

BOARD OF APPEALS, CITY & COUNTY OF SAN FRANCISCO

Appeal of
MICHELLE HUNTER, _____)
Appellant(s))
vs.)
PLANNING COMMISSION, _____)
Respondent

Appeal No. **22-061**

NOTICE OF APPEAL

NOTICE IS HEREBY GIVEN THAT on August 12, 2022, the above named appellant(s) filed an appeal with the Board of Appeals of the City and County of San Francisco from the decision or order of the above named department(s), commission, or officer.

The substance or effect of the decision or order appealed from is the ISSUANCE on July 28, 2022 to Carmel Partners, of Planning Commission Motion No. M-21158 (adopting findings relating to an Eastern Neighborhoods Large Project Authorization, pursuant to Planning Code Sections 206.6, 329, and 843, to allow demolition of an existing 36-foot tall warehouse and parking lot and construction of a seven-story, 75-foot tall residential building containing 218 group housing dwelling units with 26 parking spaces, 218 class 1 bicycle parking spaces, 8 class 2 bicycle parking spaces, 851 square feet of private usable open space, 7,570 square feet of common usable open space, utilizing the individually requested state density bonus program (California Government Code Section 65915) and receiving waivers from usable open space (Sec. 135), Dwelling Unit Exposure (Sec. 140), Ground Floor Ceiling Height (Sec. 145.1(c)(4)), Off-Street Freight Loading Spaces (Sec. 152.1), Height Limit (Sec. 260), Narrow street Controls (Sec. 261.1), and Horizontal Mass Reduction (Sec. 270.1) and requesting two concession/incentives for rear yard setback (Planning Code Sec. 134) and Active Street Frontages (Sec. 145.1(b)(2)), located at 925 Bryant street, within the Urban Mixed Use Zoning District and 48-x Height and Bulk district, and adopting findings under the California Environmental Quality Act) at 925 Bryant Street.

APPLICATION NO. Record No. 2021-005342ENX

FOR HEARING ON September 14, 2022

Address of Appellant(s):

Address of Other Parties:

<p>Michelle Hunter, Appellant(s) c/o Laura Campbell, Attorney for Appellant(s) Kaufman, Dolowich & Voluck, LLP 425 California Street, Ste. 2100 San Francisco, CA 94104</p>	<p>Carmel Partners, Determination Holder(s) c/o John Kevlin, Attorney for Determination Holder(s) Reuben Junius & Rose LLP One Bush Street, Suite 600 San Francisco, CA 94104</p>
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Date Filed: August 15, 2022

**CITY & COUNTY OF SAN FRANCISCO
BOARD OF APPEALS**

PRELIMINARY STATEMENT FOR APPEAL NO. 22-061

I / We, **Michelle Hunter**, hereby appeal the following departmental action: **ISSUANCE of P.C. Sec. 329 Large Project Authorization (Record No. 2021-005342ENX)** by the **Planning Commission** which was issued or became effective on: **July 28, 2022**, to: **Carmel Partners**, for the property located at: **925 Bryant Street**.

BRIEFING SCHEDULE:

The Appellant may, but is not required to, submit a one page (double-spaced) supplementary statement with this Preliminary Statement of Appeal. No exhibits or other submissions are allowed at this time.

Appellant's Brief is due on or before: 4:30 p.m. on **August 25, 2022, (no later than three Thursdays prior to the hearing date)**. The brief may be up to 12 pages in length with unlimited exhibits. It shall be double-spaced with a minimum 12-point font. An electronic copy shall be emailed to: boardofappeals@sfgov.org, julie.rosenberg@sfgov.org, tina.tam@sfgov.org, corey.teague@sfgov.org, and jkevin@reubenlaw.com.

Respondent's and Other Parties' Briefs are due on or before: 4:30 p.m. on **September 8, 2022, (no later than one Thursday prior to hearing date)**. The brief may be up to 12 pages in length with unlimited exhibits. It shall be double-spaced with a minimum 12-point font. An electronic copy shall be emailed to: boardofappeals@sfgov.org, julie.rosenberg@sfgov.org, tina.tam@sfgov.org, corey.teague@sfgov.org and lcampbell@kdvlaw.com.

Hard copies of the briefs do NOT need to be submitted to the Board Office or to the other parties.

Hearing Date: **Wednesday, September 14, 2022, 5:00 p.m., Room 416 San Francisco City Hall, 1 Dr. Carlton B. Goodlett Place**. The parties may also attend remotely via Zoom. Information for access to the hearing will be provided before the hearing date.

All parties to this appeal must adhere to the briefing schedule above, however if the hearing date is changed, the briefing schedule MAY also be changed. Written notice will be provided of any changes to the briefing schedule.

In order to have their documents sent to the Board members prior to hearing, **members of the public** should email all documents of support/opposition no later than one Thursday prior to hearing date by 4:30 p.m. to boardofappeals@sfgov.org. Please note that names and contact information included in submittals from members of the public will become part of the public record. Submittals from members of the public may be made anonymously.

Please note that in addition to the parties' briefs, any materials that the Board receives relevant to this appeal, including letters of support/opposition from members of the public, are distributed to Board members prior to hearing. All such materials are available for inspection on the Board's website at www.sfgov.org/boa. You may also request a hard copy of the hearing materials that are provided to Board members at a cost of 10 cents per page, per S.F. Admin. Code Ch. 67.28.

The reasons for this appeal are as follows:

See attachment to the preliminary Statement of Appeal.

Signature: Andrew Grindstaff, Esq., filed this appeal via email on behalf of the appellant.



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August 12, 2022

San Francisco Board of Appeals
49 South Van Ness Avenue, Suite 1475
San Francisco, CA 94103

Re: 925 Bryant Street; 2021-005342ENX

To San Francisco Board of Appeals:

As you may be aware, my office represents several residents in the immediate vicinity of 925 Bryant Street. This letter serves as a notice of appeal regarding the Planning Commission's approval of the referenced application to demolish a 36-foot-tall warehouse and construct a 75-foot-tall residential building containing 218 dwelling units (the "Project"). Because such approval is in contradiction to the General Plan and the Planning Code, we ask that the Board grant the present appeal and reverse the approval of the referenced application.

The Project fails to align with existing building designs in the vicinity. In its approval of the Project, the Commission notes but fails to properly analyze the Project's impact on nearby residents. Further, the Commission overlooks the influx of new housing in the vicinity. The Project fails to meet many development standards and seeks waivers to meet the requirements of the state Density Bonus Law. That a project proposes to achieve additional residential density is insufficient analysis when that development negatively impacts the surrounding community. Moreover, the presentation at the hearing contained mixed information, and the Project suffers from ongoing inconsistencies varying from the staff packet assessment and recommendation.

Very Truly Yours,


Laura L. Campbell, Esq.



PLANNING COMMISSION MOTION NO. 21158

HEARING DATE: JULY 28, 2022

Record No.: 2021-005342ENX
Project Address: 925 Bryant Street
Zoning: Urban Mixed Use (UMU) Zoning District
48-X Height and Bulk District
Block/Lot: 3780/077
Project Sponsor: Greg Pasquali, Carmel Partners
1000 Sansome Street
San Francisco, CA 94111
Property Owner: 1891 Market Street Associates, LLC
500 8th Street
San Francisco, CA 94103
Staff Contact: Claire Feeney – (628) 652-7313
Claire.Feeney@sfgov.org

ADOPTING FINDINGS RELATING TO A EASTERN NEIGHBORHOODS LARGE PROJECT AUTHORIZATION, PURSUANT TO PLANNING CODE SECTIONS 206.6, 329, AND 843, TO ALLOW DEMOLITION OF AN EXISTING 36-FOOT TALL WAREHOUSE AND PARKING LOT AND CONSTRUCTION OF A SEVEN-STORY, 75-FOOT TALL RESIDENTIAL BUILDING CONTAINING 218 GROUP HOUSING DWELLING UNITS WITH 26 PARKING SPACES, 218 CLASS 1 BICYCLE PARKING SPACES, 8 CLASS 2 BICYCLE PARKING SPACES, 851 SQUARE FEET OF PRIVATE USABLE OPEN SPACE, 7,570 SQUARE FEET OF COMMON USABLE OPEN SPACE, UTILIZING THE INDIVIDUALLY REQUESTED STATE DENSITY BONUS PROGRAM (CALIFORNIA GOVERNMENT CODE SECTION 65915) AND RECEIVING WAIVERS FROM, DWELLING UNIT EXPOSURE (SEC. 140), REAR YARD SETBACK (SEC. 134), GROUND FLOOR CEILING HEIGHT (SEC. 145.1(C)(4)), OFF-STREET FREIGHT LOADING SPACES (SEC. 152.1), HEIGHT LIMIT (SEC. 260), NARROW STREET CONTROLS (SEC. 261.1), AND HORIZONTAL MASS REDUCTION (SEC. 270.1) AND REQUESTING ONE CONCESSION/INCENTIVE FOR ACTIVE STREET FRONTAGES (SEC. 145.1(B)(2)), LOCATED AT 925 BRYANT STREET, LOT 077 IN ASSESSOR'S BLOCK 3780, WITHIN THE URBAN MIXED USE ZONING DISTRICT AND 48-X HEIGHT AND BULK DISTRICT, AND ADOPTING FINDINGS UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.

PREAMBLE

On June 29, 2021, Greg Pasquali of Carmel Partners (hereinafter "Project Sponsor") filed Application No. 2021-005342ENX (hereinafter "Application") with the Planning Department (hereinafter "Department") for an Eastern Neighborhoods Large Project Authorization to construct a new seven-story, 75-foot tall residential building containing 218 Group Housing dwelling units (hereinafter "Project") at 925 Bryant Street, Block 3780 Lot 077 (hereinafter "Project Site").

The environmental effects of the Project were determined by the Department to have been fully reviewed under the Eastern Neighborhoods Plan Environmental Impact Report (hereinafter "EIR"). On August 7, 2008, the Planning Commission reviewed and considered the Final EIR ("FEIR") and found that the contents of said report and the procedures through which the FEIR was prepared, publicized, and reviewed complied with the California Environmental Quality Act (California Public Resources Code Sections 21000 et seq.) ("CEQA"), 14 California Code of Regulations Sections 15000 et seq. ("the CEQA Guidelines"), and Chapter 31 of the San Francisco Administrative Code ("Chapter 31").

The Eastern Neighborhoods EIR is a program-level 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 subsequent project in the program area, the agency may approve the project as being within the scope of the project covered by the program EIR, and no new or additional environmental review is required. In certifying the Eastern Neighborhoods Area Plan, the Commission adopted CEQA findings in its Motion No. 17659 and hereby incorporates such Findings by reference herein.

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 July 18, 2022, 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 Area Plan Final EIR. Since the Eastern Neighborhoods Area Plan 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 Eastern Neighborhoods Area Plan 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 Eastern Neighborhoods Area Plan Final EIR.

