbox"/> Aerial Photo | <input type="checkbox"/> Community Meeting Notice |
| <input checked="" type="checkbox"/> Context Photos | <input checked="" type="checkbox"/> Inclusionary Affordable Housing Program:
Affidavit for Compliance |
| <input checked="" type="checkbox"/> Site Photos | |

Exhibits above marked with an "X" are included in this packet

RS
Planner's Initials

RS: G:\Documents\Large Project Authorization\2011.0586X 363 6th St\ExecutiveSummary_363 6th St.doc



SAN FRANCISCO PLANNING DEPARTMENT

Subject to: (Select only if applicable)

- | | |
|---|---|
| <input checked="" type="checkbox"/> Affordable Housing (Sec. 415) | <input checked="" type="checkbox"/> First Source Hiring (Admin. Code) |
| <input type="checkbox"/> Jobs Housing Linkage Program (Sec. 413) | <input type="checkbox"/> Child Care Requirement (Sec. 414) |
| <input type="checkbox"/> Downtown Park Fee (Sec. 412) | <input checked="" type="checkbox"/> Other (EN Impact Fees) |

1650 Mission St.
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Planning
Information:
415.558.6377

Planning Commission Draft Motion

HEARING DATE: OCTOBER 15, 2015

Case No.: **2011.0586KX**
Project Address: **363 6th STREET**
Zoning: MUR (Mixed Use-Residential) Zoning District
SoMa Youth and Family Special Use District
85-X Height and Bulk District
Block/Lot: 3753/079
Project Sponsor: Michael Roach, Realtex, Inc.
505 Sansome Street, Suite 400
San Francisco, CA 94111
Staff Contact: Richard Sucre – (415) 575-9108
richard.sucre@sfgov.org

ADOPTING FINDINGS RELATING TO A LARGE PROJECT AUTHORIZATION PURSUANT TO PLANNING CODE SECTION 329, TO ALLOW EXCEPTIONS TO 1) REAR YARD PURSUANT TO PLANNING CODE SECTION 134, 2) PERMITTED OBSTRUCTIONS OVER A STREET PURSUANT TO PLANNING CODE SECTION 136, 3) DWELLING UNIT EXPOSURE PURSUANT TO PLANNING CODE SECTION 140 AND, 4) OFF-STREET PARKING PURSUANT TO PLANNING CODE SECTION 151.1, TO ALLOW CONSTRUCTION OF A NEW NINE-STORY, 85-FT TALL, RESIDENTIAL BUILDING (APPROXIMATELY 85,571 GSF) WITH 104 DWELLING UNITS (CONSISTING OF 28 STUDIOS, 22 1-BEDROOM UNITS AND 56 2-BEDROOM UNITS) AND APPROXIMATELY 700 GSF OF GROUND FLOOR COMMERCIAL SPACE, LOCATED AT 363 6TH STREET, LOT 103 IN ASSESSOR'S BLOCK 3726, WITHIN THE MUR (MIXED USE-RESIDENTIAL) ZONING DISTRICT, SOMA YOUTH AND FAMILY SPECIAL USE DISTRICT AND A 85-X HEIGHT AND BULK DISTRICT, AND ADOPTING FINDINGS UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.

PREAMBLE

On September 12, 2012, Michael Roach of Realtex, Inc. (hereinafter "Project Sponsor") filed Application No. 2011.0586X (hereinafter "Application") with the Planning Department (hereinafter "Department") for a Large Project Authorization to construct a new nine-story residential building with 104 dwelling units and 700 gsf of ground floor corner commercial space at 363 6th Street (Block 3753 Lot 079) in San Francisco, California.

The environmental effects of the Project were determined by the San Francisco Planning Department to have been fully reviewed under the Eastern Neighborhoods Area Plan Environmental Impact Report (hereinafter "EIR"). The EIR was prepared, circulated for public review and comment, and, at a public hearing on August 7, 2008, by Motion No. 17661, certified by the Commission as complying with the California Environmental Quality Act (Cal. Pub. Res. Code Section 21000 et seq., (hereinafter "CEQA"). The Commission has reviewed the Final EIR, which has been available for this Commissions 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 October 1, 2015, 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.

On October 15, 2015, the Planning Commission ("Commission") conducted a duly noticed public hearing at a regularly scheduled meeting on Large Project Authorization Application No. 2011.0586X.

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. 2011.0586X, 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 located at the northeast corner of 6th and Clara Streets on a rectangular corner lot (with a lot area of 12,800 sq ft) with approximately 80-ft of frontage along 6th Street, and 160-ft of frontage along Clara Street. Currently, the subject lot contains a two-story former warehouse that is currently used as a church, as well as a small surface parking area in the rear.
3. **Surrounding Properties and Neighborhood.** The project site is located in the MUR Zoning District along a mixed-use corridor in the East SoMa Area Plan. The immediate neighborhood includes two gas stations to the south, a one-story automotive repair and storage facility on the adjacent site to the north, and several three-to-four-story live/work complexes to the west across 6th Street. To the east, Clara Street possesses a five-story live/work complex, as well as several one-to-three-story single-family and multi-family dwelling units. The project site is within proximity to Gene Friend Recreation Center and Victoria Manolo Davies Park. Other zoning districts in the vicinity of the project site include: MUG (Mixed Use-General), SALI (Service/Arts/Light Industrial), P (Public), and SoMa NCT (SoMa Neighborhood Commercial Transit).
4. **Project Description.** The proposed project includes demolition of the existing two-story former warehouse, currently used as a church (measuring 12,396 square feet), and new construction of a nine-story (85-feet tall) residential building (approximately 85,571 gross square feet) with 104 dwelling units, approximately 700 square feet of ground floor commercial space, 45 off-street, below-grade parking spaces, 102 Class 1 bicycle parking spaces, and 7 Class 2 bicycle parking spaces. The project includes a dwelling unit mix consisting of 56 two-bedroom units, 20 one-

bedroom units, and 28 studios. The proposed project also includes common open space via a ground floor courtyard and a roof deck, as well as private open space for three dwelling units via private terraces. The entrance to the off-street parking is approximately 10-ft wide and is located off of Clara Street.

5. **Public Comment.** As of October 1, 2015, the Department has numerous public correspondences regarding the proposed project (See Attached). The majority of this correspondence has expressed support for the proposed project. The opposition to the project has expressed concerns over the ground floor uses and the project's overall height.
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 MUR Zoning Districts.** Planning Code Sections 841.20 and 841.45 states that residential and retail uses are principally permitted use within the MUR Zoning District.

The Project would construct new residential and retail uses within the MUR Zoning District; therefore, the Project complies with Planning Code Sections 841.20 and 841.45.

- B. **Floor Area Ratio.** Planning Code Section 124 establishes a FAR (Floor Area Ratio) of 6.0 to 1 for properties within the MUR Zoning District and an 85-X Height and Bulk District.

The subject lot is 12,800 sq ft, thus resulting in a maximum allowable floor area of 76,800 sq ft for non-residential uses. The Project would construct a total of 700 gsf of non-residential 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. Therefore, the Project would have to provide a rear yard, which measures approximately 40-ft from the rear lot line (or approximately 3,200 sq ft).

Currently, the Project is designed with a ground level courtyard, which measures approximately 25-ft by 100-ft, which has access to Clara Street. The Project provides a rear yard at grade, which is the lowest level possessing a dwelling unit. This rear yard provides approximately 2,648 square feet of common open space. In addition, the Project provides additional common open space via a roof deck, which will measure approximately 5,170 sq ft. Therefore, the Project's total amount of common open space (7,818 sq ft) exceeds the amount of open space that would have been provided through the rear yard. However, the proposed rear yard does not extend the full width of the subject lot; therefore, the Project is seeking a modification of the rear yard requirement as part of the Large Project Authorization (See Below).

The Project occupies a corner lot at the northeast intersection of 6th and Clara Streets. The subject block possesses a pattern of mid-block open space, which is formed by the residential properties along

Clara and Shipley Streets. The Project contributes to this mid-block open space pattern by providing for a corner courtyard, which appropriately terminates the mid-block open space pattern at the corner.

- D. **Useable 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 useable 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 useable open space shall be at least 15 feet in every horizontal dimension and shall be a minimum are of 300 sq ft. Further, inner courts may be credited as common useable open space if the enclosed space is not less than 20 feet in every horizontal dimension and 400 sq ft in area, and if the height of the walls and projections above the court on at least three sides is such that no point on any such wall or projection is higher than one foot for each foot that such point is horizontally distant from the opposite side of the clear space in the court.

For dwelling units that measure less than 350 square feet plus a bathroom, the minimum amount of useable open space shall be one-third the amount required for a dwelling unit. Therefore, only 26.4 square feet of open space is required for this type of dwelling unit.

Currently, the Project includes 104 dwelling units, which includes 14 studio units, which are less than 350 square feet. Therefore, the Project is required to provide at least 7,200 sq ft of open space for 90 dwelling units and 370 square feet of open space for 14 studio units. Therefore, the Project is required to provide 7,570 square feet of open space.

In total, the Project complies with the open space requirements by constructing 7,818 sq ft of common open space via a ground floor courtyard and a roof deck. The ground floor courtyard meets the dimensional requirements of Planning Code Section 135 as an inner court. Therefore, the Project complies with Planning Code Section 135.

In addition, the Project also includes private terraces for three corner dwelling units on the ground floor and private decks for four dwelling units on the second floor, which are not credited towards the open space requirement, but provide private useable open space for these units.

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

The subject lot is not located in close proximity to an Urban Bird Refuge. The proposed project meets the requirements of feature-related standards and does not include any unbroken glazed segments 24-sq ft and larger in size; therefore, the Project complies with Planning Code Section 139.

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

The Project organizes the dwelling units to have exposure either on either 6th Street, Clara Street, or the inner courtyard. Currently, twenty-six dwelling units do not face onto an open area, which meets the dimensional requirements of the Planning Code. Therefore, the Project is seeking a modification of the dwelling unit exposure requirements for twenty-six dwelling units as part of the Large Project Authorization (See Below).

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

The Project meets the requirements of Planning Code Section 145.1. The off-street parking is located below grade with an entrance along Clara Street, which is 10-ft wide. The Project features active uses on the ground floor with commercial use at the corner of 6th and Clara Streets, and three, walk-up dwelling units along Clara Street. The ground floor ceiling height for the commercial space, as well as the residential lobby and community room, is 18-ft 6-in, which far exceeds the requirements for ground floor ceiling height. Finally, the Project features appropriate street-facing ground level spaces, as well as the ground level transparency and fenestration requirements.

- H. **Off-Street Parking.** Per Planning Code Section 151.1, off-street parking is principally permitted within the MUR Zoning District at a ratio of one car for each four dwelling units. Under the Large Project Authorization, subject to the conditions of 151.1(g), off-street parking would be permitted at a ratio of .75 cars for each dwelling unit.

For the 104 dwelling units, 26 off-street parking spaces are principally permitted, and a maximum of 78 off-street parking spaces are permitted under the Large Project Authorization by the Planning Commission.

Currently, the Project proposes 45 off-street parking spaces via mechanical stackers for the residential use, which is a parking ratio of .43 per dwelling unit. The project will not include any off-street

parking for the retail use. Of these 45 off-street parking spaces, two handicap parking space have been identified. Therefore, the Project is seeking a modification of the off-street parking requirement, as part of the Large Project Authorization (See Finding 8).

- I. **Bicycle Parking.** Per Planning Code Section 155.2, one Class 1 bicycle parking space for each dwelling unit, as well as one Class 1 space for every four dwelling units over 100, and one Class 2 bicycle parking space for each 20 dwelling units. For retail use below 7,500 sq ft, a minimum of two Class 2 bicycle parking spaces are required, as well as one Class 2 bicycle parking space for every 2,500 sq ft. of occupied floor area.

The Project includes 104 dwelling units and 700 square feet of retail use; therefore, the Project is required to provide 101 Class 1 bicycle parking spaces and 7 Class 2 bicycle parking spaces. The Project will provide 102 Class 1 bicycle parking spaces and 7 Class 2 bicycle parking spaces, which exceeds the requirement. Therefore, the proposed project complies with Planning Code Section 155.2.

- J. **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.

- K. **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 104 dwelling units, the Project is required to provide at least 42 two-bedroom units or 32 three-bedroom units. The Project provides 28 studios, 20 one-bedroom units and 56 two-bedroom units. Therefore, 53% of the total number of units are two-bedroom units, and the Project exceeds the requirements for dwelling unit mix.

- L. **Narrow Streets.** Planning Code Section 261.1 outlines height and massing requirements for projects that front onto a "narrow street," which is defined as a public right of way less than or equal to 40-ft in width. Clara Street measures approximately 35-ft wide, and is considered an east-west "narrow street." All subject frontages onto a narrow street shall have upper stories set back at least 10-ft at the property line above a height equivalent to 1.25 times the width of the abutting "narrow street." Therefore, the Project is required to provide a 10-ft setback above a height of 43-ft 9-in. The project site is located on the north side of an east-west "narrow street."

The Project features a 10-ft setback along Clara Street at the fourth floor (approximately 43-ft 9-in above grade) and above for the area of the Project more than 60-ft from the corner. Therefore, the proposed project complies with Planning Code 261.1.

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

Based upon a detail shadow analysis, the Project would cast new shadow upon Gene Friend Recreation Center, which is a property under the jurisdiction of the Recreation and Parks Commission. Based upon the recommendation of the General Manager of the Recreation and Parks Department, in consultation with Recreation and Park Commission, the net new shadow would not be adverse to the use of Gene Friend Recreation Center. The Commission has adopted findings regarding an increase to the shadow budget of this recreation center and park, and the impact of the new shadow on Gene Friend Recreation Center, as documented in Motion Nos. XXXXX and XXXXX.

- N. **Inclusionary Affordable Housing Program.** Planning Code Section 415 sets forth the requirements and procedures for the Inclusionary Affordable Housing Program. Under Planning Code Section 415.3, the current percentage requirements apply to projects that consist of ten or more units, where the first application (EE or BPA) was applied for on or after July 18, 2006. Pursuant to Planning Code Section 415.5, the Project must pay the Affordable Housing Fee ("Fee"). This Fee is made payable to the Department of Building Inspection ("DBI") for use by the Mayor's Office of Housing for the purpose of increasing affordable housing citywide.

The Project Sponsor has demonstrated that it is eligible for the On-Site Affordable Housing Alternative under Planning Code Section 415.5 and 415.6, and has submitted a 'Affidavit of Compliance with the Inclusionary Affordable Housing Program: Planning Code Section 415,' to satisfy the requirements of the Inclusionary Affordable Housing Program by providing the affordable housing on-site instead of through payment of the Affordable Housing Fee. In order for the Project Sponsor to be eligible for the On-Site Affordable Housing Alternative, the Project Sponsor must submit an 'Affidavit of Compliance with the Inclusionary Affordable Housing Program: Planning Code Section 415,' to the Planning Department stating that any affordable units designated as on-site units shall be sold as ownership units and will remain as ownership units for the life of the project or submit to the Department a contract demonstrating that the project's on- or off-site units are not subject to the Costa Hawkins Rental Housing Act, California Civil Code Section 1954.50 because, under Section 1954.52(b), the Project Sponsor has entered into an agreement with a public entity in consideration for a direct financial contribution or any other form of assistance specified in California Government Code Sections 65915 et seq. and submits an Affidavit of such to the Department. All such contracts entered into with the City and County of San Francisco must be reviewed and

approved by the Mayor's Office Housing and the City Attorney's Office. The Project Sponsor has indicated the intention to enter into an agreement with the City to qualify for a waiver from the Costa-Hawkins Rental Housing Act based upon the proposed density bonus and concessions provided by the City and approved herein. The Project Sponsor submitted such Affidavit on February 25, 2015 and a draft of the Costa Hawkins agreement on October XX, 2015. The EE application was submitted on August 2, 2013. Pursuant to Planning Code Section 415.3 and 415.6 the on-site requirement is 12%. 12 units (7 two-bedrooms, 2 one-bedrooms and 3 studios) of the 104 units provided will be affordable rental 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. The Project must execute the Costa Hawkins agreement prior to Planning Commission approval or must revert to payment of the Affordable Housing Fee.

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

The Project includes approximately 85,571 gross square feet of new development consisting of approximately 84,870 sq ft of new residential use and 700 sq ft of new retail use. These uses are subject to Eastern Neighborhood Infrastructure Impact Fees, as outlined in Planning Code Section 423. These fees must be paid prior to the issuance of the building permit application.

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

- A. Overall building mass and scale.

The Project's mass and scale are appropriate for a large corner lot and the surrounding context, which includes contains three-to-four-story live/work complexes and residential buildings. As part of the Eastern Neighborhoods Area Plan, this portion of 6th Street was rezoned to increase the overall height and density. The Project complies with the East SoMa Area, which is part of the Eastern Neighborhoods Area Plans, by providing for a new nine-story (85-ft tall) residential building and introducing new height along this portion of 6th Street. The Project addresses and defines the corner of 6th and Clara Street with a projecting cornice and an articulated corner bay. The projecting bay windows establish a façade rhythm that is further articulated by projecting cornices. Along Clara Street, the Project meets the narrow streets requirements, and provides for a 10-ft setback, which reduces the scale along the alley. Thus, the Project is appropriate and consistent with the mass and scale of the surrounding neighborhood, which is transitioning to a higher density mixed-use area, as envisioned by the East SoMa Area Plan.

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

The Project's architectural treatments, façade design and building materials include bay windows, small Juliet balconies, composite rain screen, cement plaster, porcelain tile, and factory-finished metal

windows. The Project has two street frontages that offer varying façade treatments and articulation. Along 6th Street, the Project is primarily rendered in composite rain screen with cornice accents, and features a double-height ground floor. Along Clara Street, the Project is also rendered in composite rain screen and colored stucco, and includes bay windows and balconies, as well as a massing setback, which starts approximately 60-ft from the corner. Overall, the Project offers an architectural treatment, which provides for contemporary, yet contextual, architectural design that appears consistent and compatible with the surrounding neighborhood, and its former industrial context.

- 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.

On the lower floors, the Project provides a regularly-spaced glazed storefront openings grounded by a solid bulkhead, and direct access, individual, walk-up dwelling units along Clara Street. The Project includes a single commercial space, which occupies the corner of 6th and Clara Streets. In addition to the commercial space, the 6th Street façade accommodates the residential lobby and a community room, which are both active uses. All of the uses along 6th Street feature a double-height ground floor with an 18-ft 6-in floor-to-floor. On Clara Street, the Project includes a 10-ft setback approximately 60-ft from the corner, and the walk-up dwelling units feature ground floor terraces that are 8-ft in depth, thus providing for an appropriate transition between the street and residential entry. The entrance to off-street parking is located off of Clara Street. The ground floor configuration minimizes conflicts between pedestrians and automobiles, and appropriately references the tall ground floor spaces desired by the Eastern Neighborhoods Area Plan. 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 104 dwelling units through common open space on the ground floor and a roof deck. In total, the Project provides 7,818 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, since the project does not possess more than 200-ft of frontage along any single street.

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

The Project provides the required number of new street trees, as well as new sidewalks and bicycle racks. These improvements will enhance the public realm.

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

Since the subject lot has two street frontages, the Project provides ample circulation around the project site. The Project includes ground floor commercial at the corner of 6th and Clara Streets. The primary focal point for the residents would occur on 6th Street through the residential lobby, which is adjacent to the small commercial space. Automobile access is limited to the one entry/exit (measuring 10-ft wide) along Clara Street. The Project successfully minimizes conflicts with pedestrians by providing the garage entry along Clara Street (and away from 6th Street), and the residential lobby along 6th 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. **Large Project Authorization Exceptions.** Proposed Planning Code Section 329 allows exceptions for Large Projects in the Eastern Neighborhoods Mixed Use Districts:

A. Exceeding the principally permitted accessory residential parking ratio described in Section [151.1](#) and pursuant to the criteria therein;

(1) In granting such Conditional Use or exception per 329 for parking in excess of that principally permitted in Table 151.1, the Planning Commission shall make the following affirmative findings according to the uses to which the proposed parking is accessory:

(A) Parking for All Uses.

(i) Vehicle movement on or around the project does not unduly impact pedestrian spaces or movement, transit service, bicycle movement, or the overall traffic movement in the district;

The Project would not unduly impact pedestrian movement or transit in the neighborhood. Entrances to off-street parking are limited to one opening (measuring approximately 10-ft) located off of Clara Street.

(ii) Accommodating excess accessory parking does not degrade the overall urban design quality of the project proposal;

The Project is principally permitted 26 off-street parking spaces for the 104 dwelling units. The Project provides 45 below grade, off-street parking spaces via mechanical stackers. The accommodation of the additional 19 below grade parking does not degrade or impact the overall Project and its urban design quality. The Project maintains a strong ground floor level, and also encourages and facilitates pedestrian circulation around the project site.

(iii) All above-grade parking is architecturally screened and lined with active uses according to the standards of Section 145.1, and the project sponsor is not requesting any exceptions or variances requiring such treatments elsewhere in this Code; and

The Project does not include any above-grade parking.

(iv) Excess accessory parking does not diminish the quality and viability of existing or planned streetscape enhancements.

The proposed 45 off-street below-grade parking spaces do not impact any ground floor uses or any other planned streetscape improvements. Entrance to the off-street parking is via a 10-ft garage door located on Clara Street.

B. Exception for rear yards, pursuant to the requirements of Section 134(f):

(1) Modification of Requirements in the Eastern Neighborhoods Mixed Use Districts. The rear yard requirement in Eastern Neighborhoods Mixed Use Districts may be modified or waived by the Planning Commission pursuant to Section 329.

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

The Project provides for a comparable amount of open space, in lieu of the required rear yard. Overall, the project site is 12,800 gsf in size, and would be required to provide a rear yard measuring 3,200 sq ft. The Project provides 7,818 sq ft of open space through a ground floor code-complying courtyard and a roof deck, thus exceeding the amount of space, which would have been provided in a code-conforming rear yard.

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

The Project will not significantly impede access to light and air, since the adjacent property to the north is an automotive repair station and does not possess residential uses, and the adjacent property to the east is a single-family residence, which features a rear yard that aligns to the Project's proposed ground floor courtyard. The proposed ground floor courtyard contributes to the block's pattern of mid-block open space. The project site is a corner lot, and the Project

appropriately terminates the established pattern of mid-block open space, which maximizes light and air to the adjacent residential uses.

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

The Project is not seeking a modification to the open space requirements; however, the Project is seeking a modification to the exposure requirements for 26 of the 104 dwelling units. Overall, the majority of the Project meets the intent of exposure requirements defined in Planning Code Section 140. Currently, these 26 dwelling units do not front onto a code-complying open area.

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

In addition to the modification of the requirements for rear yard and off-street parking, the Project is seeking modifications of the requirements for permitted obstructions (Planning Code Section 136) and exposure (Planning Code Section 140).

Per Planning Code Section 136, rectangular bay windows are limited to 9-ft wide, and 3-ft deep over a street, alley, setback or open area. The Project proposes bay windows over the street and open area (ground floor courtyard), which exceed the dimensions outlined within Planning Code Section 136. The bay windows provide a strong urban design element, which mediates the rhythm of the exterior façade. Given the overall design and composition, the Commission finds this modification is warranted, due to the Project's quality of design and the organization of the bay window relative to the Project's overall design.

Under Planning Code Section 140, all dwelling units must face onto an open area, which is at least 25'-wide. The Project organizes the dwelling units to have exposure either on 6th or Clara Street, or along the ground floor courtyard. This courtyard does not meet the rear yard requirements, since the open space does not extend for the width of the subject lot. Currently, 26 dwelling units (located on the first through seventh floors) do not face onto an open area, which meets the dimensional requirements of the Planning Code. These dwelling units still face onto an open area and are also afforded sufficient access to light and air. Given the overall design and composition of the Project, the Commission finds this modification is warranted, due to the Project's quality of design and comparable amount of open space/open areas.

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

HOUSING

Objectives and Policies

OBJECTIVE 1

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

Policy 1.1

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

The Project is a residential development with a small ground floor commercial space in a mixed-use area that features industrial, commercial and residential uses. The subject lot is an ideal infill site occupied by a former warehouse. The project site was rezoned to MUR as part of a long range planning goal to create a cohesive, higher density residential and mixed-use neighborhood. The surrounding neighborhood features a wide variety of zoning, which is consistent with the desired mixed-use character. The Project includes 12 on-site affordable housing units, which complies with the inclusionary affordable housing requirements.

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 design of this Project responds to the site's location within a mixed-use area with industrial, commercial and residential uses. The Project's facades provide a simple expression that relates to the surrounding neighborhood, while providing for a material palette and aesthetic, which is contemporary in character and relatively simple in design. The exterior is designed with modern materials including composite rain screen, cement plaster, porcelain tile, and factory-finished metal windows. The massing and scale are indicative of the urban fabric of the surrounding area.

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 6th and Clara Streets, as permitted by the Department of Public Works (DPW). Street frontages are designed with active spaces oriented at the pedestrian level.

OBJECTIVE 28:

PROVIDE SECURE AND CONVENIENT PARKING FACILITIES FOR BICYCLES.

Policy 28.1:

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

Policy 28.3:

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

The Project includes 102 Class 1 bicycle parking spaces in secure, convenient locations, and 7 Class 2 bicycle parking spaces, which are publically-accessible.

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 .43 parking spaces per unit, which is below the maximum permitted ratio of .75 per unit. The parking spaces are accessed by one ingress/egress point measuring 10-ft wide from Clara Street. The Project does not include any off-street parking for the retail uses. The Eastern Neighborhoods Area Plan does not require off-street parking for retail uses. Overall, the proposed parking is adequate for the project and complies with maximums prescribed by the Planning Code.

URBAN DESIGN ELEMENT

Objectives and Policies

OBJECTIVE 1:

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

Policy 1.7:

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

The Project is located within the East SoMa neighborhood. The surrounding area is characterized by the mixed in character with industrial, commercial and residential uses. As such, the Project provides an appropriate ground floor, massing and scale, which responds to the form and scale of the existing neighborhood, while also providing a new contemporary architectural vocabulary and a better pedestrian experience, as compared to the existing site.

OBJECTIVE 4:

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

Policy 4.5:

Design walkways and parking facilities to minimize danger to pedestrians.

Policy 4.13:

Improve pedestrian areas by providing human scale and interest.

Although the project site has two street frontages, it only provides one vehicular access point for the entire project, thus limiting conflicts with pedestrians and bicyclists. Numerous street trees will be planted on each street. The Project provides ample frontages for commercial and residential use and an active ground floor, which appropriately engages the street. Along the project site, the pedestrian experience will be greatly improved. Currently, the site contains a former warehouse.

EAST SOMA AREA PLAN

Objectives and Policies

Land Use

OBJECTIVE 1.1

ENCOURAGE PRODUCTION OF HOUSING AND OTHER MIXED-USE DEVELOPMENT IN EAST SOMA WHILE MAINTAINING ITS EXISTING SPECIAL MIXED-USE CHARACTER.

Policy 1.1.8

Permit small and moderate retail establishments in mixed use areas of East SoMa, but permit larger retail only as part of a mixed-use development.

OBJECTIVE 1.2

MAXIMIZE HOUSING POTENTIAL IN KEEPING WITH NEIGHBORHOOD CHARACTER

Policy 1.2.1

Encourage development of new housing throughout East SoMa.

Policy 1.2.2

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

Policy 1.2.3

For new construction, and as part of major expansion of existing buildings, encourage housing development over commercial.

Policy 1.2.4

In general, where residential development is permitted, control residential density through building height and bulk guidelines and 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 2.3.5

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 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.

Built Form

OBJECTIVE 3.1

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

Policy 3.1.1

Adopt heights that are appropriate for SoMa's location in the city, the prevailing street and block pattern, and the anticipated land uses, while preserving the character of its neighborhood enclaves.

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.

Policy 3.1.11

Establish and require height limits along alleyways to create the intimate feeling of an urban room.

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 3.2.4

Strengthen the relationship between a building and its fronting sidewalk.

Policy 3.2.5

Building form should celebrate corner locations.

The Project is largely residential, but does include a single ground floor commercial space. 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 guidelines, and includes the appropriate dwelling unit mix, since approximately 53% or 56 units are two-bedroom dwellings. Further, the Project includes the appropriate massing setbacks along Clara Street, which is identified as a narrow street, and also addresses the corner through projecting architectural elements and façade articulation. The Project introduces a contemporary architectural vocabulary, which responds to the prevailing scale and neighborhood fabric and which compliments the broader context of large buildings along Mission and Market Streets. The Project provides an exterior which features a variety of materials, colors and textures, including cement plaster, metal panels, and tinted vision glass. The Project will also pay the appropriate development impact fees, including the Eastern Neighborhoods Impact Fees.

9. **Planning Code Section 101.1(b)** establishes eight priority-planning policies and requires review of permits for consistency with said policies. On balance, the project does comply with said policies in that:

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

On the project site, the existing use includes a former warehouse currently used as a church. No retail uses exist on the project site. The Project improves the urban form of the neighborhood by removing the former warehouse. The Project would add new residents, visitors, and employees to the neighborhood, which would strengthen nearby retail uses and would provide new opportunity for retail employment/ownership.

- 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 104 new dwelling units, thus resulting in an increase in the neighborhood housing stock. The Project is simple in design, and relates to the scale and form of the surrounding neighborhood by providing architectural gestures to the surrounding live/work and residential complexes. 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 provide 12 on-site affordable housing units for rent, thus increasing the City's stock of affordable housing units.

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

The project site is well-served by public transportation. The Project is located within walking distance to the Powell Street Muni and BART Station, and is within a .25 mile of several Muni bus stops, including the 8-City College, 12-Mission, 14X-Daly City and 12-Jackson & Van Ness. Future residents would be afforded close proximity to bus or rail transit. The Project also provides sufficient off-street parking at a ratio of .43 per dwelling unit, and ample 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 East SoMa Area Plan, which encourages new residential development with ground floor commercial uses. The Project would enhance opportunities for resident employment and ownership by providing new housing and retail spaces, which will increase the diversity of the City's housing supply (a top priority in the City) and provide new potential neighborhood-serving uses.

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

The Project will be designed and will be constructed to conform to the structural and seismic safety requirements of the Building Code. This Project will not impact the building'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 or within the immediate vicinity.

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

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

10. **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.

11. 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.
12. 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. 2011.0586X** under Planning Code Section 329 to allow the new construction of a nine-story (85-ft tall) residential building with 104 dwelling units and approximately 700 square feet of ground floor commercial space, and a modification to the requirements for: 1) rear yard (Planning Code Section 134); 2) permitted obstructions over the street (Planning Code Section 136); 3) dwelling unit exposure (Planning Code Section 140); and, 4) off-street parking (Planning Code Section 151.1), within the MUR (Mixed Use-Residential) Zoning District, SoMa Youth and Family Special Use District, and a 85-X Height and Bulk District. The project is subject to the following conditions attached hereto as “EXHIBIT A” in general conformance with plans on file, dated July 8, 2015, 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. 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 October 15, 2015.

Jonas P. Ionin
Commission Secretary

AYES:

NAYS:

ABSENT:

ADOPTED: October 15, 2015

EXHIBIT A

AUTHORIZATION

This authorization is for a Large Project Authorization to allow for the new construction of a nine-story (85-ft tall) residential building with 104 dwelling units and ground floor commercial space, and a modification to the requirements for rear yard, permitted obstructions over the street, dwelling unit exposure, and off-street parking, located at 363 6th Street, Lot 079 in Assessor's Block 3753, pursuant to Planning Code Section 329, within the MUR (Mixed Use-Residential) Zoning District, SoMa Youth and Family Special Use District, and a 85-X Height and Bulk District; in general conformance with plans, dated July 8, 2015, and stamped "EXHIBIT B" included in the docket for Case No. 2011.0586X and subject to conditions of approval reviewed and approved by the Commission on October 15, 2015 under Motion No. XXXXXX. 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 October 15, 2015 under Motion No. XXXXXX.

PRINTING OF CONDITIONS OF APPROVAL ON PLANS

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

SEVERABILITY

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

CHANGES AND MODIFICATIONS

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

Conditions of Approval, Compliance, Monitoring, and Reporting

PERFORMANCE

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

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

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

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

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

Mitigation Measures. Mitigation measures described in the MMRP for the Eastern Neighborhoods Plan EIR (Case No. 2011.0586E) 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 – COMPLIANCE AT PLAN STAGE

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

Garbage, Composting and Recycling Storage. Space for the collection and storage of garbage, composting, and recycling shall be provided within enclosed areas on the property and clearly labeled and illustrated on the architectural addenda. Space for the collection and storage of recyclable and compostable materials that meets the size, location, accessibility and other standards specified by the San Francisco Recycling Program shall be provided at the ground level of the buildings.

For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org

Rooftop Mechanical Equipment. Pursuant to Planning Code 141, the Project Sponsor shall submit a roof plan to the Planning Department prior to Planning approval of the building permit application for each building. Rooftop mechanical equipment, if any is proposed as part of the Project, is required to be screened so as not to be visible from any point at or below the roof level of the subject building.

For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org

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:

1. 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;
2. On-site, in a driveway, underground;
3. On-site, above ground, screened from view, other than a ground floor façade facing a public right-of-way;
4. 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;
5. Public right-of-way, underground; and based on Better Streets Plan guidelines;
6. Public right-of-way, above ground, screened from view; and based on Better Streets Plan guidelines;
7. 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

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

Parking Maximum. Pursuant to Planning Code Section 151.1, the Project shall provide no more than 45 off-street parking spaces for the 104 dwelling units (or .43 off-street parking spaces for each dwelling unit) contained therein.

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

Bicycle Parking. Pursuant to Planning Code Sections 155.2, the Project shall provide no fewer than 101 Class 1 bicycle parking spaces and 7 Class 2 bicycle parking spaces. Currently, the Project provides 102 Class 1 bicycle parking spaces and 7 Class 2 bicycle parking spaces.

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

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

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

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

For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org

MONITORING

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

Revocation Due to Violation of Conditions. Should implementation of this Project result in complaints from interested property owners, residents, or commercial lessees which are not resolved by the Project Sponsor and found to be in violation of the Planning Code and/or the specific conditions of approval for the Project as set forth in Exhibit A of this Motion, the Zoning Administrator shall refer such complaints to the Commission, after which it may hold a public hearing on the matter to consider revocation of this authorization.

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

OPERATION

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>

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>

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

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

INCLUSIONARY HOUSING

Affordable Units

1. **Number of Required Units.** Pursuant to Planning Code Section 415.6, the Project is required to provide 12% of the proposed dwelling units as affordable to qualifying households. The Project contains 104 units; therefore, 12 affordable units are required. The Project Sponsor will fulfill this requirement by providing the 12 affordable units on-site. If the number of market-rate units change, the number of required affordable units shall be modified accordingly with written approval from Planning Department staff in consultation with the Mayor's Office of Housing ("MOH").

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.

2. **Unit Mix.** The Project contains 28 studios, 20 one-bedroom and 56 two-bedroom units; therefore, the required affordable unit mix is 3 studios, 2 one-bedroom, and 7 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 MOH.

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.

3. **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.

4. **Phasing.** If any building permit is issued for partial phasing of the Project, the Project Sponsor shall have designated not less than twelve percent (12%) 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.

5. **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.

6. **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 Mayor's Office of Housing's websites, including on the internet at:

<http://sf-planning.org/Modules/ShowDocument.aspx?documentid=4451>.

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

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.

- a. The affordable unit(s) shall be designated on the building plans prior to the issuance of the first construction permit by the Department of Building Inspection ("DBI"). The affordable unit(s) shall (1) reflect the unit size mix in number of bedrooms of the market rate units, (2) be constructed, completed, ready for occupancy and marketed no later than the market rate units, and (3) be evenly distributed throughout the building; and (4) be of comparable overall quality, construction and exterior appearance as the market rate units in the principal project. The interior features in affordable units should be generally the same as those of the market units in the principal project, but need not be the same make, model or type of such item as

long they are of good and new quality and are consistent with then-current standards for new housing. Other specific standards for on-site units are outlined in the Procedures Manual.