The file for this Project, including the Eastern Neighborhoods Area Plan EIR and the Community Plan Exemption Certificate, is available for review at the San Francisco Planning Department, 49 South Van Ness Avenue, 14th Floor, 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 Area Plan Final EIR that are applicable to

the Project. These mitigation measures are set forth in their entirety in the MMRP attached to the draft Motion as Exhibit C.

The City and County of San Francisco, acting through the Department, fulfilled all procedural requirements of the California Environmental Quality Act, the State CEQA Guidelines, and Chapter 31.

On June 2, 2022, the San Francisco Planning Commission (hereinafter “Commission”) conducted a duly noticed public hearing at a regularly scheduled meeting on the Eastern Neighborhoods Large Project Authorization Application No. 2021-005342ENX and continued the hearing to July 28, 2022.

On July 28, 2022, the Commission conducted a duly noticed public hearing at a regularly scheduled meeting on the Eastern Neighborhoods Large Project Authorization Application No. 2021-005342ENX.

The Planning Department Commission Secretary is the Custodian of Records; the File for Record No. 2021-005342ENX is located at 49 South Van Ness Avenue, Suite 1400, San Francisco, California.

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

MOVED, that the Commission hereby authorizes the Eastern Neighborhoods Large Project Authorization as requested in Application No. 2021-005342ENX, 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. Project Description.** The Project includes demolition of an existing 36-foot tall warehouse and parking lot and construction of a seven story, 75-foot tall residential building containing 218 Group Housing dwelling units (including 35 units provided on-site as affordable housing units). The Project will be 83,918 square feet, including a 3,127 square foot commercial space, an underground parking garage with 26 spaces, 218 Class 1 bike parking spaces, approximately 7,600 square feet of communal amenity space and a 6,200 square foot roof deck. 24 of the units have private decks.
- 3. Site Description and Present Use.** The Project is on an approximately 17,875 square foot parcel with a 65-foot frontage on Bryant Street and 275-foot frontage on Langton Street. The Project Site contains a 1-story, 36-foot tall vacant warehouse and a surface parking lot. There are no commercial tenants currently on site.
- 4. Surrounding Properties and Neighborhood.** The Project Site is located within the UMU Zoning District in the Showplace Square/Potrero Hill Area Plan and the SoMa Pilipinas Filipino Cultural District. The

neighborhood is mixed in character, with residential, commercial, and PDR (production, distribution, and repair) uses. It is across the street from the 80 freeway and is between the 8th Street on-ramp and the 7th Street off-ramp. Buildings on the surrounding blocks include industrial warehouses, office buildings, and multi-family housing developments. The Hall of Justice is located a block away, there is an array of entertainment destinations in the area like nightclubs, Oracle Park, and bars and restaurants, and scenic waterfront parks including Mission Creek Channel and the Embarcadero are within comfortable walking and biking distance. The Project Site is at the juncture of the South of Market, Potrero Hill, Mission Bay, and the Mission neighborhoods and is near the borders of the Western SoMa and Central SoMa Area Plans, the Leather & LGBTQ Cultural District, and the SoMa Youth and Family Special Use District. This location at the center point of multiple neighborhoods is ideal for tenants to access a diversity of amenities, jobs, and services.

5. Public Outreach and Comments. To date, the Department has received 120 letters of support and ten letters of opposition to the Project. Supporters referenced the housing shortage and the need for affordable housing in particular, the benefits of activating a vacant property, the array of amenity spaces for residents, and the transit accessibility for the project site. The Greenbelt Alliance and YIMBY Law have endorsed the project. All letters of opposition came from neighboring tenants on Langton Street and expressed opposition to the project for reasons including shadows on their homes, increased traffic on Langton Street, an over-supply of housing with high vacancy rates in the area, and construction and environmental impacts.

A. The Sponsor hosted a Pre-Application meeting on April 28, 2021, which 8 people attended. Questions were raised about the building height, the types of people who will live in the building, increased homelessness in the area, and traffic impacts.

B. Since January, the Project Sponsor has had meetings with the SoMa Pilipinas Filipino and Leather & LGBTQ Cultural Districts and has had meetings and been in regular correspondence with neighbors and an HOA across Langton Street.

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. **Use.** Per Planning Code Section 843 states that group housing units are principally permitted within the Urban Mixed Use (UMU) Zoning District.

The Project would construct one new residential building containing 218 group housing units, which is principally permitted.

The Project Application was accepted July 30, 2021 and a Preliminary Housing Development Application (SB 330) was submitted with the Preliminary Project Application (2021-00135PPA) on February 4, 2021. Therefore, the Project is exempt from Ordinance 50-22 (Planning Code – Group Housing Definition) and the subsequent Planning Code amendments which were approved by the Board of Supervisors and Mayor Breed and went into effect on April 30, 2022. The Project is exempt from physical regulations prohibiting cooking facilities in individual group housing units, requiring a minimum amount of internal common space, and requiring a minimum amount of communal kitchens; as well as operational regulations that require group housing units to be rented for a

minimum of 30 days. The Project is proposing rental units so the new prohibition of on-site affordable units as ownership tenures is not relevant.

- B. **Residential Density.** The UMU Zoning District utilizes form-based density, which regulates residential density by the maximum permitted building volume rather than as a ratio of units to lot area.

The Project would construct one new residential building containing 218 group housing units, which is principally permitted. The Project utilizes State Density Bonus Law to receive a bonus density of up to 50%. As UMU Zoning District is form based, the base density and bonus density are represented by gross floor area. The Project Site has a base density of 67,571 gross residential square feet, and is therefore entitled to a density bonus of 33,786 square feet, for a maximum of 101,478 square feet of residential use. The Project contains approximately 101,478 gross residential square feet, equaling a 50% bonus.

- C. **Rear Yard.** Planning Code Section 134 requires properties in the UMU Zoning District to maintain a rear yard area equivalent to 25% of the lot depth on the lowest story containing a dwelling unit and at each succeeding story of the building.

The Project Site is a rectangular lot with a small notch on the eastern corner; it is approximately 65 feet wide and 276 feet. The Project Sponsor has chosen to use the Langton Street as the front of the property, thereby requiring a rear yard equivalent to 16-feet 4-inches at all stories containing dwelling units. The proposal would locate a seven-story building within 10-feet of the rear property line. The Project is requesting a waiver from the requirements of Planning Code Section 134 per State Density Bonus Law. The waiver of rear yard requirements is necessary to enable the construction of the Project with the increased density provided by Government Code Section 65915(f)(2).

- D. **Useable Open Space.** Planning Code Section 135 requires properties within Eastern Neighborhoods Mixed Use districts to either have 80 square feet of private usable open space or 54 square feet of common usable open space per group housing unit. The minimum amount of usable open space provided for each bedroom in a group housing unit shall be one-third the amount required for a dwelling unit as specified in Table 135B.

The Project is in the UMU Zoning District and contains 218 group housing units, including 24 with private, 35-square-foot decks. To comply, the Project must provide 5,035 square feet of common open space (5,886 square feet of common space minus the 851 square feet of private decks). The Project includes 8,421 square feet of usable open space which exceeds the minimum requirement amount.

- E. **Dwelling Unit Exposure.** Planning Code Section 140 requires that at least one room of all dwelling units face onto a public street or public alley at least 20 feet in width, a side yard at least 25 feet in width, or a rear yard meeting the requirements of the Code or other open area that meets minimum requirements for area and horizontal dimensions.

107 of the proposed group housing units face on Langton Street and 5 face onto Bryant Street, both of which are qualifying public streets. 106 units face onto the non-compliant rear yard which is only 10-feet deep and therefore does not meet the requirements for dwelling unit exposure, therefore the Project is seeking a waiver from this requirement per the State Density Bonus Law. The waiver of exposure

requirements is necessary to enable the construction of the Project with the increased density provided by Government Code Section 65915(f)(2).

- F. **Off-Street Parking.** Planning Code Section 151 does not require a minimum number of off-street parking spaces and permits a maximum of 1.5 parking space for each dwelling unit.

The Project will provide 24 off-street parking spaces within the proposed garage, which is below the maximum of limit of 327 parking spaces..

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

The Project includes approximately 101,478 square feet of residential use and requires one off-street freight loading space. No freight loading spaces are proposed, therefore the Project is seeking a waiver from this requirement per the State Density Bonus Law. The waiver of off-street freight loading requirements is necessary to enable the construction of the Project with the increased density provided by Government Code Section 65915(f)(2).

- H. **Bicycle Parking.** Planning Code Section 155.2 requires at least one Class 1 bicycle parking space per four group housing beds and two Class 2 spaces for every 100 group housing beds.

The Project proposes 218 Class 1 bicycle parking spaces within a bicycle parking room and 8 Class spaces, which is above the minimum requirement of 49 Class 1 and 6 Class 2 bicycle parking spaces.

- I. **Street Frontage in Neighborhood Commercial Districts.** Section 145.1 of the Planning Code requires that within NC Districts space for active uses shall be provided within the first 25 feet of building depth on the ground floor and 15 feet on floors above from any facade facing a street at least 30 feet in width. In addition, the floors of street-fronting interior spaces housing non-residential active uses and lobbies shall be as close as possible to the level of the adjacent sidewalk at the principal entrance to these spaces. Frontages with active uses that must be fenestrated with transparent windows and doorways for no less than 60 percent of the street frontage at the ground level and allow visibility to the inside of the building. The use of dark or mirrored glass shall not count towards the required transparent area. Any decorative railings or grillwork, other than wire mesh, which is placed in front of or behind ground floor windows, shall be at least 75 percent open to perpendicular view. Rolling or sliding security gates shall consist of open grillwork rather than solid material, so as to provide visual interest to pedestrians when the gates are closed, and to permit light to pass through mostly unobstructed. Gates, when both open and folded or rolled as well as the gate mechanism, shall be recessed within, or laid flush with, the building facade.

The subject commercial space has an approximately 65-foot frontage along Bryant Street and 276-foot frontage along Langton Street. The building lobby, a commercial space, mechanical access points, and access to the parking garage are along Langton Street, achieving compliance with the active frontage requirement. There is no active use or pedestrian access along the Bryant Street frontage. The Project is proposing a basement level amenity space with a triple height ceiling and the ground floor frontage along Bryant Street has glass walls behind a landscape area that extends from 3 to 8 feet. Therefore, the

Project is requesting an incentive/concession from this requirement of Planning Code Section 145.1 per State Density Bonus Law.

- J. **Ground Floor Ceiling Height.** Planning Code Section 145.1 requires that the ground floor ceiling height for buildings in the UMU Zoning District shall have a minimum floor-to-floor height of 17 feet, as measured from grade.

The Project is approximately 75-feet tall and has an approximately 12-foot ground floor ceiling which is less than the required 17-foot minimum. The height saved from the reduced ground flooring ceiling creates space to allow for the seventh floor and its additional 37 group housing units. Compliance with the ground floor ceiling height would preclude the construction of the 50% increase in unit density; therefore the Project is seeking a waiver from this requirement per the State Density Bonus Law. The waiver of height requirements is necessary to enable the construction of the Project with the increased density provided by Government Code Section 65915(f)(2).

- K. **Height.** Planning Code Section 260 requires that all structures be no taller than the height prescribed in the subject height and bulk district. The proposed Project is located in a 48-X Height and Bulk District.

The building is approximately 75 feet tall which exceeds the height limit of the 48-X Height and Bulk District. Compliance with the height limit would preclude the construction of the 50% increase in unit density; therefore the Project is seeking a waiver from this requirement per the State Density Bonus Law. The waiver of height requirements is necessary to enable the construction of the Project with the increased density provided by Government Code Section 65915(f)(2).

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

The Project Site has an approximately 266 foot long frontage along Langton Street, therefore the Project is required to provide a single horizontal mass break which is not less than 30-ft wide by 60-ft deep, and extends from the third-story up to the sky. The Project is not providing this break. Compliance with the horizontal mass reduction would preclude the construction of the 50% increase in unit density; therefore the Project is seeking a waiver from this requirement per the State Density Bonus Law. The waiver of height requirements is necessary to enable the construction of the Project with the increased density provided by Government Code Section 65915(f)(2).

- M. **Narrow Streets and Alleys.** Planning Code Section 261.1 requires all Subject Frontages to have upper stories set back at least 10 feet at the property line above a height equivalent to 1.25 times the width of the abutting Narrow Street.

The Project has a 266-foot long frontage along Langton Street which is 40-feet wide and therefore

qualifies as a narrow street. Therefore the Project is required to progressively step-back the upper floors, which it is not proposing to do. Compliance with the narrow streets and alleys setbacks would preclude the construction of the 50% increase in unit density; therefore the Project is seeking a waiver from this requirement per the State Density Bonus Law. The waiver of height requirements is necessary to enable the construction of the Project with the increased density provided by Government Code Section 65915(f)(2).

- N. Transportation Sustainability Fee.** Planning Code Section 411A is applicable to any residential development that results in at least twenty new residential units.

The Project includes approximately 101,478 gross square feet of newly constructed residential use and is subject to the Transportation Sustainability Fee. This fee must be paid prior to the issuance of the building permit application.

- O. Residential Child-Care Impact Fee.** Planning Code Section 414A is applicable to any residential development that results in at least one new residential unit.

The Project includes approximately 101,478 gross square feet of newly constructed residential use and is subject to the Residential Child-Care Impact Fee. This fee must be paid prior to the issuance of the building permit application.

- P. Transportation Demand Management (TDM) Plan.** Pursuant to Planning Code Section 169 and the TDM Program Standards, the Project shall finalize a TDM Plan prior Planning Department approval of the first Building Permit or Site Permit. As currently proposed, the Project must achieve a target of 16 points.

The Project submitted a compliant TDM plan. As currently proposed, the Project will achieve its required 16 points through the following TDM measures:

- Bicycle Parking (Option A)
- On-Site Affordable Housing (Option C)
- Unbundled Parking (Location C)
- Parking Supply (Option I)

- 7. Large Project Authorization Design Review 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 the surrounding context. The existing SoMa neighborhood is a high-density downtown neighborhood with a mixture of low- to mid-rise development containing commercial, office, industrial, and residential uses, as well as several undeveloped or underdeveloped sites, such as surface parking lots and single-story commercial buildings. The Project's massing has been designed to respect the scale and character of the evolving Central SoMa neighborhood, including the development of nearby towers on other Key Sites as contemplated under the Central SoMa Area Plan. The height of the Project is appropriate given the proximity to taller buildings in the area such as the Hall of Justice and the*

immediately adjacent blocks that are in the 68-X Height and Bulk District.

- B. **Architectural treatments, facade design, and building materials.** *The Project's architectural treatments, façade design, and building materials include: cement plaster siding in different colors to highlight the vertical sections of bay windows, perforated metal screen detailing over the front stairwell, and an inset façade with contrasting materials and colors that highlight the sidewalk experience. The Project is contemporary in its character and utilizes contrasting materials to break up the façade and provide a pedestrian scale. Overall, the Project offers high-quality architectural treatment that emphasizes its corner location, which provides for a unique and expressive design that is consistent and compatible with the buildings in the surrounding neighborhood.*
- C. **The design of lower floors, including building setback areas, commercial space, townhouses, entries, utilities, and the design and siting of rear yards, parking and loading access.** *The Project's ground floor has residential communal spaces, a commercial tenant space, and allowable mechanical and parking access points. The lower two floors are inset and use contrasting colors and vertical striping to visually differentiate them from the upper residential floors. The Bryant Street frontage does not include any direct pedestrian access and has a glassy façade into the void above the basement amenity space. The Project Sponsor is seeking a concession or incentive to allow this design as allowed under the State Density Bonus Program.*
- 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 private open spaces for 24 of the units and common open spaces on both the roof and off the basement community amenity space. The 851 square feet of private open space and 7,570 square feet of common open space substantially exceed amount required for group housing within the Urban Mixed Use zoning district.*
- E. **The provision of mid-block alleys and pathways on frontages between 200 and 300 linear feet per the criteria of Section 270, and the design of mid-block alleys and pathways as required by and pursuant to the criteria set forth in Section 270.2.** *The Project is not required to provide a code-complying mid-block alley pursuant to Planning Code Section 270.2.*
- F. **Streetscape and other public improvements, including tree planting, street furniture, and lighting.** *Per Planning Code Section 138.1, the Project includes new streetscape elements, such as a widened sidewalk, lighting, bike racks, landscape features, and new street trees. The building is set back from the property lines along both Langton and Bryant Streets to help create additional space for comfortable sidewalks. These improvements will vastly improve the public realm and surrounding streetscape.*
- G. **Circulation, including streets, alleys, and mid-block pedestrian pathways.** *The Project provides ample circulation in and around the project site through the streetscape improvement. Loading access is limited to the secondary street, Langton Street.*
- H. **Bulk limits.** *The Project Site is within the 48-X Height and Bulk District, X Bulk Districts do 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. Inclusionary Affordable Housing Program. Planning Code Section 415 sets forth the requirements and procedures for the Inclusionary Affordable Housing Program (“Program”). Under Planning Code Section 415.3, these requirements apply to projects that consist of 10 or more units. Pursuant to Planning Code Section 415.5 and 415.6, the Inclusionary Affordable Housing Program requirement for the On-site Affordable Housing Alternative is dependent on the total number of units in the project, the zoning of the property, and the date of the accepted Project Application. For the Project to be eligible for the On-Site Affordable Housing Alternative, the Project must submit an” Affidavit of Compliance with the Inclusionary Affordable Housing Program: Planning Code Section 415” to the Planning Department stating that the Project is a Rental Housing Project and any Affordable Units will remain as affordable for the life of the project.

The Project Sponsor has elected the On-Site Affordable Housing Alternative under Planning Code Sections 415.5 and 415.6 and will satisfy the requirements of the Program by providing the affordable housing on-site instead of through payment of the Affordable Housing Fee. The Project Sponsor submitted an “Affidavit of Compliance with the Inclusionary Affordable Housing Program: Planning Code Section 415” on December 17, 2021. A Project Application was accepted on June 29, 2021. Pursuant to Planning Code Section 415.3 and 415.6, the on-site requirement is 21% of the base project units as affordable, with a minimum of 12% of the units affordable to low income households, 4.5% of the units affordable to moderate-income households, 4.5% of the units affordable to middle-income households, In addition, since the Project is seeking a 50% bonus, an additional 4 units or 3% are required per State Density Bonus Law. All units are group housing units so 100% of the on-site affordable units will also be group housing units. If the Project becomes ineligible to meet its Program obligation through the On-site Affordable Housing Alternative, it must elect another Alternative or pay the Affordable Housing Fee with interest, if applicable. Additional Information is available in the table below.

PRJ/EEA Accepted Date	06/29/2021
Project Tenure	Rental
Zoning District / Plan Area	Urban Mixed Use / Showplace Square/Potrero Hill Area Plan
Project Size	Large Project – 25 or more total units
On Site Rate	24% to comply with SDB program (21% required under the City’s Inclusionary Program)
Fee Rate	30%
Total On-Site Affordable Units	35
AMI Levels	3% at Low Income for State Density Bonus Law (50% AMI: State Requirement) 12% at Low Income (55% AMI: Inclusionary Program) 4.5% at Moderate Income (80% AMI: Inclusionary Program) 4.5% at Middle Income (110% AMI: Inclusionary Program)

Affordable Unit Mix	Group Housing Units
Total Residential Floor Area	101,478
Base Residential Floor Area or Base Units (SDB only)	67,671
% Density Bonus	50%

9. Individually Requested State Density Bonus Findings. Pursuant to Planning Code Section 206.6(e), the Planning Commission shall make the following findings as applicable for any application for a Density Bonus, Incentive, Concession, or Waiver for any Individually Requested Density Bonus Project:

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

The Project consists of five or more dwelling units on a site in the UMU Zoning District that is currently developed as a single-story warehouse and surface parking lot with no existing residential units on site. Therefore, eligible for the Individually Requested Density Bonus Program.

The base density study for the project includes 146 group housing units. The Project provides at least 15% of the dwelling units in the base density study (22 units) as affordable to low income households, defined as those earning 50% of area median income, and is therefore entitled to a 50% density bonus under California Government Code Sections 65915 et sec.

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

The Project is seeking one incentive and concession for the Active Street Frontages requirements. Under Planning Code Section 145.1(b)(2). The Project is required to provide active uses for the first 25-feet of building depth on the ground floor and they must “have access directly to the public sidewalk or street.” If it is less than 25-feet deep and/or there is no direct sidewalk access an otherwise compliant use, such as community room for building residents, does not count. The Project Sponsor is proposing a community room in the basement level that has a triple-height ceiling. This is not compliant along the Bryant Street frontage because there is no direct access from the sidewalk and the triple-height space results in there being 0-feet of active use space at the ground level along the Bryant Street façade.

The Department discussed design alternatives with the Project Sponsor, such as providing an entrance, landing, and stairs into the basement level amenity space, elevating the amenity space to the ground floor, or adding another Code-compliant amenity space on the ground. The Project Sponsor provided a fiscal breakdown explaining why the amenity space could not be redesigned to be compliant. The Project Sponsor stated that the direct costs to add an ADA compliant entrance, including a landing or floor-area large enough to count as usable amenity space, elevators, and a staircase would be about \$75,000. The Project is therefore seeking a concession and incentive to build the permitted density bonus without the required active ground floor use because it would

trigger additional construction costs, as evidenced in the concession justification submitted on March 30, 2022.