- b. If the units in the building are offered for rent, the affordable unit(s) shall be rented to qualifying households, as defined in the Procedures Manual, whose gross annual income, adjusted for household size, does not exceed an average fifty-five (55) percent of Area Median Income under the income table called "Maximum Income by Household Size derived from the Unadjusted Area Median Income for HUD Metro Fair Market Rent Area that contains San Francisco." The initial and subsequent rent level of such units shall be calculated according to the Procedures Manual. Limitations on (i) occupancy; (ii) lease changes; (iii) subleasing, and; are set forth in the Inclusionary Affordable Housing Program and the Procedures Manual.
- c. The Project Sponsor is responsible for following the marketing, reporting, and monitoring requirements and procedures as set forth in the Procedures Manual. MOHCD shall be responsible for overseeing and monitoring the marketing of affordable units. The Project Sponsor must contact MOHCD at least six months prior to the beginning of marketing for any unit in the building.
- d. Required parking spaces shall be made available to renters of affordable units according to the Procedures Manual.
- e. Prior to the issuance of the first construction permit by DBI for the Project, the Project Sponsor shall record a Notice of Special Restriction on the property that contains these conditions of approval and a reduced set of plans that identify the affordable units satisfying the requirements of this approval. The Project Sponsor shall promptly provide a copy of the recorded Notice of Special Restriction to the Department and to MOHCD or its successor.
- f. The Project Sponsor has demonstrated that it is eligible for the On-site Affordable Housing Alternative under Planning Code Section 415.6 instead of payment of the Affordable Housing Fee, and has submitted the *Affidavit of Compliance with the Inclusionary Affordable Housing Program: Planning Code Section 415* to the Planning Department stating the intention to enter into an agreement with the City to qualify for a waiver from the Costa-Hawkins Rental Housing Act based upon the proposed density bonus and concessions (as defined in California Government Code Section 65915 et seq.) provided herein. The Project Sponsor has executed the Costa Hawkins agreement and will record a Memorandum of Agreement prior to issuance of the first construction document or must revert payment of the Affordable Housing Fee.
- g. If the Project Sponsor fails to comply with the Inclusionary Affordable Housing Program requirement, the Director of DBI shall deny any and all site or building permits or certificates of occupancy for the development project until the Planning Department notifies the Director of compliance. A Project Sponsor's failure to comply with the requirements of Planning

Code Section 415 et seq. shall constitute cause for the City to record a lien against the development project and to pursue any and all available remedies at law.

- h. If the Project becomes ineligible at any time for the On-Site Affordable Housing Alternative, the Project Sponsor or its successor shall pay the Affordable Housing Fee prior to issuance of the first construction permit or may seek a fee deferral as permitted under Ordinances 0107-10 and 0108-10. 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.

MITIGATION MONITORING AND REPORTING PROGRAM
(Including the Text of the Mitigation Measures Adopted as Conditions of Approval)

MITIGATION MEASURES	Responsibility for Implementation	Mitigation Schedule	Monitoring/Report Responsibility	Status/Date Completed
<p>ARCHEOLOGICAL RESOURCES</p> <p><i>Project Mitigation Measure 1 – Properties With No Previous Studies (Eastern Neighborhoods Mitigation Measure J-2)</i></p> <p>This measure would apply to those properties within the project area for which no archeological assessment report has been prepared or for which the archeological documentation is incomplete or inadequate to serve as an evaluation of potential effects on archeological resources under CEQA (CEQA Guidelines § 15064.5(a)(1)(3) and (c)(1)(2)), with the exception of those properties within Archeological Mitigation Zone B as shown in Figure 29 in Chapter IV, for which Mitigation Measure J-3, below, is applicable). That is, this measure would apply to the entirety of the study area outside of Archeological Mitigation Zones A and B.</p> <p>For projects proposed outside Archeological Mitigation Zones A and B, a Preliminary Archeological Sensitivity Study must be prepared by an archeological consultant with expertise in California prehistoric and urban historical archeology. The Sensitivity Study should contain the following:</p> <ol style="list-style-type: none"> 1) Determine the historical uses of the project site based on any previous archeological documentation and Sanborn maps; 2) Determine types of archeological resources/properties that may have been located within the project site and whether the archeological resources/property types would potentially be eligible for listing in the CRHR; 3) Determine if 19th or 20th century soils-disturbing activities may adversely affected the identified potential archeological resources; 4) Assess potential project effects in relation to the depth of any identified potential archeological resource; 5) Conclusion: assessment of whether any CRHP-eligible archeological resources could be adversely affected by the proposed project and recommendation as to appropriate further action. <p>Based on the Sensitivity Study, the Environmental Review Officer (ERO) shall determine if an Archeological Research Design/Treatment Plan (ARD/TP) shall be required to more definitively identify the potential for CRHP-eligible archeological resources to be present within the project site and determine the appropriate action necessary to reduce the potential effect</p>	<p>Project Sponsor/project archeologist of each subsequent development project undertaken pursuant to the Eastern Neighborhoods Areas Plans and Rezoning</p>	<p>Prior to construction</p>	<p>The ERO to review and approve the ARDTEP</p>	<p>The project archeologist to report on progress bi-monthly to the ERO. Considered complete after review and approval of ARDTEP by the ERO.</p>

MITIGATION MONITORING AND REPORTING PROGRAM
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MITIGATION MEASURES	Responsibility for Implementation	Mitigation Schedule	Monitoring/Report Responsibility	Status/Date Completed
<p>of the project on archeological resources to a less than significant level. The scope of the ARD/TP shall be determined in consultation with the ERO and consistent with the standards for archeological documentation established by the Office of Historic Preservation for purposes of compliance with CEQA, in Preservation Planning Bulletin No. 5).</p>				
NOISE				
<p><i>Project Mitigation Measure 2 – Construction Noise (Eastern Neighborhoods Mitigation Measure F-1)</i></p> <p>For subsequent development projects within proximity to noise-sensitive uses that would include pile-driving, individual project sponsors shall ensure that piles be pre-drilled wherever feasible to reduce construction-related noise and vibration. No impact pile drivers shall be used unless absolutely necessary. Contractors would be required to use pile-driving equipment with state-of-the-art noise shielding and muffling devices. To reduce noise and vibration impacts, sonic or vibratory sheetpile drivers, rather than impact drivers, shall be used wherever sheetpiles are needed. Individual project sponsors shall also require that contractors schedule pile-driving activity for times of the day that would minimize disturbance to neighbors.</p>	<p>Project Sponsor along with Project Contractor of each subsequent development project undertaken pursuant to the Eastern Neighborhoods Rezoning and Area Plans Project.</p>	<p>During construction</p>	<p>Each Project Sponsor to provide Planning Department with monthly reports during construction period.</p>	<p>Considered complete upon receipt of final monitoring report at completion of construction.</p>
<p><i>Project Mitigation Measure 3 – Construction Noise (Eastern Neighborhoods Mitigation Measure F-2)</i></p> <p>Where environmental review of a development project undertaken subsequent to the adoption of the proposed zoning controls determines that construction noise controls are necessary due to the nature of planned construction practices and the sensitivity of proximate uses, the Planning Director shall require that the sponsors of the subsequent development project develop a set of site-specific noise attenuation measures under the supervision of a qualified acoustical consultant. Prior to commencing construction, a plan for such measures shall be submitted to the Department of Building Inspection to ensure that maximum feasible noise attenuation will be achieved. These attenuation measures shall include as many of the following control strategies as feasible:</p> <ul style="list-style-type: none"> Erect temporary plywood noise barriers around a construction site, particularly where a site adjoins noise-sensitive uses; 	<p>Project Sponsor along with Project Contractor of each subsequent development project undertaken pursuant to the Eastern Neighborhoods Rezoning and Area Plans Project.</p>	<p>During construction</p>	<p>Each Project Sponsor to provide Planning Department with monthly reports during construction period.</p>	<p>Considered complete upon receipt of final monitoring report at completion of construction.</p>

MITIGATION MONITORING AND REPORTING PROGRAM
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MITIGATION MEASURES	Responsibility for Implementation	Mitigation Schedule	Monitoring/Report Responsibility	Status/Date Completed
<ul style="list-style-type: none"> Utilize noise control blankets on a building structure as the building is erected to reduce noise emission from the site; Evaluate the feasibility of noise control at the receivers by temporarily improving the noise reduction capability of adjacent buildings housing sensitive uses; Monitor the effectiveness of noise attenuation measures by taking noise measurements; and Post signs on-site pertaining to permitted construction days and hours and complaint procedures and who to notify in the event of a problem, with telephone numbers listed. 				
<p><i>Project Mitigation Measure 4 – Interior Noise Levels (Eastern Neighborhoods Mitigation Measure F-3)</i></p> <p>For new development including noise-sensitive uses located along streets with noise levels above 60 dBA (Ldn), as shown in EIR Figure 18, where such development is not already subject to the California Noise Insulation Standards in Title 24 of the California Code of Regulations, the project sponsor shall conduct a detailed analysis of noise reduction requirements. Such analysis shall be conducted by person(s) qualified in acoustical analysis and/or engineering. Noise insulation features identified and recommended by the analysis shall be included in the design, as specified in the San Francisco General Plan Land Use Compatibility Guidelines for Community Noise to reduce potential interior noise levels to the maximum extent feasible.</p>	Project Sponsor along with Project Contractor of each subsequent development project undertaken pursuant to the Eastern Neighborhoods Rezoning and Area Plans Project.	Design measures to be incorporated into project design and evaluated in environmental/building permit review, prior to issuance of a final building permit and certificate of occupancy	San Francisco Planning Department and the Department of Building Inspection	Considered complete upon approval of final construction drawing set.
<p><i>Project Mitigation Measure 5 – Siting of Noise-Sensitive Uses (Eastern Neighborhoods Mitigation Measure F-4)</i></p> <p>To reduce potential conflicts between existing noise-generating uses and new sensitive receptors, for new development including noise-sensitive uses, the Planning Department shall require the preparation of an analysis that includes, at a minimum, a site survey to identify potential noise-generating uses within 900 feet of, and that have a direct line-of-sight to, the project site, and including at least one 24-hour noise measurement (with maximum noise level readings taken at least every 15 minutes), prior to the first project approval action. The analysis shall be prepared by persons qualified in</p>	Project Sponsor along with Project Contractor of each subsequent development project undertaken pursuant to the Eastern Neighborhoods Rezoning and Area Plans Project.	Design measures to be incorporated into project design and evaluated in environmental/building permit review, prior to issuance of a final building permit and certificate of	San Francisco Planning Department and the Department of Building Inspection	Considered complete upon approval of final construction drawing set.

MITIGATION MONITORING AND REPORTING PROGRAM
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MITIGATION MEASURES	Responsibility for Implementation	Mitigation Schedule	Monitoring/Report Responsibility	Status/Date Completed
<p>acoustical analysis and/or engineering and shall demonstrate with reasonable certainty that Title 24 standards, where applicable, can be met, and that there are no particular circumstances about the proposed project site that appear to warrant heightened concern about noise levels in the vicinity. Should such concerns be present, the Department may require the completion of a detailed noise assessment by person(s) qualified in acoustical analysis and/or engineering prior to the first project approval action, in order to demonstrate that acceptable interior noise levels consistent with those in the Title 24 standards can be attained.</p>		occupancy		
<p><i>Project Mitigation Measure 6 – Open Space in Noisy Environments (Eastern Neighborhoods Mitigation Measure F-6)</i></p> <p>To minimize effects on development in noisy areas, for new development including noise-sensitive uses, the Planning Department shall, through its building permit review process, in conjunction with noise analysis required pursuant to Mitigation Measure F-4, require that open space required under the Planning Code for such uses be protected, to the maximum feasible extent, from existing ambient noise levels that could prove annoying or disruptive to users of the open space. Implementation of this measure could involve, among other things, site design that uses the building itself to shield on-site open space from the greatest noise sources, construction of noise barriers between noise sources and open space, and appropriate use of both common and private open space in multi-family dwellings, and implementation would also be undertaken consistent with other principles of urban design.</p>	Project Architect of each subsequent development project undertaken pursuant to the Eastern Neighborhoods Rezoning and Area Plans Project	Design measures to be incorporated into project design and evaluated in environmental/building permit review	San Francisco Planning Department and the Department of Building Inspection	Considered complete upon approval of final construction drawing set.
AIR QUALITY				
<p><i>Project Mitigation Measure 7 – Construction Air Quality (Eastern Neighborhoods Mitigation Measure G-1)</i></p> <p>The City shall condition approval of individual development proposals under the proposed project upon implementation of an appropriate dust abatement program, patterned after the Bay Area Air Quality Management District (BAAQMD) approach described below.</p> <p>The BAAQMD approach to dust abatement, as put forth in the BAAQMD CEQA Guidelines, calls for “basic” control measures that should be</p>	Project Sponsor along with Project Contractor of each subsequent development project undertaken pursuant to the Eastern Neighborhoods Rezoning and Area Plans Project.	During construction	Each Project Sponsor to provide Planning Department with monthly reports during construction period.	Considered complete upon receipt of final monitoring report at completion of construction.

MITIGATION MONITORING AND REPORTING PROGRAM
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MITIGATION MEASURES	Responsibility for Implementation	Mitigation Schedule	Monitoring/Report Responsibility	Status/Date Completed
<p>implemented at all construction sites, “enhanced” control measures that should be implemented at construction sites greater than four acres in area, and “optional” control measures that should be implemented on a case-by-case basis at construction sites that are large in area, located near sensitive receptors or which, for any other reason, may warrant additional emissions reductions.</p> <p>Elements of the “basic” dust control program for project components that disturb less than four acres shall include, but not necessarily be limited to the following:</p> <ul style="list-style-type: none"> • Water all active construction areas at least twice daily. Watering should be sufficient to prevent airborne dust from leaving the site. Increased watering frequency may be necessary whenever wind speeds exceed 15 miles per hour. Reclaimed water should be used whenever possible. • Cover all trucks hauling soil, sand, and other loose materials or require all trucks to maintain at least two feet of freeboard (i.e., the minimum required space between the top of the load and the top of the trailer). • Pave, apply water (reclaimed if possible) three times daily, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas and staging areas at construction sites. • Sweep streets (with water sweepers using reclaimed water if possible) at the end of each day if visible soil material is carried onto adjacent paved roads. <p>Elements of the “enhanced” dust abatement program for project components that disturb four or more acres are unlikely to be required, in that no sites anticipated for development in the Plan area are as large as four acres. Should a site this size be proposed for development, dust control shall include all of the “basic” measures in addition to the following measures to be implemented by the construction contractor(s):</p> <ul style="list-style-type: none"> ▪ Hydroseed or apply (non-toxic) soil stabilizers to inactive construction areas (previously graded areas inactive for one month or more). ▪ Enclose, cover, water twice daily or apply (non-toxic) soil stabilizers to exposed stockpiles (dirt, sand, etc.). ▪ Limit traffic speeds on unpaved roads to 15 miles per hour. ▪ Limit the amount of the disturbed area at any one time, where possible. ▪ Pave all roadways, driveways, sidewalks, etc. as soon as possible. In addition, building pads should be laid as soon as possible after grading 				

MITIGATION MONITORING AND REPORTING PROGRAM
(Including the Text of the Mitigation Measures Adopted as Conditions of Approval)

MITIGATION MEASURES	Responsibility for Implementation	Mitigation Schedule	Monitoring/Report Responsibility	Status/Date Completed
<p>unless seeding or soil binders are used.</p> <ul style="list-style-type: none"> Replant vegetation in disturbed areas as quickly as possible. Designate a person or persons to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust offsite. Their duties shall include holidays and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the BAAQMD prior to the start of construction. <p>The “optional” dust-control measures supplement the “basic” and “enhanced” programs to address site-specific issues. They include:</p> <ul style="list-style-type: none"> Install wheel washers where vehicles enter and exit unpaved roads onto streets, or wash off trucks and equipment leaving the site. Install windbreaks, or plant tree/vegetative wind breaks at windward side(s) of construction areas. Suspend excavation and grading activity when winds (instantaneous gusts) exceed 25 mph. <p>Ordinance 175-91, passed by the San Francisco Board of Supervisors on May 6, 1991, requires that non-potable water be used for dust control activities. Therefore, project sponsors would require that construction contractors obtain reclaimed water from the Clean Water Program for this purpose.</p> <p>The City would also condition project approval such that each subsequent project sponsor would require the contractor(s) to maintain and operate construction equipment so as to minimize exhaust emissions of particulates and other pollutants, by such means as a prohibition on idling motors when equipment is not in use or when trucks are waiting in queues, and implementation of specific maintenance programs to reduce emissions for equipment that would be in frequent use for much of the construction period. Implementation of Mitigation Measure G-1 would reduce construction-related air quality effects to a less-than-significant level.</p>				
<p><i>Project Mitigation Measure 8 – Best Available Control Technology for Diesel Generators (Implementing Eastern Neighborhoods PEIR Mitigation Measure G-4)</i></p> <p>The project sponsor shall ensure that the backup diesel generator meet or exceed one of the following emission standards for particulate matter: (1)</p>	<p>Project Sponsor along with Project Contractor of each subsequent development project undertaken pursuant</p>	<p>During construction</p>	<p>Each Project Sponsor to provide Planning Department with monthly reports during construction period.</p>	<p>Considered complete upon receipt of final monitoring report at completion of construction.</p>

MITIGATION MONITORING AND REPORTING PROGRAM
(Including the Text of the Mitigation Measures Adopted as Conditions of Approval)

MITIGATION MEASURES	Responsibility for Implementation	Mitigation Schedule	Monitoring/Report Responsibility	Status/Date Completed
<p>Tier 4 certified engine, or (2) Tier 2 or Tier 3 certified engine that is equipped with a California Air Resources Board (ARB) Level 3 Verified Diesel Emissions Control Strategy (VDECS). A non-verified diesel emission control strategy may be used if the filter has the same particulate matter reduction as the identical ARB verified model and if the Bay Area Air Quality Management District (BAAQMD) approves of its use. The project sponsor shall submit documentation of compliance with the BAAQMD New Source Review permitting process (Regulation 2, Rule 2, and Regulation 2, Rule 5) and the emission standard requirement of this mitigation measure to the Planning Department for review and approval prior to issuance of a permit for a backup diesel generator from any City agency.</p>	<p>to the Eastern Neighborhoods Rezoning and Area Plans Project.</p>			
HAZARDOUS MATERIALS				
<p><i>Project Mitigation Measure 9 – Hazardous Building Materials (Eastern Neighborhoods Mitigation Measure L-1)</i></p> <p>The City shall condition future development approvals to require that the subsequent project sponsors ensure that any equipment containing PCBs or DEPH, such as fluorescent light ballasts, are removed and properly disposed of according to applicable federal, state, and local laws prior to the start of renovation, and that any fluorescent light tubes, which could contain mercury, are similarly removed and properly disposed of. Any other hazardous materials identified, either before or during work, shall be abated according to applicable federal, state, and local laws.</p>	<p>Project Sponsor/project archeologist of each subsequent development project undertaken pursuant to the Eastern Neighborhoods Areas Plans and Rezoning</p>	<p>Prior to approval of each subsequent project, through Mitigation Plan.</p>	<p>Planning Department, in consultation with DPH; where Site Mitigation Plan is required, Project Sponsor or contractor shall submit a monitoring report to DPH, with a copy to Planning Department and DBI, at end of construction.</p>	<p>Considered complete upon approval of each subsequent project.</p>



SAN FRANCISCO PLANNING DEPARTMENT

Subject to: (Select only if applicable)

- | | |
|---|---|
| <input checked="" type="checkbox"/> Affordable Housing (Sec. 415) | <input checked="" type="checkbox"/> First Source Hiring (Admin. Code) |
| <input type="checkbox"/> Jobs Housing Linkage Program (Sec. 413) | <input type="checkbox"/> Child Care Requirement (Sec. 414) |
| <input type="checkbox"/> Downtown Park Fee (Sec. 412) | <input checked="" type="checkbox"/> Other (EN Impact Fees) |

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San Francisco,
CA 94103-2479

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Fax:
415.558.6409

Planning
Information:
415.558.6377

Planning Commission Draft Resolution

HEARING DATE: OCTOBER 15, 2015

Case No.: **2011.0586KX**
Project Address: **363 6th STREET**
Project Zoning: MUR (Mixed Use-Residential) Zoning District
SoMa Youth and Family Special Use District
85-X Height and Bulk District
Project Block/Lot: 3753/079
Project Sponsor: Michael Roach, Realtex, Inc.
505 Sansome Street, Suite 400
San Francisco, CA 94111
Park Property: Gene Friend Recreation Center
Park Block/Lots: 3731/010, 011, 012 and 111
Staff Contact: Richard Sucre – (415) 575-9108; richard.sucre@sfgov.org
(Planning Department)
Stacy Bradley – 415-575-5609; stacy.bradley@sfgov.org
(Recreation and Park Department)

JOINT RESOLUTION TO RAISE THE ABSOLUTE CUMULATIVE SHADOW LIMIT ON GENE FRIEND RECREATION CENTER IN ORDER TO ALLOW THE PROPOSED PROJECT FOR A NEW NINE-STORY (85-FT TALL) RESIDENTIAL BUILDING WITH 104 DWELLING UNITS AT 363 6TH STREET (ASSESSOR'S BLOCK 3753 LOT 079).

PREAMBLE

The people of the City and County of San Francisco, in June 1984, adopted an initiative ordinance, commonly known as Proposition K, codified as Section 295 of the Planning Code.

Section 295 requires that the Planning Commission disapprove any building permit application to construct a structure that will cast shadow on property under the jurisdiction of the Recreation and Park Department, unless it is determined that the shadow would not be significant or adverse. The Planning Commission and the Recreation and Park Commission must adopt criteria for the implementation of that ordinance.

Section 295 is implemented by analyzing park properties that could be shadowed by new construction, including the current patterns of use of such properties, how such properties might be used in the future,

and assessing the amount of shadowing, its duration, times of day, and times of year of occurrence. The Commissions may also consider the overriding social or public benefits of a project casting shadow.

Pursuant to Planning Code Section 295, the Planning Commission and the Recreation and Park Commission, on February 7, 1989, adopted standards for allowing additional shadows on the greater downtown parks (Resolution No. 11595). The quantitative standard that was established for Gene Friend Recreation Center (or "Rec Center") was zero percent or no net new shadow.

Gene Friend Recreation Center is a 1.02 acre park (44,618 square feet) located at 270 6th Street in the SoMa neighborhood. It is bounded by a two-story, 26-ft tall private property on the northwest, Harriet Street to the west, Folsom Street to the south, and 6th Street to the east. Gene Friend Recreation Center provides a mix of outdoor and indoor recreation space. It includes a sports court, playground and green field to the west along Harriet Street and a 24- to 34-foot-high structure (with a 16,835 square-foot footprint (the "Rec Center Building") to the east along 6th Street. The Rec Center Building includes a full indoor gymnasium, activity room, weight room and auditorium and occupies approximately $\frac{3}{4}$ of the 6th Street frontage. A 9-foot-tall fence and guardrails encircles Gene Friend Recreation Center and is locked at night. Access to the park is provided via three gates: one at the corner of Folsom and 6th Streets, another on Harriet Street, and the third on 6th Street. Gene Friend Recreation Center is managed by the Recreation and Park Department ("RPD"). The park is open from 9:00am until 9:00pm from Tuesday to Friday. In addition, the Rec Center is open from 9:00am to 5:00pm on Saturdays, and is closed on Sunday and Mondays.

Gene Friend Recreation Center is located within a mixed-use neighborhood in the South of Market (SoMa) neighborhood. The scale of development varies greatly in the vicinity of the project site. The immediate area is characterized by one-and-two-story commercial and industrial properties on the adjacent street corners at 6th and Folsom Streets, three-to-four-story live/work and residential buildings further west along Folsom Street, and two-story commercial buildings and an eight-story apartment complex farther north along 6th Street. Within a short distance of the Rec Center is Victoria Manalo Draves Park, which is a 2.52 acres accessible park, bounded by Columbia Square, Folsom Street, Sherman Street and Harrison Street.

On an annual basis, the Theoretically Available Annual Sunlight ("TAAS") on the Rec Center (with no adjacent structures present) is approximately 166,041,425.20 square-foot-hours of sunlight. Existing structures, including the shadow from the Rec Center Building and its building footprint, currently shade Gene Friend Recreation Center 60.67% of the year, with an existing shadow load of 100,738,858.17 square-foot-hours ("sfh").

On September 12, 2012, Michael Roach of Realtex, Inc. (hereinafter "Project Sponsor") filed Application No. 2011.0586X with the Planning Department (hereinafter "Department") for a Large Project Authorization to construct a new nine-story residential building with 104 dwelling units and 700 gsf of ground floor corner commercial space at 363 6th Street (Block 3753 Lot 079) in San Francisco, California.

A technical memorandum, prepared by Adam Noble of CADP, was submitted to the Planning Department on June 8, 2015, analyzing the potential shadow impacts of the Project to properties under the jurisdiction of the Recreation and Parks Department (Case No. 2011.0586K).

The Planning Commission and the Recreation and Park Commission held a duly advertised joint public hearing on October 15, 2015 to consider whether to establish an absolute cumulative shadow limit equal to 0.02788% of the TAAS for Gene Friend Recreation Center.

The Planning Commission has reviewed and considered reports, studies, plans and other documents pertaining to the Project.

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

Therefore, the Commission hereby resolves:

FINDINGS

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

1. The foregoing recitals are accurate, and also constitute findings of this Commission.
2. The additional shadow cast by the Project, while numerically significant, would not be adverse, and is not expected to interfere with the use of the Park, for the following reasons:
 - The new shadow would increase the shadow load on Gene Friend Recreation Center in the southern quarter of the park in passive recreational areas, such as walkways and a portion of the green field south of the Rec Center Building.
 - New shadows would be cast in the early morning hours before the Rec Center is open. All shadow would be gone by 8:41am.
 - New shadows would occur for a few minutes on 20 days out of 365 days in the Fall and Winter. During the Rec Center's current hours of operation, new shadow would be cast on approximately 8 percent of the days of the year or 20 out of 240 days.
 - When new shadows occur, they would be fleeting and of relatively short duration, ranging from 5 to 22 minutes, with an average duration of approximately 12 minutes.
3. The Project at 363 6th Street provides substantial public benefits in the form of new housing, new streetscape amenities, development impact fees, and inclusionary affordable housing. The Project provides 104 dwelling units to the City's housing stock, and would pay the appropriate development impact fees for the new residential development. The Project includes 12 inclusionary affordable housing units for rent. Finally, the Project provides new sidewalks, street trees and site furnishings, which is a notable public benefit.
4. The staff of both the Planning Department and the Recreation and Park Department have recommended establishing a cumulative shadow limit for the Park of 0.02788% of the TAAS, equal to approximately 46,297.80 annual square-foot-hours of net new shadow.

5. A determination by the Planning Commission and the Recreation and Park Commission to raise the absolute cumulative shadow limit for the park in an amount that would accommodate the additional shadow that would be cast by the Project does not constitute an approval of the Project.

DECISION

That based upon the Record, the submissions by the Applicant, the staff of the Planning Department, the recommendation of the General Manager of the Recreation and Park Department, in consultation with the Recreation and Park Commission, and other interested parties, the oral testimony presented to the Planning Commission at the public hearing, and all other written materials submitted by all parties, the Planning Commission hereby ADOPTS, under Shadow Analysis Application No. **2011.0586K**, the proposal to establish a cumulative shadow limit for Gene Friend Recreation Center of 0.02788%.

I hereby certify that the foregoing Resolution was ADOPTED by the Planning Commission at its regular meeting on October 15, 2015.

Jonas P. Ionin
Commission Secretary

AYES:

NAYS:

ABSENT:

ADOPTED: October 15, 2015



SAN FRANCISCO PLANNING DEPARTMENT

Subject to: (Select only if applicable)

- | | |
|---|---|
| <input checked="" type="checkbox"/> Affordable Housing (Sec. 415) | <input checked="" type="checkbox"/> First Source Hiring (Admin. Code) |
| <input type="checkbox"/> Jobs Housing Linkage Program (Sec. 413) | <input type="checkbox"/> Child Care Requirement (Sec. 414) |
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Planning Commission Draft Motion

HEARING DATE: OCTOBER 15, 2015

Case No.: **2011.0586KX**
Project Address: **363 6th STREET**
Zoning: MUR (Mixed Use-Residential) Zoning District
SoMa Youth and Family Special Use District
85-X Height and Bulk District
Block/Lot: 3753/079
Project Sponsor: Michael Roach, Realtex, Inc.
505 Sansome Street, Suite 400
San Francisco, CA 94111
Staff Contact: Richard Sucre – (415) 575-9108
richard.sucre@sfgov.org

Recommendation: **Approval with Conditions**

ADOPTING FINDINGS, WITH THE RECOMMENDATION FROM THE GENERAL MANAGER OF THE RECREATION AND PARK DEPARTMENT, IN CONSULTATION WITH THE RECREATION AND PARK COMMISSION, THAT NET NEW SHADOW ON GENE FRIEND RECREATION CENTER BY THE PROPOSED PROJECT FOR A NINE-STORY (85-FT TALL) RESIDENTIAL BUILDING AT 363 6TH STREET WOULD NOT BE ADVERSE TO THE USE OF GENE FRIEND RECREATION CENTER.

PREAMBLE

Under Planning Code Section ("Section") 295, a building permit application for a project exceeding a height of 40 feet cannot be approved if there is any shadow impact on a property under the jurisdiction of the Recreation and Park Department, unless the Planning Commission, upon recommendation from the General Manager of the Recreation and Park Department, in consultation with the Recreation and Park Commission, makes a determination that the shadow impact will not be significant or adverse.

On February 7, 1989, the Recreation and Park Commission and the Planning Commission adopted criteria establishing absolute cumulative limits for additional shadows on fourteen parks throughout San Francisco (Planning Commission Resolution No. 11595). The quantitative standard that was established for Gene Friend Recreation Center (or "Rec Center") was zero percent or no net new shadow.

Gene Friend Recreation Center is a 1.02 acre park (44,618 square feet) located at 270 6th Street in the SoMa neighborhood. It is bounded by a two-story, 26-ft tall private property on the northwest, Harriet Street to the west, Folsom Street to the south, and 6th Street to the east. Gene Friend Recreation Center provides a mix of outdoor and indoor recreation space. It includes a sports court, playground and green field to the west along Harriet Street and a 24- to 34-foot-high structure (with a 16,835 square-foot footprint (the "Rec Center Building") to the east along 6th Street. The Rec Center Building includes a full indoor gymnasium, activity room, weight room and auditorium and occupies approximately $\frac{3}{4}$ of the 6th Street frontage. A 9-foot-tall fence and guardrails encircles Gene Friend Recreation Center and is locked at night. Access to the park is provided via three gates: one at the corner of Folsom and 6th Streets, another on Harriet Street, and the third on 6th Street. Gene Friend Recreation Center is managed by the Recreation and Park Department ("RPD"). The park is open from 9:00am until 9:00pm from Tuesday to Friday. In addition, the Rec Center is open from 9:00am to 5:00pm on Saturdays, and is closed on Sunday and Mondays.

On an annual basis, the Theoretically Available Annual Sunlight ("TAAS") on Gene Friend Recreation Center (with no adjacent structures present) is approximately 166,041,425.20 square-foot-hours of sunlight. Existing structures, including the shadow from the Rec Center Building, currently shade Gene Friend Recreation Center 60.67% of the year, with an existing shadow load of 100,738,858.17 square-foot-hours ("sfh").

On October 3, 2012, Michael Roach of Realtex (hereinafter "Project Sponsor") filed an application with the Planning Department (hereinafter "Department") for a Shadow Impact Study and a Large Project Authorization on the property at 363 6th Street, located at the northeast corner 6th and Clara Streets; Lot 079 in Assessor's Block 3753, (hereinafter "Subject Property") to construct a nine-story (85-ft tall) residential building (hereinafter "the Project"). The Project is located within the MUR (Mixed Use-Residential) Zoning District, SoMa Youth and Family Special Use District, and a 85-X Height and Bulk District.

A technical memorandum, prepared by Adam Noble of CADP, was submitted to the Planning Department on June 8, 2015, analyzing the potential shadow impacts of the Project to properties under the jurisdiction of the Recreation and Parks Department (Case No. 2011.0586K). In addition, this memorandum examined the cumulative shadow impact caused by the Project and the nearby project at 345 6th Street (Case No. 2013.1773K). The memorandum concluded that the Project would cast approximately 46,297.80 square-foot-hours of new shadow on Gene Friend Recreation Center, equal to approximately 0.02788 percent of the theoretically available annual sunlight ("TAAS") on Gene Friend Recreation Center.

On October 15, 2015, the Planning Commission and the Recreation and Park Commission held a duly advertised joint public hearing and established an absolute cumulative shadow limit equal to 0.02788% of the TAAS for Gene Friend Recreation Center as noted in Planning Commission Resolution No. XXXXX.

On October 15, 2015, the Recreation and Park Commission conducted a duly noticed public hearing at a regularly scheduled meeting and recommended that the Planning Commission find that the shadows cast by the Project on Gene Friend Recreation Center will/will not be adverse to the use of Gene Friend Recreation Center.

The Planning Commission has reviewed and considered reports, studies, plans and other documents pertaining to the Project.

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

FINDINGS

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

1. The foregoing recitals are accurate, and also constitute findings of this Commission.
2. The additional shadow cast by the Project, while numerically significant, would not be adverse, and is not expected to interfere with the use of the Park, for the following reasons:
 - a. The proposed project would cast net new shadow within the allocated shadow budget for Gene Friend Recreation Center.
 - b. The proposed project would result in a total shadow load of 46,297.80 square foot hours equivalent to a shadow load of 0.02788 percent of the TAAS. The largest shadow would occur on October 25th and February 15th, gone by 7:38am, for approximately 8 minutes.
 - c. Although the additional shadow cast by the proposed project has a numerically significant effect, the magnitude of the additional shadow is well below one percent, and amounts to a reasonable and extremely small loss of sunlight for a park in an area of slated for increased building heights and residential density.
 - d. The net new shadow cast upon Gene Friend Recreation Center from the Project occurs exclusively within the morning prior to the opening of the Rec Center. All net new shadow would be gone by 8:41 am.
 - e. The new net shadow is localized to the southern quarter of the park along walkways, apportion of the green field south of the Rec Center Building and the southeastern corner of the playground in the sandbox area.
 - f. The net new shadow cast is relatively small in area in comparison to the size of Gene Friend Recreation Center and at its greatest extent never exceeds 13 percent of the area of Gene Friend Recreation Center. The average duration of the net new shadow is 12 minutes and 22 minutes.
 - g. The Project would produce new public benefits, including, but not limited to, new housing, new on-site affordable housing units for rent, streetscape improvements and payment of development impact fees.
3. A determination by the Planning Commission and the Recreation and Park Commission to allocate net new shadow to the Project does not constitute an approval of the Project.

DECISION

That based upon the Record, the submissions by the Project Sponsor, the staff of the Planning Department, the recommendation of the General Manager of the Recreation and Park Department, in consultation with the Recreation and Park Commission, and other interested parties, the oral testimony presented to the Planning Commission at the public hearing, and all other written materials submitted by all parties, the Planning Commission hereby DETERMINES, under Shadow Analysis Application No. **2011.0586K**, that the net new shadow cast by the Project on Gene Friend Recreation Center will not be adverse to the use of Gene Friend Recreation Center.

I hereby certify that the foregoing Motion was ADOPTED by the Planning Commission at its regular meeting on October 15, 2015.