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

In order to achieve the proposed residential density, the Project is requesting seven waivers from development standards, including: Dwelling Unit Exposure (Sec. 140), Rear Yard Setback (Sec. 134), Ground Floor Ceiling Height (Sec. 145.1(c)(4)), Off Street Freight Loading spaces (Sec. 152.1), Height Limit (Sec. 260), Narrow Street Controls (Sec. 261.1), and Horizontal Mass Reduction (Sec. 270.1). Without the waivers, the Project will be physically precluded from constructing the additional dwelling units represented by 101,478 square feet of residential use, as permitted under the Individually Requested Density Bonus Program, thus preventing the Project from achieving a 50% density bonus.

Without the additional height, relief from massing regulations such as the required rear yard, narrow street controls, ground floor ceiling height, and horizontal mass reduction, and relief from the dwelling unit and amenity standards like off-street freight loading, usable open space, and dwelling unit exposure, the Project would not be able to achieve its allowed 50% density bonus under the State Density Bonus Program.

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

The Density Bonus for the Project is not based on any donation of land.

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

The Project does not include a Child Care Facility.

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

The Project includes 3,127 square feet of retail use at the ground floor and is principally permitted in the UMU Zoning District. As it is principally permitted in the UMU Zoning District, this does not constitute a Concession or Incentive under Government Code Section 65915(k)(2).

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

HOUSING ELEMENT

Objectives and Policies

OBJECTIVE 1

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

Policy 1.1

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

Policy 1.2

Focus housing growth and infrastructure necessary to support growth according to community plans. Complete planning underway in key opportunity areas such as Treasure Island, Candlestick Park and Hunter's Point Shipyard.

Policy 1.10

Support new housing projects, especially affordable housing, where households can easily rely on public transportation, walking and bicycling for the majority of daily trips.

OBJECTIVE 4

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

Policy 4.1

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

Policy 4.4

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

Policy 4.5

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

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.

URBAN DESIGN ELEMENT

Objectives and Policies

OBJECTIVE 3

MODERATION OF MAJOR NEW DEVELOPMENT TO COMPLEMENT THE CITY PATTERN, THE RESOURCES TO BE CONSERVED, AND THE NEIGHBORHOOD ENVIRONMENT.

Policy 3.2

Avoid extreme contrasts in color, shape, and other characteristics which will cause new buildings to stand out in excess of their public importance.

SHOWPLACE SQUARE/POTRERO HILL AREA PLAN

Land Use

Objectives and Policies

OBJECTIVE 1.2

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

Policy 1.2.1

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

OBJECTIVE 2.1

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

Policy 2.1.1

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

OBJECTIVE 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 3.2.3

Minimize the visual impact of parking.

Policy 3.2.5

Building form should celebrate corner locations.

The Project is a high-density residential development, providing 218 new group housing units in a mixed-use area of South of Market. The Project would maximize residential density on the site by utilizing the State Density Bonus Program and include 35 on-site affordable housing units for rental, which contributes to the City's housing stock and assists in meeting the City's affordable housing goals.

The Project is located in close proximity to local and regional public transportation options and neighborhood business districts. The Project will demolish an existing vacant warehouse and surface parking lot and reactivate the corner. As a group housing project, many residents will be single people and young professionals. There are an array of entertainment destinations in the area like nightclubs, Oracle Park, and bars and restaurants, and scenic waterfront parks including Mission Creek Channel and the Embarcadero, all are within comfortable walking and biking distance. The Project Site is at the juncture of the South of Market, Potrero Hill, Mission Bay, and the Mission neighborhoods and is near the borders of the Western SoMa and Central SoMa Area Plans, the Leather & LGBTQ Cultural District, and the SoMa Youth and Family Special Use District. This location at the center point of multiple neighborhoods is ideal for tenants to access a diversity of amenities, jobs, and services.

The Project design is contemporary and responsive to the neighborhood character. The Project provides an articulated front facade with windows, bays, and entries compatible with proportions of the surrounding buildings, and a pedestrian friendly ground floor with recessed residential entries. On balance, the Project is consistent with the Objectives and Policies of the General Plan.

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

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

The Project Site currently contains a vacant single-story warehouse and surface parking lot, no existing businesses will be displaced. The Project provides 218 new group housing units, which will enhance the nearby retail uses by providing new residents, who may patron and/or own these businesses.

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

The project site does not possess any existing housing. The Project would provide 218 new group housing units, thus resulting in an overall increase in the neighborhood housing stock. The Project is expressive in design and highlights its prominent corner location. 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 does not currently possess any existing affordable housing. The Project will comply with the City's Inclusionary Housing Program by providing 35 below-market rate group housing units for rent. Therefore, the Project will increase the stock of affordable housing units in the City.

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

The Project Site is served by nearby local and regional public transportation options. The Project is within walking distance of the CalTrain Station at Fourth and King Streets and also provides sufficient bicycle parking for residents.

- 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 does not include commercial office development. Although the Project would demolish an existing vacant warehouse, the Project does provide new housing which is a priority for the City.

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

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

- G. That landmarks and historic buildings be preserved.

Currently, the Project Site does not contain any City Landmarks or historic buildings.

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

The Project does not cast a shadow on public parks or open space.

- 12. First Source Hiring.** The Project is subject to the requirements of the First Source Hiring Program as they apply to permits for residential development (Administrative Code Section 83.11), 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.

- 13.** 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.
- 14.** The Commission hereby finds that approval of the Eastern Neighborhoods 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 Eastern Neighborhood Large Project Authorization Application No. 2021-005342ENX** subject to the following conditions attached hereto as “EXHIBIT A” in general conformance with plans on file, dated March 23 2022, and stamped “EXHIBIT B”, which is incorporated herein by reference as though fully set forth.

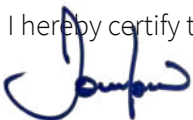
The Planning Commission hereby adopts the MMRP attached hereto as “EXHIBIT C” and incorporated herein as part of this Motion by this reference thereto. All required improvement and mitigation measures identified in the Eastern Neighborhoods Area Plan EIR and contained in the MMRP are included as Conditions of Approval.

APPEAL AND EFFECTIVE DATE OF MOTION: Any aggrieved person may appeal this Section 329 Eastern Neighborhoods 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 (628) 652-1150, 49 South Van Ness Avenue, Suite 1475, 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 July 28, 2022.



Jonas P. Ionin
Commission Secretary

AYES: Ruiz, Diamond, Imperial, Moore, Tanner

NAYS: Koppel

ABSENT: Fung

ADOPTED: July 28, 2022

EXHIBIT A

Authorization

This authorization is for an Eastern Neighborhoods Large Project Authorization to construct a new seven story, 75-foot tall residential building containing 218 group housing units under the Individually Requested State Density Bonus Program. The Project requests waivers from Dwelling Unit Exposure (Sec. 140), Rear Yard Setback (Sec. 134), Ground Floor Ceiling Height (Sec. 145.1(c)(4)), Off Street Freight Loading spaces (Sec. 152.1), Height Limit (Sec. 260), Narrow Street Controls (Sec. 261.1), and Horizontal Mass Reduction (Sec. 270.1) and one concession/incentive for Active Street Frontages (Sec. 145.1(b)(2)) requirements pursuant to the State Density Bonus Law. The Project is located at 925 Bryant Street, Block 3780 and Lot 077, within the Urban Mixed Use zoning district and 48-X Height and Bulk district; in general conformance with plans dated March 23, 2022, and stamped "Exhibit B" included in the docket for Record No. 2021-005342ENX and subject to conditions of approval reviewed and approved by the Commission on July 28, 2022 under Motion No. 21158. 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 July 28, 2022 under Motion No. 21158.

Printing of Conditions of Approval on Plans

The conditions of approval under the 'Exhibit A' of this Planning Commission Motion No. 21158 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 Eastern Neighborhoods Large Project 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 Eastern Neighborhoods Large Project Authorization.

CONDITIONS OF APPROVAL, COMPLIANCE, MONITORING, AND REPORTING

Performance

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

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

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

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

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

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

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

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

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

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

- 6. Mitigation Measures.** Mitigation measures described in the MMRP attached as Exhibit C are necessary to avoid potential significant effects of the proposed project and have been agreed to by the project sponsor. Their implementation is a condition of project approval.

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

Design – Compliance at Plan Stage

- 7. Final Materials.** The Project Sponsor shall continue to work with Planning Department on the building design. Final materials, glazing, color, texture, landscaping, and detailing shall be subject to Department staff review and approval. The architectural addenda shall be reviewed and approved by the Planning Department prior to issuance.

For information about compliance, contact the Case Planner, Planning Department at 628.652.7313, www.sfplanning.org

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

For information about compliance, contact the Case Planner, Planning Department at 628.652.7313, www.sfplanning.org

- 9. Laundry Facilities.** The Project Sponsor shall provide sufficient on-site laundering access for residential occupants through on-site communal laundry facilities, individual in-unit laundry hook-ups, or some combination thereof.

For information about compliance, contact the Case Planner, Planning Department at 628.652.7313, www.sfplanning.org

- 10. Cooking Facilities.** Each group housing unit shall have a combination microwave/convection oven that is determined by the Zoning Administrator to be compliant with the Zoning Administrator Interpretation for “Group Housing with Limited Cooking Facilities” from October, 2005.

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

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

- 12. Streetscape Plan.** Pursuant to Planning Code Section 138.1, the Project Sponsor shall continue to work with Planning Department staff, in consultation with other City agencies, to refine the design and programming of the Streetscape Plan so that the plan generally meets the standards of the Better Streets Plan and all applicable City standards. The Project Sponsor shall complete final design of all required street improvements, including procurement of relevant City permits, prior to issuance of first architectural addenda, and shall complete construction of all required street improvements prior to issuance of first temporary certificate of occupancy.

For information about compliance, contact the Case Planner, Planning Department at 628.652.7313, www.sfplanning.org

- 13. Transformer Vault Location.** 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 in consultation with Public Works shall require the following location(s) for transformer vault(s) for this project: within the building frontage along Langton Street and is compliant with purpose and regulations of Planning Code Section 145.1. The above requirement shall adhere to the Memorandum of Understanding regarding Electrical Transformer Locations for Private Development Projects between Public Works and the Planning Department dated January 2, 2019.

For information about compliance, contact Bureau of Street Use and Mapping, Department of Public Works at 628.271.2000, www.sfpbpublicworks.org

- 14. Overhead Wiring.** The Property owner will allow MUNI to install eyebolts in the building adjacent to its electric streetcar line to support its overhead wire system if requested by MUNI or MTA.

For information about compliance, contact San Francisco Municipal Railway (Muni), San Francisco Municipal Transit Agency (SFMTA), at 415.701.4500, www.sfmta.org

- 15. Noise, Ambient.** Interior occupiable spaces shall be insulated from ambient noise levels. Specifically, in areas identified by the Environmental Protection Element, Map1, "Background Noise Levels," of the General Plan that exceed the thresholds of Article 29 in the Police Code, new developments shall install and maintain glazing rated to a level that insulate interior occupiable areas from Background Noise and comply with Title 24.