Jonas P. Ionin
Commission Secretary

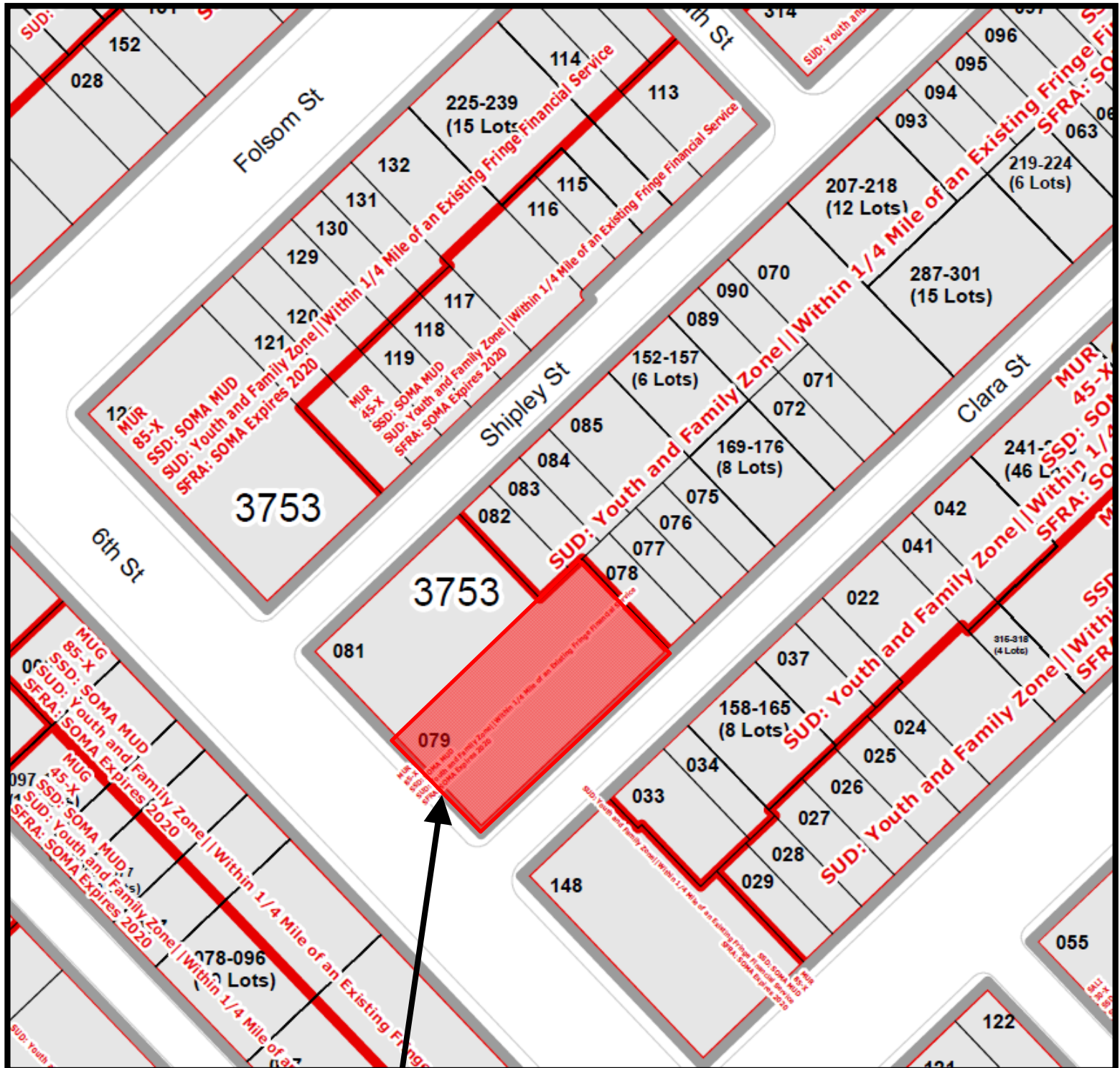
AYES:

NAYES:

ABSENT:

ADOPTED: October 15, 2015

Parcel Map

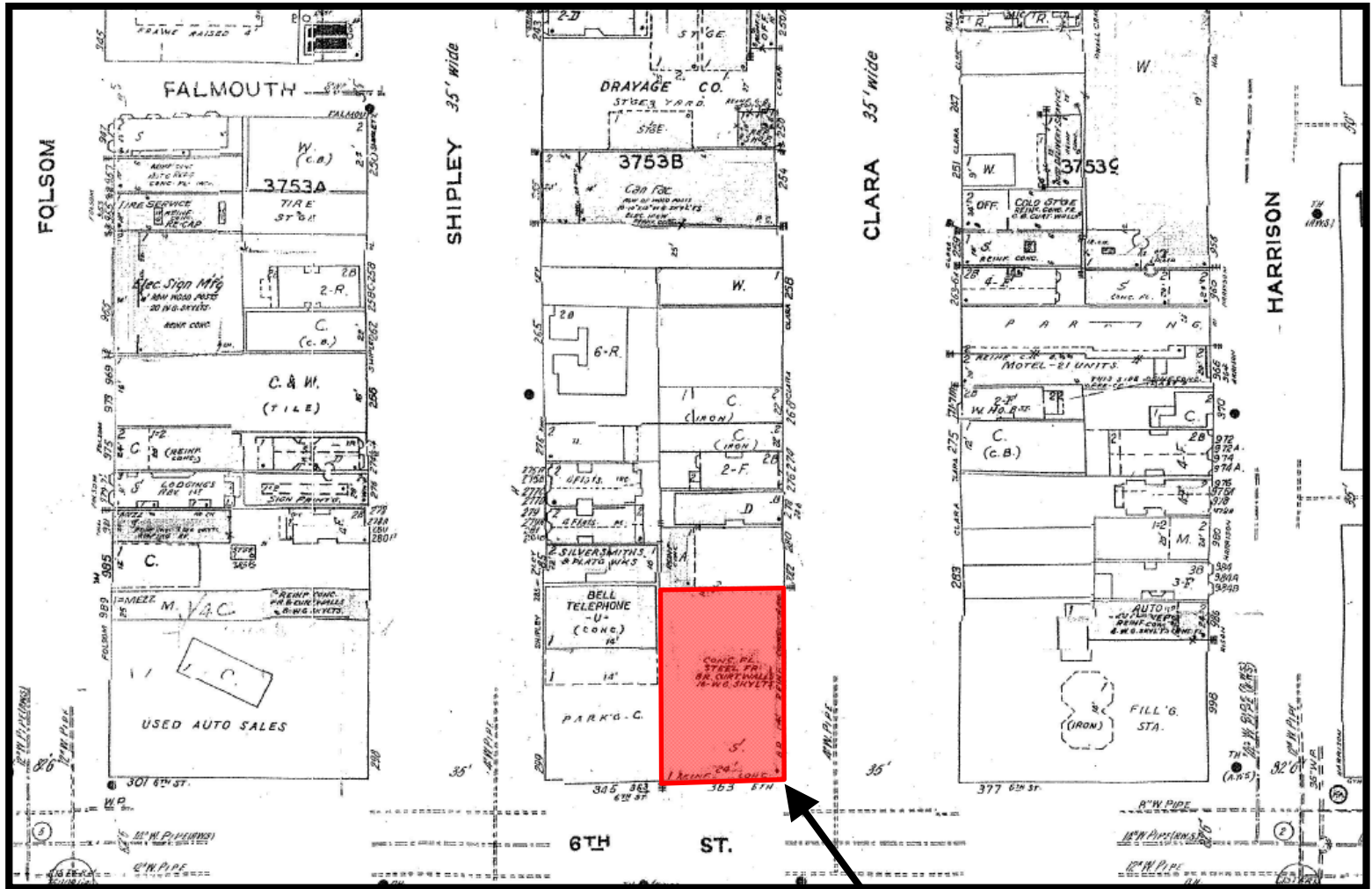


SUBJECT PROPERTY



Large Project Authorization & Shadow
Case Number 2011.0586KX
363 6th Street

Sanborn Map*



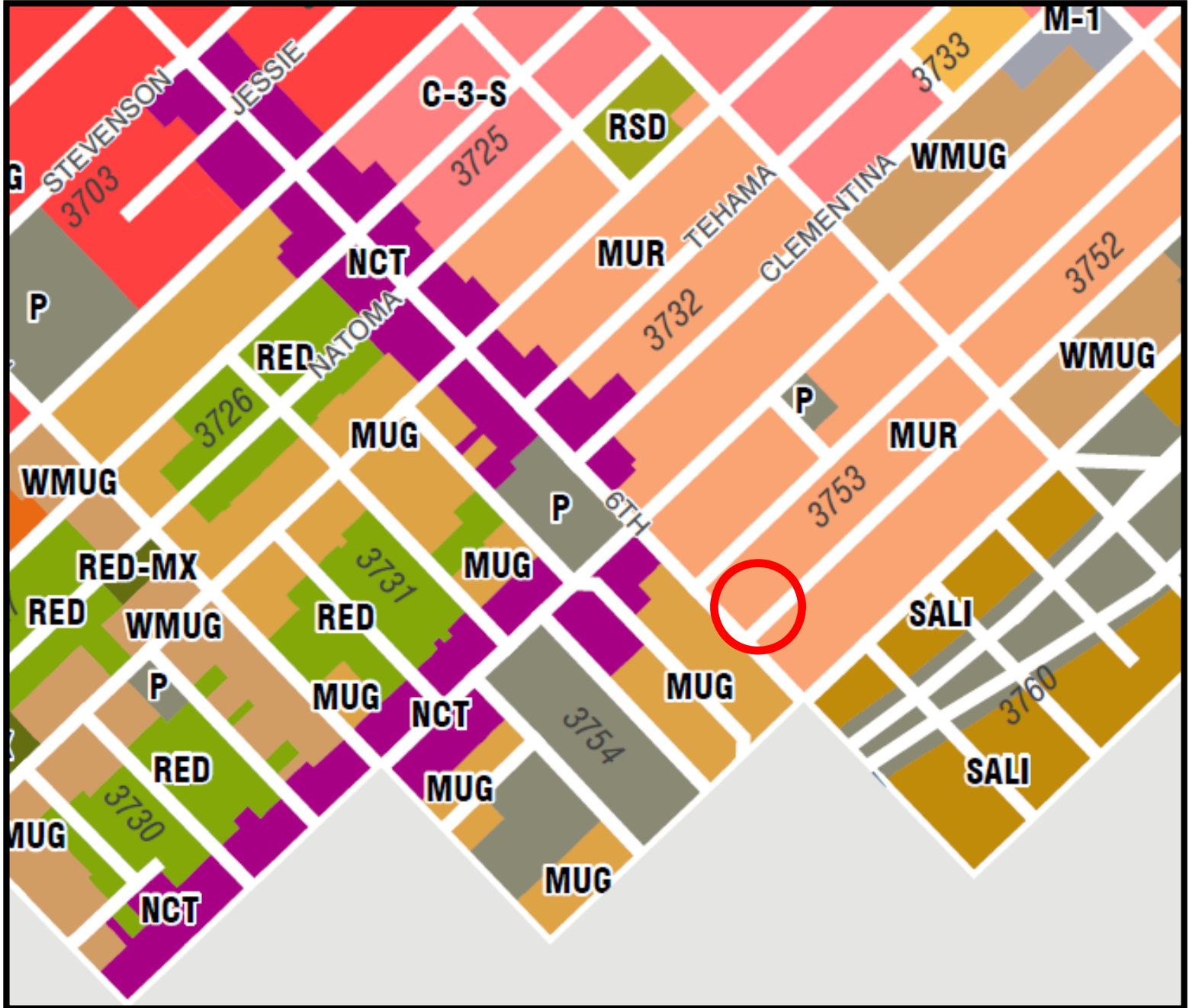
*The Sanborn Maps in San Francisco have not been updated since 1998, and this map may not accurately reflect existing conditions.

SUBJECT PROPERTY



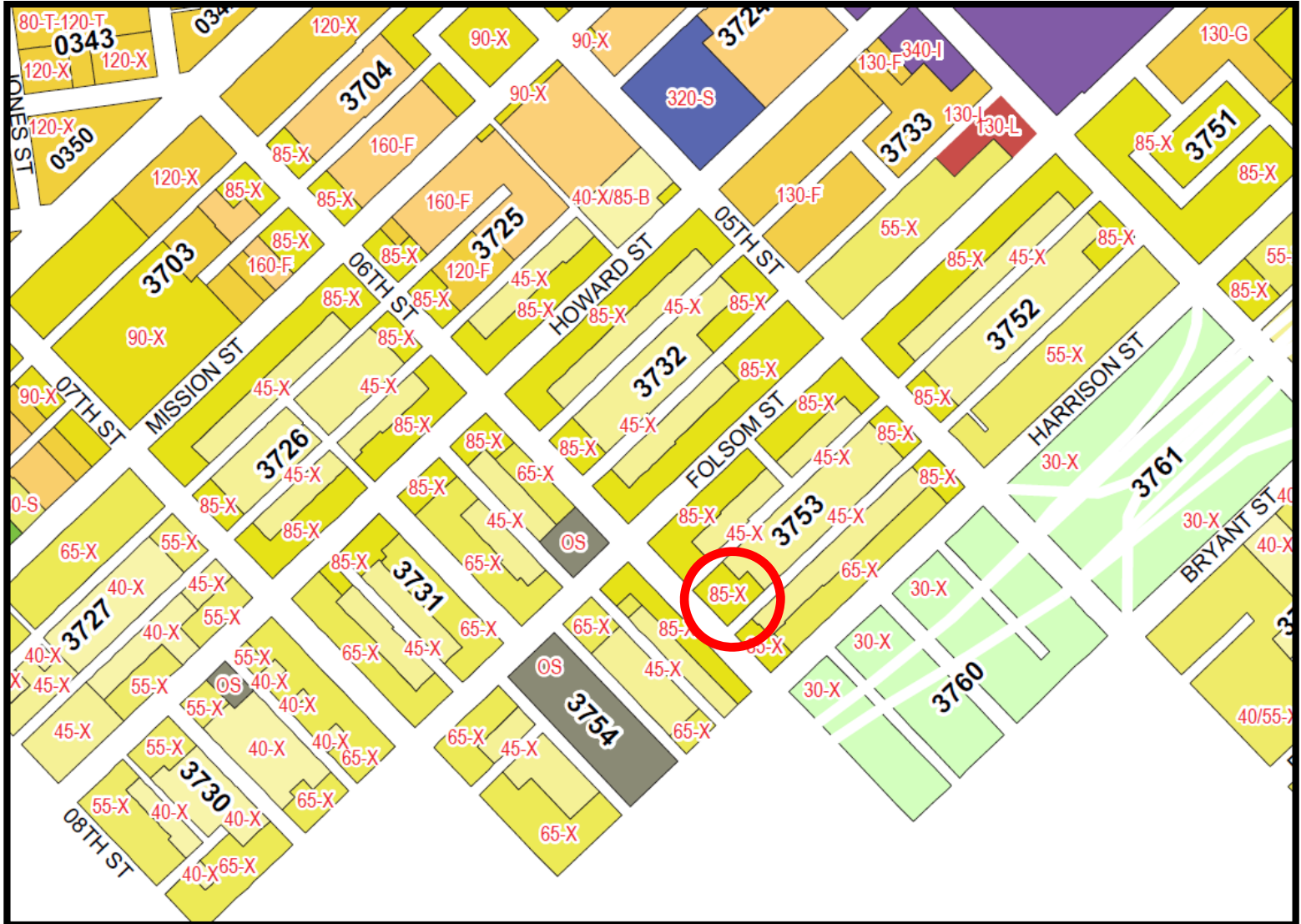
Large Project Authorization & Shadow
Case Number 2011.0586KX
363 6th Street

Zoning Map



Large Project Authorization & Shadow
Case Number 2011.0586KX
363 6th Street

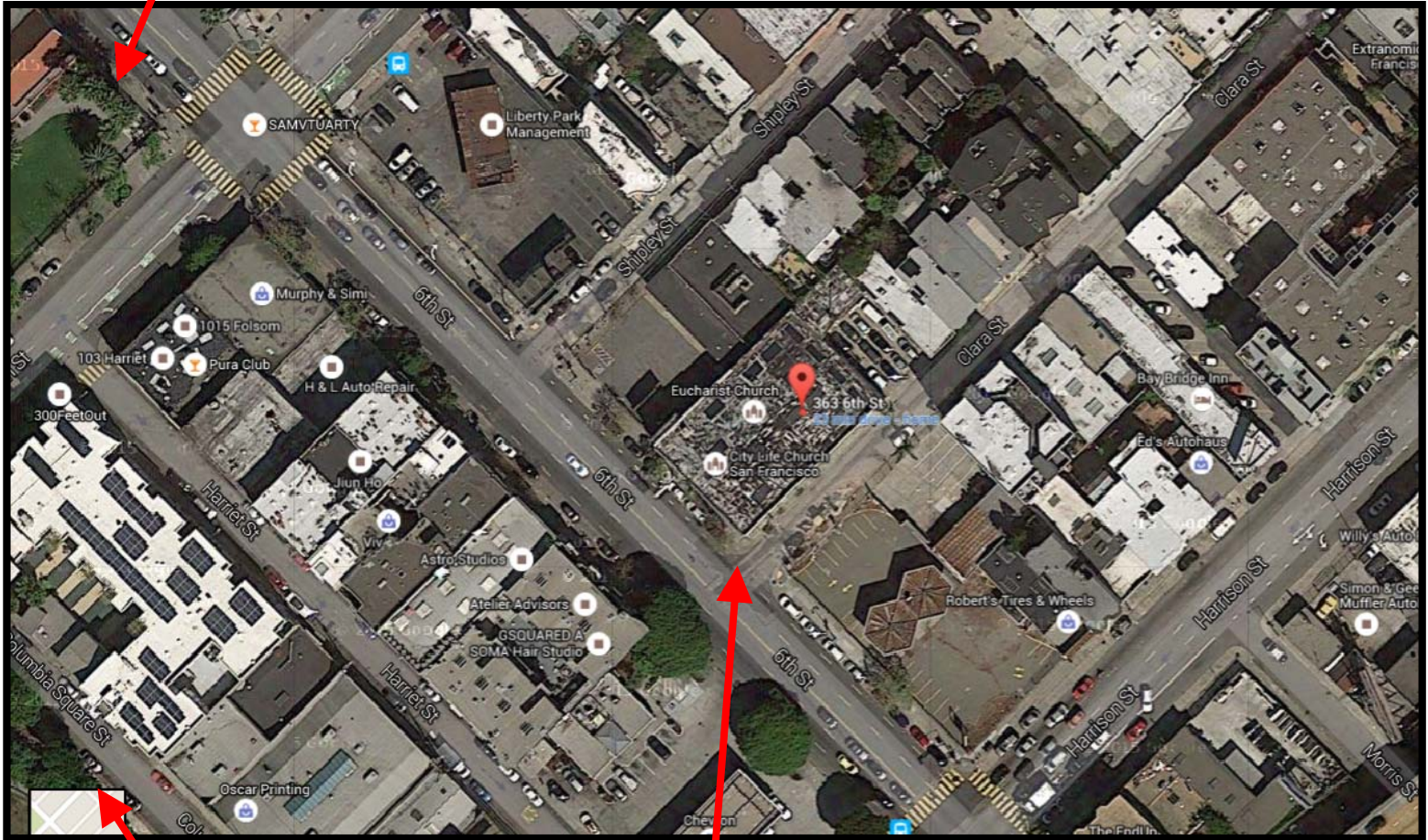
Height & Bulk Map



Large Project Authorization & Shadow
Case Number 2011.0586KX
363 6th Street

Aerial Photo

GENE FRIEND



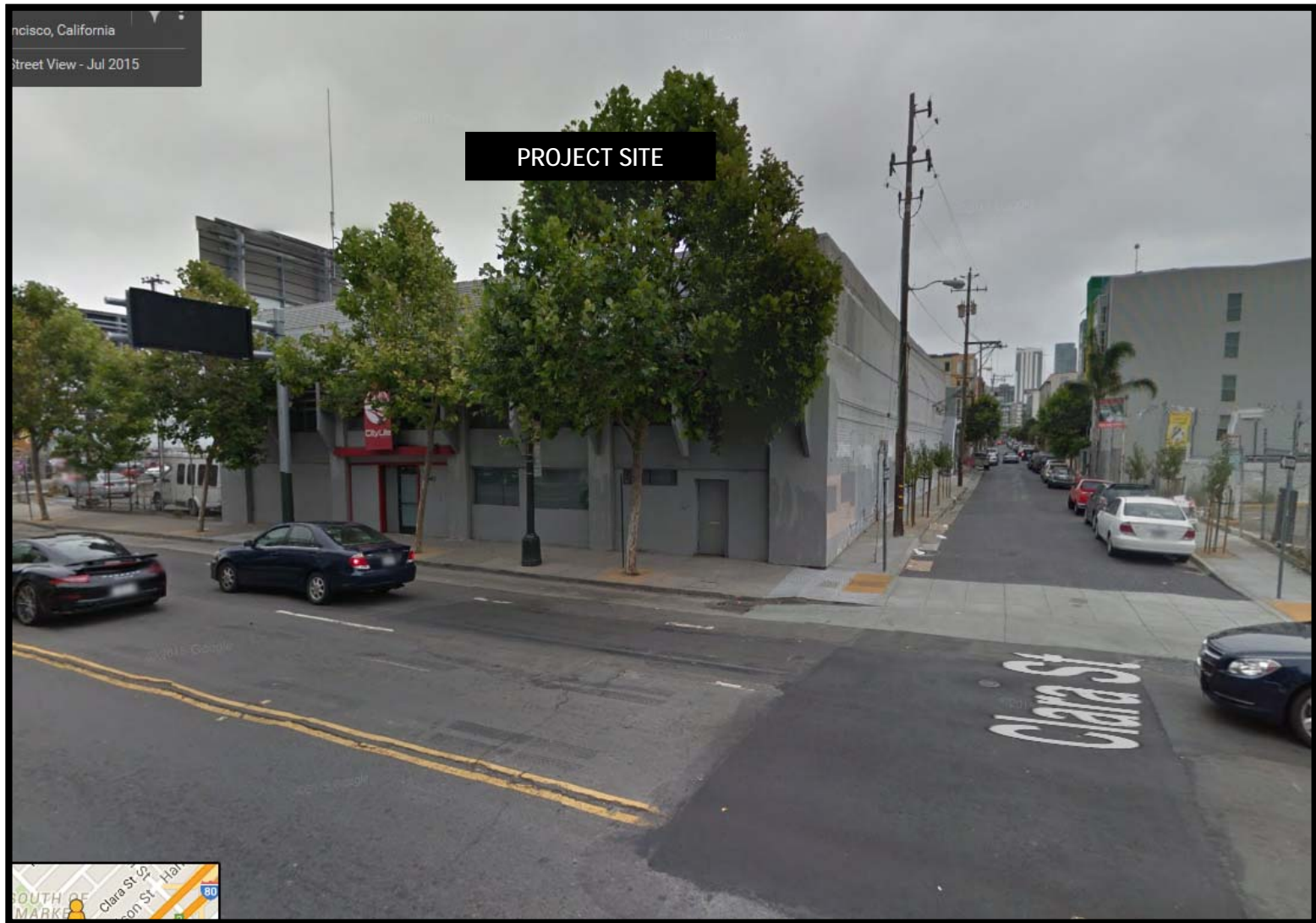
VICTORIA MANOLO

PROJECT SITE



Large Project Authorization & Shadow
Case Number 2011.0586KX
363 6th Street

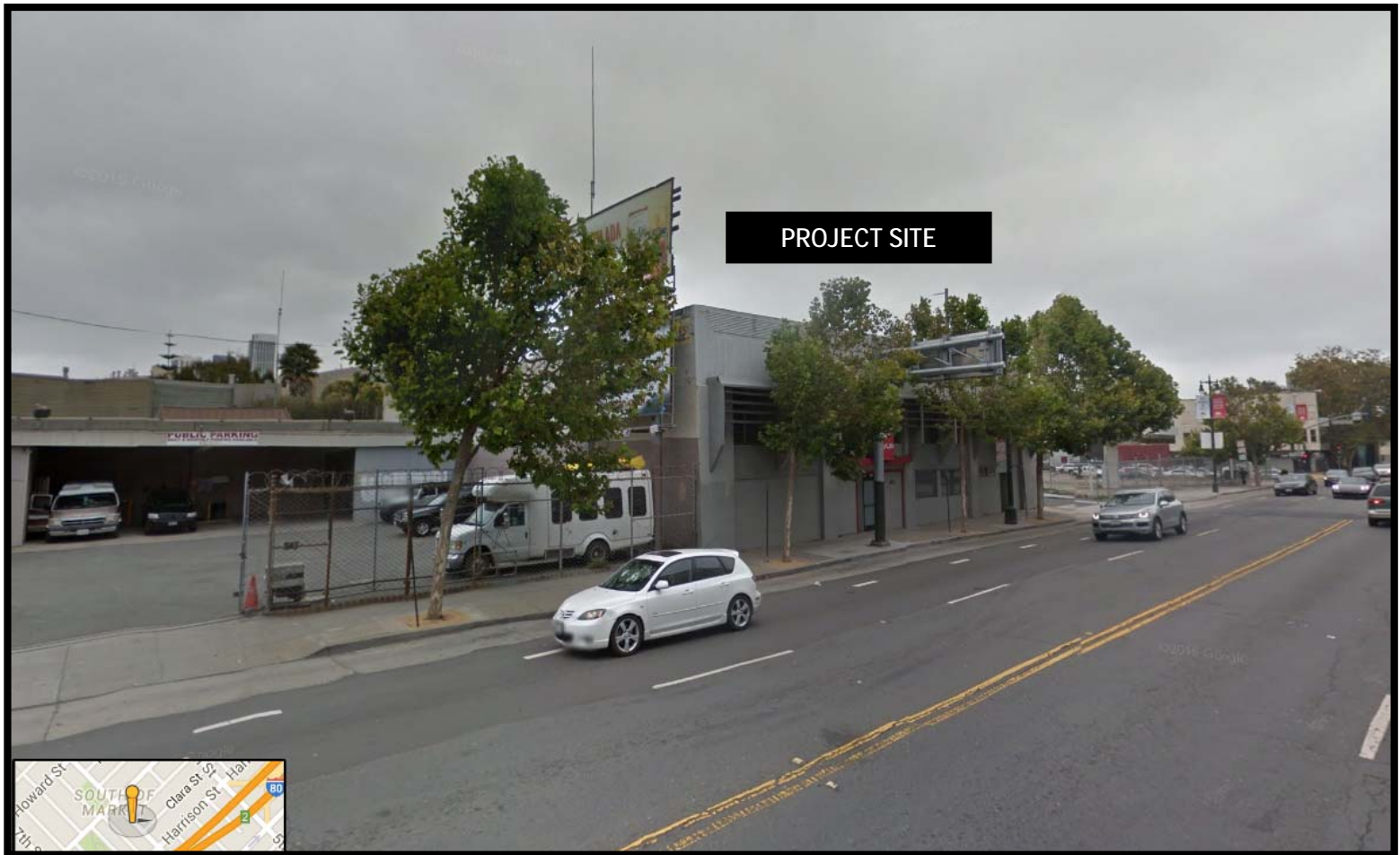
Site Photo



363 6th Street, View of 6th & Clara Streets

Large Project Authorization & Shadow
Case Number 2011.0586KX
363 6th Street

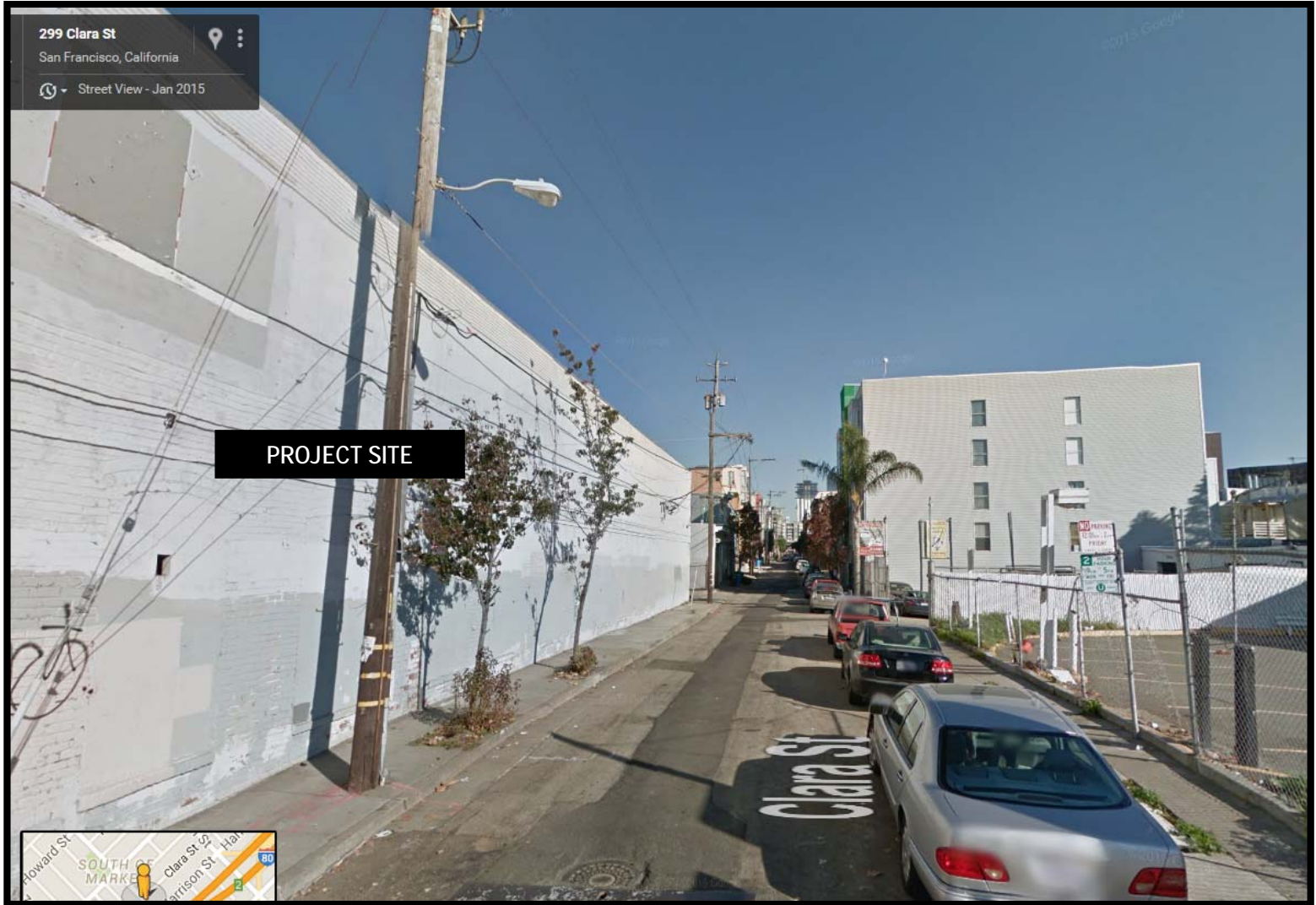
Site Photo



363 6th Street, View of 6th & Clara Streets

Large Project Authorization & Shadow
Case Number 2011.0586KX
363 6th Street

Site Photo



363 6th Street, View along Clara Street

Large Project Authorization & Shadow
Case Number 2011.0586KX
363 6th Street



6TH STREET PERSPECTIVE
363 6TH STREET
 SAN FRANCISCO, CALIFORNIA 94109

REND-1
 7-8-15

FORUMDESIGN
 ARCHITECTS



CLARA STREET PERSPECTIVE
363 6TH STREET
 SAN FRANCISCO, CALIFORNIA 94109

REND-2
 7-8-15

FORUMDESIGN
 ARCHITECTS



ROOF DECK
363 6TH STREET
 SAN FRANCISCO, CALIFORNIA 94109

REND-3
 7-8-15

FORUMDESIGN
 ARCHITECTS

PLANNING DATA

ADDRESS: 363 6TH STREET
ZONING: MUR - MIXED USE
BLOCK/LOT: 3753/079
LOT AREA: 12,800 SF
BLDG HEIGHT: 85'

GROSS FLOOR AREA - PLANNING CODE

BASEMENT RESID.	1,856 S.F.
1ST FLOOR RESID.	6,490 S.F.
2ND FLOOR RESID.	7,522 S.F.
3RD & 4TH FLOOR RESID.	10,639 x 2=21,278 S.F.
5TH - 9TH FLOOR RESID.	9,545 X 5=47,725 S.F.
RESIDENTIAL AREA SUBTOTAL	84,871 S.F.
COMMERCIAL AREA SUBTOTAL	700 S.F
GROSS BUILDING AREA	85,571 S.F.