For information about compliance, contact the Environmental Health Section, Department of Public Health at 415.252.3800, www.sfdph.org

Parking and Traffic

- 16. Transportation Demand Management (TDM) Program.** Pursuant to Planning Code Section 169, the Project shall finalize a TDM Plan prior to the issuance of the first Building Permit or Site Permit to construct the project and/or commence the approved uses. The Property Owner, and all successors, shall ensure ongoing compliance with the TDM Program for the life of the Project, which may include providing a TDM Coordinator, providing access to City staff for site inspections, submitting appropriate documentation, paying application fees associated with required monitoring and reporting, and other actions.

Prior to the issuance of the first Building Permit or Site Permit, 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 to document compliance with the TDM Program. This Notice shall provide the finalized TDM Plan for the Project, including the relevant details associated with each TDM measure included in the Plan, as well as associated monitoring, reporting, and compliance requirements.

For information about compliance, contact the TDM Performance Manager at tdm@sfgov.org or 628.652.7340, www.sfplanning.org

- 17. Parking for Affordable Units.** 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 628.652.7463, www.sfplanning.org

- 18. Car Share.** Pursuant to Planning Code Section 166, no fewer than two (2) car share space shall be made available, at no cost, to a certified car share organization for the purposes of providing car share services for its service subscribers.

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

- 19. Bicycle Parking.** The Project shall provide no fewer than 218 Class 1 bicycle parking spaces as required by Planning Code Sections 155.1 and 155.2.

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

- 20. Parking Maximum.** Pursuant to Planning Code Section 151 or 151.1, the Project shall provide no more than twenty-six (26) off-street parking spaces.

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

- 21. 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 628.652.7463, www.sfplanning.org

Provisions

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

For information about compliance, contact the Case Planner, Planning Department at 628.652.7313, www.sfplanning.org

- 23. 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

- 24. Transportation Sustainability Fee.** The Project is subject to the Transportation Sustainability Fee (TSF), as applicable, pursuant to Planning Code Section 411A.

For information about compliance, contact the Case Planner, Planning Department at 628.652.7313, www.sfplanning.org

- 25. Jobs-Housing Linkage.** The Project is subject to the Jobs Housing Linkage Fee, as applicable, pursuant to Planning Code Section 413.

For information about compliance, contact the Case Planner, Planning Department at 628.652.7313, www.sfplanning.org

- 26. Residential Child Care Impact Fee.** The Project is subject to the Residential Child Care Fee, as applicable, pursuant to Planning Code Section 414A.

For information about compliance, contact the Case Planner, Planning Department at 628.652.7313, www.sfplanning.org

- 27. Inclusionary Affordable Housing Program.** The following Inclusionary Affordable Housing Requirements are those in effect at the time of Planning Commission action. In the event that the requirements change, the Project Sponsor shall comply with the requirements in place at the time of issuance of the Site Permit.

For information about compliance on any of the Conditions noted below, contact the Planning Department at 628-652-7600 or at www.sf-planning.org or the Mayor's Office of Housing and Community Development at 415-701-5500, or at www.sfmohcd.org

- 28. State Density Bonus Regulatory Agreement.** Recipients of development bonuses under this Section 206.6 shall enter into a Regulatory Agreement with the City, as follows.

- A. The terms of the agreement shall be acceptable in form and content to the Planning Director, the Director of MOHCD, and the City Attorney. The Planning Director shall have the authority to execute such agreements.
- B. Following execution of the agreement by all parties, the completed Regulatory Agreement, or memorandum thereof, shall be recorded and the conditions filed and recorded on the Project.
- C. The approval and recordation of the Regulatory Agreement shall take place prior to the issuance of the First Construction Document. The Regulatory Agreement shall be binding to all future owners and successors in interest.
- D. The Regulatory Agreement shall be consistent with the guidelines of the City's Inclusionary Housing Program and shall include at a minimum the following:
 - i. The total number of dwelling units approved for the Project, including the number of Restricted Affordable Units;
 - ii. A description of the household income group to be accommodated by the Restricted Affordable Units and the standards for determining the corresponding Affordable Rent or Affordable Sales Price. If required by the City and County of San Francisco Inclusionary Affordable Housing Program Monitoring and Procedures Manual ("Procedures Manual"), the project sponsor must commit to completing a market survey of the area before marketing Restricted Affordable Units;
 - iii. The location, dwelling unit sizes (in square feet), and number of bedrooms of the Restricted Affordable Units;
 - iv. Term of use restrictions for the life of the project;
 - v. A schedule for completion and occupancy of Restricted Affordable Units;
 - vi. A description of any Concession, Incentive, waiver, or modification, if any, being provided by the City;
 - vii. A description of remedies for breach of the agreement (the City may identify tenants or qualified purchasers as third party beneficiaries under the agreement); and
 - viii. Other provisions to ensure implementation and compliance with Section 206.6.

For information about compliance, contact the Case Planner, Planning Department at 415-575-9087, www.sf-planning.org or the Mayor's Office of Housing and Community Development at (415) 701-5500, www.sfmohcd.org

29. Number of Rental Units in a State Density Bonus Project. The Project Sponsor has elected the Combination Alternative pursuant to Planning Code Section 415.5. The applicable on-site rate is 21% and the Affordable Housing Fee rate is 30%. The Sponsor has satisfied 67.4% of the Inclusionary Obligation by providing 31 Affordable Units on-site, which represents 21% of the 146-unit base project. In addition, in order to achieve a 50% bonus, the Project is providing an additional four units or 3% at 50% AMI. If the number of market-rate units change, the number of required Affordable Units shall be modified accordingly with written approval from Planning Department staff in consultation with the Mayor's Office of Housing and Community Development ("MOHCD"). The Sponsor will satisfy the remaining 32.6% of the Inclusionary Obligation through

payment of the Affordable Housing Fee. The Project Sponsor must pay the Fee in full sum to the Development Fee Collection Unit at the DBI for use by MOHCD prior to the issuance of the first construction document.

30. Unit Mix. The Project contains 218 group housing units and no studios, one-bedrooms, two-bedrooms, or three-bedroom units. If the overall unit mix of the Project changes, the affordable unit mix will be modified accordingly with written approval from the Planning Department in consultation with MOHCD.

31. Unit Tenure. The project is a Rental Housing Project as defined in Section 415.2. If the Project seeks to convert from a Rental Housing Project to an Ownership Housing Project, the Project shall require Planning Commission approval pursuant to Planning Code Section 415.5(g)(5). Conversion from a Rental Unit to an Owned Unit shall follow the procedures set forth in the City and County of San Francisco Inclusionary Affordable Housing Program Monitoring and Procedures Manual ("Procedures Manual"), as amended from time to time.

If a Rental Housing Project becomes an Ownership Housing Project, the project sponsor shall either (A) reimburse the City the proportional amount of the inclusionary affordable housing fee, which would be equivalent to the then-current inclusionary affordable fee requirement for Ownership Housing Projects, or (B) provide additional on-site or off-site Affordable Units equivalent to the difference between the on-site rate for rental units approved at the time of entitlement and the then-current inclusionary requirements for Ownership Housing Projects. The additional units shall be apportioned among the required number of units at various income levels in compliance with the requirements in effect at the time of conversion as specified in Planning Code Section 415.

32. Mixed Income Levels for Affordable Units. Pursuant to Planning Code Section 415.3, the Project is required to provide 21% of the proposed dwelling units as Affordable to Qualifying Households. At least 12% must be affordable to low-income households, at least 4.5% must be affordable to moderate income households, and at least 4.5% must be affordable to middle income households. In addition, the Project is providing an additional 3% or four units at 50% AMI to qualify for a 50% bonus under State Density Bonus Law. Rental Units for low-income households shall have an affordable rent set at 55% of Area Median Income or less, with households earning up to 65% of Area Median Income eligible to apply for low-income units. Rental Units for moderate-income households shall have an affordable rent set at 80% of Area Median Income or less, with households earning from 65% to 90% of Area Median Income eligible to apply for moderate-income units. Rental Units for middle-income households shall have an affordable rent set at 110% of Area Median Income or less, with households earning from 90% to 130% of Area Median Income eligible to apply for middle-income units.

	Number of Units	Affordable Rent AMI	Household AMI Eligibility
Very Low Income Units			
Low Income Units	18	55%	Up to 65%
Moderate Income Units	7	80%	65% - 90%
Middle Income Units	6	110%	90% - 130%

The Affordable Units that satisfy both the Density Bonus Law and the Inclusionary Affordable Housing Program shall be rented to very low-income households, as defined as households with income not to

exceed 50% of AMI in the California Health and Safety Code Section 50105 and/or California Government Code Sections 65915-65918, the State Density Bonus Law. The income table used to determine the rent and income levels for the Density Bonus units shall be the table required by the State Density Bonus Law. If the resultant rent or income levels at 50% of AMI under the table required by the State Density Bonus Law are higher than the rent and income levels at 55% of AMI under the Inclusionary Affordable Housing Program, the rent and incomes levels shall default to the maximum allowable rent and income levels for Affordable Units under the Inclusionary Affordable Housing Program. After such Density Bonus Law units have been rented for a term of 55 years, the subsequent rent and income levels of such units may be adjusted to (55) percent of Area Median Income under the Inclusionary Affordable Housing Program, using income table published by MOHCD called "Maximum Income by Household Size derived from the Unadjusted Area Median Income for HUD Metro Fair Market Rent Area that contains San Francisco," and shall remain affordable for the remainder of the life of the Project. The initial and subsequent rent level of such units shall be calculated according to the Procedures Manual. The remaining units being offered for rent 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 (iv) recertification are set forth in the Procedures Manual.

33. Occupancy of Middle Income Units. For any Affordable Units with rents set at 110% of Area Median Income, the units shall have a minimum occupancy of two persons.

34. Minimum Unit Sizes. Pursuant to Planning Code Section 415.6(f)(2), the Affordable Units shall meet the minimum unit sizes standards established by the California Tax Credit Allocation Committee (TCAC) as of May 16, 2017. One-bedroom units must be at least 450 square feet, two-bedroom units must be at least 700 square feet, and three-bedroom units must be at least 900 square feet. Studio units must be at least 300 square feet pursuant to Planning Code Section 415.6(f)(2). The total residential floor area devoted to the Affordable Units shall not be less than the applicable percentage applied to the total residential floor area of the overall project, provided that a 10% variation in floor area is permitted.

35. Notice of Special Restrictions. Prior to the issuance of the architectural addendum or twelve months prior to the first certificate of occupancy, whichever is earlier, the Project Sponsor shall record a Notice of Special Restrictions 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 comply with Zoning Administrator Bulletin No. 10 or any other affordable housing designation standards published by the Planning Department and updated periodically. The Project Sponsor shall provide a copy of the recorded Notice of Special Restrictions to the Planning Department and MOHCD or its successor prior to the issuance of the architectural addendum. If a Project does not anticipate an architectural addendum, then the Notice of Special Restrictions shall be recorded prior to the issuance of the Building Permit. Following the designation of affordable units, changes to the overall residential square footage or to any unit within the Project require written approval from the Planning Department in consultation with MOHCD who will determine if the changes are consistent with Zoning Administrator Bulletin No. 10.