REAR YARD OPEN SPACE

REQUIRED	3,200 SF	25% OF LOT AREA
PROVIDED	2,500 SF	19.53% OF LOT AREA

DWELLING UNIT USABLE OPEN SPACE

REQUIRED	14 STUDIOS UNDER 350 SF=14 X 26.4
	=370 SF
	90 UNITS X 80 = 7,200 SF
	TOTAL COMMON REQ'D= 7,570 SF

PROVIDED	
1ST FL COURTYARD	2,648 SF
ROOFTOP	5,170 SF
TOTAL COMMON USABLE OPEN SPACE	7,818 SF

NOTE: 14 STUDIOS REQUIRE 26.4 SF PRIVATE OPEN SPACE (80 SF X 1/3=26.4 SF) PER CH. 135 d(2)

RETAIL USABLE OPEN SPACE

REQUIRED	1 SF PER EVERY 250 SF OF RETAIL
PROVIDED	3.5 SF OF OPEN SPACE

CAR PARKING SUMMARY

45 CAR PARKING SPACES PROVIDED (0.43/UNIT) TOTAL

BICYCLE PARKING SUMMARY

REQUIRED
1 CLASS I SPACE/UNIT = 102 CLASS I BICYCLE PARKING SPACES
1 CLASS II SPACE/20 UNITS = 7 CLASS II BICYCLE PARKING SPACES

PROVIDED
102 CLASS I BICYCLE PARKING SPACES
7 CLASS II BICYCLE PARKING SPACES

B.M.R. UNITS

REQUIRED
12% B.M.R. UNITS ON-SITE (104 X 0.12) 12 UNITS

PROVIDED
12 B.M.R. UNITS

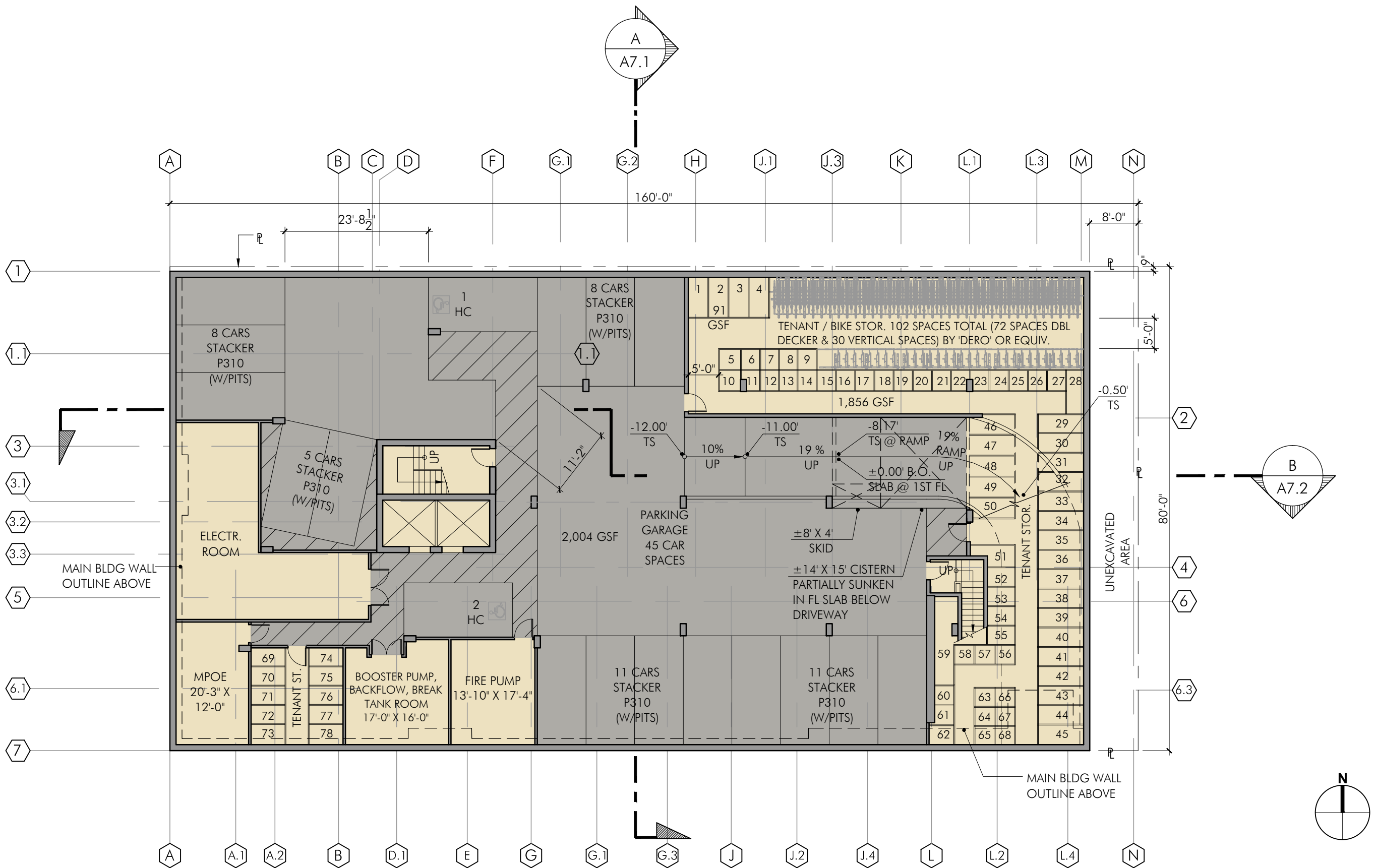
UNIT COUNT / MIX				
LEVEL	STUDIO	1-BR	2-BR	TOTAL UNITS
1	0	4	1	5
2	0	1	7	8
3-4	4 UNITS X 2=8	0	9 UNITS X 2=18	26
5-9	4 UNITS X 5=20	3 UNIT X 5=15	6 UNITS X 5=30	65
TOTALS	28	20	56 (53.8% OF TOTAL NO. OF UNITS)	104 UNITS TOTAL

SHEET INDEX

REND-1	RENDERING
REND-2	RENDERING
REND-3	RENDERING
A-0.0	PLANNING DATA/SHEET INDEX
A-0.1	VICINITY MAP
A-1	BASEMENT FLOOR PLAN
A-2	FLOOR PLAN 1
A-3	FLOOR PLAN 2
A-4	FLOOR PLAN 3 & 4
A-5	FLOOR PLAN 5 - 9
A-6	ROOF PLAN
A-7.1	SECTION
A-7.2	SECTION
A-7.3	ELEVATION
A-7.4	ELEVATION
A-7.5	ELEVATION
A-7.6	ELEVATION
A-8.0	AERIAL VIEW
A-9.0	SITE PHOTOS
A-9.1	SITE PHOTOS
A-9.2	SITE PHOTOS
A-9.3	SITE PHOTOS

L-1	LANDSCAPE-1
L-2	LANDSCAPE-2
L-3	LANDSCAPE-3
L-4	LANDSCAPE-4

363 6TH STREET
SAN FRANCISCO, CALIFORNIA 94109

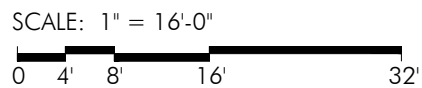


BASEMENT FLOOR PLAN
363 6TH STREET
 SAN FRANCISCO, CALIFORNIA 94109

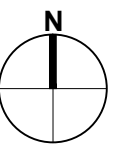
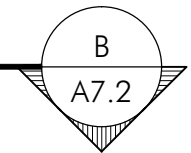
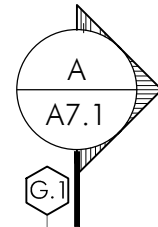
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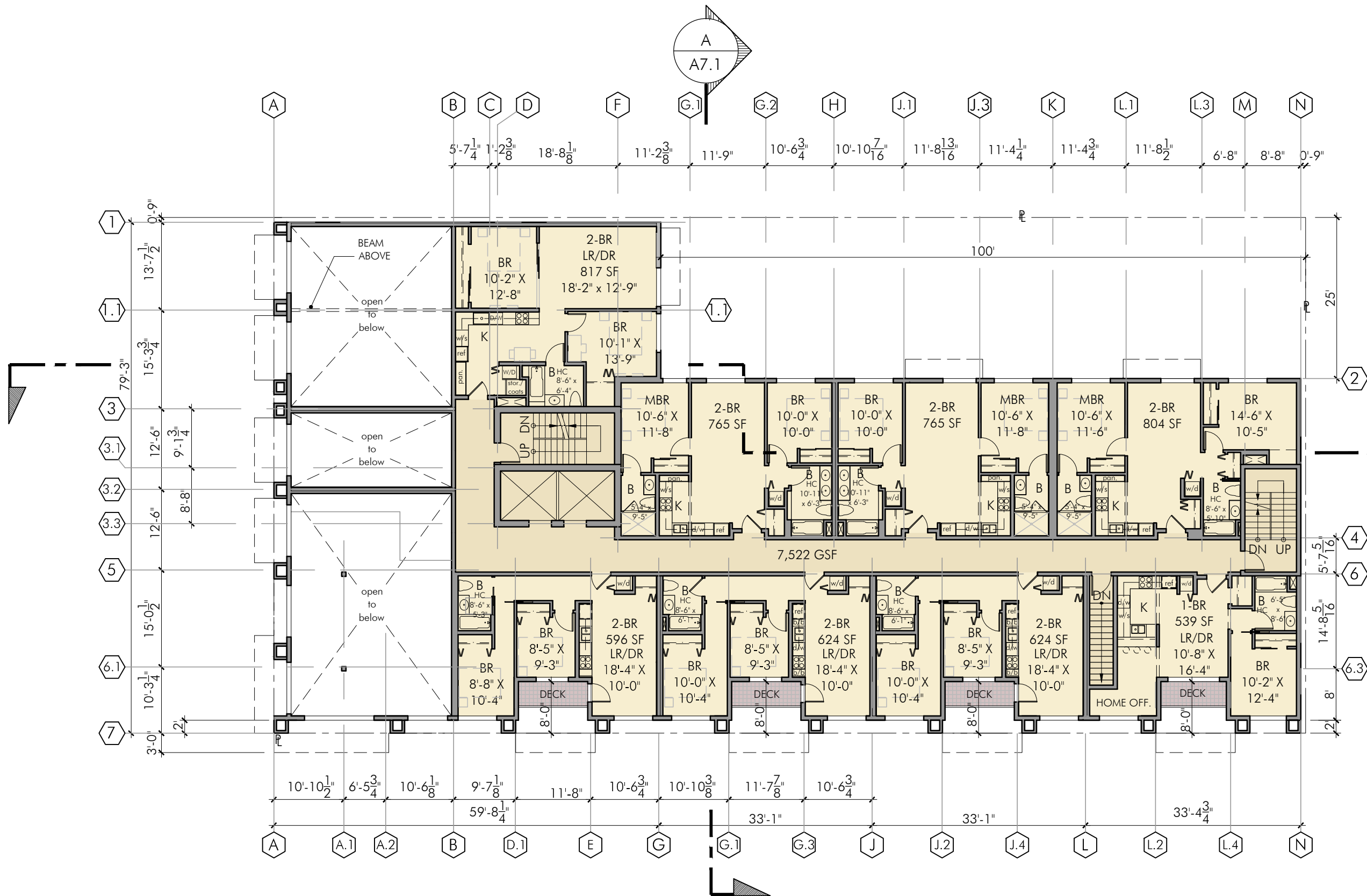
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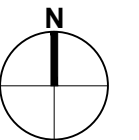
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363 6TH STREET
SAN FRANCISCO, CALIFORNIA 94109

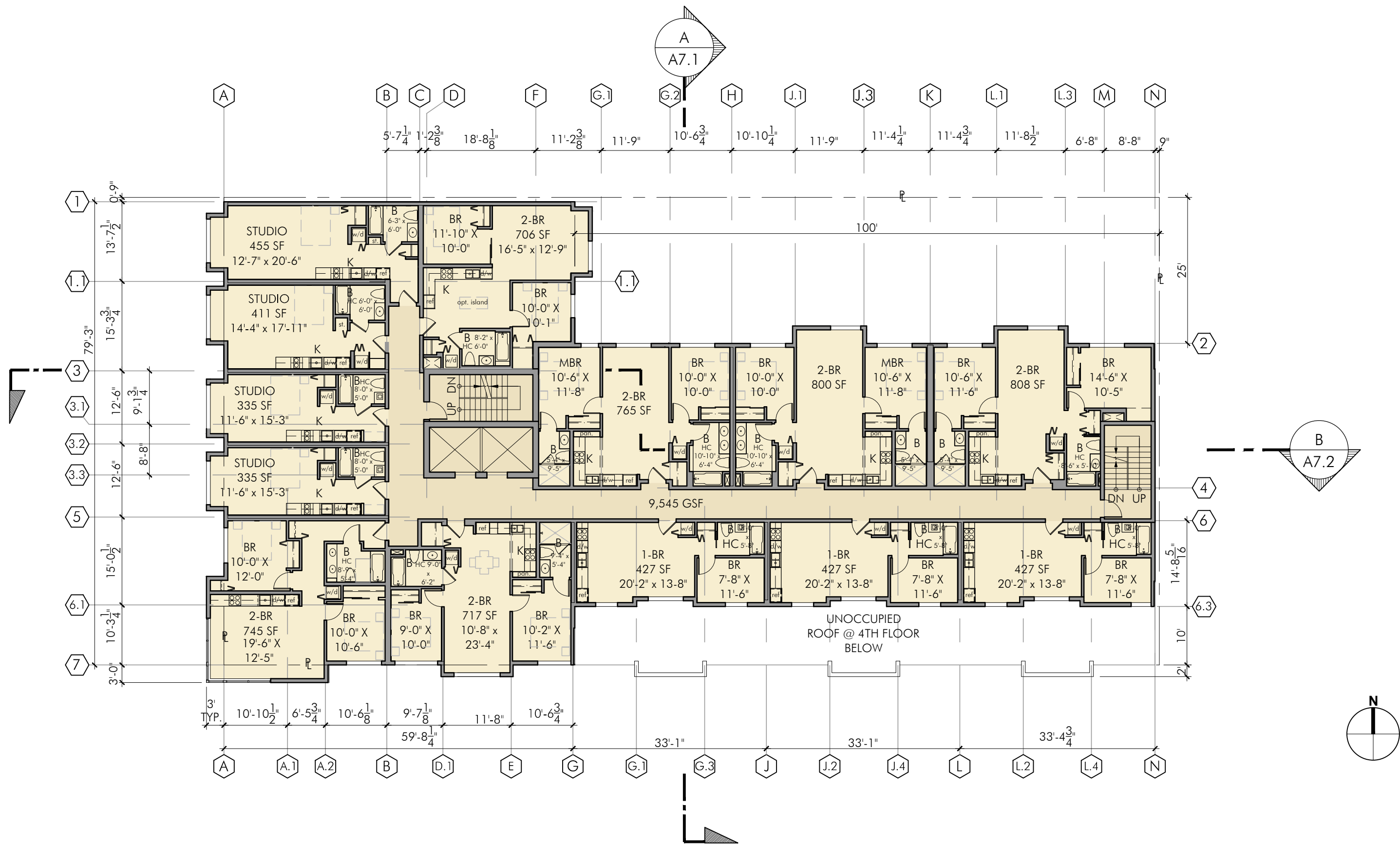
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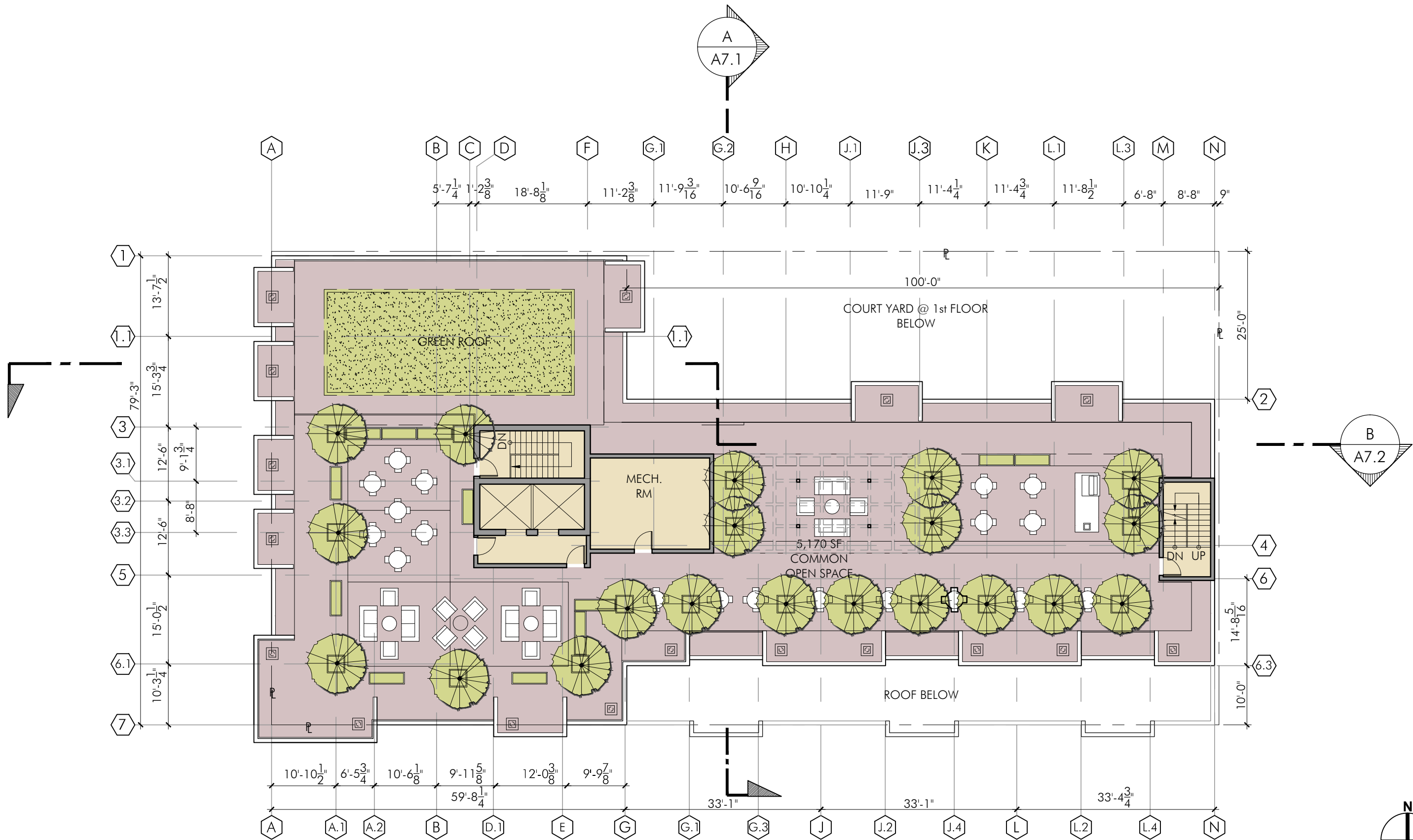
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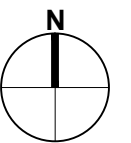
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ROOF PLAN

363 6TH STREET

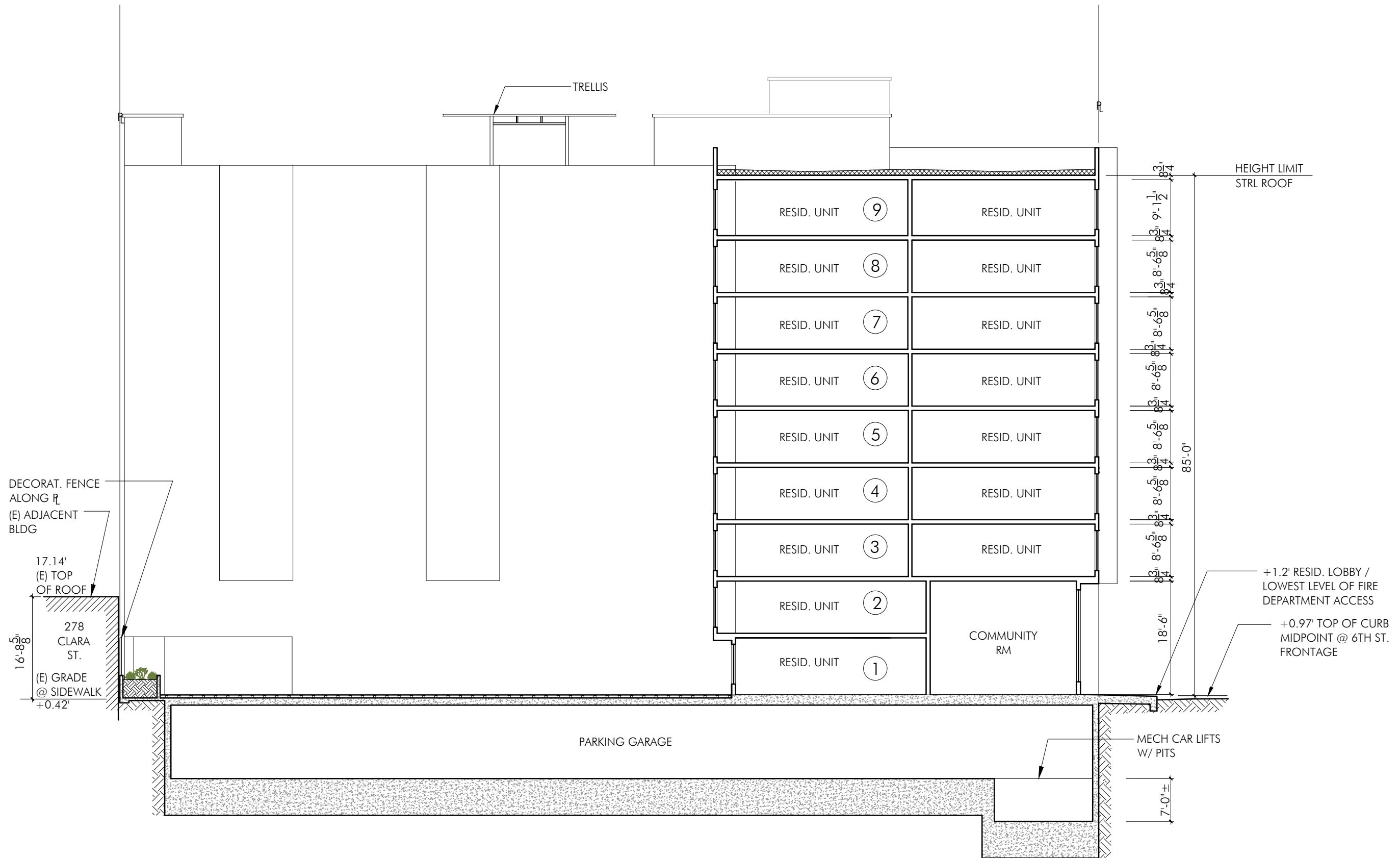
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CONCEPTUAL BUILDING SECTION (B)

363 6TH STREET

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6TH STREET ELEVATION
 363 6TH STREET
 SAN FRANCISCO, CALIFORNIA 94109

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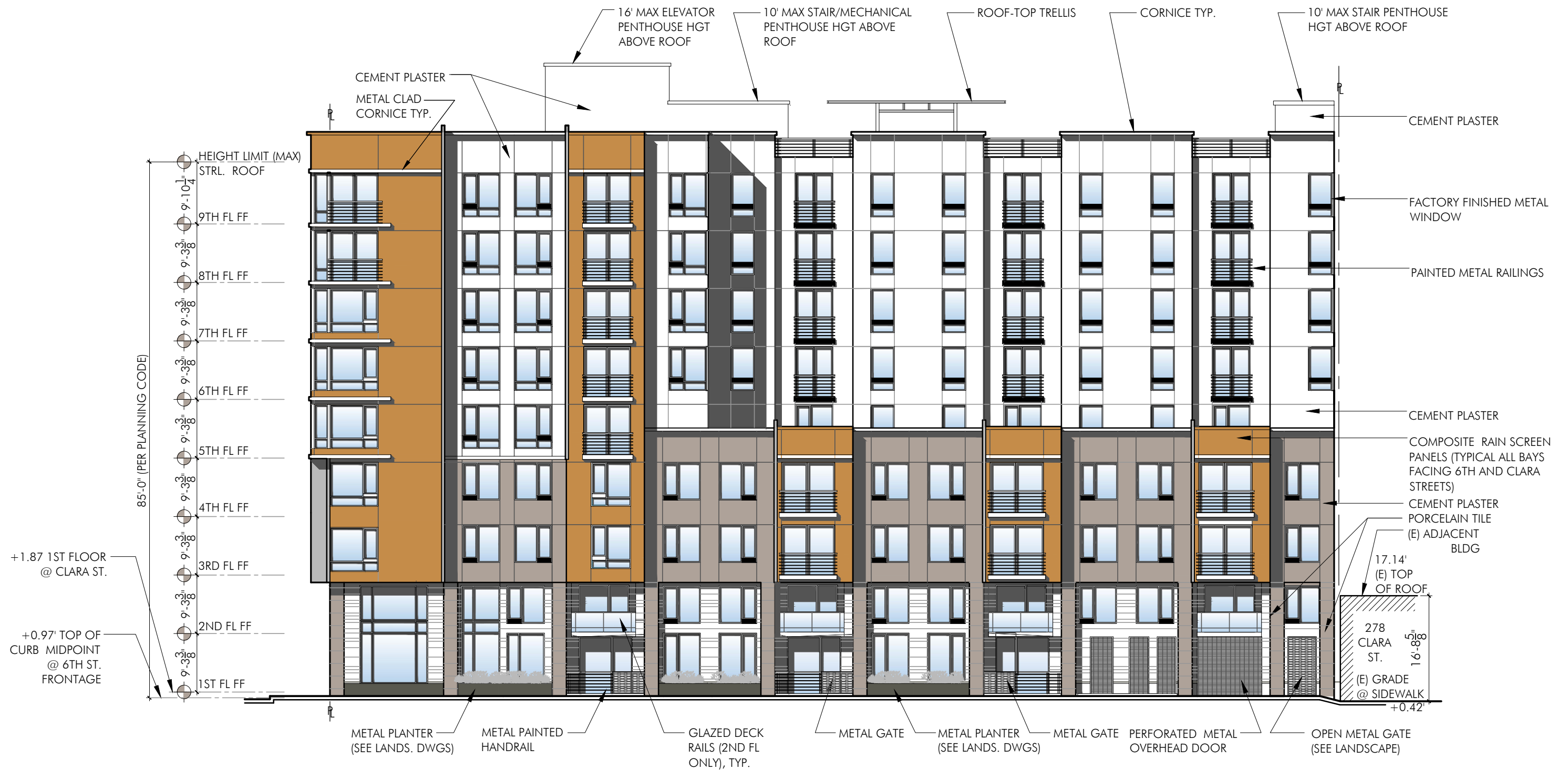
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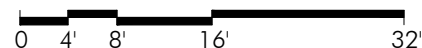
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CLARA STREET ELEVATION
363 6TH STREET
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COURTYARD ELEVATION - NORTH

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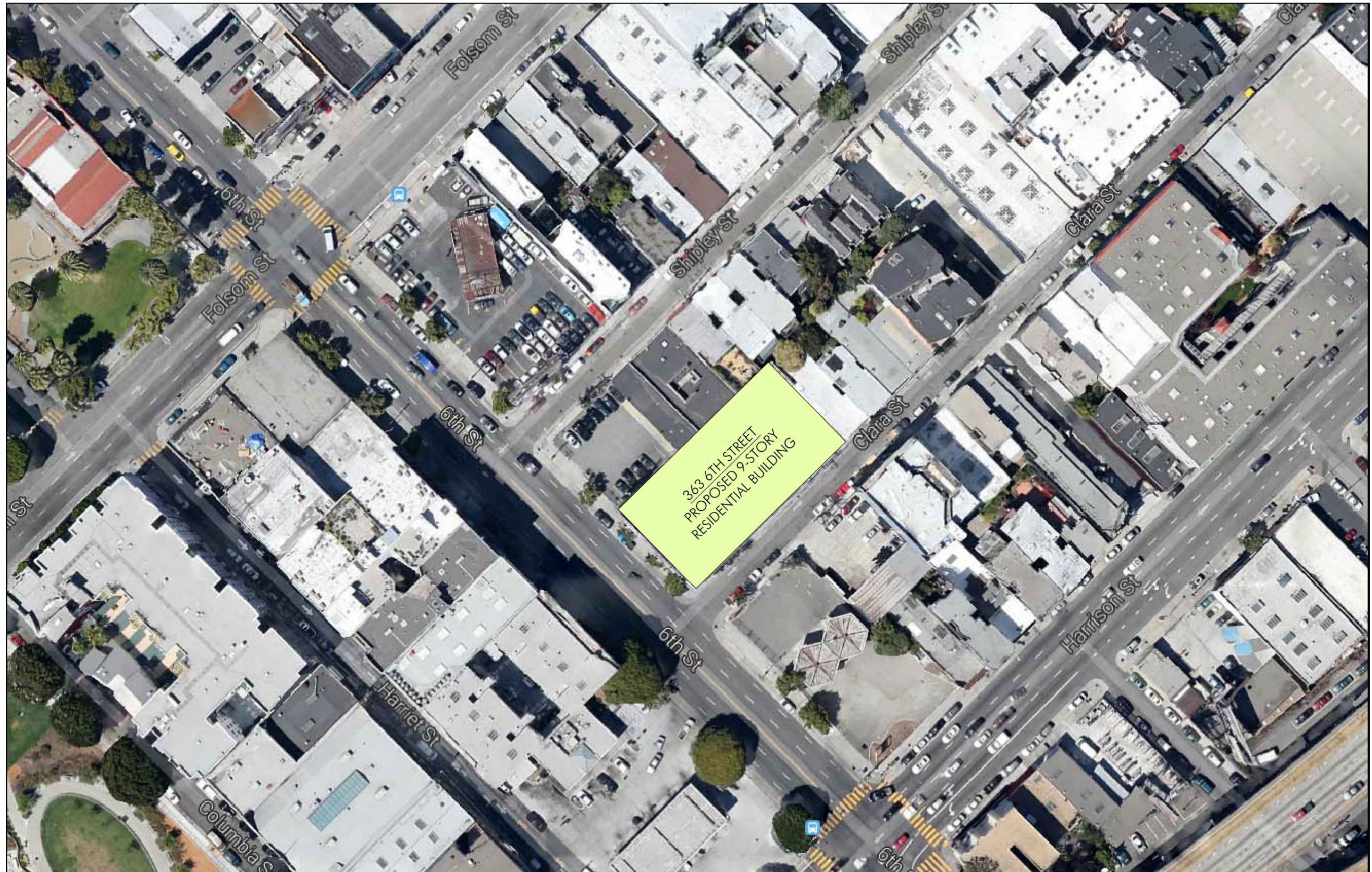
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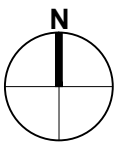
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AERIAL VIEW
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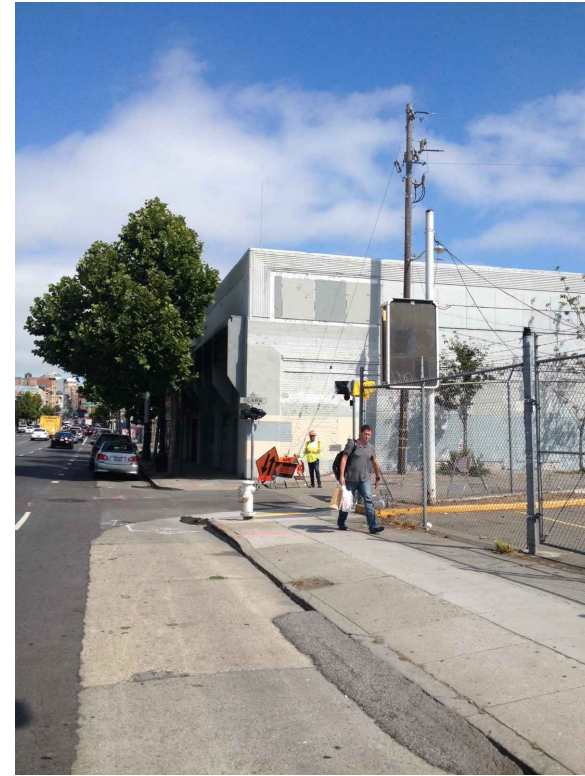


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2. VIEW OF SUBJECT PROPERTY FROM 6TH ST. TOWARDS SHIPLEY ST.

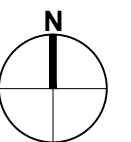


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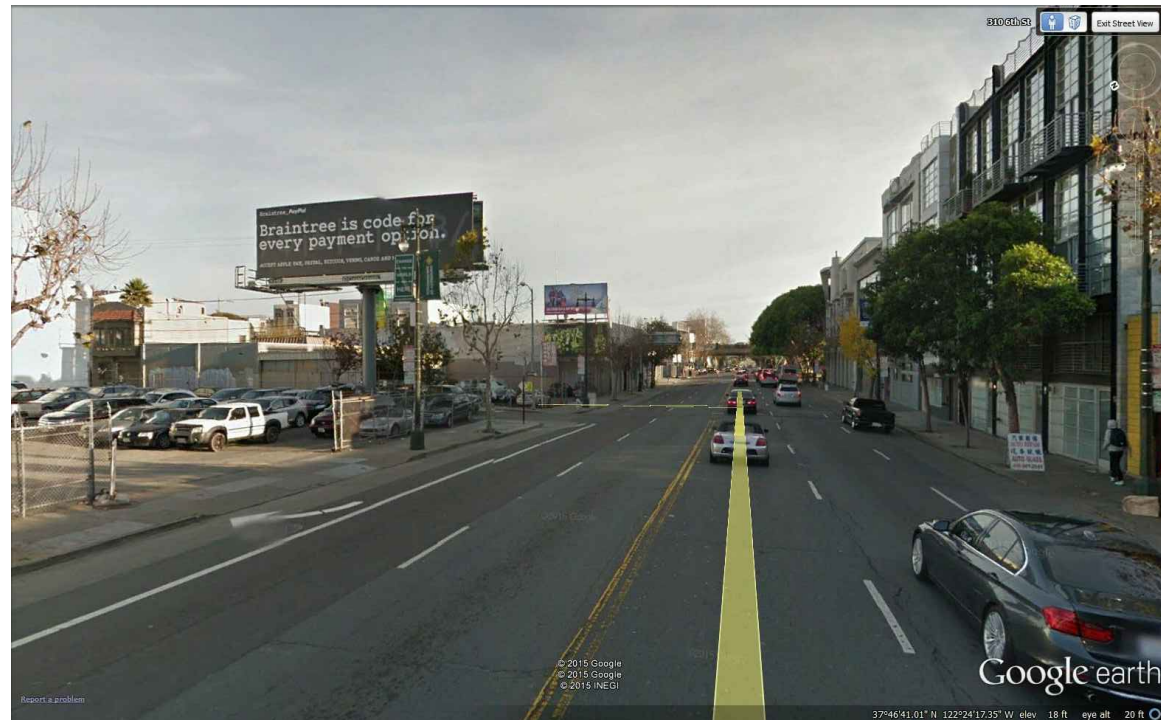
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SITE PHOTOS
 363 6TH STREET
 SAN FRANCISCO, CALIFORNIA 94109

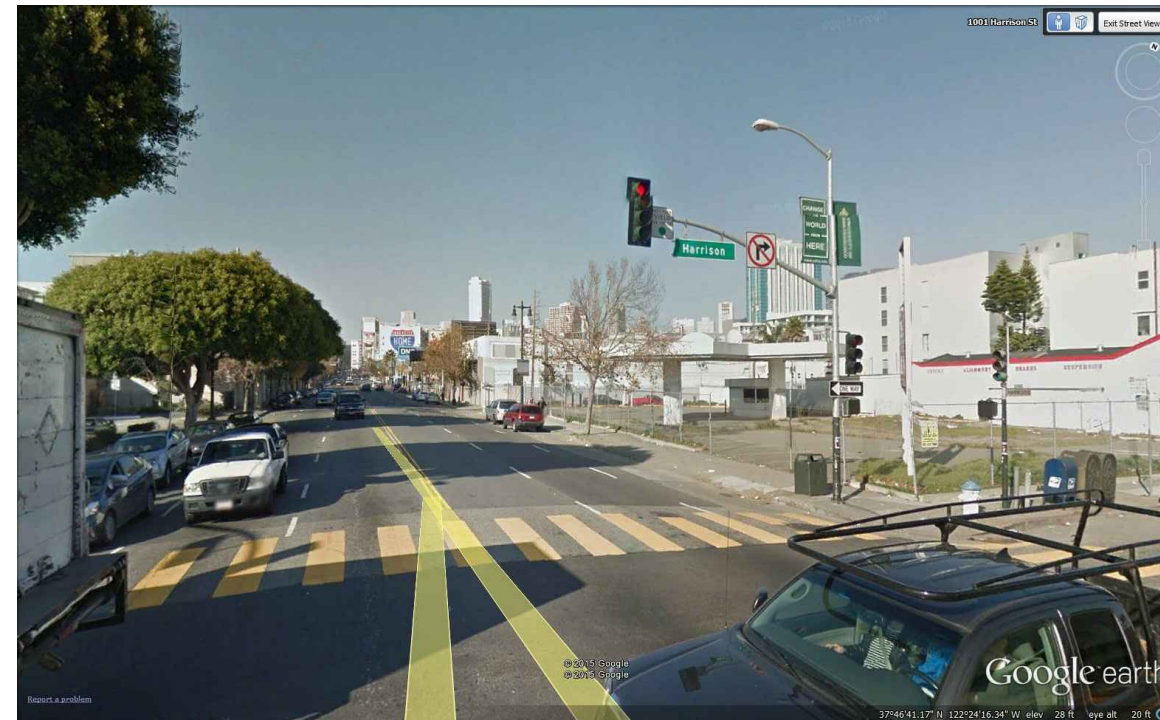


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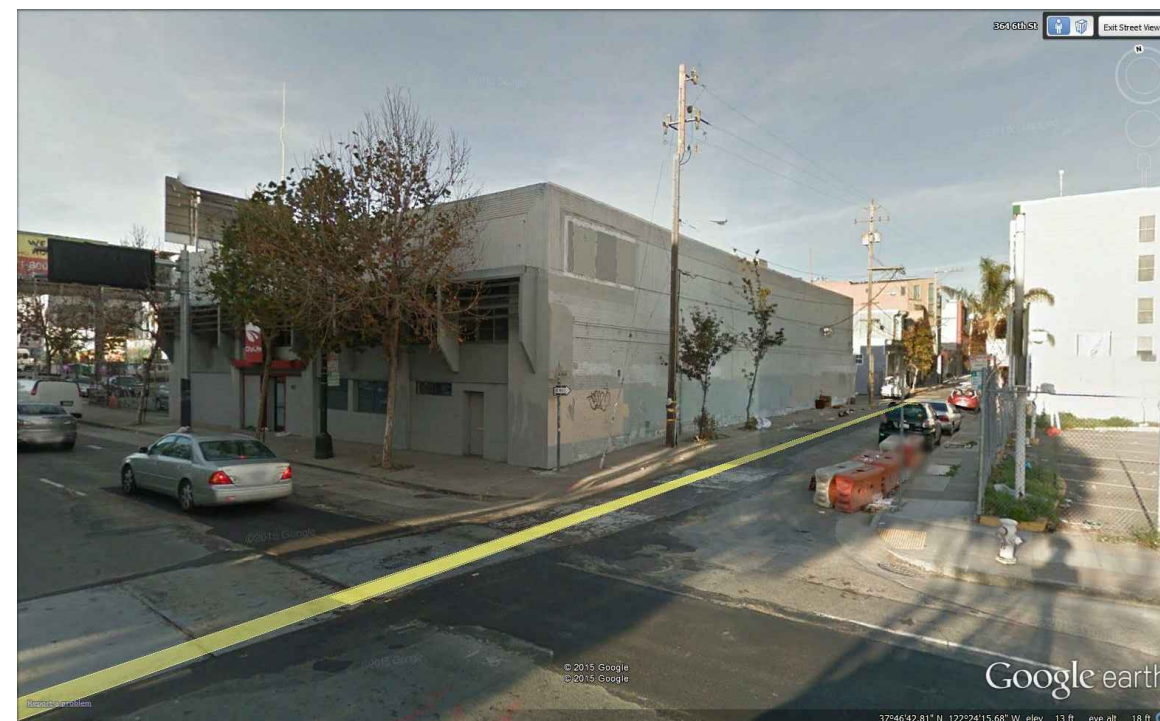
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2. VIEW OF SUBJECT PROPERTY FROM 6TH ST. TOWARDS SHIPLEY ST.