- 36. Construction Timeline.** Prior to the issuance of the Site Permit, the Project Sponsor shall submit an estimated construction timeline to the Department in accordance with Section 415.6(g).
- 37. Phasing.** If any building permit is issued for partial phasing of the Project, the Project shall have designated not less than twentyone percent (21%) of each phase's total number of dwelling units as on-site affordable units.
- 38. Duration.** Under Planning Code Section 415.8, all units are constructed pursuant to Section 415.6, and therefore must remain Affordable to Qualifying Households for the life of the project.
- 39. Expiration of the Inclusionary Rate.** Pursuant to Planning Code Section 415.6(a)(10), if the Project has not obtained a site or building permit within 30 months of Planning Commission Approval of this Motion No. 21158, then it is subject to the Inclusionary Affordable Housing Requirements in effect at the time of site or building permit issuance.
- 40. Modification of Elected Alternative.** Pursuant to Planning Code Section 415.5(g)(3), any proposed change from the on-site alternative to another alternative, including the Affordable Housing Fee, requires public notice for hearing and approval from the Planning Commission to amend these Conditions of Approval.
- 41. 20% Below Market Rents.** Pursuant to PC Section 415.6, the maximum affordable rents shall be no higher than 20% below market rents for the neighborhood within which the project is located, which shall be defined in accordance with the American Community Survey Neighborhood Profile Boundaries Map. MOHCD shall adjust the allowable rents, and the eligible households for such units, accordingly, and such potential readjustment shall be a condition of approval upon project entitlement. The City shall review the updated data on neighborhood rents and sales prices on an annual basis.
- 42. Procedures Manual.** The Project is subject to the requirements of the Inclusionary Affordable Housing Program under Planning Code Section 415 et seq. and City and County of San Francisco Inclusionary Affordable Housing Program Monitoring and Procedures Manual ("Procedures Manual"), as amended from time to time. The Procedures Manual is incorporated herein by reference, as published and adopted by the Planning Commission, and as required by Planning Code Section 415. Terms used in these conditions of approval and not otherwise defined shall have the meanings set forth in the Procedures Manual. A copy of the Procedures Manual can be obtained at the MOHCD at 1 South Van Ness Avenue or on the Planning Department or MOHCD websites, including on the internet at: <https://sfmohcd.org/inclusionary-housing-program-manuals>

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 initial rental, re-rental, and recertification.

- a) Comparability. The affordable unit(s) shall (1) be constructed, completed, ready for occupancy and marketed no later than the market rate units, and (2) be evenly distributed throughout the building floor plates; (3) be of comparable overall quality, construction and exterior appearance as the market rate units in the project; and (4) be maintained in the same manner as the market units. The interior features in Affordable Units should be generally the same as those of the market units in the 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 Zoning Administrator Bulletin No. 10 and the Procedures Manual. Any material changes to an affordable unit following recordation of the Notice of Special Restrictions (referenced in Section 10) requires written approval from the Planning Department in consultation with MOHCD

- b) Tenure. The project is a Rental Housing Project. Therefore, the affordable unit(s) shall be rented to low-income households, as defined in the Planning Code and Procedures Manual. 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 (iv) recertification for the Affordable Units are set forth in the Procedures Manual.
- c) Marketing. 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 shall submit a request for pricing determination from MOHCD at least eight months prior to first certificate of occupancy.
- d) Parking. The 24% of the total number of parking spaces leased to residential tenants in the Project shall be made available to renters of Affordable Units according to the Procedures Manual.

43. Compliance. If the Project 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 the Project's compliance. The Planning Department, MOHCD and City Attorney's Office may also enforce against violations of the Inclusionary Affordable Housing program. A Project'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 Project and to pursue any and all available remedies at law, including penalties and interest, if applicable.

44. Eastern Neighborhoods Infrastructure Impact Fee. The Project is subject to the Eastern Neighborhoods Infrastructure Impact Fee, Tier 1, as applicable, pursuant to Planning Code Section 423.

For information about compliance, contact the Case Planner, Planning Department at 628.652.7313, www.sfplanning.org

Monitoring - After Entitlement

45. 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 628.652.7463, www.sfplanning.org

46. Monitoring. The Project requires monitoring of the conditions of approval in this Motion. The Project Sponsor or the subsequent responsible parties for the Project shall pay fees as established under Planning Code Section 351(e) (1) and work with the Planning Department for information about compliance.

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

47. 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 628.652.7463, www.sfplanning.org

Operation

48. Sidewalk Maintenance. The Project Sponsor shall maintain the main entrance to the building and all sidewalks abutting the subject property in a clean and sanitary condition in compliance with the Department of Public Works Streets and Sidewalk Maintenance Standards.

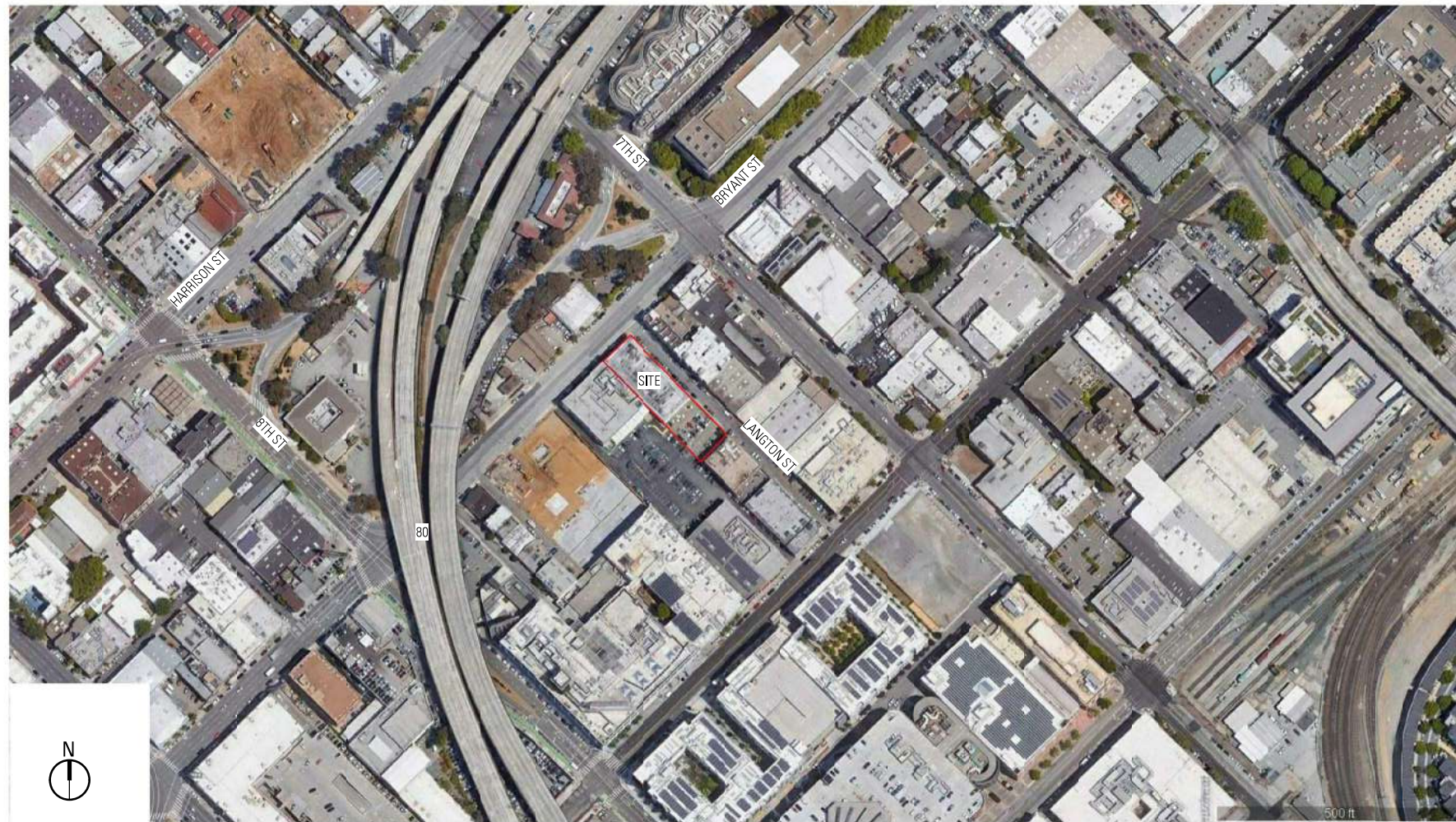
For information about compliance, contact Bureau of Street Use and Mapping, Department of Public Works, 628.271.2000, www.sfpublishworks.org

49. 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 and all registered neighborhood groups for the area with written notice of the name, business address, and telephone number of the community liaison. Should the contact information change, the Zoning Administrator and registered neighborhood groups 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 628.652.7463, www.sfplanning.org

50. 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 628.652.7463, www.sfplanning.org



925 BRYANT ST

SAN FRANCISCO, CA

**APPLICATION FOR
LARGE PROJECT AUTHORIZATION**

MARCH 23, 2022

SITE AERIAL & CONTEXT

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3/24/2022 11:52:21 AM

ARCHITECT:
 BAR ARCHITECTS
 77 GEARY STREET, SUITE 200
 SAN FRANCISCO, CA 94108
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 CONTACT: WILLIAM DUNCANSON
 EMAIL: WDUNCANSON@BARARCH.COM

APPLICANT:
 925 BRYANT, LLC
 1000 SANSOME STREET, FIRST FLOOR
 SAN FRANCISCO, CA 94111
 TEL: 415.231.0221
 CONTACT: GREG PASQUALI
 EMAIL: GPASQUALI@CARMELPARTNERS.COM

LANDSCAPE:
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 ORINDA, CA 94563
 TEL: 510.502.8500
 CONTACT: BRUCE JETT
 EMAIL: BRUCEJ@JETT.LAND

CIVIL:
 URBAN DESIGN CONSULTING ENGINEERS
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 SAN FRANCISCO, CA 94107
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 CONTACT: JASON LING
 EMAIL: JASONLING@URBANDESIGNCE.COM

VICINITY MAP	OVERVIEW	SHEET INDEX																																																																						
 <p>SITE AERIAL & CONTEXT</p>	<p>THE SITE IS A SINGLE 20,652 SF PARCEL (BLOCK 3780 LOT 077). IT IS LOCATED IN THE UMU, URBAN MIXED USE ZONING DISTRICT. IT CONTAINS AN EXISTING 1-STORY, 13,125 SF WAREHOUSE WITH NO RESIDENTIAL UNITS AND NO KNOWN HISTORIC VALUE, (B - UNKNOWN/ AGE ELIGIBLE HISTORICAL RESOURCE STATUS).</p> <p>925 BRYANT, LLC, THE PROJECT SPONSOR, PROPOSES TO DEMOLISH THE EXISTING STRUCTURE AND REDEVELOP THE PROPERTY PER THE STATE'S DENSITY BONUS LAW (CALIFORNIA GOVERNMENT CODE SECTIONS 65915-65918) INTO A RENTAL GROUP HOUSING PROPERTY. THE PROPOSED PROJECT WILL INCLUDE 218 UNITS WITH SHARED INDOOR AND OUTDOOR AMENITY SPACES.</p>	<p>SHEET LIST</p> <table border="1"> <thead> <tr> <th>NO</th> <th>NAME</th> </tr> </thead> <tbody> <tr><td>CS</td><td>COVER SHEET</td></tr> <tr><td>G001</td><td>PROJECT INFORMATION</td></tr> <tr><td>G002</td><td>PROJECT DATA</td></tr> <tr><td>G003</td><td>CODE DIAGRAMS</td></tr> <tr><td>G004</td><td>BETTER ROOFS DIAGRAM</td></tr> <tr><td>G005</td><td>LOADING PLAN</td></tr> <tr><td>G006</td><td>SITE PHOTOS</td></tr> <tr><td>G007</td><td>EXISTING SITE PLAN/SURVEY</td></tr> <tr><td>L101</td><td>STREET FRONTAGES</td></tr> <tr><td>L102</td><td>LOWER COURT</td></tr> <tr><td>L103</td><td>ROOF DECK</td></tr> <tr><td>A100</td><td>EXISTING SITE PLAN</td></tr> <tr><td>A101</td><td>EXISTING FLOOR PLAN</td></tr> <tr><td>A102</td><td>EXISTING ELEVATIONS & SECTIONS</td></tr> <tr><td>A110</td><td>PROPOSED SITE PLAN</td></tr> <tr><td>A200</td><td>BASEMENT PLAN</td></tr> <tr><td>A201</td><td>FLOOR PLAN - LEVEL 1</td></tr> <tr><td>A202</td><td>FLOOR PLAN - LEVEL 2</td></tr> <tr><td>A203</td><td>FLOOR PLAN - LEVEL 3</td></tr> <tr><td>A204</td><td>FLOOR PLAN - LEVEL 4</td></tr> <tr><td>A205</td><td>FLOOR PLAN - LEVEL 5</td></tr> <tr><td>A206</td><td>FLOOR PLAN - LEVEL 6</td></tr> <tr><td>A207</td><td>FLOOR PLAN - LEVEL 7</td></tr> <tr><td>A208</td><td>ROOF PLAN</td></tr> <tr><td>A301</td><td>EXTERIOR ELEVATION - NORTH</td></tr> <tr><td>A302</td><td>EXTERIOR ELEVATION - SOUTH</td></tr> <tr><td>A303</td><td>EXTERIOR ELEVATION - EAST & WEST</td></tr> <tr><td>A311</td><td>BUILDING SECTION</td></tr> <tr><td>A312</td><td>BUILDING SECTION</td></tr> <tr><td>A320</td><td>PERSPECTIVE</td></tr> <tr><td>A321</td><td>PERSPECTIVE</td></tr> <tr><td>A401</td><td>ENLARGED AMENITY PLAN</td></tr> <tr><td>A402</td><td>ENLARGED UNIT PLANS & DETAILS</td></tr> <tr><td>B100</td><td>BASE SCHEME SHEET</td></tr> </tbody> </table>	NO	NAME	CS	COVER SHEET	G001	PROJECT INFORMATION	G002	PROJECT DATA	G003	CODE DIAGRAMS	G004	BETTER ROOFS DIAGRAM	G005	LOADING PLAN	G006	SITE PHOTOS	G007	EXISTING SITE PLAN/SURVEY	L101	STREET FRONTAGES	L102	LOWER COURT	L103	ROOF DECK	A100	EXISTING SITE PLAN	A101	EXISTING FLOOR PLAN	A102	EXISTING ELEVATIONS & SECTIONS	A110	PROPOSED SITE PLAN	A200	BASEMENT PLAN	A201	FLOOR PLAN - LEVEL 1	A202	FLOOR PLAN - LEVEL 2	A203	FLOOR PLAN - LEVEL 3	A204	FLOOR PLAN - LEVEL 4	A205	FLOOR PLAN - LEVEL 5	A206	FLOOR PLAN - LEVEL 6	A207	FLOOR PLAN - LEVEL 7	A208	ROOF PLAN	A301	EXTERIOR ELEVATION - NORTH	A302	EXTERIOR ELEVATION - SOUTH	A303	EXTERIOR ELEVATION - EAST & WEST	A311	BUILDING SECTION	A312	BUILDING SECTION	A320	PERSPECTIVE	A321	PERSPECTIVE	A401	ENLARGED AMENITY PLAN	A402	ENLARGED UNIT PLANS & DETAILS	B100	BASE SCHEME SHEET
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ZONING ANALYSIS

Address	925 Bryant Street
APN Number	37780 / 017
Lot Area (sf)	20,625 SF
Zoning District	UMU - Urban Mixed Use

PLANNING CODE ANALYSIS

ZONING ANALYSIS					
Element	Control	Code Section	Req'd	Provided	Anticipated Waiver/Incentive*
Article 38 Exposure Zone	Enhanced ventilation	SF Health Code	Yes	Yes	
Setbacks	No side yard req'd	130	n/a	n/a	
Rear Yard	Min 25% but not less than 15'	See Diagram	18'-9"	10'-1"	WAIVER (for dimension)
Usable Open Space (Res)	1/3 amount of - 80 SF / Unit Common	135(d)(5)(A)(ii), 135B	5,832 SF min common	6,200 SF	
Dwelling Unit Exposure	DU to have window facing complying ROW, yard or court	140	Yes	Provided	
Active Use / Ground Floor Height	17' floor-to-floor at ground level from grade; comply with residential design guidelines	145.1(c)(4)	17' floor-to-floor @ level 1	10'-9" & 21'-3"	WAIVER (for ground floor ceiling height below 17')
Off-Street Parking	Group housing - none required	151.1	0 min 73 max	25	
Loading Zone	Off-street freight loading spaces	Table 152.1	1	D	WAIVER
Bicycle Parking	Units 1-100: 1 Class 1/4 Beds; Units over 101: 1 Class 1/5 beds Min. 2 Class 2 Spaces; 2 Class 2 Spaces per 100 Units, Round Up	155.2	49	218	
Dwelling Unit Mix	Not applicable for Group Housing	207.6			
Height and Bulk	4B-X	260	48' max	74'-11"	WAIVER (for building height above 48')
Horizontal Mass Reduction	Max 200' long building section	270.1	200' max	273'-6"	WAIVER (for no building mass reduction in 273'-6" long building)
Dwelling Unit Size	Required Dwelling Unit size	890.88	350 GSF min	YES, AS NOTED	WAIVER (for 11 units below 350 GSF)
Dwelling Unit Density Limit	None	843.24	n/a		

* Project sponsor reserves the right to apply for modifications to development standards either as concessions, incentives, or waivers.

PRELIMINARY BUILDING AREA TABULATIONS

3/23/2022

Level	Residential Rentable GSF ^A	Residential Amenity GSF ^B	Residential Core GSF ^C	Residential Total GSF	Garage GSF ^D	Building Amenity GSF ^E	Commercial GSF ^F	Building Core GSF ^G	Bike Stor. GSF ^H	Non-Res. Total GSF	Grand Total GSF	Occupiable Outdoor GSF
R								702		702	702	6,200
7	14,411	816	2,101	17,328						0	17,328	222
6	15,166	0	2,101	17,267						0	17,267	222
5	14,781	420	2,101	17,302						0	17,302	222
4	15,166	0	2,101	17,267						0	17,267	185
3	14,781	402	2,101	17,284						0	17,284	
2	9,803		1,877	11,680						0	11,680	
1			3,350	3,350	375		3,127		4,396	7,898	11,248	300
B					12,713	5,268		168		18,149	18,149	1,070
Total	84,108	1,638	15,732	101,478	13,088	5,268	3,127	870	4,396	26,749	128,227	8,421

NOTES:

- ^A Residential Rentable GSF calculation includes exterior and half of corridor and party walls
- ^B Residential Amenity GSF includes entry lobby, leasing office, club room, fitness room, etc
- ^C Residential Core GSF include corridors, residential level lobbies, stairs, elevators, res. level utility spaces, etc
- ^D Garage Total GSF includes all spaces inside garage footprint, such as mechanical/utility spaces, etc, and does not contribute to RGSF
- ^E Building Amenity GSF includes all amenity spaces at levels not contributing to RGSF per SF Planning Code
- ^F Retail GSF does not contribute to RGSF
- ^G Building Core GSF includes circulation & service spaces excluded from SF Planning Code Gross Floor Area calculation requirements, and does not contribute to RGSF
- ^H Bike Storage GSF does not contribute to RGSF
- ^J Occupiable Outdoor GSF includes all occupiable non-public outdoor spaces, regardless of open space requirements/inclusion, provided for reference. See open space plan sheet 2/G003 for required open space.

EXISTING VS PROPOSED

	EXISTING	PROPOSED
Gross Building Area	13,125	128,227

BASE SCHEME - GROSS AREA

Level	Residential Total GSF	Non-RGFA Total GSF	Grand Total GSF
R	0	0	0
5	15,625	0	15,625
4	15,625	0	15,625
3	15,625	0	15,625
1 Mezzanine	5,174	0	5,174
1 Ground	15,522	0	15,522
B1*	0	16,347	16,347
Total	67,571	16,347	83,918

* Basement excluded from RGFA

BASE VS BONUS UNIT DENSITY

	AREA (SF)	UNITS
BASE DENSITY	67,571	66.59% * 218 = 146
BONUS PROJECT	101,478	218
RATIO BASE/BONUS	66.59%	

PRELIMINARY OCCUPIED FLOOR...