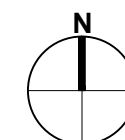


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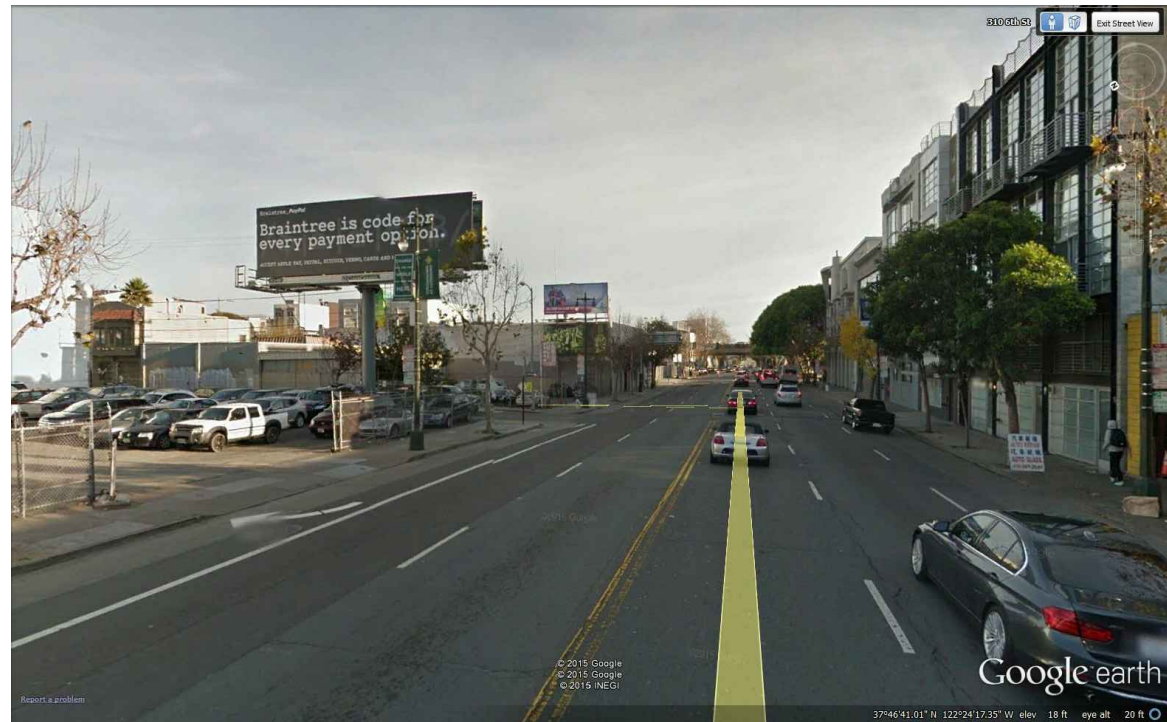
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SITE PHOTOS
 363 6TH STREET
 SAN FRANCISCO, CALIFORNIA 94109

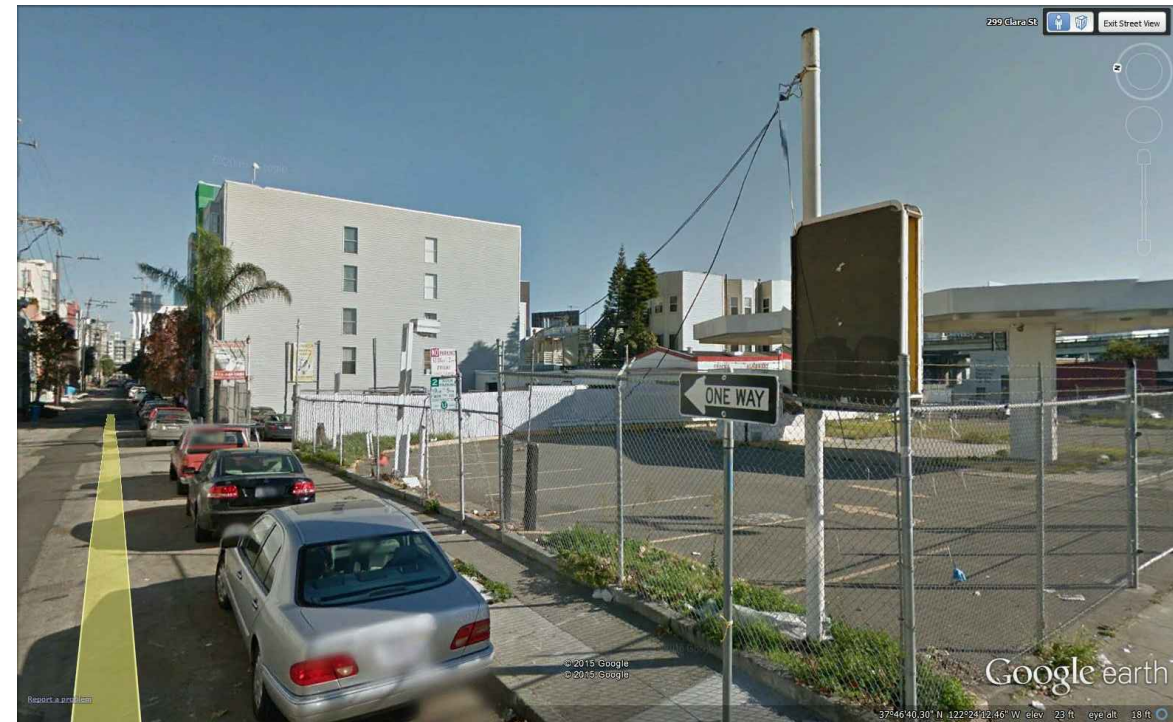


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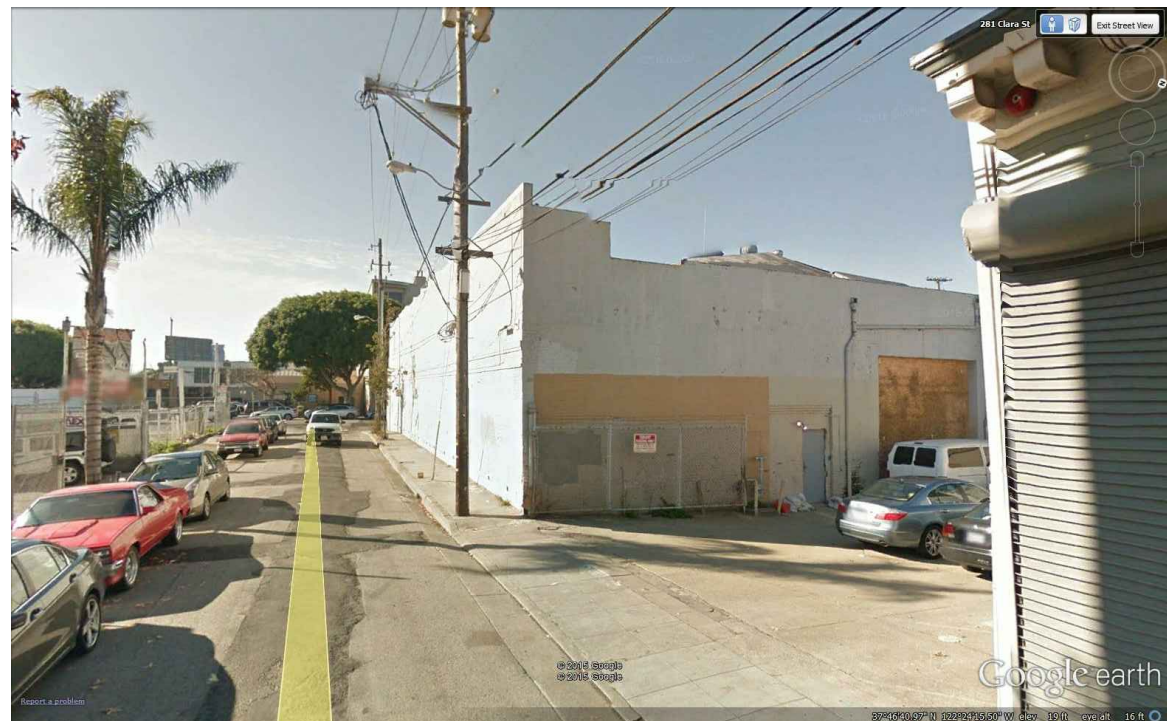
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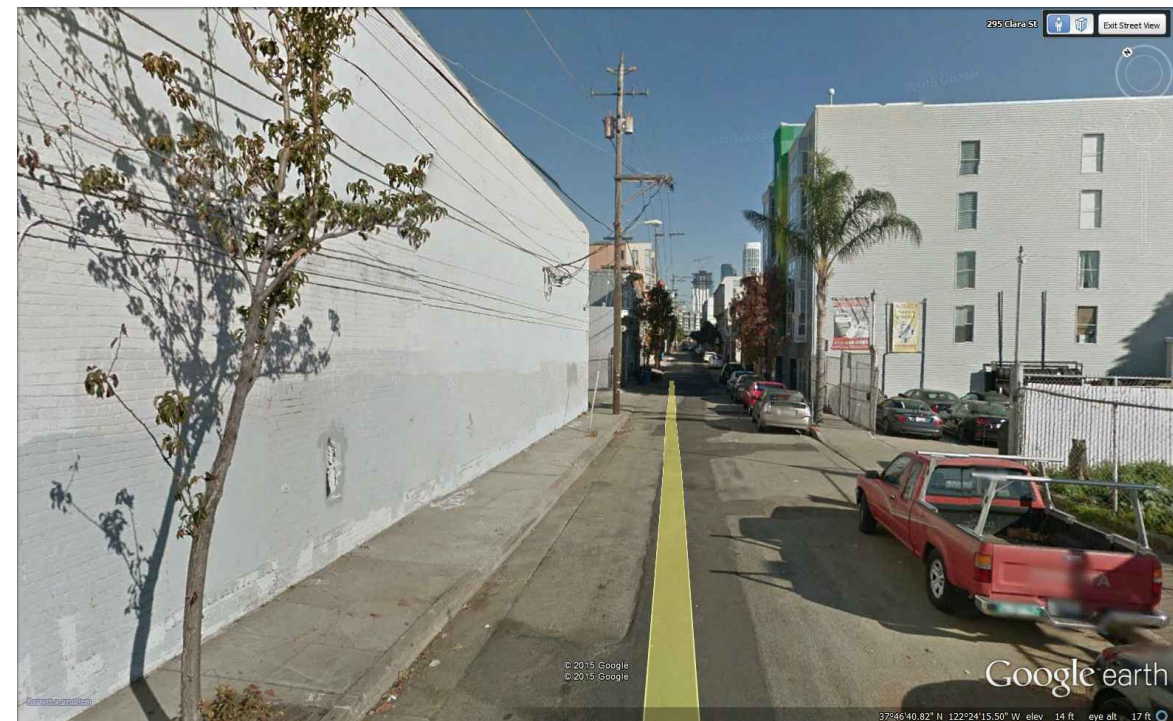
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2. VIEW OF SUBJECT PROPERTY FROM 6TH ST. TOWARDS CLARA ST.

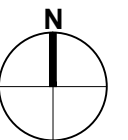


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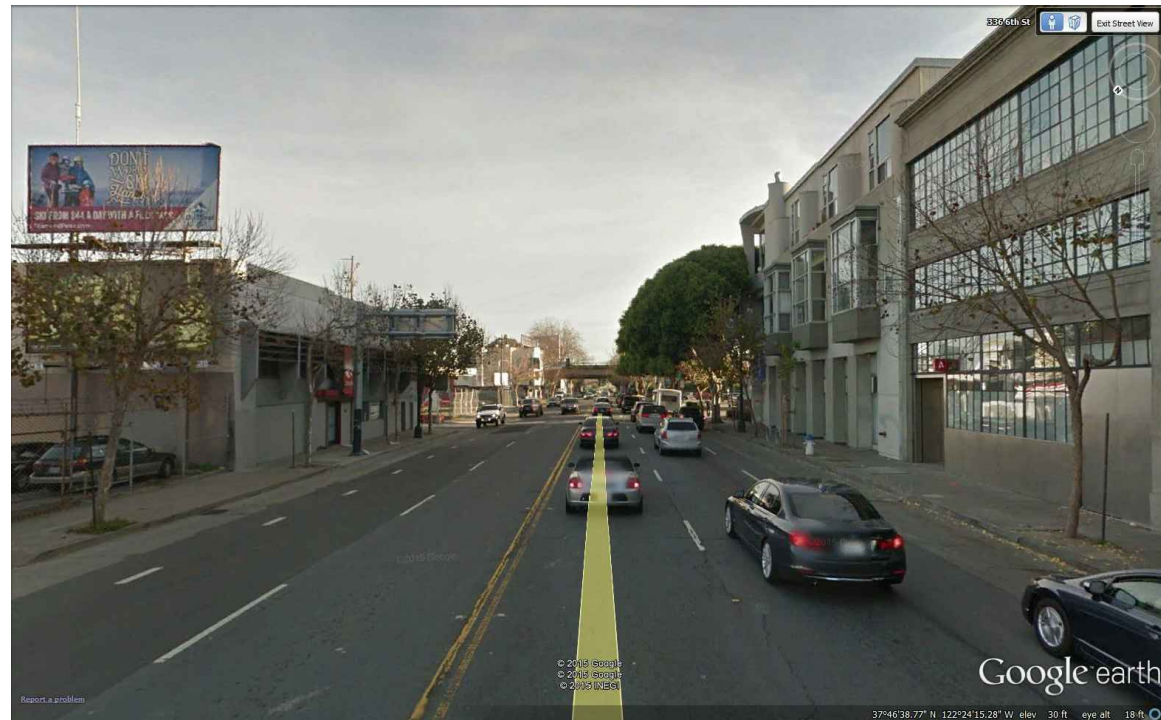
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SITE PHOTOS
363 6TH STREET
 SAN FRANCISCO, CALIFORNIA 94109

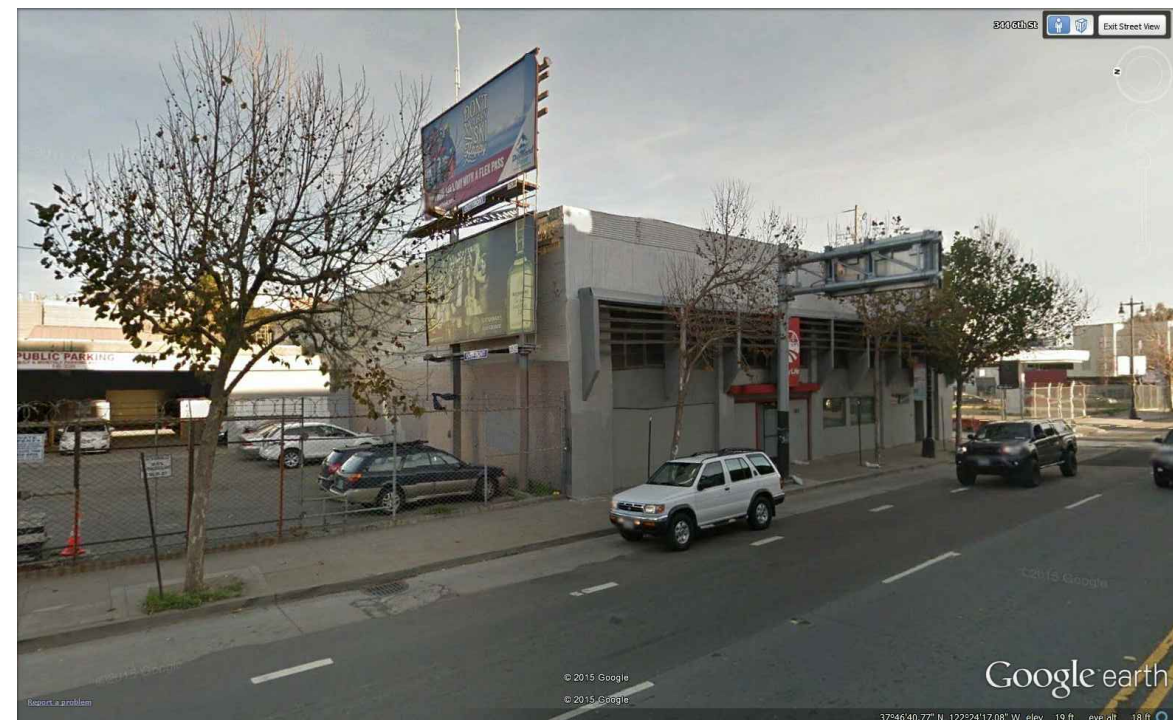


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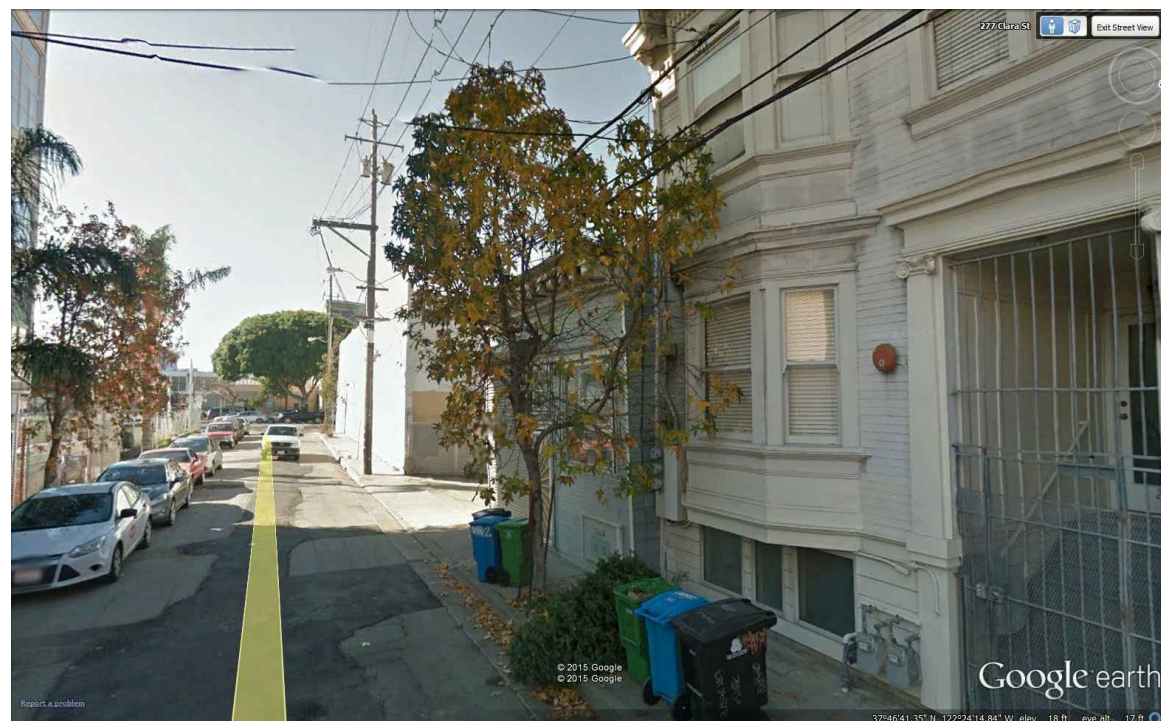
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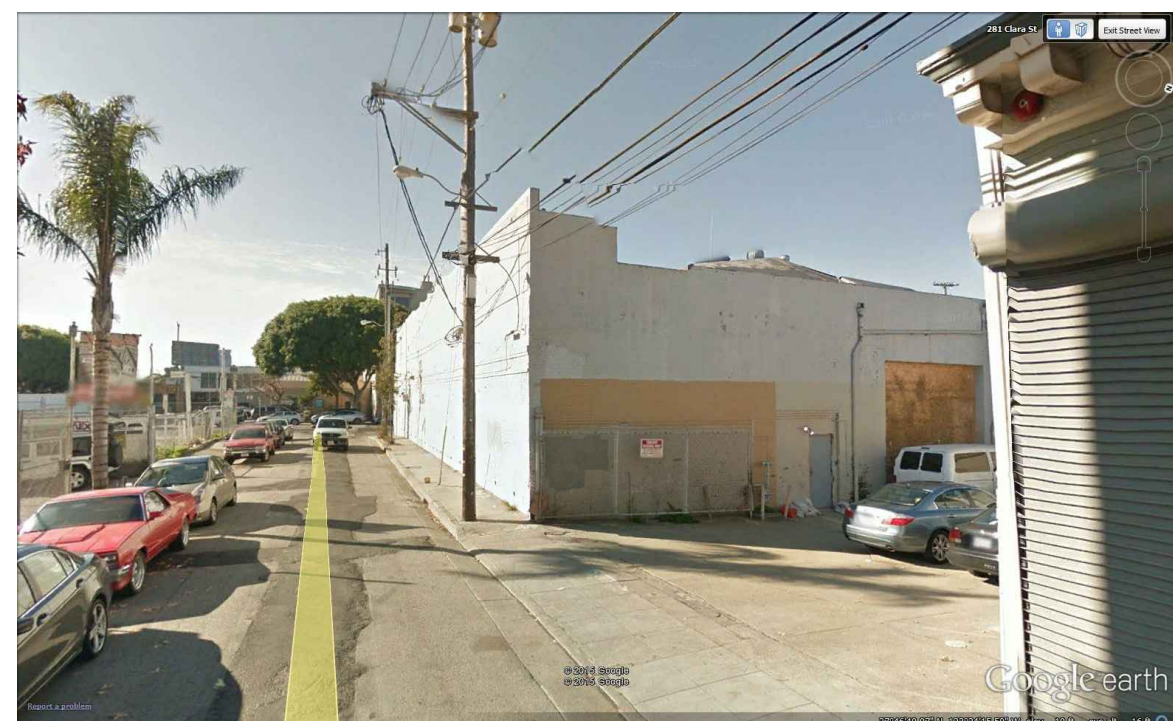
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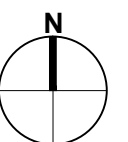
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3. VIEW OF SUBJECT PROPERTY FROM CLARA ST. TOWARDS 6TH ST.



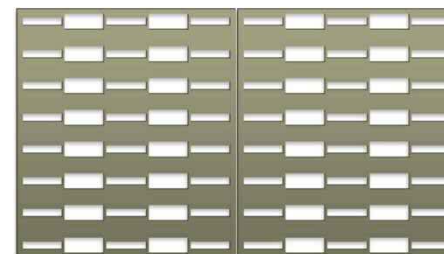
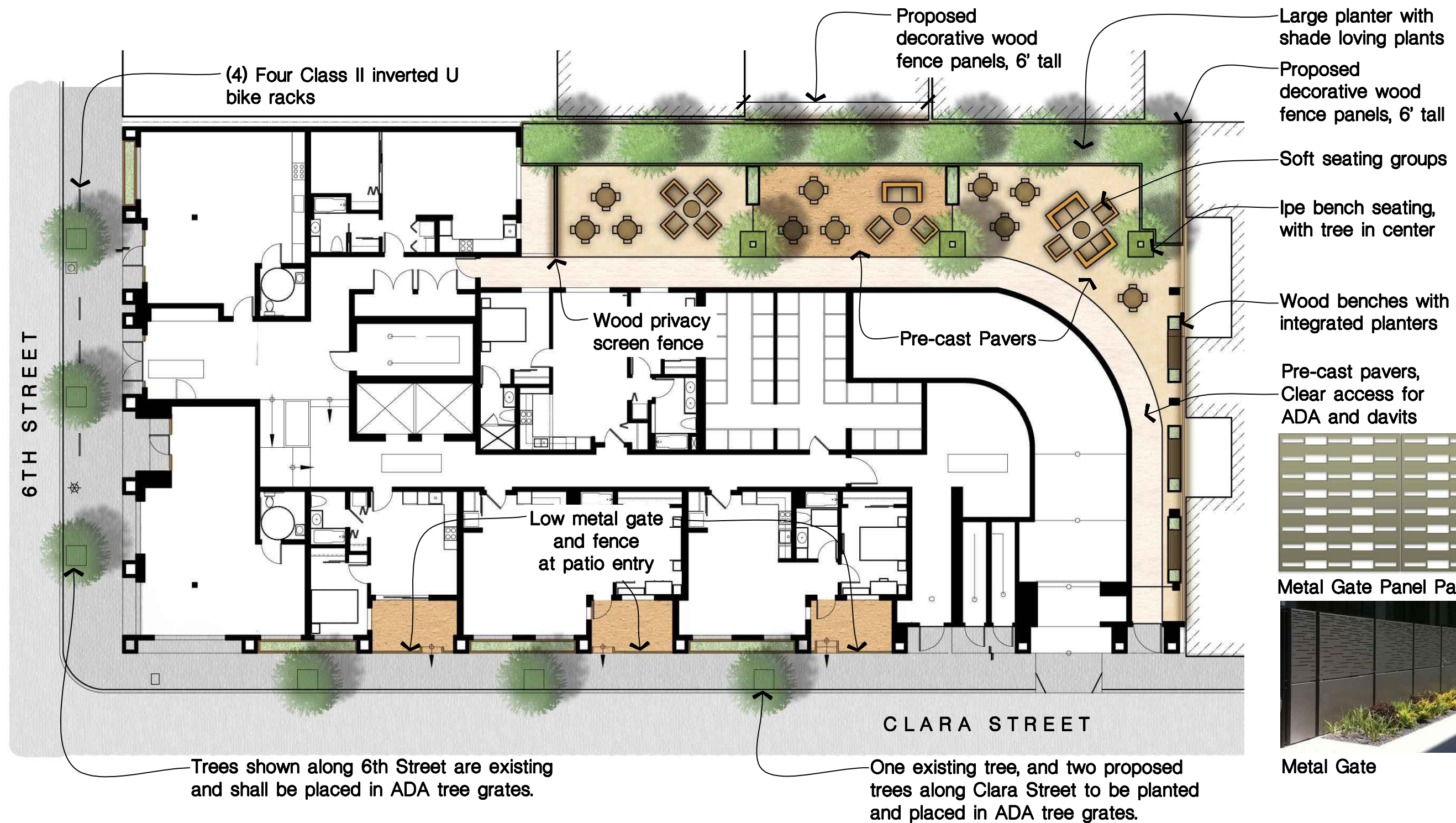
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A-9.3

SITE PHOTOS
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Metal Gate Panel Pattern



Metal Gate

1st Level

L-1

SCALE: 1" = 16'-0"

0 4' 8' 16' 32'



363 6TH STREET

SAN FRANCISCO, CALIFORNIA 94109

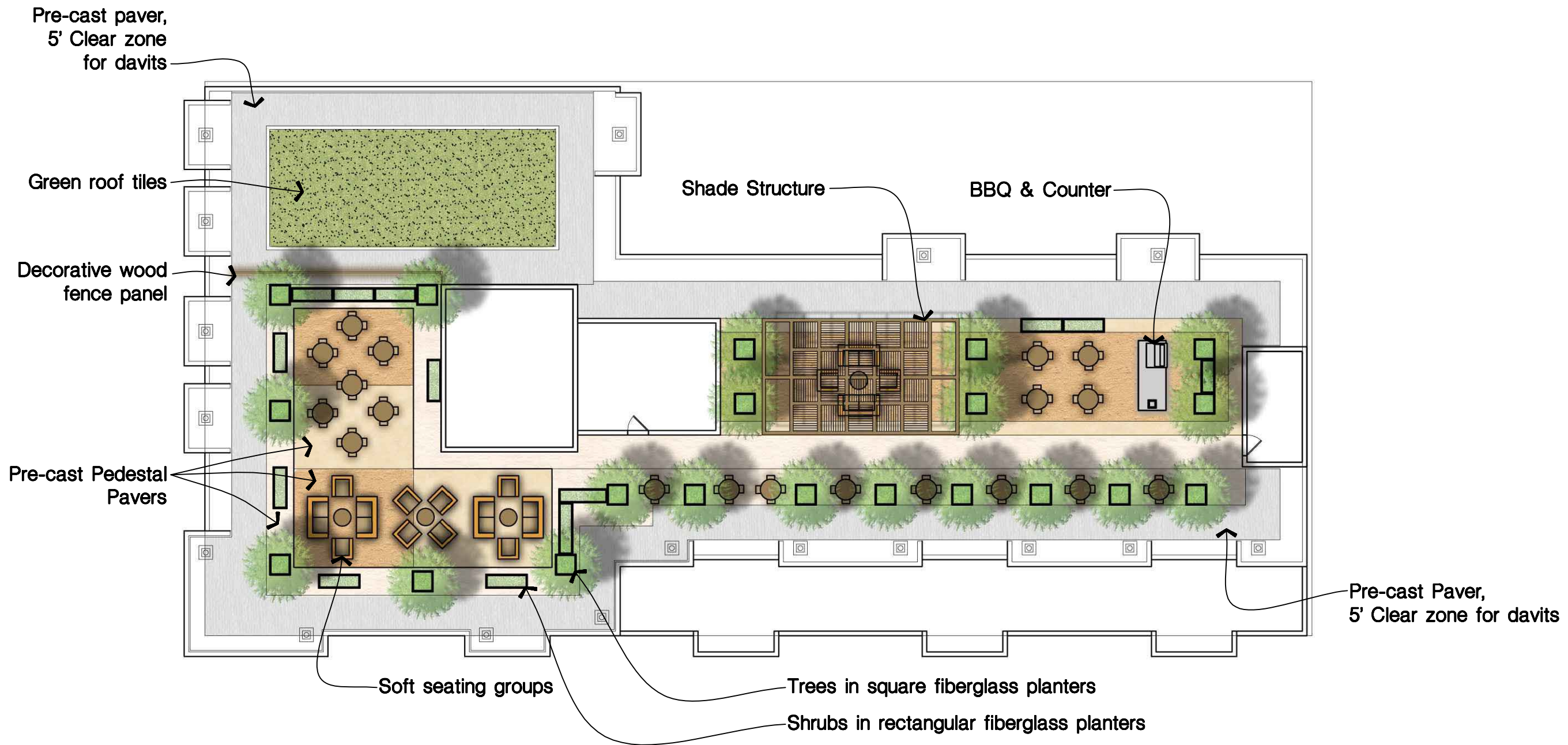
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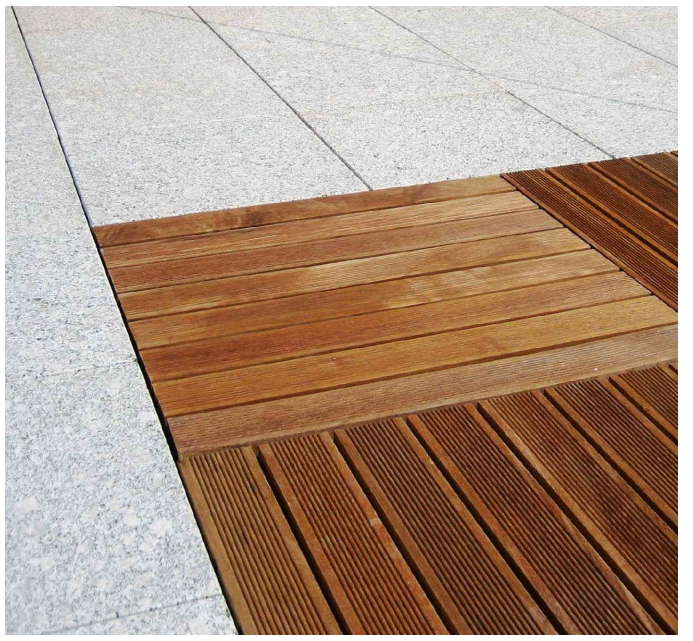
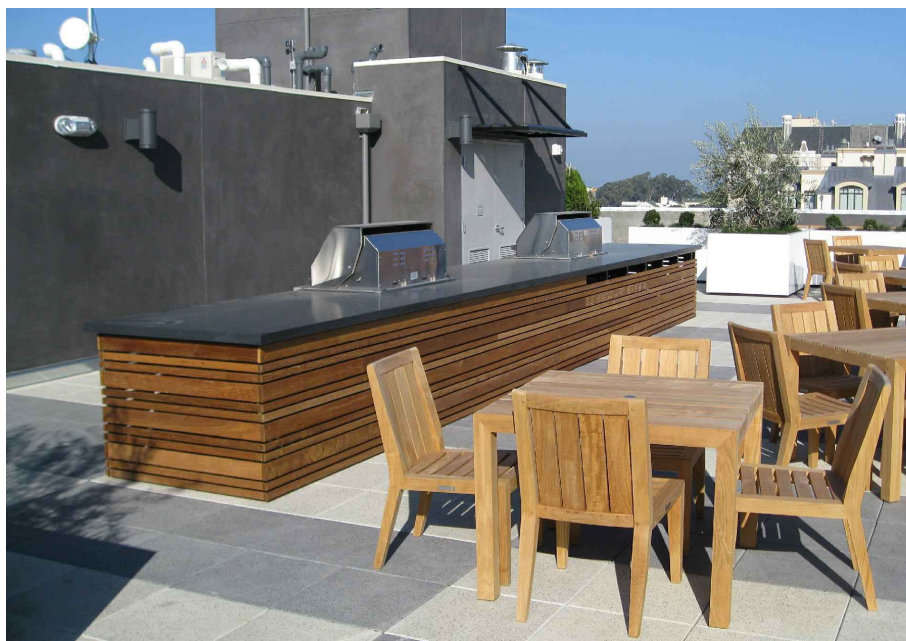
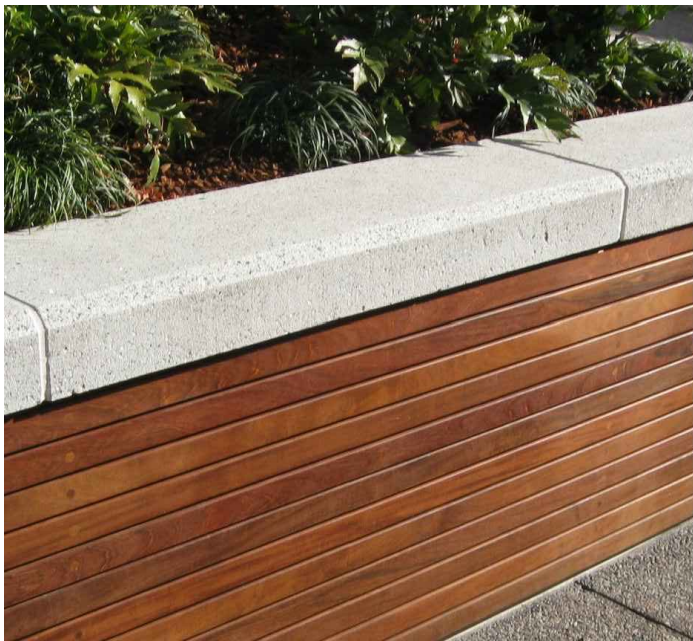
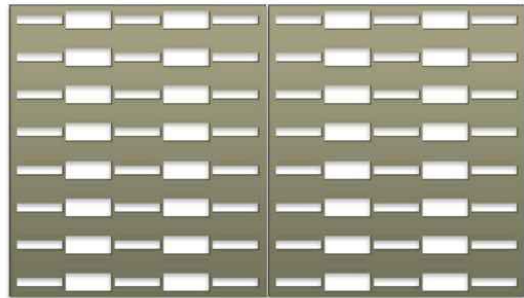
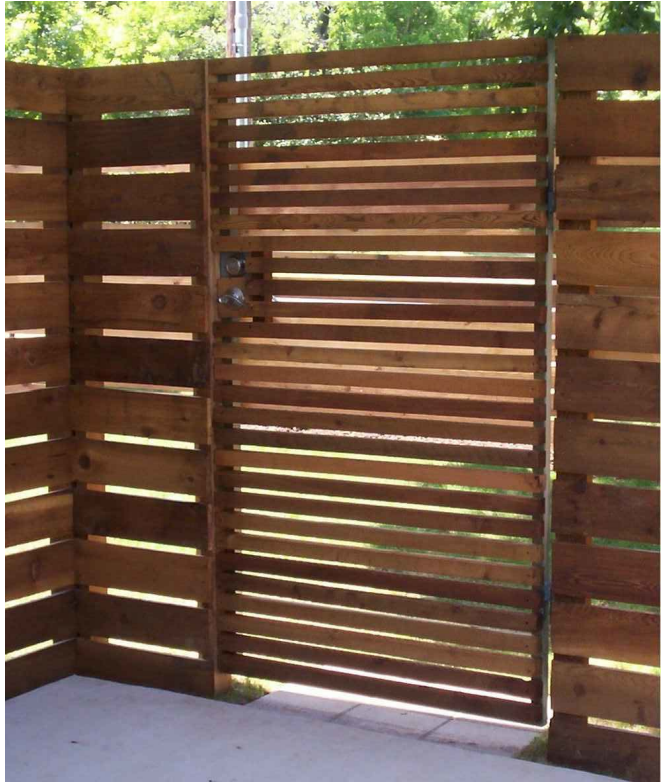
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Roof Level L-2

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Design Narrative

The 1st level landscape concept is in complete shade, so planting material will be shade tolerant, and meet SFPUC requirements. Buff colored paving surfaces, variegated plants, wood benches and decorative fences warm up the shady environment.

The roof level landscape concept is in all day sun. Trees in square planters along with plants tolerant of wind, fog, and sun fill rectangular planters. They help to anchor soft seating and BBQ areas. Decorative screen panels and green screens help to block the stair case and mechanical units.

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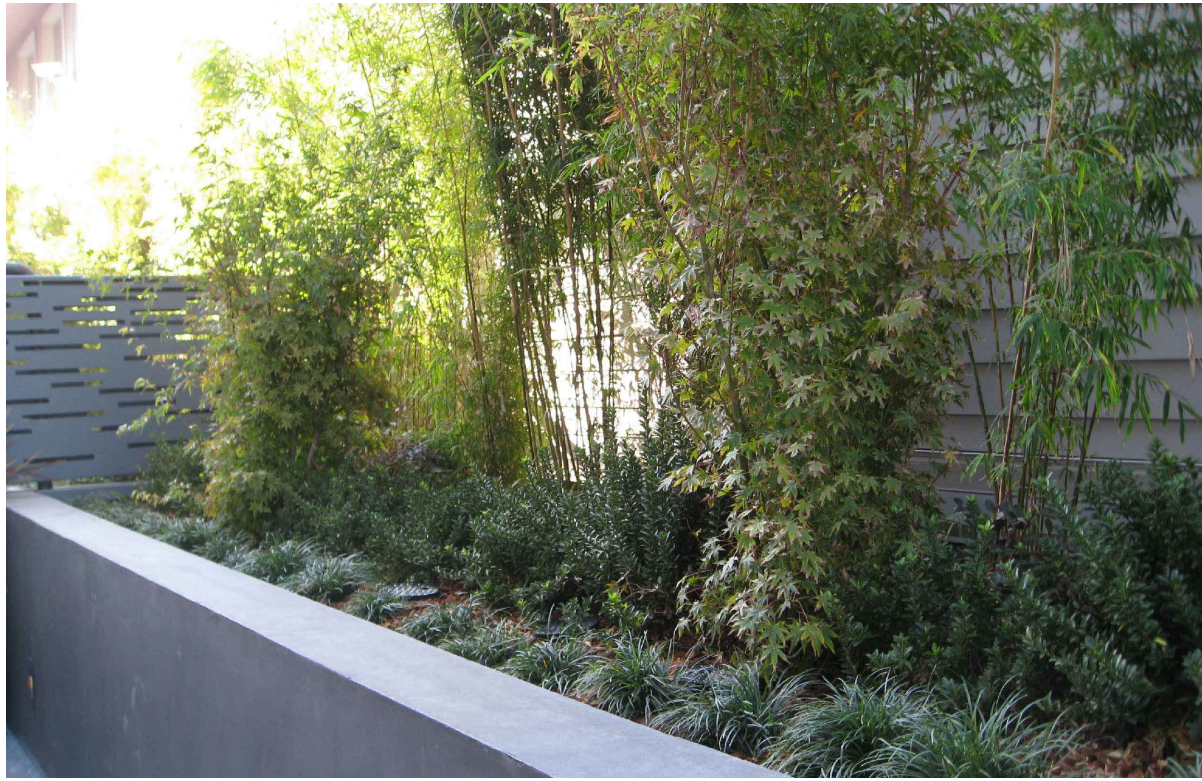


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L-3
Concept Images

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L-4

Concept Images

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34 Corte Madera Avenue
Mill Valley, CA 94941

June 8, 2015

TO: Clara / 6th LLC
505 Sansome Street, Suite 400
San Francisco, CA 94111

SUBJECT: 363 6th Street Shadow Analysis with Cumulative Analysis of 345 6th Street

OVERVIEW

The Planning Department prepared an initial shadow fan that indicated the proposed project at 363 6th Street may cast a shadow on Gene Friend Recreation Center and Victoria Manalo Draves Park (collectively the "Recreation Center and Park"), each a property under the jurisdiction of the San Francisco Recreation and Park Department ("Recreation and Park Department"). Under *Planning Code Section 295*, a shadow analysis is required to measure and quantify any potential shadow impact of the proposed project on the Recreation Center and Park since the proposed project is over 40 feet in height and the Recreation Center and Park are within the jurisdiction of the Recreation and Park Department.

The project is also located adjacent to 345 6th Street. 345 6th Street is proposing a project that is over 40 feet in height and also may cast a shadow on the Recreation Center and Park. An impact analysis of the potential cumulative shadow impact of both projects on the Recreation Center and Park has also been requested by the Planning Department and Recreation and Park Department.

CADP was retained to prepare a shadow analysis for the proposed project, and a cumulative shadow analysis of the proposed project and 345 6th Street. The following is a summary of CADP's findings.

BACKGROUND ON PLANNING CODE SECTION 295

Planning Code Section 295 was adopted in 1985 in response to voter-approved Proposition K which required Planning Commission disapproval of any structure greater than 40 feet in height that cast a shadow on property under the jurisdiction of the Recreation and Park Department, unless the Planning Commission found the shadow would not be significant. To implement *Planning Code Section 295* and Proposition K, the Planning Commission and Recreation and Park Commission in 1989 jointly adopted a memorandum establishing qualitative criteria for evaluating shadow impacts as well as Absolute Cumulative Limits ("ACLs") for certain parks. ACLs are "shadow" budgets that establish absolute cumulative limits for additional shadows expressed as a percentage of Theoretically Available Annual Sunlight ("TAAS") on a park with no adjacent structures present. To date, ACL standards have been established for fourteen (14) downtown parks. An ACL standard of zero percent (0%) has been adopted for Gene Friend Recreation Center¹. An ACL standard has not been adopted for Victoria Manalo Draves Park.

¹ At the time the ACL standard was imposed, the Gene Friend Recreation Center was known as the South of Market Park.



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The 1989 Memorandum sets forth qualitative criteria to determine when a shadow would be significant as well as information on how to quantitatively measure shadow impacts. Qualitatively, shadow impacts are evaluated based on (1) existing shadow profiles, (2) important times of day, (3) important seasons in the year, (4) location of the new shadow, (5) size and duration of new shadows, and (6) the public good served by buildings casting a new shadow. Quantitatively, new shadows are to be measured by the additional annual amount of shadow-square foot-hours as a percent of TAAS.

Where an ACL has not been adopted for a park, the Planning Commission's decision on whether a structure has a significant impact on property under the jurisdiction of the Recreation and Park Department is based on a review of qualitative and quantitative factors. Where an ACL has been adopted for a park, the Planning Commission must, upon recommendation of the General Manager of the Recreation and Park Department and in consultation with the Recreation and Park Commission, adopt a resolution raising the ACL for additional shadow on the park. A determination to raise an ACL for a park is also based on qualitative factors and whether the additional shadow cast would have an adverse impact on the park.

PROPOSED PROJECT

Site Description and Present Use

The Project site is located at 363 6th Street in San Francisco, California (Assessor's Block 3753, Lot 079), at the corner of 6th Street and Clara Street. The Project site has 160 linear feet of frontage along Clara Street and 80 linear feet of frontage along 6th Street. It is currently developed with a two-story building used as a church.

Surrounding Properties and Neighborhood

The Project site is located in the South of Market ("SOMA") neighborhood. It is adjacent to a vacant lot and single-story office building (345 6th Street) to the northwest. To the southwest, across 6th Street is a row of multi-story mixed-use structures with heights ranging from 13 to 52 feet. To the southeast, across Clara Street, is a vacant lot with an abandoned structure in the corner at Clara Street and 6th Street. An area map showing the project is included below as **Figure 1**.



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Figure 1. Area Map

Project Description

The Project proposes to demolish the existing building on site and construct a 104 unit multi-family residential building comprised of 59 two-bedroom units, 24 one-bedroom units and 21 studio units, 49 off-street parking spaces and 109 bicycle spaces. The building would extend along 6th Street and Clara Street in an elegant and contemporary architectural style. Images of the proposed building are included in **Figures 2 and 3**.



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Figure 2. View from Clara Street



Figure 3. View at corner of 6th Street and Clara Street

The proposed building would be approximately 85-feet tall. It includes a 4-foot parapet at the perimeter of the roof, and a 16-foot elevator penthouse enclosure in the middle of the structure. Because the structure is greater than 40 feet in height, a shadow analysis under Proposition K is required. The shadow analysis was modeled based on the building, parapet, and penthouse enclosure dimensions identified on the elevations and roof plan supplied by the client Clara / 6th LLC. (See **Exhibit A**).

POTENTIALLY AFFECTED PROPERTIES

The proposed Project would potentially cast a shadow on two properties under the jurisdiction of the Recreation and Park Department. A discussion of each property is included below.



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Victoria Manalo Draves Park

Victoria Manalo Draves Park is a 2.52 acre accessible park located three blocks from the proposed project site (Assessor's Block 3754, Lot 016). It covers an entire block and is bounded by Columbia Square to the northeast, Folsom Street to the northwest, Sherman Street to the southwest and Harrison Street on the southeast.

Victoria Manalo Draves Park contains landscaped areas, walkways and areas for active and passive uses, including a basketball court, community garden, two children's play areas, and picnic areas. A 5 to 10-foot-tall fence and guardrails encircle the park and is locked at night. Access to the park is through three points: one at the corner of Folsom Street and Columbia Square, another on Sherman Street, and the third one on Columbia Square. An Image of Victoria Manalo Draves Park is included in **Figure 5** below.



Figure 5. Victoria Manalo Draves Park

Hours of operation for the park are from sunrise to midnight, every day of the year.²

² www.sfrecpark.org/destination/victoria-manalo-draves-park



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Mill Valley, CA 94941

Gene Friend Recreation Center

Gene Friend Recreation Center is a 1.02³ acre park (44,618 square feet) located at 270 6th Street (Assessor's Block 3731, Lots 010, 011, 012 and 111), two blocks from the proposed project site. It is bounded by a two-story, 26-foot-high private property on the northwest, Harriet Street on the west, Folsom Street on the south, and 6th Street on the east.

Gene Friend Recreation Center provides a mix of outdoor and indoor recreation space. It includes a sports court, playground and green field to the west along Harriet Street and a 24- to 34-foot-high structure (with a 16,835 square-foot footprint (the "Rec Center Building") to the east along 6th Street. The Rec Center Building includes a full indoor gymnasium, activity room, weight room and auditorium and occupies approximately $\frac{3}{4}$ of the 6th Street frontage.

A 9-foot-tall fence and guardrails encircles Gene Friend Recreation Center and is locked at night. Access to the park is provided via three gates: one at the corner of Folsom and 6th Streets, another on Harriet Street, and the third on 6th Street. An Image of Gene Friend Recreation Center is included in **Figure 4** below.

³ www.sfrecpark.org/destination/gene-friend-rec-center-soma/



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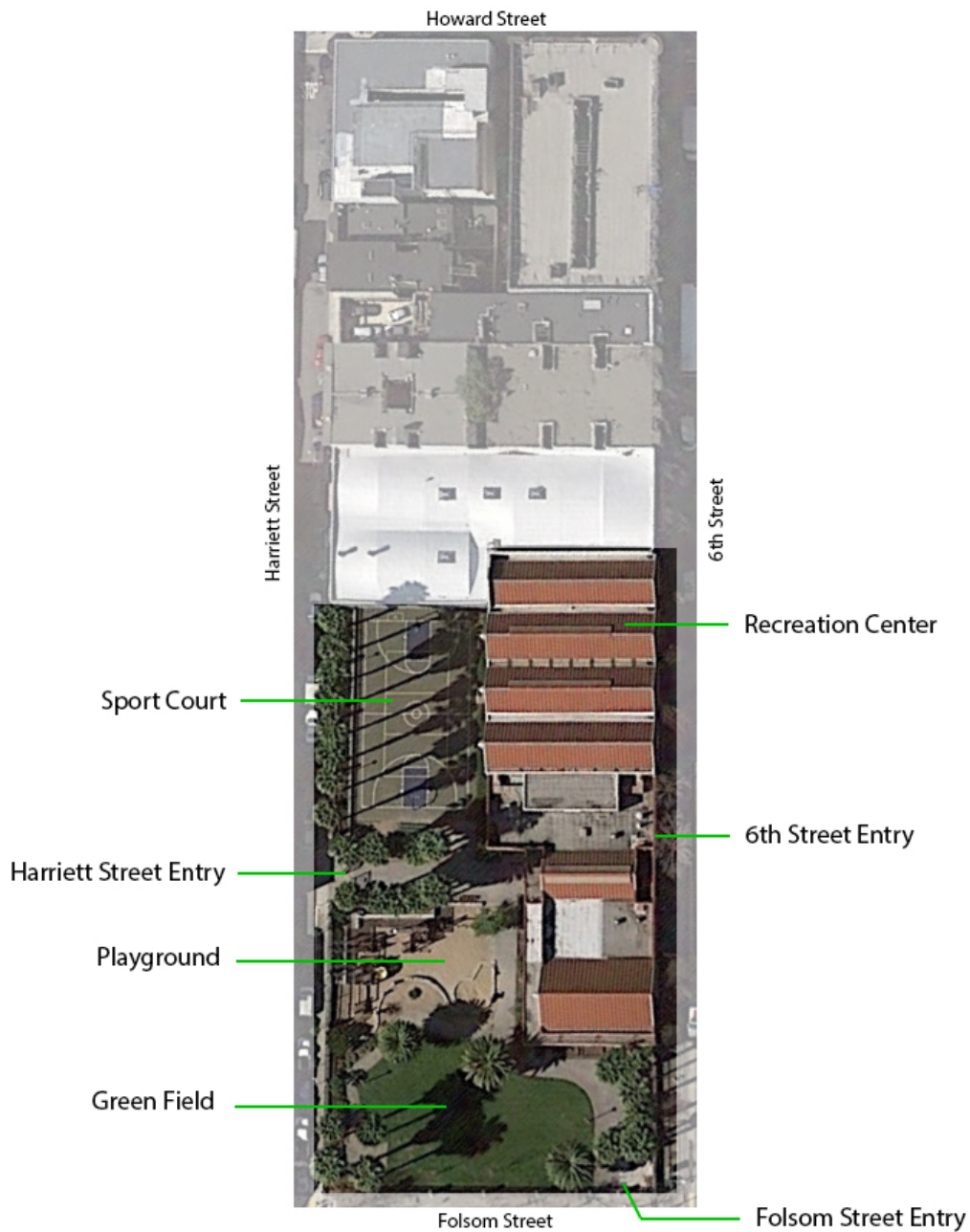


Figure 4. Gene Friend Recreation Center

Gene Friend Recreation Center is open from 9 AM to 9 PM Tuesday through Friday.⁴ It is open from 9 AM to 5 PM on Saturdays and is closed on Sundays and Mondays. **When closed, the park gates are locked, and access is not allowed.**

⁴ <http://sfrecpark.org/destination/gene-friend-rec-center-soma/>



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SHADOW METHODOLOGY AND RESULTS

A shadow analysis was prepared to quantify the amount of new shadow that would be cast by the proposed Project on the Recreation Center and Park. The analysis was based on a “solar year” to provide a sample of representative sun angles throughout the entire calendar year. The solar year is from June 21st through December 20th. The sun angles from December 21st through June 20th mirror the solar year sun angles.⁵ **Since the angles are mirrored, an analysis of the remaining time period is not conducted and, instead, a multiplier is used to put the sample results into calendar year units. Using a multiplier does not change the percentages.**

Shadow impacts are calculated based on square-foot hours recorded. To ensure a complete and accurate description of the proposed projects’ potential shadow impacts, this analysis identifies the days when shadow cast by the proposed projects: (1) would be at its largest size by area, and (2) would result in the overall greatest shadow impacts in terms of size and duration (i.e., the maximum net new shadow as measured in square-foot hours).

Victoria Manalo Draves Park

Victoria Manalo Draves Park has 409,342,835.8-square-foot hours (“sfh”) of TAAS, which is the amount of theoretically available sunlight on the park, annually, if there were no shadows from structures, trees, or other facilities. Shadows currently exist on Victoria Manalo Draves Park, predominately in the morning and evening hours. The existing shadow load for Victoria Manalo Draves Park is 22,167,617.2 sfh annually.⁶ This is approximately 5.42 percent of the total TAAS for Victoria Manalo Draves Park.

The proposed Project would not cast new shadow on Victoria Manalo Draves Park. The location of the proposed Project’s new shadow falls on areas of the park that are already shaded by the adjacent or nearby structures. As a result, **the proposed Project would add no new square foot hours of shadow on the park.** This conclusion is based on higher resolution terrain data obtained by CADP, building information provided to CADP, and the precise positioning of the project. An excel spreadsheet summarizing the findings of the shadow analysis and a diagram showing the shadow of the proposed Project is attached to this report as **Exhibit B.** A complete copy of the findings is included under separate cover.⁷ A graphical depiction of the shadow that is cast and would be cast by the proposed Project on an hourly basis from sunrise +1 hour till sunset -1 for four days, the Summer Solstice (June 21st), the Winter Solstice (December 21st) and the Spring/Fall Equinox (March 21/September 21) is provided under separate cover due to its size.

Because the proposed Project does not cast any shadow on Victoria Manalo Draves Park, no further discussion or analysis is required.

⁵ The “solar year” dates and the mirror dates are both provided. Mirror dates are shown in *italics*.

⁶ The existing shadow load for Victoria Manalo Draves Park has been calculated by CADP for purposes of this analysis only, and should not be considered a “baseline” of shadow on the park. The Planning Department is currently conducting baseline shadow analyses for all parks under the control of the Recreation and Park Department.

⁷ A copy of the data findings is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2012.0793E.



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Mill Valley, CA 94941

Gene Friend Recreation Center

Gene Friend Recreation Center has 166,041,425.20 sfh of TAAS. Shadows currently exist on Gene Friend Recreation Center in the morning and evening hours. The existing shadow load, including the shadow from the Rec Center Building, is 38,089,089.18 sfh annually. This is approximately 22.94 percent of the total TAAS for Gene Friend Recreation Center.⁸ The footprint of the Rec Center Building (building footprint only and NOT the shadow created by the building) creates an additional existing shadow load of 62,649,769 sfh annually. This is approximately 37.73 percent of the total TAAS for Gene Friend Recreation Center. The total existing shadow load including the footprint of the Gene Friend Recreation Center is 100,738,858.17 sf annually. This is approximately 60.67 percent of the total TAAS for Gene Friend Recreation Center.

The proposed project would add **46,297.80 sfh** of shadow on Gene Friend Recreation Center. This is a **0.02788 percent increase** in shadow as a percentage of TAAS.

New shadow would be cast by the proposed project in the fall and winter from Sunrise +1 hour (7:30 AM to 8:22 AM) **with all shadows gone no later than 8:41 AM**. The longest duration of new shadow would be approximately 22 minutes and the average shadow would be cast for less than 12 minutes. **All new shadow cast occurs before the park opens** and is mostly projected on walkways, a small portion of the green field adjacent to the corner of 6th Street and Folsom Street. An excel spreadsheet summarizing the findings of the shadow analysis is included in **Exhibit C**. Shadow diagrams showing the location of the potential new shadow is included in **Exhibit D**.⁸

The maximum net new shadow would occur on October 25th / February 15th. On these days, the proposed project would cast new shadow on Gene Friend Recreation Center for approximately 22 minutes from Sunrise +1hr (7:30 AM) to approximately 7:52 AM. The new shadow load on those days would be approximately 802.55 sfh and would be localized to the southern quarter of the park, along walkways, a portion of the green field south of the Rec Center Building and the south eastern corner of the playground in the sand box area.

The largest new shadow by area would also occur on October 25th / February 15th at 7:30 AM. At its maximum, the new shadow area would be 6,023.83 square feet. A figure showing the maximum net new shadow day and largest shadow by area day is included below in **Figure 6**.

⁸ **Exhibit D** also includes the shadow figures for 345 6th Street, the adjacent project evaluated for cumulative shadow impacts.



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Figure 6. Maximum Net New Shadow and Largest Shadow By Area Day

* * * * *

Because the proposed project would cast new shadow on Gene Friend Recreation Center, under *Planning Code Section 295*, the Planning Commission can only approve the proposed project if it finds that its net new shadow is not significant and it raises the ACL limit on Gene Friend Recreation Center.

The 1989 Memorandum sets forth quantitative and qualitative criteria to assist the Planning Commission in reaching its determination as to whether the net new shadow is significant. The quantitative and qualitative criteria are described below.

* * * * *



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SHADOW EVALUATION

Gene Friend Recreation Center

Quantitative Criteria

Proposed Annual Available Sunlight

The existing shadow load for the Gene Friend Recreation Center is approximately 23 percent of the total TAAS.⁹ The proposed project would increase the total percentage of TAAS to 23.028 percent. **Table 1** is a summary of those findings. A complete copy of the findings is included under a separate cover.¹⁰

Table 1	
SUMMARY OF RESULTS (Gene Friend Recreation Center)	
Annualized net new shadow	46,297.80 sfh
Theoretical Annual Available Sunlight	166,041,425.20 sfh
TOTAL New Shadow as a Percentage of TAAS	0.028%
Annualized Existing Shadows on Park (no-footprint)	38,089,089.19
Percentage of Existing Shadow as a Percentage of TAAS	23%
TOTAL New + Existing Shadow as a Percentage of TAAS	23.028%

Recommended Permitted Additional Shadow

Under the 1989 Memorandum, new shadow is not recommended to be permitted on small parks (i.e., those less than two acres) if the park is already shadowed 20% of the time. The 1989 Memo also adopted an ACL limit of 0 percent for Gene Friend Recreation Center.

Gene Friend Recreation Center has an ACL standard of zero (0) percent. Additional shadow load is not recommended unless qualitative criteria can be met, and the ACL standard is increased by 0.028 percent.

Qualitative Criteria

Time of Day (morning, mid-day, afternoon) – Important Times of Day

Gene Friend Recreation Center is an enclosed park that is locked when not in operation. Site visits were conducted to evaluate the use of the open areas of the park.¹¹ In the morning, the number of individuals using the open areas varied from 6 to 17 people with most visitors using the lawn area and surrounding

⁹ This analysis only includes a quantitative analysis of the open areas of Gene Friend Recreation Center as the area of the park where the Rec Center Building is located is already in shadow 100 percent of the time and new shadow would not impact uses of that area. As noted above, with the Rec Center Building the total existing shadow load of Gene Friend Recreation Center is approximately 60.67 percent of the total TAAS annually.

¹⁰ A copy of the data findings is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2012.0793E.

¹¹ PLEASE NOTE THE DATES AND TIMES OF ANY VISITS



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benches to rest or sleep. As the day progresses, the playground and basketball court become more active with children and youth utilizing the open areas in the afternoon. The peak use of Gene Friend Recreation Center's open areas is in the afternoon.

The proposed project casts new shadow on Gene Friend Recreation Center in the morning before the park is open. All shadow would be gone by 8:41 AM, 19 minutes before the gates open. The new shadow cast is not during an important time of day for the park and would not adversely affect the usage pattern of Gene Friend Recreation Center.

Time of Year (Spring, Summer, Fall, Winter) – Important Times of Year

Gene Friend Recreation Center is active throughout the year with a combination of outdoor and indoor recreational space. San Francisco has a temperate climate that allows outdoor recreational spaces to be used year round. Based on San Francisco's historic weather patterns, the important times of year for Gene Friend Recreation Center, when individuals are more likely to use the open areas, are spring and fall which historically have the most sunshine and lowest levels of rain and/or fog.

The proposed project would cast new shadow on Gene Friend Recreation Center for a few minutes, on 20 days in the fall and winter. As a percentage, new shadow would be cast on approximately 5 percent of the days of the year (i.e., 20 out of 365 days) and, assuming, only days when the park is open (Tuesday-Saturday), new shadow would only be cast on approximately 8 percent of the days of the year (i.e., 20 out of 240 days).¹²

Size of Shadow

The proposed project would cast a 6,023.83 square-foot shadow at its largest. This shadow occurs at 7:30 AM and is gone by 7:38 AM. At its largest the new shadow would be cast on 13% of the total area of the Gene Friend Recreation Center.

Duration of Shadow

New shadow cast by the proposed project would have an average duration of approximately 12 minutes. At its shortest, new shadow would be cast for 5 minutes and 24 seconds, and at its longest, new shadow would be cast for 22 minutes and 48 seconds.

Location of Shadow

The proposed project would cast a majority of new shadow passive recreational areas such as the walkways and a portion of the green field south of the Rec Center Building. New shadow cast on the green field is also in the corner, adjacent to existing trees and a 3-foot tall wall that encloses the park and new shadow on the playground is adjacent to trees. Both the trees and 3-foot wall cast existing shadows on these portions of the park, although those shadows were not considered in the shadow calculations as

¹² This figure is high as new shadow would fall on days when the park is closed reducing the total percentage of days when new shadow occurs.



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per Planning Department policy. Images of the wall and existing trees are attached as Exhibit E. Some shadow is also cast on the south eastern corner of the playground in the sand box area.

Proposed Project-Related Public Good

A discussion of the proposed project-related public good is discussed once, at the end of the analysis.

* * * * *

CUMULATIVE ANALYSIS

As noted above, the proposed project is adjacent to 345 6th Street. An application to develop 345 6th Street is on file with the Planning Department. Because the proposed project and 345 6th Street may create potentially cumulatively shadow impacts on Gene Friend Recreation Center, a cumulative shadow analysis has been requested.¹³

Cumulative Proposed Project Overview

345 6th Street Project ("345 6th Street")

345 6th Street is in San Francisco, California (Assessor's Block 3753, Lot 081), located at the corner of 6th Street and Shipley Street. It has 125 linear feet of frontage along on Shipley Street and 75 linear feet of frontage along 6th Street. It is currently developed with a single story, 2,973 square-foot structure covering approximately 50 percent of the lot (4,687 square feet) with the remaining portion of the lot (4,697 square feet) currently vacant, but used as a parking lot until 2012. It is adjacent to a two-story office building (363 6th Street) to the southeast and a two-story residential building to the northeast. Across 6th Street, to the southwest, there is a row of multi-story mixed-use structures ranging in height from 13 to 52 feet. Across Shipley Street, to the northwest, there is a three-story mixed-use building and a 100-foot-wide parking lot containing a single-story car wash.

345 6th Street is proposed to be developed with an eight story, 80-foot-tall mixed-used building with 89 residential units and commercial/retail space at the street level. The proposed structure extends an additional five (5) feet on a portion of the west corner of the building for a total height of 85 feet. A 4-foot high parapet also surrounds the perimeter of the roof¹⁴, and a 10-foot-high staircase and two penthouses are proposed in the middle of the structure on top of the roof. The building, parapet, and penthouse enclosure dimensions used for the shadow analysis are based on the elevations and roof plan provided by the Planning Department and attached as Exhibit F.

A shadow analysis was prepared to quantify the amount of new shadow that would be cast by 345 6th Street on Gene Friend Recreation Center. An excel spreadsheet summarizing the findings of that shadow

¹³ Additional projects in the vicinity include 301 6th Street and 377 6th Street. At the time the scope of the shadow study was finalized, project applications were not on file. Planning Department policy does not require consideration of these projects in this analysis.

¹⁴ The shadow analysis assumes a four (4) foot parapet around the 345 6th Street structure based on direction provided from Planning Department staff.



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analysis is included in **Exhibit G**. Shadow diagrams showing the location of new shadows are included in **Exhibit H**.

The existing shadow load for the Gene Friend Recreation Center is approximately 23 percent of the total TAAS. 345 6th Street would increase the annual shadow on Gene Friend Recreation Center as a percentage of TAAS to 23.0684 percent. **Table 3** is a summary of the findings. A complete copy of the findings is included under separate cover.¹⁵

Table 3	
SUMMARY OF RESULTS (345 6th Street)	
Gene Friend Recreation Center	
Annualized net new shadow	113,616.94 sfh
Theoretically Annual Available Sunlight	166,041,425.20 sfh
TOTAL New Shadow as a Percentage of TAAS	0.0684%
Annualized Existing Shadows on Park (no-footprint)	38,089,089.19
Percentage of Existing Shadow as a Percentage of TAAS	23%
TOTAL New + Existing Shadow as a Percentage of TAAS	23.0684%

CUMULATIVE (Proposed Project And 345 6th Street) SHADOW RESULTS

Gene Friend Recreation Center

Cumulatively, the proposed project and 345 6th Street would add **144,662.42 sfh** of shadow on Gene Friend Recreation Center. This is a **0.0871 percent increase** in shadow as a percentage of TAAS for Gene Friend Recreation Center.¹⁶ New shadow cast by the proposed project and 345 6th Street would occur on 26 days in the fall and winter from Sunrise +1 hour (7:30 AM to 8:22 AM) with **all shadows gone no later than 9 AM**. The longest duration of the new shadow would be approximately 29 minutes and with the average shadow being cast for less than 18 minutes. **All shadow that would be cast occurs before the park opens** and would be projected on the walkways, the green field south of the Rec Center Building and a small corner of the sandbox. An excel spreadsheet summarizing the findings of the cumulative shadow analysis is included in **Exhibit I** and cumulative shadow diagrams are shown in **Exhibit H**.

The cumulative maximum net new shadow would occur on October 18th/*February 22nd*. On these days, new shadow would be cast on Gene Friend Recreation Center for approximately 29 minutes and 24 seconds from Sunrise +1hr (8:22 AM) to approximately 9 AM. The new shadow load on those days would be approximately 1,973.81 sfh and would be localized to the southern quarter of the park, along the Folsom Street entry, and the green field south of the playground.

¹⁵ A copy of the data findings is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2012.0793E.

¹⁶ As noted above, this analysis only includes a quantitative analysis of the open areas of Gene Friend Recreation Center as the area of the park where the Rec Center Building is located is already in shadow 100 percent of the time.



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The largest new shadow by area would also occur on October 18th/February 22nd at 8:22 AM. At its maximum, new shadow area would be 10,554.80 square feet.

New shadow from the proposed project and 345 6th Street transect, with each project capturing a portion of new shadow cast by the other project. The first building constructed will cast more new shadow than the second building, resulting in a decreased new shadow load for the second building. For example, if 345 6th Street is constructed before the proposed project, it will **reduce, by 80 percent**, the proposed project's new shadow to 8,166.8 sfh (a reduction of 31,326.71 sfh) and **reduce, by 93 percent**, its increase in shadow as a percentage of TAAS to 0.00492 percent increase (a reduction of 0.06348 percent).

Figure 8 shows the maximum net new shadow, the largest shadow by area and how new shadows of the proposed project and 345 6th Street transect.



Figure 8. Cumulative Maximum Net New Shadow and Largest Shadow by Area



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A comparison of new shadows that would be cast on Gene Friend Recreation Center by the proposed project and 345 6th Street are shown on **Table 4**. The information related to the cumulative new shadows cast by both projects is also included.

Table 4 SUMMARY of INDIVIDUAL AND CUMULATIVE NEW SHADOWS			
	Proposed Project (363 6th Street)	345 6th Street	Cumulative
New Shadow	46,297.80 sfh	113,616.94 sfh	144,662.42 sfh
% of New Shadow	0.02788%	0.0684%	0.0871%
Maximum Net New Shadow	783.10 sfh	1,074 sfh	1,973.81 sfh
Largest Shadow by Area	6,023.83 sf	8,949 sf	10,554.80 sf
Date of Max. Shadow & Largest Shadow	October 25 th / February 15 th	October 11 th / March 1 st	October 18 th / February 22 nd

CUMULATIVE SHADOW ANALYSIS

Quantitative Criteria

Proposed Annual Available Sunlight

The existing shadow load for the outdoor areas of Gene Friend Recreation Center is approximately 23 percent of the total TAAS. The proposed project and 345 6th Street would cumulatively increase the annual shadow on Gene Friend Recreation Center as a percentage of TAAS to 23.087 percent. **Table 5** is a summary of those findings and a complete copy of the findings is included under separate cover.¹⁷

Table 5 SUMMARY OF CUMULATIVE RESULTS	
Annualized net new shadow	144,662.42 sfh
Theoretically Annual Available Sunlight	166,041,425.20sfh
TOTAL New Shadow as a Percentage of TAAS	0.0871%
Annualized Existing Shadows on Park (no-footprint)	38,089,089.19
Percentage of Existing Shadow as a Percentage of TAAS	23%
TOTAL New + Existing Shadow as a Percentage of TAAS	23.0871%

¹⁷ A copy of the data findings is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2012.0793E.



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Recommended Permitted Additional Shadow

Under the 1989 Memorandum, new cumulative shadow load is not required to be taken into consideration in making a recommendation on a proposed project's new shadow on parks. For informational purposes only, cumulative qualitative criteria are included.

As discussed above, additional shadow load is not recommended unless qualitative criteria can be met and the ACL standard for shadow on Gene Friend Recreation Center is increased by 0.0871%.

Qualitative Criteria

Time of Day (morning, mid-day, afternoon) – Important Times of Day

As discussed above, the peak use of Gene Friend Recreation Center's open areas is in the afternoon.

The cumulative new shadow from the proposed project and 345 6th Street would be cast on Gene Friend Recreation Center in the morning **before the park is open**. All shadow would be gone by 9 AM.

Time of Year (Spring, Summer, Fall, Winter) – Important Times of Year

As discussed above, the important times of year for Gene Friend Recreation Center spring and fall.

The proposed project and 345 6th Street would cumulatively cast new shadow on Gene Friend Recreation Center for a few minutes, on 26 days in the fall and winter. As a percentage, new shadow would be cast on approximately 7 percent of the days of the year (i.e., 26 out of 365 days) and, assuming, only days when the park is open (Tuesday-Saturday), new shadow would only be cast on less than 11 percent of the days of the year (i.e., 26 out of 240 days).¹⁸

Size of Shadow

The proposed project and 345 6th Street would cumulatively cast a 10,554.80 square-foot shadow at its largest. This shadow occurs at 8:22 AM and is gone by 8:30 AM. At its largest the new shadow would be cast on 24 percent of Gene Friend Recreation Center.

Duration of Shadow

The proposed project and 345 6th Street would cumulatively cast a shadow with average duration of less than 18 minutes. At its shortest, new shadow would be cast for 5 minutes and 24 seconds, and at its longest, new shadow would be cast for 29 minutes and 24 seconds.

¹⁸ As noted above, this figure is high as new shadow would fall on days when the park is closed reducing the total percentage of days when new shadow occurs.



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Location of Shadow

The proposed project and 345 6th Street would cast a new shadow on the same areas of Gene Friend Recreation Center as the proposed project. New shadow would be cast on the walkways, green field and playground. Because 345 6th Street is closer to Gene Friend Recreation Center than the proposed project, cumulatively new shadow would cover a greater portion of these areas.

PROPOSED PROJECT-RELATED PUBLIC GOOD

To fully evaluate the potential impacts associated with the proposed project, decision makers must weigh the amount and duration of shadow cast by the proposed project against the public good or public benefits associated with the proposed project. Factors to consider are: (1) the public interest in terms of a needed use, (2) building design and urban form, (3) impact fees, and (4) other public benefits.

The proposed project will add up to 104 new residential dwelling units. By adding to the City's housing stock, the proposed project conforms to the Eastern Neighborhoods Plan and supports the City's planning goals for more residential development in the area and the City.

The proposed project will comply with the Inclusionary Affordable Housing Program under *Planning Code Section 415 et seq.* by providing 12 percent on-site inclusionary housing. In addition, it will contribute **\$1.8MM** in impact fees for new public infrastructure and capital improvements to schools. **Cumulatively, the proposed project and 345 6th Street will contribute over \$3.2MM in impact fees** (345 6th Street would contribute \$1.4MM).

The proposed project will also improve the streetscape along Clara Street by planting street trees to comply with the Better Streets requirements, replacing the existing sidewalk, and putting the utilities underground, and all of which will greatly enhance the pedestrian experience.

As set forth in the letter dated April 17, 2015, provided by Realtex, the project developer for Clara/6th LLC, for this analysis, Realtex is working with WalkSF and neighbors along Clara Street to implement the street improvements recently cut from the SOMA Alleyway Improvement project along Clara Street. These streetscape improvement measures include furnishing zones for greening on both sides of Clara Street, and providing traffic calming circles. These improvements improve pedestrian safety along Clara Street and create a "mini-park" type atmosphere along this alley encouraging outdoor use and activity.

Realtex has also been active in the local neighborhood supporting various community efforts including supporting Gene Friend Recreation Center and Victoria Manalo Draves Park. Realtex has partnered with Bessie Carmichael Elementary School, which is adjacent to Victoria Manalo Draves Park, to support annual the Bike and Roll to School Day and is working with Recreation and Park Department staff on identifying capital improvements it can help fund to improve both facilities.

A complete list of the proposed project-related public good is included the attached letter from Realtex. (See **Exhibit J**).



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* * * * *

Please direct questions regarding this report directly to Adam Noble.

Regards,

Adam Noble
President



SAN FRANCISCO
PLANNING
DEPARTMENT

AFFIDAVIT FOR FIRST SOURCE HIRING PROGRAM

Administrative Code

Chapter 83

1650 Mission Street, Suite 400 • San Francisco CA 94103-2479 • 415.558.6378 • <http://www.sfplanning.org>

Section 1: Project Information

PROJECT ADDRESS 363 - 6th Street		BLOCK/LOT(S) 3753/079
BUILDING PERMIT APPLICATION NO.	CASE NO. (IF APPLICABLE) 2011.0586X	MOTION NO. (IF APPLICABLE)
PROJECT SPONSOR Clara/6th, LLC	MAIN CONTACT Michael Roach	PHONE 415-654-5806
ADDRESS 505 Sansome Street		
CITY, STATE, ZIP San Francisco, CA 94111		EMAIL michael@realtexgroup.com
ESTIMATED RESIDENTIAL UNITS 104	ESTIMATED SQ FT COMMERCIAL SPACE 842	ESTIMATED HEIGHT/FLOORS 85 feet/9 floors
ANTICIPATED START DATE Fourth quarter 2015		ESTIMATED CONSTRUCTION COST \$18,000,000

Section 2: First Source Hiring Program Verification

CHECK ALL BOXES APPLICABLE TO THIS PROJECT	
<input type="checkbox"/>	Project is wholly Residential
<input type="checkbox"/>	Project is wholly Commercial
<input checked="" type="checkbox"/>	Project is Mixed Use
<input checked="" type="checkbox"/>	A: The project consists of ten (10) or more residential units;
<input type="checkbox"/>	B: The project consists of 25,000 square feet or more gross commercial floor area.
<input type="checkbox"/>	C: Neither 1A nor 1B apply.
NOTES: <ul style="list-style-type: none">If you checked C, this project is <u>NOT</u> subject to the First Source Hiring Program. Sign Section 4: Declaration of Sponsor of Project and submit to the Planning Department.If you checked A or B, your project <u>IS</u> subject to the First Source Hiring Program. Please complete the reverse of this document, sign, and submit to the Planning Department prior to any Planning Commission hearing. If principally permitted, Planning Department approval of the Site Permit is required for all projects subject to Administrative Code Chapter 83.For questions, please contact OEWD's CityBuild program at CityBuild@sfgov.org or (415) 701-4848. For more information about the First Source Hiring Program visit www.workforcedevelopmentsf.orgIf the project is subject to the First Source Hiring Program, you are required to execute a Memorandum of Understanding (MOU) with OEWD's CityBuild program prior to receiving construction permits from Department of Building Inspection.	

Continued...

Section 3: First Source Hiring Program – Workforce Projection

Per Section 83.11 of Administrative Code Chapter 83, it is the developer's responsibility to complete the following information to the best of their knowledge.


Provide the estimated number of employees from each construction trade to be used on the project, indicating how many are entry and/or apprentice level as well as the anticipated wage for these positions.

Check the anticipated trade(s) and provide accompanying information (Select all that apply):

TRADE/CRAFT	ANTICIPATED JOURNEYMAN WAGE	# APPRENTICE POSITIONS	# TOTAL POSITIONS	TRADE/CRAFT	ANTICIPATED JOURNEYMAN WAGE	# APPRENTICE POSITIONS	# TOTAL POSITIONS
Abatement Laborer	6	1	7	Laborer	6	1	7
Boilermaker	3	0	3	Operating Engineer	7	1	8
Bricklayer				Painter	8	2	10
Carpenter	12	3	15	Pile Driver			
Cement Mason	8	2	10	Plasterer	8	2	10
Drywall/Latherer	8	2	10	Plumber and Pipefitter	6	1	7
Electrician	6	1	7	Roofer/Water proofer	5	1	6
Elevator Constructor	3	0	3	Sheet Metal Worker	3	0	3
Floor Coverer	4	1	5	Sprinkler Fitter	4	1	5
Glazier	6	1	7	Taper	3	1	4
Heat & Frost Insulator				Tile Layer/ Finisher	7	1	8
Ironworker	3	0	3	Other:			
		TOTAL:	70			TOTAL:	68

1. Will the anticipated employee compensation by trade be consistent with area Prevailing Wage? ☒ YES ☐ NO
2. Will the awarded contractor(s) participate in an apprenticeship program approved by the State of California's Department of Industrial Relations? ☒ YES ☐ NO
3. Will hiring and retention goals for apprentices be established? ☒ YES ☐ NO
4. What is the estimated number of local residents to be hired? 28

Section 4: Declaration of Sponsor of Principal Project

PRINT NAME AND TITLE OF AUTHORIZED REPRESENTATIVE	EMAIL	PHONE NUMBER
Boris Fadeev, Member	boris@realtexgroup.com	
I HEREBY DECLARE THAT THE INFORMATION PROVIDED HEREIN IS ACCURATE TO THE BEST OF MY KNOWLEDGE AND THAT I COORDINATED WITH OEWD'S CITYBUILD PROGRAM TO SATISFY THE REQUIREMENTS OF ADMINISTRATIVE CODE CHAPTER 83.		
 (SIGNATURE OF AUTHORIZED REPRESENTATIVE)		2/26/15. (DATE)

FOR PLANNING DEPARTMENT STAFF ONLY: PLEASE EMAIL AN ELECTRONIC COPY OF THE COMPLETED AFFIDAVIT FOR FIRST SOURCE HIRING PROGRAM TO OEWD'S CITYBUILD PROGRAM AT CITYBUILD@SFGOV.ORG

Cc: Office of Economic and Workforce Development, CityBuild
 Address: 1 South Van Ness 5th Floor San Francisco, CA 94103 Phone: 415-701-4848
 Website: www.workforcedevelopmentsf.org Email: CityBuild@sfgov.org



MEMORANDUM OF UNDERSTANDING

This Memorandum of Understanding ("MOU") is entered into as of 2.18.2015, by and between the City and County of San Francisco (the "City") through its First Source Hiring Administration ("FSHA") and Clara/6th LLC ("Project Sponsor").

WHEREAS, Project Sponsor, as developer, proposes to construct 104 new dwelling units, with up to approximately 840 square feet of commercial space and 49 accessory, off-street parking spaces ("Project") at 363 6th Street, Lots 079 in Assessor's Block 3753, San Francisco California ("Site"); and

WHEREAS, the Administrative Code of the City provides at Chapter 83 for a "First Source Hiring Program" which has as its purpose the creation of employment opportunities for qualified Economically Disadvantaged Individuals (as defined in Exhibit A); and

WHEREAS, the Project requires a building permit for a commercial activity of greater than 25,000 square feet and/or is a residential project greater than ten (10) units and therefore falls within the scope of the Chapter 83 of the Administrative Code; and

WHEREAS, Project Sponsor wishes to make a good faith effort to comply with the City's First Source Hiring Program.

Therefore, the parties to this Memorandum of Understanding agree as follows:

- A. Project Sponsor, upon entering into a contract for the construction of the Project with Prime Contractor after the date of this MOU, will include in that contract a provision in the form attached hereto as Exhibit A and Exhibit A-1. It is the Project Sponsor's responsibility to provide a signed copy of Exhibit A to First Source Hiring program and CityBuild within 10 business days of execution.
- B. Project Sponsor, as the developer of the Project, will comply with the requirements of Chapter 83 and upon entering into leases for the commercial space at the Project that are subject to Chapter 83, will include in that contract a provision in the form attached hereto as Exhibit B and Exhibit B-1. Project Sponsor will inform the FSHA when leases or occupancy contracts have been negotiated and provide a signed copy of Exhibit B and Exhibit B-1.
- C. Any lessee(s) or operator(s) of commercial space within the Project shall have the same obligations under this MOU as the Project Sponsor.
- D. CityBuild shall represent the First Source Hiring Administration and will provide referrals of Qualified economically disadvantaged individuals for employment on the construction phase of the Project as required under Chapter 83. The First Source

Hiring Program will provide referrals of Qualified economically disadvantaged individuals for the permanent jobs located within the commercial space of the Project.

- E. The owners or residents of the residential units within the Project shall have no obligations under this MOU, or the attached First Source Hiring Agreement.
- F. FSHA shall advise Project Sponsor, in writing, of any alleged breach on the part of the Project's contractor and/or tenant(s) with regard to participation in the First Source Hiring Program at the Project prior to seeking an assessment of liquidated damages pursuant to Section 83.12 of the Administrative Code.
- G. As stated in Section 83.10(d) of the Administrative Code, if Project Sponsor fulfills its obligations as set forth in Chapter 83, it shall not be held responsible for the failure of a contractor or commercial tenant to comply with the requirements of Chapter 83.
- H. This MOU is an approved "First Source Hiring Agreement" as referenced in Section 83.11 of the Administrative Code. The parties agree that this MOU shall be recorded and that it may be executed in counterparts, each of which shall be considered an original and all of which taken together shall constitute one and the same instrument.
- J. Except as set forth in Section E, above: (1) this MOU shall be binding on and inure to the benefit of all successors and assigns of Project Sponsor having an interest in the Project and (2) Project Sponsor shall require that its obligations under this MOU shall be assumed in writing by its successors and assigns. Upon Project Sponsor's sale, assignment or transfer of title to the Project, it shall be relieved of all further obligations or liabilities under this MOU.

Signature: 	Date: February 18th, 2015
Name of Authorized Signer: Boris Fadeev	Email:
Boris@realtexgroup.com	
Company: Clara/6 th LLC	Phone: 415.923.8376
Address: 505 Sansome street, suite 400, San Francisco, CA 94111	
<hr/>	
Project Sponsor: Clara/6 th LLC	
Contact: Michael Roach	Phone: 415.654.5806
Address: 505 Sansome street, suite 400, San Francisco, CA 94111	
Email: Michael@realtexgroup.com	Date: February 18, 2015

First Source Hiring Administration

OEWD, 1 South Van Ness 5th Fl. San Francisco, CA 94103 Attn: Ken Nim, Compliance Manager, ken.nim@sfgov.org

Affidavit for Compliance with the Inclusionary Affordable Housing Program: Planning Code Section 415

2/3/2015

Date

I, Clara/6th, LLC, do hereby declare as follows:

- a. The subject property is located at (address and block/lot):
363 - 6th Street

3753/079

Address

Block / Lot

- b. The proposed project at the above address is subject to the Inclusionary Affordable Housing Program, Planning Code Section 415 et seq.

The Planning Case Number and/or Building Permit Number is:

2011.0586X

Planning Case Number

Building Permit Number

This project requires the following approval:

- ☒ Planning Commission approval (e.g. Conditional Use Authorization, Large Project Authorization)
☐ This project is principally permitted.

The Current Planner assigned to my project within the Planning Department is:
Richard Sucre

Planner Name

Is this project within the Eastern Neighborhoods Plan Area?

- ☒ Yes (if yes, please indicate Tier) 3
☐ No

This project is exempt from the Inclusionary Affordable Housing Program because:

- ☐ This project uses California Debt Limit Allocation Committee (CDLAC) funding.
☐ This project is 100% affordable.

- c. This project will comply with the Inclusionary Affordable Housing Program by:

Payment of the Affordable Housing Fee prior to the first site or building permit issuance (Planning Code Section 415.5).

- ☒ On-site or Off-site Affordable Housing Alternative (Planning Code Sections 415.6 and 416.7).

d. If the project will comply with the Inclusionary Affordable Housing Program through an **On-site** or **Off-site Affordable Housing Alternative**, please fill out the following regarding how the project is eligible for an alternative and the accompanying unit mix tables on page 4.

- ☐ **Ownership.** All affordable housing units will be sold as ownership units and will remain as ownership units for the life of the project.
- ☒ **Rental.** Exemption from Costa Hawkins Rental Housing Act.² The Project Sponsor has demonstrated to the Department that the affordable units are not subject to the Costa Hawkins Rental Housing Act, under the exception provided in Civil Code Sections 1954.50 through one of the following:
- ☐ Direct financial contribution from a public entity.
- ☐ Development or density bonus or other public form of assistance.
- ☐ Development Agreement with the City. The Project Sponsor has entered into or has applied to enter into a Development Agreement with the City and County of San Francisco pursuant to Chapter 56 of the San Francisco Administrative Code and, as part of that Agreement, is receiving a direct financial contribution, development or density bonus, or other form of public assistance.

e. The Project Sponsor acknowledges that failure to sell the affordable units as ownership units or to eliminate the on-site or off-site affordable ownership-only units at any time will require the Project Sponsor to:

- (1) Inform the Planning Department and the Mayor's Office of Housing and, if applicable, fill out a new affidavit;
- (2) Record a new Notice of Special Restrictions; and
- (3) Pay the Affordable Housing Fee plus applicable interest (using the fee schedule in place at the time that the units are converted from ownership to rental units) and any applicable penalties by law.

f. The Project Sponsor must pay the Affordable Housing Fee in full sum to the Development Fee Collection Unit at the Department of Building Inspection for use by the Mayor's Office of Housing prior to the issuance of the first construction document, with an option for the Project Sponsor to defer a portion of the payment to prior to issuance of the first certificate of occupancy upon agreeing to pay a deferral surcharge that would be deposited into the Citywide Affordable Housing Fund in accordance with Section 107A.13.3 of the San Francisco Building Code.

g. I am a duly authorized officer or owner of the subject property.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.
Executed on this day in:

San Francisco, CA

Location

Date

02/25/15

Signature

Clara/6th, LLC by Boris Fadeev, Manager

Name (Print), Title

cc: Mayor's Office of Housing
Planning Department Case Docket
Historic File, if applicable
Assessor's Office, if applicable

Contact Phone Number

818-939-4411

Unit Mix Tables

NUMBER OF ALL UNITS IN PRINCIPAL PROJECT:					
Total Number of Units	SRO	Studios	One-Bedroom Units	Two-Bedroom Units	Three-Bedroom Units
104		21	24	59	

If you selected an On-site or Off-Site Alternative, please fill out the applicable section below:

- ☒ On-site Affordable Housing Alternative (Charter Section 16.110 (g) and Planning Code Section 415.6): calculated at 12% of the unit total.

NUMBER OF AFFORDABLE UNITS TO BE LOCATED ON-SITE					
Total Affordable Units	SRO	Studios	One-Bedroom Units	Two-Bedroom Units	Three-Bedroom Units
		2	3	7	

- ☐ Off-site Affordable Housing Alternative (Planning Code Section 415.7): calculated at 20% of the unit total.

NUMBER OF AFFORDABLE UNITS TO BE LOCATED OFF-SITE					
Total Affordable Units	SRO	Studios	One-Bedroom Units	Two-Bedroom Units	Three-Bedroom Units
Area of Dwellings in Principal Project (in sq. feet)	Off-Site Project Address				
Area of Dwellings in Off-Site Project (in sq. feet)					
Off-Site Block/Lot(s)	Motion No. (if applicable)			Number of Market-Rate Units in the Off-site Project	

- ☐ Combination of payment of a fee, on-site affordable units, or off-site affordable units with the following distribution:
Indicate what percent of each option would be implemented (from 0% to 99%) and the number of on-site and/or off-site below market rate units for rent and/or for sale.


1. Fee _____ % of affordable housing requirement.
2. On-Site _____ % of affordable housing requirement.

NUMBER OF AFFORDABLE UNITS TO BE LOCATED ON-SITE					
Total Affordable Units	SRO	Studios	One-Bedroom Units	Two-Bedroom Units	Three-Bedroom Units

3. Off-Site _____ % of affordable housing requirement.

NUMBER OF AFFORDABLE UNITS TO BE LOCATED OFF-SITE					
Total Affordable Units	SRO	Studios	One-Bedroom Units	Two-Bedroom Units	Three-Bedroom Units
Area of Dwellings in Principal Project (in sq. feet)	Off-Site Project Address				
Area of Dwellings in Off-Site Project (in sq. feet)					
Off-Site Block/Lot(s)	Motion No. (if applicable)			Number of Market-Rate Units in the Off-site Project	

Affidavit for Compliance with the Inclusionary Affordable Housing Program

CONTACT INFORMATION AND DECLARATION OF SPONSOR OF PRINCIPAL PROJECT	CONTACT INFORMATION AND DECLARATION OF SPONSOR OF OFF-SITE PROJECT (IF DIFFERENT)
Company Name Clara/6th, LLC	Company Name
Print Name of Contact Person Mike Roach/Boris Fadeev	Print Name of Contact Person
Address 505 Sansome Street	Address
City, State, Zip San Francisco, CA 94111	City, State, Zip
Phone, Fax 415-654-5806	Phone, Fax
Email michael@realtexgroup.com	Email
<p>I hereby declare that the information herein is accurate to the best of my knowledge and that I intend to satisfy the requirements of Planning Code Section 415 as indicated above.</p>  <p>Signature</p> <p>Clara/6th, LLC by Boris Fadeev its Manager</p> <p>Name (Print), Title</p>	<p>I hereby declare that the information herein is accurate to the best of my knowledge and that I intend to satisfy the requirements of Planning Code Section 415 as indicated above.</p> <p>Signature</p> <p>Name (Print), Title</p>

SUPPLEMENTAL INFORMATION FOR Anti-Discriminatory Housing Policy

1. Owner/Applicant Information

PROPERTY OWNER'S NAME: Clara/6th, LLC	
PROPERTY OWNER'S ADDRESS: 505 Sansome Street San Francisco, CA 94111	TELEPHONE: (415) 654-5806 EMAIL: michael@realtexgroup.com
APPLICANT'S NAME: <div style="text-align: right;">Same as Above <input checked="" type="checkbox"/></div>	
APPLICANT'S ADDRESS:	TELEPHONE: () EMAIL:
CONTACT FOR PROJECT INFORMATION: Michael Roach/Boris Fadeev <div style="text-align: right;">Same as Above <input checked="" type="checkbox"/></div>	
ADDRESS:	TELEPHONE: () EMAIL:
COMMUNITY LIAISON FOR PROJECT (PLEASE REPORT CHANGES TO THE ZONING ADMINISTRATOR): <div style="text-align: right;">Same as Above <input checked="" type="checkbox"/></div>	
ADDRESS:	TELEPHONE: () EMAIL:

2. Location and Project Description

STREET ADDRESS OF PROJECT: 363 - 6th Street, San Francisco		ZIP CODE: 94111
CROSS STREETS: Clara Street		
ASSESSORS BLOCK/LOT: 3753 / 079	ZONING DISTRICT: MUR	HEIGHT/BULK DISTRICT: 85-X
PROJECT TYPE: (Please check all that apply) <input checked="" type="checkbox"/> New Construction <input checked="" type="checkbox"/> Demolition <input type="checkbox"/> Alteration <input type="checkbox"/> Other: _____	EXISTING DWELLING UNITS:	PROPOSED DWELLING UNITS: 104
		NET INCREASE:

Compliance with the Anti-Discriminatory Housing Policy

1. Does the applicant or sponsor, including the applicant or sponsor's parent company, subsidiary, or any other business or entity with an ownership share of at least 30% of the applicant's company, engage in the business of developing real estate, owning properties, or leasing or selling individual dwelling units in States or jurisdictions outside of California? ☐ YES ☒ NO

1a. If yes, in which States? _____

- 1b. If yes, does the applicant or sponsor, as defined above, have policies in individual States that prohibit discrimination based on sexual orientation and gender identity in the sale, lease, or financing of any dwelling units enforced on every property in the State or States where the applicant or sponsor has an ownership or financial interest? ☐ YES ☐ NO

- 1c. If yes, does the applicant or sponsor, as defined above, have a national policy that prohibits discrimination based on sexual orientation and gender identity in the sale, lease, or financing of any dwelling units enforced on every property in the United States where the applicant or sponsor has an ownership or financial interest in property? ☐ YES ☐ NO

If the answer to 1b and/or 1c is yes, please provide a copy of that policy or policies as part of the supplemental information packet to the Planning Department.

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: Other information or applications may be required.

Signature: _____

Date: 02/18/15

Print name, and indicate whether owner, or authorized agent:

Boris Fadeev

☒ Owner / ☐ Authorized Agent (circle one)

SATURN APARTMENTS



PROJECT BENEFITS

104 FAMILY SIZED APARTMENTS

- \$1,800,000 IN IMPACT FEES FOR THE PUBLIC BENEFIT FUND.
- 12% AFFORDABLE HOUSING ON SITE.
- 109 BICYCLE SPACES.
- ENHANCED STREETScape IMPROVEMENTS, NEW TREES, PAVEMENTS, LIGHTING AND PEDESTRIAN SAFETY.
- A NEW PUBLIC COMMUNITY SPACE.
- A NEW COMMERCIAL CORNER SPACE.
- ROOFTOP TRELIS GARDEN, BBQ AREA.
- UNDERGROUND PARKING.
- PARTNERSHIP WITH COMMUNITY ORGANIZATIONS: *
 - San Francisco Bicycle Coalition
 - SOMArts
 - Walk San Francisco
 - Folsom Street Events

*The community organization partnerships listed do not constitute any express or implied endorsements, approvals, or recommendations by those parties.



September 30, 2015

RE: **363 6th Street**
Realtex Community Outreach

Dear members of the Planning Commission,

The project sponsor for 363 6th Street Project has met with over twenty-five community groups and local businesses to collaborate on the neighborhood needs.

Within last 15 months the Sponsor and the community have identified programs that will benefit the neighborhood as well as create quality place for people to live, work and relax.

Project Support

From working with the community and investing in these programs, the project gained support from seven major community organizations and **56 neighbors**. Among community organizations supporting Realtex's work in the community are organizations including: **Walk San Francisco, San Francisco Bicycle Coalition, United Playaz, City Crossroads, SOMArts, National Federation of Filipino American Associations and the South of Market Business Association.**

Realtex's commitment to build valuable and lasting relationships builds upon company's ethos of collaboration and partnership with local communities.

While we prepared a complete summary list of all of our outreach effort, we thought it would be helpful to provide overview of the specific programs that we are committed to working with the community. Kindly please see our list and letters of support below.

Identified Programs with Community:

1. Parks

- a. Created partnership with the SF Parks Alliance to fund youth sports programs at Gene Friend Rec Center
- b. Sponsorship of monthly movie night at Victoria Manalo Draves Park

2. Vision Zero/Streetscape Improvements

- a. Sponsorship of Bike and Roll to School Day with the SF Bicycle Coalition
- b. Partnership with Walk SF to create and fund a safe routes to school (walking school bus) pilot program at Bessie Carmichael
- c. Partnership with Walk SF and SF Bicycle Coalition to implement street improvements, including planting of trees on 6th Street
- d. Potential bicycle wayfinding pilot program with SFMTA

3. Filipino Community

- a. Sponsorship of the first Filipino Health Equity Symposium
- b. Sponsorship of Heritage Plaque for Victoria Manalo Draves Park & unveiling ceremony
- c. 5 year sponsorship of SOMA Youth Collaborative's summer program, which provides funding to 175 kids attending 4-5 summer field trips

4. Other Partnerships

- a. Sponsor is proud member of the South of Market Business Association
- b. Partnership with SOMArts, and proud sponsor of local art events
- c. Sponsorship of various festivals and fundraisers, including Folsom St. Fair event and the SFPD Asian & Pacific Islander chapter
- d. Habitat for Humanity volunteering

The project sponsor of the 363 6th Street project is also working with the Recreation and Parks Department to enhance department-owned properties. Parks, sidewalks, and other parts of the public realm will have a new dedicated funding source to address capital improvement and maintenance priorities.

In addition to the above-mentioned public goods, the proposed projects will offer employment opportunities, revitalization of the neighborhood, and health of neighborhood businesses due to new residents and an increase of aid to local neighborhood groups.

List of Community Meetings & Groups:

- Western SOMA Citizens
- Supervisor Jane Kim's Office
- American Friends Service Committee
- Folsom Street Events
- Friends of the Urban Forest
- Bill Sorro Housing
- Filipino-American Development
- SOMA Business Association
- Walk SF
- San Francisco Bicycle Coalition
- SomArts
- Friends of Victoria Manalo Park
- National Federation of Filipino American Associations
- Habitat for Humanity
- SPUR
- Yerba Buena Community Benefit District
- TODCO
- St Vincent de Paul Society
- Senior and Disability Action Network
- SF Park Alliance
- United Playaz
- Gene Friend Rec Center
- Filipino Women's Network
- SF Bay Area Renter's Federation
- SOMCAN
- West Bay Pilipino Center
- Filipino Cultural Center
- KulArts
- Veterans Equity Center
- Bindlestiff Studios

CLARA/6TH LLC

505 Sansome Street, Suite 400

San Francisco, CA 94111

(+1) 415-923-8376

Sucre, Richard (CPC)

From: Chris Duggan <chrisduggan2@gmail.com>
Sent: Wednesday, July 08, 2015 6:38 PM
To: Sucre, Richard (CPC)
Cc: Leslie Dolmage
Subject: Comments on case No 2011.0586KX

Hi Richard,

As an owner of a condo near the proposed 363 6th Street project, I would like to comment that I would oppose any modifications or exceptions to the existing code retirements for this project.

Thanks,
Chris Duggan
322 6th Street

Sucre, Richard (CPC)

From: Alice Rogers <arcomnsf@pacbell.net>
Sent: Monday, July 13, 2015 10:03 PM
To: planning@rodneymong.com; cwu.planning@gmail.com; wordweaver21@aol.com; richhillissf@yahoo.com; Johnson, Christine (CPC); mooreurban@aol.com; Richards, Dennis (CPC)
Cc: Kim, Jane (BOS); Veneracion, April (BOS); Sucre, Richard (CPC)
Subject: July 16th Agenda Item 2c. 2011.0586KX 363 6th St--withhold approval

Re: July 16th Agenda Item 2c. 2011.0586KX 363 6th St (Lot 079 in Block 3753)

Dear Commissioners,

The ground floor configuration of this project is unsupportable in light of all known best practices—including our Planning Department's—for supporting generous public realm amenities, for enhancing the spaciousness of the small scale retail, and for increasing the livability of ground floor residences fronting the street. This structure should be reconfigured to 8 stories, or less, with the ground floor height increased by five feet. No exceptions.

SoMa—with its longtime residents and get-your-hands-dirty small businesses—is fighting hard to humanize an historic neighborhood all but overcome by the dehumanizing industrial scale primary street grid. The rich culture of the working class needs to be given room to breathe and to unfold its community onto enhanced sidewalks, improved alleyways and claim the public realm. This area is starved of open space and public gathering places and the time to reverse this is now. Building by building, every new and renovated structure needs to feed the street and improve the sense of place.

Please withhold approval until this project is reconfigured to enhance the street, respect the neighborhood, and give its future ground floor occupants the light, air and spaciousness they need to prosper.

Sincerely,

Alice Rogers

20+-year resident, home owner, small business owner, Co-chair of the South Beach|Rincon|Mission Bay Neighborhood Association Retail Task Force

.....
Alice Rogers
10 South Park St
Studio 2
San Francisco, CA 94107

415.543.6554



Realtex Real Estate Developers
505 Sansome, Suite 400
San Francisco, CA 94111

September 2, 2015

Dear Tomas and Michael:

Thank you for your engagement with the community, the Vision Zero Coalition, and the San Francisco Bicycle Coalition as part of your outreach around the 1335 Folsom and 363 6th Street project. As you know, both of these projects are located on high-injury corridors and on routes that are frequented by people walking and biking. We appreciate your focus on ensuring that current and future neighborhood residents have safe and attractive places to walk and bike; many of the current members of the community have been asking for safety and connectivity improvements for years.

In particular, we were excited to join you and your outreach team for a community safety walk around the two projects. Being able to walk the streets surrounding the two proposed site locations with members of the Vision Zero Coalition helped our coalition members discuss the importance of safety treatments with your Realtex team, and share the vision they have for a safer Folsom and 6th Street. Both of these projects are on high-injury corridors and are located in Communities of Concern, so it is particularly critical that they address community safety concerns. We also very much appreciate your support and engagement with the Bessie Carmichael School for Bike and Roll to School Week. The kids had a great time and this year's Bike and Roll to School Week was our most popular ever.

Finally, we are pleased to see that both projects provide significant bicycle parking space for your residents, and that they are careful to reduce traffic and congestion on important bike routes. Providing your residents with accessible and attractive bike parking helps the City of San Francisco meet its own mode share goals and makes it possible for residents to have safe and healthy transportation options.

We appreciate the chance to work with you, and look forward to continuing to work together to improve safety and provide safe, convenient, and affordable transportation options in nearby neighborhoods.

Sincerely,

A handwritten signature in black ink, appearing to read 'Tyler Frisbee', written in a cursive style.

Tyler Frisbee
Policy Director
San Francisco Bicycle Coalition



Mr. Tomas Janik
Realtex Real Estate Developers
505 Sansome, Suite 400
San Francisco, CA 94111

Dear Mr. Janik,

Thank you for your engagement with the community, and with community-focused organizations like SOMArts Cultural Center and the SF Bicycle Coalition as part of your outreach around the developments at 1335 Folsom Street and 363 6th Street.

I have been consistently impressed with how engaged and interested you have been in becoming part of the social fabric of the neighborhood. Your willingness to participate in SOMArts' programming and learn about the work of historically significant neighborhood arts and cultural spaces such as SOMArts has left a lasting impression.

As an organization whose constituencies are in need of affordable housing, I am pleased by your commitment to include 12% of the units as affordable housing on-site, and at the prospect of new homes created within walking distance of SOMArts.

We look forward to having you in the neighborhood, and to welcoming future residents of these projects to join SOMArts in engaging the power of the arts to provoke just and fair inclusion, cultural respect and civic participation.

Best Regards,

Jess Young
SOMArts Interim Executive Director

934 Brannan Street
San Francisco, CA 94103

t. 415.863.1414
f. 415.522.0136
www.somarts.org

soma**** South of Market Business Association
1167 Mission Street, 2nd Floor • San Francisco , CA 94103 • www.sfsomba.org
Phone: 415.553.4433 x 115 • Fax: 415.553.4434 • e-mail: info@sfsomba.com

July 9, 2015

Mr. Rodney Fong
President / Planning Commission
1650 Mission Street
San Francisco, CA 94103-2414

Re:
363 6th Street
San Francisco

Dear President Fong and members of the planning commission.

I am writing to you in support of the proposed project at 363 6th Street by Realtex, Inc.

As a resident and President of the South of Market Business Association (SOMBA), it is important to support balanced development with an emphasis on the creation of housing and stimulating economic growth, especially for small business owners who represent the backbone of our City's economy.

I have found Realtex to be engaging, interested in listening to the ideas and concerns of local residents and believe they are interested in a two way conversation and dialogue about ways they can partner with the community and become a part of the social fabric of the neighborhood.

Our City needs housing and what I especially appreciate about this particular development is the focus on families. Half of the units within this development are two bedroom units and they have agreed to providing 12% of the overall units as affordable and building them on site.

I look forward to having them in the neighborhood and respectfully ask that you approve this project.

Sincerely,



Henry Karnilowicz
President, South of Market Business Association (SOMBA)



July 9, 2015

Tomas Janik
Realtex, Inc.
505 Sansome Street, Suite 400
San Francisco, CA 94111

Dear Tomas and Michael,

Thank you for Realtex, Inc.'s sponsorship of the Bessie Carmichael Walking School Bus and Wayfinding program

Realtex, Inc.'s \$16,000 donation as a sponsor will help support the goals of Safe Routes to School, an effort to both encourage children to walk to/from school, and create safer, more walkable environments at the school and in the surrounding neighborhood. Your donation to the Walk San Francisco Foundation is tax-deductible; the fund's IRS identification number is 47-2000881. Please keep this letter as a receipt for your records.

Walk San Francisco is part of an growing movement to promote safe, sustainable, and healthy transportation. Walk SF members believe walking is a basic right. Walk SF reaches out to residents, public agencies, and elected officials, and speaks up for everyone who walks.

The results? A better city, where people can walk in safety and comfort, bump into friends and neighbors, and get where they need to go in a healthy, sustainable way.

Walk SF is reclaiming city streets as shared public space for everyone to safely enjoy.

Walk SF advocacy includes efforts to:

- **Implement Vision Zero to eliminate all serious and fatal traffic injuries in 10 years**
- **Secure street improvements** like countdown signals, wider sidewalks, parklets, and bulb-outs
- **Increase targeted enforcement** for the top five dangerous driving behaviors to keep people safe in the crosswalk
- **Bring media attention to the walker's perspective** and shift the focus victim-blaming to engineering, enforcement, and education solutions that prevent injury and loss of life

Again, **thank you for Realtex, Inc.'s support and sponsorship!**

Sincerely,

Nicole Ferrara
Executive Director, Walk San Francisco



July 10, 2015

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

RE: 363 Sixth Street (Case No. 2011.0586)

Dear Planning Commissioners,

I am writing to support Realtex's proposed 104 unit, mixed-use residential project at 363 Sixth Street and their commitment to improve the neighborhood.

As a neighbor to the proposed project we appreciate Realtex's engagement with the local community. We are a business in the neighborhood and we welcome Realtex's improvement to the area.

We support Realtex's commitment to the community's improvement and their proposed project.

Sincerely,

Deann Loggins

Deann Loggins
Relationship Manager
Webpass Inc.
cell: 415.309.8682
deann@webpass.net
webpass.net

June 10, 2015

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

RE: 363 6th Street (Case no. 2011.0586)

Dear Planning Commissioners,

I am writing to support Realtex's proposed 104 Unit, mixed-use residential project at 363 6th Street.

As a neighboring organization and current tenant in the building located on this site, we are excited for the proposed improvement to the block and strongly support this project.

Realtex has done a great job engaging with local community, listened to community concerns and held several meetings to present the proposed project and answer any questions. Per my engagement with Realtex, I can tell they are committed to the neighborhood and their involvement in the community is welcome.

We believe the existing site is blighted and proposed project will increase safety in the area, will activate this site, and provide needed housing.

Among other benefits of this project are an enhanced landscaping, improved sidewalk experience, planted new trees and new safety measures for bicyclist.

We strongly support Realtex's commitment to the community and their proposed project. I encourage you to support Realtex and their desirable development.

With Regards



Jonathan Wilkins / City Life SF

July 1st, 2015

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

RE: 363 - Sixth Street (Case no. 2011.0586)

Dear Planning Commissioners,

I am writing to support Realtex's proposed 104 Unit, mixed-use residential project at 363 6th Street and their commitment to improve the neighborhood.

As a neighbor to the proposed project we appreciate Realtex's great engagement with local community.

We are a business in the neighborhood and we welcome Realtex's improvement to the area.

We support Realtex's commitment to the community's improvements and their proposed project.

With Regards,

WATER LILIES LLC

Alex Luef
Signature

1384 HARRISON ST.
Address

San Francisco

June 30th, 2015

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

RE: 363 - Sixth Street (Case no. 2011.0586)

Dear Planning Commissioners,

I am writing to support Realtex's proposed 104 Unit, mixed-use residential project at 363 6th Street and their commitment to improve the neighborhood.

As a neighbor to the proposed project we appreciate Realtex's great engagement with local community.

We are a business in the neighborhood and we welcome Realtex's improvement to the area.

We support Realtex's commitment to the community's improvements and their proposed project.

With Regards,

Business

ECON GLASS

Signature



Address

225 6th St

SF, CA 94103

June 30th, 2015

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

RE: 363 - Sixth Street (Case no. 2011.0586)

Dear Planning Commissioners,

I am writing to support Realtex's proposed 104 Unit, mixed-use residential project at 363 6th Street and their commitment to improve the neighborhood.


As a neighbor to the proposed project we appreciate Realtex's great engagement with local community.

We are a business in the neighborhood and we welcome Realtex's improvement to the area.

We support Realtex's commitment to the community's improvements and their proposed project.

With Regards,

Marin Bike Store
Business

Signature 

Address 1090 Folsom St.

S.F. CA

June 30th, 2015

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

RE: 363 - Sixth Street (Case no. 2011.0586)

Dear Planning Commissioners,

I am writing to support Realtex's proposed 104 Unit, mixed-use residential project at 363 6th Street and their commitment to improve the neighborhood.

As a neighbor to the proposed project we appreciate Realtex's great engagement with local community.

We are a business in the neighborhood and we welcome Realtex's improvement to the area.

We support Realtex's commitment to the community's improvements and their proposed project.

With Regards,

Business Golden AAO

Signature 

Address 908 FULBON ST.

SAN FRANCISCO CA 94107

June 30th, 2015

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

RE: 363 - Sixth Street (Case no. 2011.0586)

Dear Planning Commissioners,

I am writing to support Realtex's proposed 104 Unit, mixed-use residential project at 363 6th Street and their commitment to improve the neighborhood.


As a neighbor to the proposed project we appreciate Realtex's great engagement with local community.

We are a business in the neighborhood and we welcome Realtex's improvement to the area.

We support Realtex's commitment to the community's improvements and their proposed project.

With Regards,

Business A&L Auto

Signature 

Address 316 6TH ST.
S-F CA 94103

June 30th, 2015

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

RE: 363 - Sixth Street (Case no. 2011.0586)

Dear Planning Commissioners,

I am writing to support Realtex's proposed 104 Unit, mixed-use residential project at 363 6th Street and their commitment to improve the neighborhood.

As a neighbor to the proposed project we appreciate Realtex's great engagement with local community.

We are a business in the neighborhood and we welcome Realtex's improvement to the area.

We support Realtex's commitment to the community's improvements and their proposed project.

With Regards,

Business ENSOMA MARION PERNOUX

Signature 

Address 352, 6TH ST SF CA 94103

June 30th, 2015

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

RE: 363 - Sixth Street (Case no. 2011.0586)

Dear Planning Commissioners,

I am writing to support Realtex's proposed 104 Unit, mixed-use residential project at 363 6th Street and their commitment to improve the neighborhood.

As a neighbor to the proposed project we appreciate Realtex's great engagement with local community.

We are a business in the neighborhood and we welcome Realtex's improvement to the area.

We support Realtex's commitment to the community's improvements and their proposed project.

With Regards,

Business KELLY MOORE

Signature ROB

Address 1020 Harrison St.

SF, CA 94103

June 30th, 2015

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

RE: 363 - Sixth Street (Case no. 2011.0586)

Dear Planning Commissioners,

I am writing to support Realtex's proposed 104 Unit, mixed-use residential project at 363 6th Street and their commitment to improve the neighborhood.

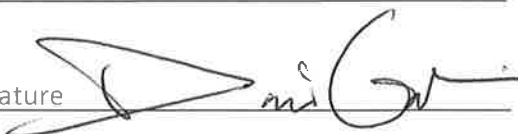
As a neighbor to the proposed project we appreciate Realtex's great engagement with local community.

We are a business in the neighborhood and we welcome Realtex's improvement to the area.

We support Realtex's commitment to the community's improvements and their proposed project.

With Regards,

Business The Wine Club

Signature 

Address 953 Harrison St

SF CA 94107

June 30th, 2015

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

RE: 363 - Sixth Street (Case no. 2011.0586)

Dear Planning Commissioners,

I am writing to support Realtex's proposed 104 Unit, mixed-use residential project at 363 6th Street and their commitment to improve the neighborhood.

As a neighbor to the proposed project we appreciate Realtex's great engagement with local community.

We are a business in the neighborhood and we welcome Realtex's improvement to the area.

We support Realtex's commitment to the community's improvements and their proposed project.

With Regards,

Business gas station

Signature Nyssa

Address 300. 5th St, SF

Ca. 94107

June 30th, 2015

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

RE: 363 - Sixth Street (Case no. 2011.0586)

Dear Planning Commissioners,

I am writing to support Realtex's proposed 104 Unit, mixed-use residential project at 363 6th Street and their commitment to improve the neighborhood.

As a neighbor to the proposed project we appreciate Realtex's great engagement with local community.

We are a business in the neighborhood and we welcome Realtex's improvement to the area.

We support Realtex's commitment to the community's improvements and their proposed project.

With Regards,

Business City's Choice Market.

Signature [Handwritten Signature]

Address 301 5th St


SF CA 94107.

363 6th STREET

Project Support

Date: June 30, 2015

By signing below, I hereby support the proposed project at 363 6th Street.

#	NAME/ COMPANY	ADDRESS/ CONTACT	COMMENTS	SIGNATURE FOR SUPPORT
1	Harvey Place	330 5th St		
2				
3				
4				

June 2015

City of San Francisco, Planning Commission

1650 Mission Street, Suite 400

San Francisco, CA 94103

RE: 363 6th Street (Case no. 2011.0586)

Dear Planning Commissioners,

I am writing to support Realtex's proposed 104 unit, mixed-use residential project at 363 6th Street in addition to their diverse commitments to improving the neighborhood. As a neighbor to the proposed project we appreciate Realtex's engagement with the local community. They have worked with the community to address concerns by holding several meeting to discuss their proposals with us.

We believe the existing site is blighted and proposed building will both activate the site and provide much needed housing for SoMa.

The public benefits of this project include, improved sidewalks and bicycle lane infrastructure, new trees and landscaping measures along the street.

We support Realtex's commitment to the neighborhood with their project at 363 6th Street. I encourage you to support Realtex's positive investment in the community.

With Regards,

Signature



Address

221 CLARA Street, APT 14
SAN FRANCISCO, CA 94107

June 2015

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

RE: 363 6th Street (Case no. 2011.0586)

Dear Planning Commissioners,

I am writing to support Realtex's proposed 104 unit, mixed-use residential project at 363 6th Street in addition to their diverse commitments to improving the neighborhood. As a neighbor to the proposed project we appreciate Realtex's engagement with the local community. They have worked with the community to address concerns by holding several meeting to discuss their proposals with us.

We believe the existing site is blighted and proposed building will both activate the site and provide much needed housing for SoMa.

The public benefits of this project include, improved sidewalks and bicycle lane infrastructure, new trees and landscaping measures along the street.

We support Realtex's commitment to the neighborhood with their project at 363 6th Street. I encourage you to support Realtex's positive investment in the community.

With Regards,

Signature Ey Shui

Address 155 Horne St. #3 S.F. CA. 94103

13 yr. resident

June 2015

City of San Francisco, Planning Commission

1650 Mission Street, Suite 400

San Francisco, CA 94103

RE: 363 6th Street (Case no. 2011.0586)

Dear Planning Commissioners,

I am writing to support Realtex's proposed 104 unit, mixed-use residential project at 363 6th Street in addition to their diverse commitments to improving the neighborhood. As a neighbor to the proposed project we appreciate Realtex's engagement with the local community. They have worked with the community to address concerns by holding several meeting to discuss their proposals with us.

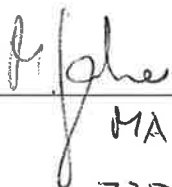
We believe the existing site is blighted and proposed building will both activate the site and provide much needed housing for SoMa.

The public benefits of this project include, improved sidewalks and bicycle lane infrastructure, new trees and landscaping measures along the street.

We support Realtex's commitment to the neighborhood with their project at 363 6th Street. I encourage you to support Realtex's positive investment in the community.

With Regards,

Signature



MARTIN JAHNER

Address

77 POW PL #310

SAN FRANCISCO, CA 94107

June 2015

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

RE: 363 6th Street (Case no. 2011.0586)

Dear Planning Commissioners,

I am writing to support Realtex's proposed 104 unit, mixed-use residential project at 363 6th Street in addition to their diverse commitments to improving the neighborhood. As a neighbor to the proposed project we appreciate Realtex's engagement with the local community. They have worked with the community to address concerns by holding several meeting to discuss their proposals with us.

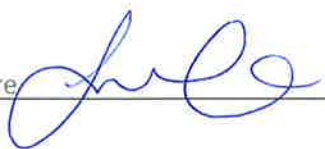
We believe the existing site is blighted and proposed building will both activate the site and provide much needed housing for SoMa.

The public benefits of this project include, improved sidewalks and bicycle lane infrastructure, new trees and landscaping measures along the street.

We support Realtex's commitment to the neighborhood with their project at 363 6th Street. I encourage you to support Realtex's positive investment in the community.

With Regards,

Signature



Address

281 CLARA ST #8

SF. CA 94107

June 2015

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

RE: 363 6th Street (Case no. 2011.0586)

Dear Planning Commissioners,

I am writing to support Realtex's proposed 104 unit, mixed-use residential project at 363 6th Street in addition to their diverse commitments to improving the neighborhood. As a neighbor to the proposed project we appreciate Realtex's engagement with the local community. They have worked with the community to address concerns by holding several meeting to discuss their proposals with us.

We believe the existing site is blighted and proposed building will both activate the site and provide much needed housing for SoMa.

The public benefits of this project include, improved sidewalks and bicycle lane infrastructure, new trees and landscaping measures along the street.

We support Realtex's commitment to the neighborhood with their project at 363 6th Street. I encourage you to support Realtex's positive investment in the community.

With Regards,

Signature 

Address 277 Shipley St

San Francisco, CA 94107

June 2015

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

RE: 363 6th Street (Case no. 2011.0586)

Dear Planning Commissioners,

I am writing to support Realtex's proposed 104 unit, mixed-use residential project at 363 6th Street in addition to their diverse commitments to improving the neighborhood. As a neighbor to the proposed project we appreciate Realtex's engagement with the local community. They have worked with the community to address concerns by holding several meeting to discuss their proposals with us.

We believe the existing site is blighted and proposed building will both activate the site and provide much needed housing for SoMa.

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We support Realtex's commitment to the neighborhood with their project at 363 6th Street. I encourage you to support Realtex's positive investment in the community.

With Regards,

Signature

Address

401 6th ST
S.F. CA 94103

June 2015

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

RE: 363 6th Street (Case no. 2011.0586)

Dear Planning Commissioners,

I am writing to support Realtex's proposed 104 unit, mixed-use residential project at 363 6th Street in addition to their diverse commitments to improving the neighborhood. As a neighbor to the proposed project we appreciate Realtex's engagement with the local community. They have worked with the community to address concerns by holding several meeting to discuss their proposals with us.

We believe the existing site is blighted and proposed building will both activate the site and provide much needed housing for SoMa.

The public benefits of this project include, improved sidewalks and bicycle lane infrastructure, new trees and landscaping measures along the street.

We support Realtex's commitment to the neighborhood with their project at 363 6th Street. I encourage you to support Realtex's positive investment in the community.

With Regards,

Signature

 Alaina Richter

Address

275 SHIPLEY STREET
SAN FRANCISCO, CA 94107

June 2015

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

RE: 363 6th Street (Case no. 2011.0586)

Dear Planning Commissioners,

I am writing to support Realtex's proposed 104 unit, mixed-use residential project at 363 6th Street in addition to their diverse commitments to improving the neighborhood. As a neighbor to the proposed project we appreciate Realtex's engagement with the local community. They have worked with the community to address concerns by holding several meeting to discuss their proposals with us.

We believe the existing site is blighted and proposed building will both activate the site and provide much needed housing for SoMa.

The public benefits of this project include, improved sidewalks and bicycle lane infrastructure, new trees and landscaping measures along the street.

We support Realtex's commitment to the neighborhood with their project at 363 6th Street. I encourage you to support Realtex's positive investment in the community.

With Regards,

Signature 

Address 250 Clara St #11

SF, CA 94107

June 2015

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

RE: 363 6th Street (Case no. 2011.0586)

Dear Planning Commissioners,

I am writing to support Realtex's proposed 104 unit, mixed-use residential project at 363 6th Street in addition to their diverse commitments to improving the neighborhood. As a neighbor to the proposed project we appreciate Realtex's engagement with the local community. They have worked with the community to address concerns by holding several meeting to discuss their proposals with us.

We believe the existing site is blighted and proposed building will both activate the site and provide much needed housing for SoMa.


The public benefits of this project include, improved sidewalks and bicycle lane infrastructure, new trees and landscaping measures along the street.

We support Realtex's commitment to the neighborhood with their project at 363 6th Street. I encourage you to support Realtex's positive investment in the community.

With Regards,

Signature

Address


950 Harrison St #120
SF, CA, 94107

June 2015

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

RE: 363 6th Street (Case no. 2011.0586)

Dear Planning Commissioners,

I am writing to support Realtex's proposed 104 unit, mixed-use residential project at 363 6th Street in addition to their diverse commitments to improving the neighborhood. As a neighbor to the proposed project we appreciate Realtex's engagement with the local community. They have worked with the community to address concerns by holding several meeting to discuss their proposals with us.

We believe the existing site is blighted and proposed building will both activate the site and provide much needed housing for SoMa.

The public benefits of this project include, improved sidewalks and bicycle lane infrastructure, new trees and landscaping measures along the street.

We support Realtex's commitment to the neighborhood with their project at 363 6th Street. I encourage you to support Realtex's positive investment in the community.

With Regards,

Signature 
ERIC ARGEL

Address 950 HARRISON #105

SAN FRANCISCO, CA 94107

June 2015

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

RE: 363 6th Street (Case no. 2011.0586)

Dear Planning Commissioners,

I am writing to support Realtex's proposed 104 unit, mixed-use residential project at 363 6th Street in addition to their diverse commitments to improving the neighborhood. As a neighbor to the proposed project we appreciate Realtex's engagement with the local community. They have worked with the community to address concerns by holding several meeting to discuss their proposals with us.

We believe the existing site is blighted and proposed building will both activate the site and provide much needed housing for SoMa.

The public benefits of this project include, improved sidewalks and bicycle lane infrastructure, new trees and landscaping measures along the street.

We support Realtex's commitment to the neighborhood with their project at 363 6th Street. I encourage you to support Realtex's positive investment in the community.

With Regards,

Signature

Melissa Lee

Address

971 Harrison St. Property

1082 Grizzly Peak Blvd
Berkeley, CA 94702

June 2015

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

RE: 363 6th Street (Case no. 2011.0586)

Dear Planning Commissioners,

I am writing to support Realtex's proposed 104 unit, mixed-use residential project at 363 6th Street in addition to their diverse commitments to improving the neighborhood. As a neighbor to the proposed project we appreciate Realtex's engagement with the local community. They have worked with the community to address concerns by holding several meeting to discuss their proposals with us.

We believe the existing site is blighted and proposed building will both activate the site and provide much needed housing for SoMa.

The public benefits of this project include, improved sidewalks and bicycle lane infrastructure, new trees and landscaping measures along the street.

We support Realtex's commitment to the neighborhood with their project at 363 6th Street. I encourage you to support Realtex's positive investment in the community.

With Regards,

Signature



Address

322 6th Street #7

San Francisco, CA 94103

June 2015

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

RE: 363 6th Street (Case no. 2011.0586)

Dear Planning Commissioners,

I am writing to support Realtex's proposed 104 unit, mixed-use residential project at 363 6th Street in addition to their diverse commitments to improving the neighborhood. As a neighbor to the proposed project we appreciate Realtex's engagement with the local community. They have worked with the community to address concerns by holding several meeting to discuss their proposals with us.

We believe the existing site is blighted and proposed building will both activate the site and provide much needed housing for SoMa.

The public benefits of this project include, improved sidewalks and bicycle lane infrastructure, new trees and landscaping measures along the street.

We support Realtex's commitment to the neighborhood with their project at 363 6th Street. I encourage you to support Realtex's positive investment in the community.

With Regards,

Signature

 Albert Z.

Address

155 Harriet street #2
San Francisco CA 94103

July 1st, 2015

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

RE: 363 6th Street (Case no. 2011.0586)

Dear Planning Commissioners,

I am writing to support Realtex's proposed 104 Unit, mixed-use residential project at 363 6th Street.

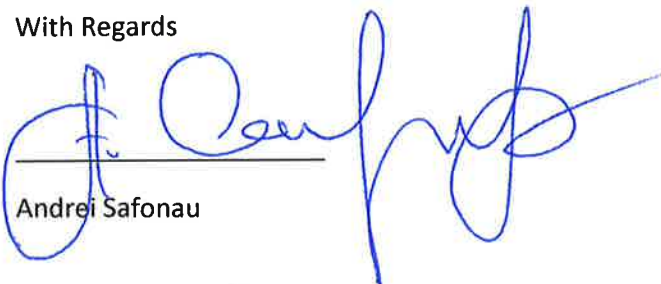
As a neighbor and resident in SOMA district living just few blocks from this site, I am excited for the proposed project and improvements to the block and strongly support this project.

Realtex has done a great job engaging with local community, listened to community concerns and held several meetings to present the proposed project and answer any questions. Per my engagement with Realtex, I can tell they are committed to the neighborhood and their involvement in the community is welcome.

I believe the existing site is blighted and proposed project will increase safety in the area, will activate this site, and provide needed housing.

I strongly support Realtex's commitment to the community and their proposed project. I encourage you to support Realtex and their desirable development.

With Regards



Andrei Safonau

July 1st, 2015

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

RE: 363 - Sixth Street (Case no. 2011.0586)

Dear Commissioners,

I am writing to support the proposed 104 unit, mixed-use residential project located at 363 6th Street and the developer's commitment to neighborhood improvement.

As the owner and operator of a small business located near the proposed project I appreciate Realtex Inc.'s community engagement effort and welcome the increase in residential population that the project will bring to the area.

We are a local serving business and we support dense, multifamily, infill development in our area. This type of project in this location will help infuse my business with new customers and should help revitalize a struggling portion of 6th Street.

Please approve their project and bring San Francisco the housing it needs!

Best regards,

Signature



Business

Address 1398 MISSION STREET
SAN FRANCISCO, CA. 94103

July 1, 2015

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

RE: 363 6th Street (Case no. 2011.0586)

Dear Planning Commissioners,

I am writing to support the proposed 104 unit, mixed-use residential project at 363 6th Street and the developer's commitments to neighborhood improvement. As a professional with a business in the area adjacent to the proposed project I appreciate the community revitalization and improvement that this project will bring to 6th Street.

I believe that the block where the site is located is currently struggling and the existing site is blighted. This proposed building will activate the block, improve the site, and provide much needed housing for San Francisco.

The public benefits of this project include, but are not limited to an improved pedestrian experience, improved bicycle safety, new street trees, and new landscaping that will green the street frontage.

I support Realtex Inc.'s commitment to the neighborhood and urge you to approve the project as proposed for 363 6th Street. Please support this positive investment in the community.

Best regards,

Signature



Address

2501 Mission St

SF CA 94115

July 1, 2015

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

RE: 363 6th Street (Case no. 2011.0586)

Dear Planning Commissioners,

I am writing to support the proposed 104 unit, mixed-use residential project at 363 6th Street and the developer's commitments to neighborhood improvement. As a professional with a business in the area adjacent to the proposed project I appreciate the community revitalization and improvement that this project will bring to 6th Street.

I believe that the block where the site is located is currently struggling and the existing site is blighted. This proposed building will activate the block, improve the site, and provide much needed housing for San Francisco.

The public benefits of this project include, but are not limited to an improved pedestrian experience, improved bicycle safety, new street trees, and new landscaping that will green the street frontage.

I support Realtex Inc.'s commitment to the neighborhood and urge you to approve the project as proposed for 363 6th Street. Please support this positive investment in the community.

Best regards,

Signature Alex Barker

Address 101 California St. Ste 1050

San Francisco, CA 94111

Gary Varum
18 Wood Street
San Francisco, CA 94118

July 1st, 2015

City of San Francisco, Planning Commission

1650 Mission Street, Suite 400

San Francisco, CA 94103

RE: 363 - Sixth Street (Case no. 2011.0586)

Dear Planning Commissioners,

I am writing to support Realtex's proposed 104 Unit, mixed-use residential project at 363 6th Street and their commitment to improve the neighborhood.

As a resident of the city involved in the property management industry I see the negative effects of insufficient apartment supply daily. I urge the commissioners to approve the project in order to expand housing supply, something that will lead to more affordable costs and many other benefits to current and future neighborhood residents.

Sincerely yours,

A handwritten signature in black ink, appearing to read 'Gary Varum', with a stylized flourish at the end.

Gary Varum

Natalie Kriegel
53 Manzanita Avenue
San Francisco, CA 94118

July 1st, 2015

City of San Francisco, Planning Commission
1650 Mission Street, Suite 400
San Francisco, CA 94103
RE: 363 - Sixth Street (Case no. 2011.0586)

Dear Planning Commissioners,

I am writing to support Realtex's proposed 104 Unit, mixed-use residential project at 363 6th Street and their commitment to improve the neighborhood.

As a resident of the city involved in the property management industry I see the negative effects of insufficient apartment supply daily. I urge the commissioners to approve the project in order to expand housing supply, something that will lead to more affordable costs and many other benefits to current and future neighborhood residents.

Sincerely yours,

A handwritten signature in black ink, appearing to read 'Natalie Kriegel', with a long horizontal flourish extending to the right.

Natalie Kriegel

Alex Varum
148 Amber Drive
San Francisco, CA 94131

July 1st, 2015

City of San Francisco, Planning Commission
1650 Mission Street, Suite 400
San Francisco, CA 94103
RE: 363 - Sixth Street (Case no. 2011.0586)

Dear Planning Commissioners,

I am writing to support Realtex's proposed 104 Unit, mixed-use residential project at 363 6th Street and their commitment to improve the neighborhood.

As a resident of the city involved in the property management industry I see the negative effects of insufficient apartment supply daily. I urge the commissioners to approve the project in order to expand housing supply, something that will lead to more affordable costs and many other benefits to current and future neighborhood residents.

Sincerely yours,

A handwritten signature in black ink, appearing to read 'Alex Varum', written in a cursive style.

Alex Varum

Irina Varum
18 Wood Street
San Francisco, CA 94118

July 1st, 2015

City of San Francisco, Planning Commission
1650 Mission Street, Suite 400
San Francisco, CA 94103
RE: 363 - Sixth Street (Case no. 2011.0586)

Dear Planning Commissioners,

I am writing to support Realtex's proposed 104 Unit, mixed-use residential project at 363 6th Street and their commitment to improve the neighborhood.

As a resident of the city involved in the property management industry I see the negative effects of insufficient apartment supply daily. I urge the commissioners to approve the project in order to expand housing supply, something that will lead to more affordable costs and many other benefits to current and future neighborhood residents.

Sincerely yours,

A handwritten signature in black ink, appearing to read 'I. Varum', with a long, sweeping horizontal line extending to the right.

Irina Varum

June 25, 2015

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

RE: Endorsement letter to support Realtex's Development Activities

Dear Planning Commissioners,

I am writing to support Realtex's development activities and proposed projects in South of Market Area (SoMa), San Francisco.

As a neighbor and resident, I would like to express my support of Realtex activities in our neighborhood.

We are excited for the proposed improvements and thoughtful design Realtex is proposing.

Realtex has done a great job engaging with local community, listened to community concerns and held several meetings to present the proposed project and answer any questions. Per my engagement with Realtex, I can tell they are committed to the neighborhood and their involvement in the community is welcome.

We believe the existing sites where Realtex is proposing improvements are blighted and proposed projects will increase safety in the area, activate these sites, and provide much needed housing.

Among other benefits of Realtex's projects are an enhanced landscaping, improved sidewalk experience, planted new trees and new safety measures for bicyclist.

We strongly support Realtex's commitment to the community and their proposed projects. I encourage you to support Realtex and their desirable developments.

With Regards



Sean M. McKenna
950 HARRISON #115

June 2015

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

RE: 363 6th Street (Case no. 2011.0586)

Dear Planning Commissioners,

I am writing to support Realtex's proposed 104 unit, mixed-use residential project at 363 6th Street in addition to their diverse commitments to improving the neighborhood. As a neighbor to the proposed project we appreciate Realtex's engagement with the local community. They have worked with the community to address concerns by holding several meeting to discuss their proposals with us.

We believe the existing site is blighted and proposed building will both activate the site and provide much needed housing for SoMa.

The public benefits of this project include, improved sidewalks and bicycle lane infrastructure, new trees and landscaping measures along the street.

We support Realtex's commitment to the neighborhood with their project at 363 6th Street. I encourage you to support Realtex's positive investment in the community.

With Regards,

Signature

A handwritten signature in blue ink, appearing to read "J. M. Day", is written over a horizontal line.

Address

Drs Day
340 6TH ST UNIT 204
SF CA 94103

June 2015

City of San Francisco, Planning Commission

1650 Mission Street, Suite 400

San Francisco, CA 94103

RE: 363 6th Street (Case no. 2011.0586)

Dear Planning Commissioners,

I am writing to support Realtex's proposed 104 unit, mixed-use residential project at 363 6th Street in addition to their diverse commitments to improving the neighborhood. As a neighbor to the proposed project we appreciate Realtex's engagement with the local community. They have worked with the community to address concerns by holding several meeting to discuss their proposals with us.


We believe the existing site is blighted and proposed building will both activate the site and provide much needed housing for SoMa.

The public benefits of this project include, improved sidewalks and bicycle lane infrastructure, new trees and landscaping measures along the street.

We support Realtex's commitment to the neighborhood with their project at 363 6th Street. I encourage you to support Realtex's positive investment in the community.

With Regards,

Signature


Sean McKenna

Address

950 Harrison #115

July 1, 2015

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

RE: 363 6th Street (Case no. 2011.0586)

Dear Planning Commissioners,

I am writing to support the proposed 104 unit, mixed-use residential project at 363 6th Street and the developer's commitments to neighborhood improvement. As a professional with a business in the area adjacent to the proposed project I appreciate the community revitalization and improvement that this project will bring to 6th Street.

I believe that the block where the site is located is currently struggling and the existing site is blighted. This proposed building will activate the block, improve the site, and provide much needed housing for San Francisco.

The public benefits of this project include, but are not limited to an improved pedestrian experience, improved bicycle safety, new street trees, and new landscaping that will green the street frontage.

I support Realtex Inc.'s commitment to the neighborhood and urge you to approve the project as proposed for 363 6th Street. Please support this positive investment in the community.

Best regards,

Signature 

Address 2501 Mission St

SF CA 94115

June 2015

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

RE: 363 6th Street (Case no. 2011.0586)

Dear Planning Commissioners,

I am writing to support Realtex's proposed 104 unit, mixed-use residential project at 363 6th Street in addition to their diverse commitments to improving the neighborhood. As a neighbor to the proposed project we appreciate Realtex's engagement with the local community. They have worked with the community to address concerns by holding several meeting to discuss their proposals with us.

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The public benefits of this project include, improved sidewalks and bicycle lane infrastructure, new trees and landscaping measures along the street.

We support Realtex's commitment to the neighborhood with their project at 363 6th Street. I encourage you to support Realtex's positive investment in the community.

With Regards,

Signature



Address

285 SHIPLEY

SE. CA. 94107

June 2015

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

RE: 363 6th Street (Case no. 2011.0586)

Dear Planning Commissioners,

I am writing to support Realtex's proposed 104 unit, mixed-use residential project at 363 6th Street in addition to their diverse commitments to improving the neighborhood. As a neighbor to the proposed project we appreciate Realtex's engagement with the local community. They have worked with the community to address concerns by holding several meeting to discuss their proposals with us.

We believe the existing site is blighted and proposed building will both activate the site and provide much needed housing for SoMa.

The public benefits of this project include, improved sidewalks and bicycle lane infrastructure, new trees and landscaping measures along the street.

We support Realtex's commitment to the neighborhood with their project at 363 6th Street. I encourage you to support Realtex's positive investment in the community.

With Regards,

Signature

Joanne Swoney / owner

Address

950 Harrison St #112

San Francisco, CA

June 2015

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

RE: 363 6th Street (Case no. 2011.0586)

Dear Planning Commissioners,

I am writing to support Realtex's proposed 104 unit, mixed-use residential project at 363 6th Street in addition to their diverse commitments to improving the neighborhood. As a neighbor to the proposed project we appreciate Realtex's engagement with the local community. They have worked with the community to address concerns by holding several meeting to discuss their proposals with us.

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We support Realtex's commitment to the neighborhood with their project at 363 6th Street. I encourage you to support Realtex's positive investment in the community.

With Regards,

Signature 

Address 340 6th ST UNIT 101

San Francisco, CA 94103

June 2015

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

RE: 363 6th Street (Case no. 2011.0586)

Dear Planning Commissioners,

I am writing to support Realtex's proposed 104 unit, mixed-use residential project at 363 6th Street in addition to their diverse commitments to improving the neighborhood. As a neighbor to the proposed project we appreciate Realtex's engagement with the local community. They have worked with the community to address concerns by holding several meeting to discuss their proposals with us.

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We support Realtex's commitment to the neighborhood with their project at 363 6th Street. I encourage you to support Realtex's positive investment in the community.

With Regards,

 
Signature

250 Clara St., Unit 3
Address

San Francisco, 94107

June 2015

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

RE: 363 6th Street (Case no. 2011.0586)

Dear Planning Commissioners,

I am writing to support Realtex's proposed 104 unit, mixed-use residential project at 363 6th Street in addition to their diverse commitments to improving the neighborhood. As a neighbor to the proposed project we appreciate Realtex's engagement with the local community. They have worked with the community to address concerns by holding several meeting to discuss their proposals with us.

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We support Realtex's commitment to the neighborhood with their project at 363 6th Street. I encourage you to support Realtex's positive investment in the community.

With Regards,

Signature

Address

348 6th Street

San Francisco, CA
94103

June 2015

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

RE: 363 6th Street (Case no. 2011.0586)

Dear Planning Commissioners,

I am writing to support Realtex's proposed 104 unit, mixed-use residential project at 363 6th Street in addition to their diverse commitments to improving the neighborhood. As a neighbor to the proposed project we appreciate Realtex's engagement with the local community. They have worked with the community to address concerns by holding several meeting to discuss their proposals with us.

We believe the existing site is blighted and proposed building will both activate the site and provide much needed housing for SoMa.

The public benefits of this project include, improved sidewalks and bicycle lane infrastructure, new trees and landscaping measures along the street.

We support Realtex's commitment to the neighborhood with their project at 363 6th Street. I encourage you to support Realtex's positive investment in the community.

With Regards,

Signature



Address

Baek Chang
250 Clara St #4

San Francisco, CA. 94107

June 2015

City of San Francisco, Planning Commission

1650 Mission Street, Suite 400

San Francisco, CA 94103

RE: 363 6th Street (Case no. 2011.0586)

Dear Planning Commissioners,

I am writing to support Realtex's proposed 104 unit, mixed-use residential project at 363 6th Street in addition to their diverse commitments to improving the neighborhood. As a neighbor to the proposed project we appreciate Realtex's engagement with the local community. They have worked with the community to address concerns by holding several meeting to discuss their proposals with us.

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With Regards,

Signature 

Address 276 SHIPLEY STREET

June 2015

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

RE: 363 6th Street (Case no. 2011.0586)

Dear Planning Commissioners,

I am writing to support Realtex's proposed 104 unit, mixed-use residential project at 363 6th Street in addition to their diverse commitments to improving the neighborhood. As a neighbor to the proposed project we appreciate Realtex's engagement with the local community. They have worked with the community to address concerns by holding several meeting to discuss their proposals with us.

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With Regards,

Signature John T. Lee

Address 260 Clara St.

San Francisco, Ca 94107

June 2015

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

RE: 363 6th Street (Case no. 2011.0586)

Dear Planning Commissioners,

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We support Realtex's commitment to the neighborhood with their project at 363 6th Street. I encourage you to support Realtex's positive investment in the community.

With Regards,

Signature 

Address 970 Harrison street
San Francisco, Ca 94107

June 2015

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

RE: 363 6th Street (Case no. 2011.0586)

Dear Planning Commissioners,

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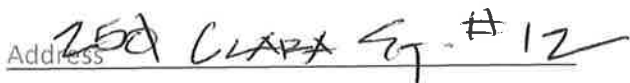
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With Regards,


Signature


Address


SF CA 94107

June 2015

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

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With Regards,

Signature 

Address 155 Haight #4

San Francisco, CA 94103

June 2015

City of San Francisco, Planning Commission

1650 Mission Street, Suite 400

San Francisco, CA 94103

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With Regards,

Signature

Address 155 MARQUET ST. #8

94103, SF, CA

(owner)

June 2015

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

RE: 363 6th Street (Case no. 2011.0586)

Dear Planning Commissioners,

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With Regards,

Signature 

Address 280 Clara # 13

June 2015

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

RE: 363 6th Street (Case no. 2011.0586)

Dear Planning Commissioners,

I am writing to support Realtex's proposed 104 unit, mixed-use residential project at 363 6th Street in addition to their diverse commitments to improving the neighborhood. As a neighbor to the proposed project we appreciate Realtex's engagement with the local community. They have worked with the community to address concerns by holding several meeting to discuss their proposals with us.

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With Regards,


Signature Investor

Address 340-6th St. #203

San Francisco, CA
94103