Level	Occupied Floor Area
R	120
7	16,499
6	16,402
5	16,433
4	16,402
3	16,419
2	11,025
1	4,432
B	5,170
Total	102,902

NOTES:

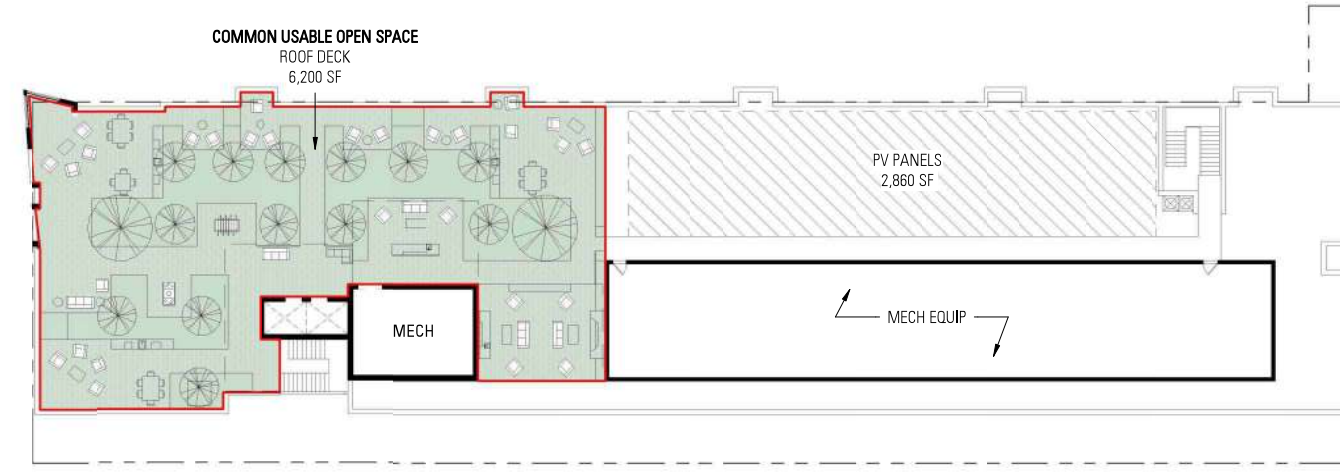
Per Section 102 of the San Francisco Planning Code, Occupied Floor Area is defined by the Gross Floor Area minus:

- a Accessory parking and loading spaces and driveways, and maneuvering areas incidental thereto;
- b Exterior walls of the building;
- c Mechanical equipment, appurtenances, and areas necessary to the operation or maintenance of the building itself, wherever located in the building;
- d Restrooms and space for storage and services necessary to the operation and maintenance of the building itself, wherever located in the building;
- e Space in a retail store for store management, show windows, and dressing rooms, and for incidental repairs, processing, packaging, and stockroom storage of merchandise for sale on the premises; and
- f Incidental storage space for the convenience of tenants.

PRELIMINARY UNIT MIX

LEVEL	GROUP HOUSING TYP UNIT 13' x 30' 390 GSFA	UNIT TOTAL
7	37	37
6	39	39
5	38	38
4	39	39
3	38	38
2	27	27
1	0	0
TOTAL	218	218
%	100%	100%
AVERAGE UNIT SIZE RESIDENTIAL GSFB		102,902
AVERAGE UNIT SIZE (GSF)		472

- ^A Unit GSF includes exterior and half of corridor and party walls
- ^B As calculated in the Preliminary Building Area Tabulation



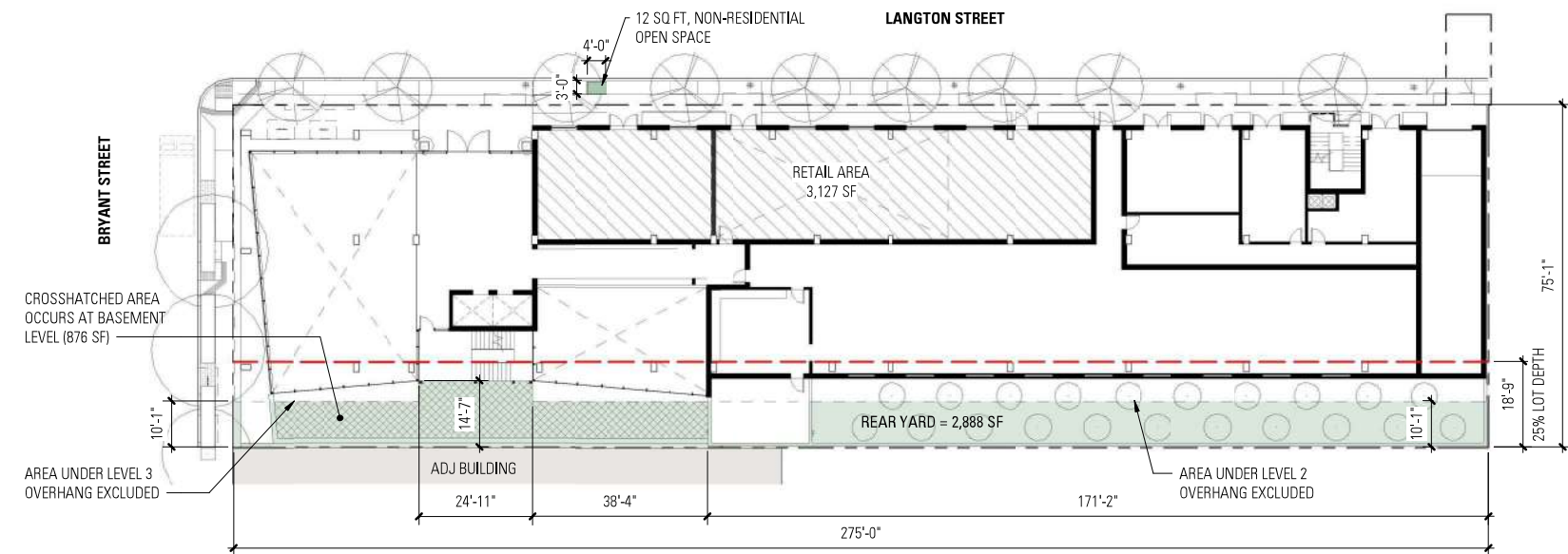
OPEN SPACE CALCS

COMMON USABLE OPEN SPACE:
216 UNITS @ 27 SF/DU = 5,832 SF REQUIRED

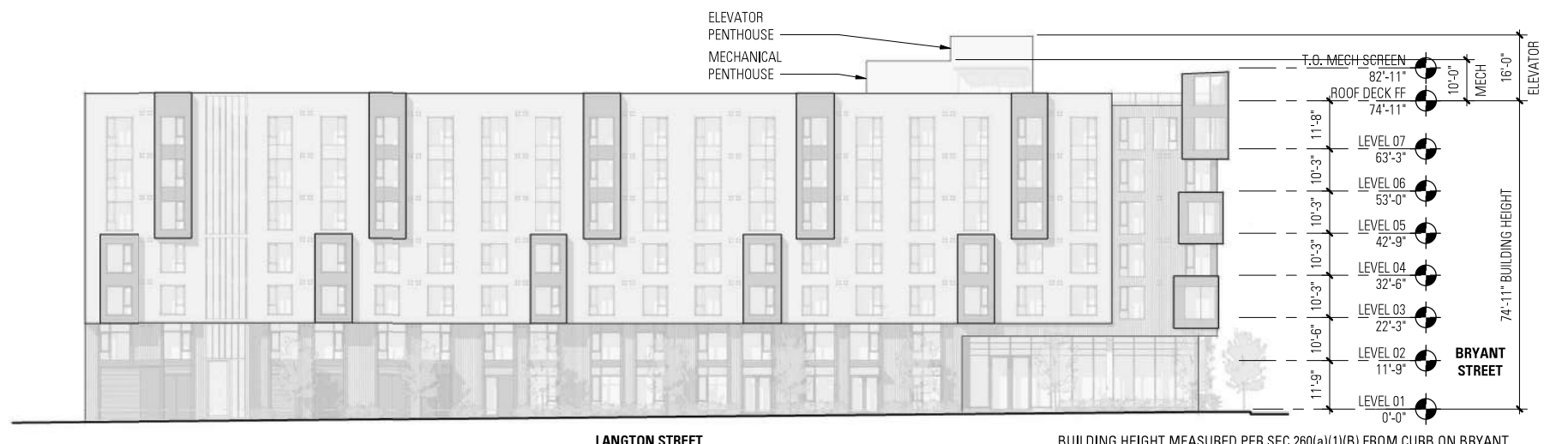
OPEN SPACE PROVIDED AT ROOF = 6,200 SF
27 SF/DU PROVIDED PER SEC 135(d)(5)(A)(ii)

NOTE: ADDITIONAL OPEN SPACES PROVIDED THROUGHOUT THE PROJECT, IN ADDITION TO THE MINIMUM REQUIREMENTS

3 OPEN SPACE DIAGRAM - ROOF LEVEL
G003 1" = 20'-0"



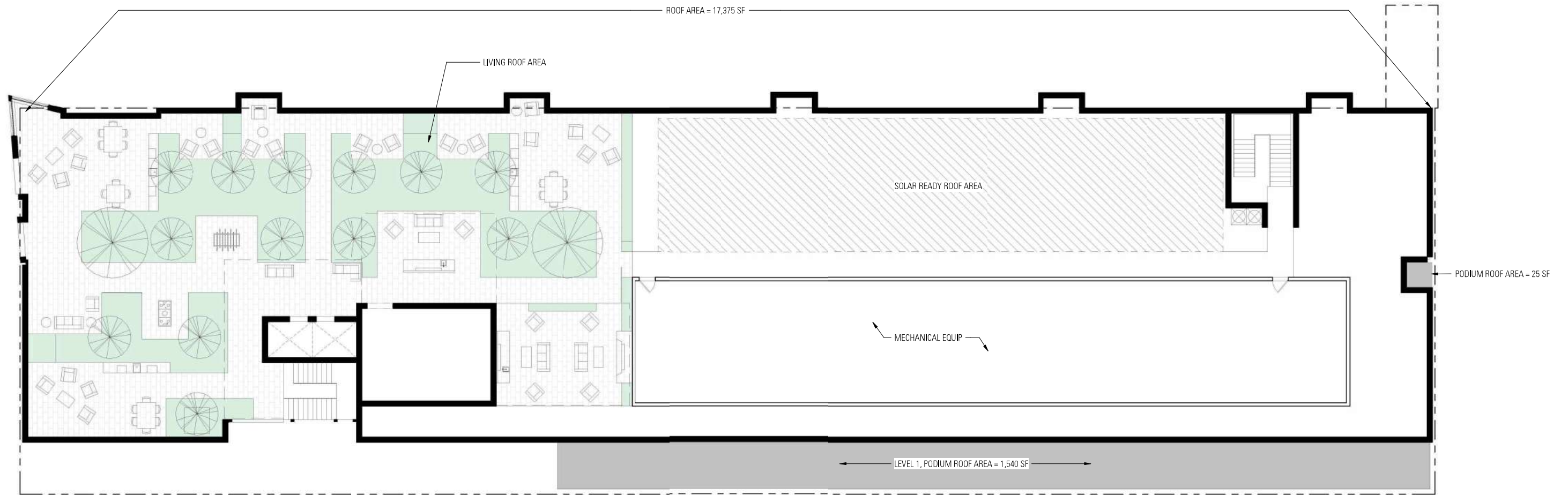
2 REAR YARD & NON-RESIDENTIAL OPEN SPACE DIAGRAM
G003 1" = 20'-0"



BUILDING HEIGHT MEASURED PER SEC 260(a)(1)(B) FROM CURB ON BRYANT STREET. LOT SLOPES DOWN AND LOT DEPTH IS EQUAL TO HALF OF BLOCK DEPTH, THEREFORE HEIGHT LIMIT EXTENDS FULL DEPTH OF LOT.

1 BUILDING HEIGHT DIAGRAM
G003 1" = 20'-0"

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1 BETTER ROOFS DIAGRAM
 G004 1" = 10'-0"

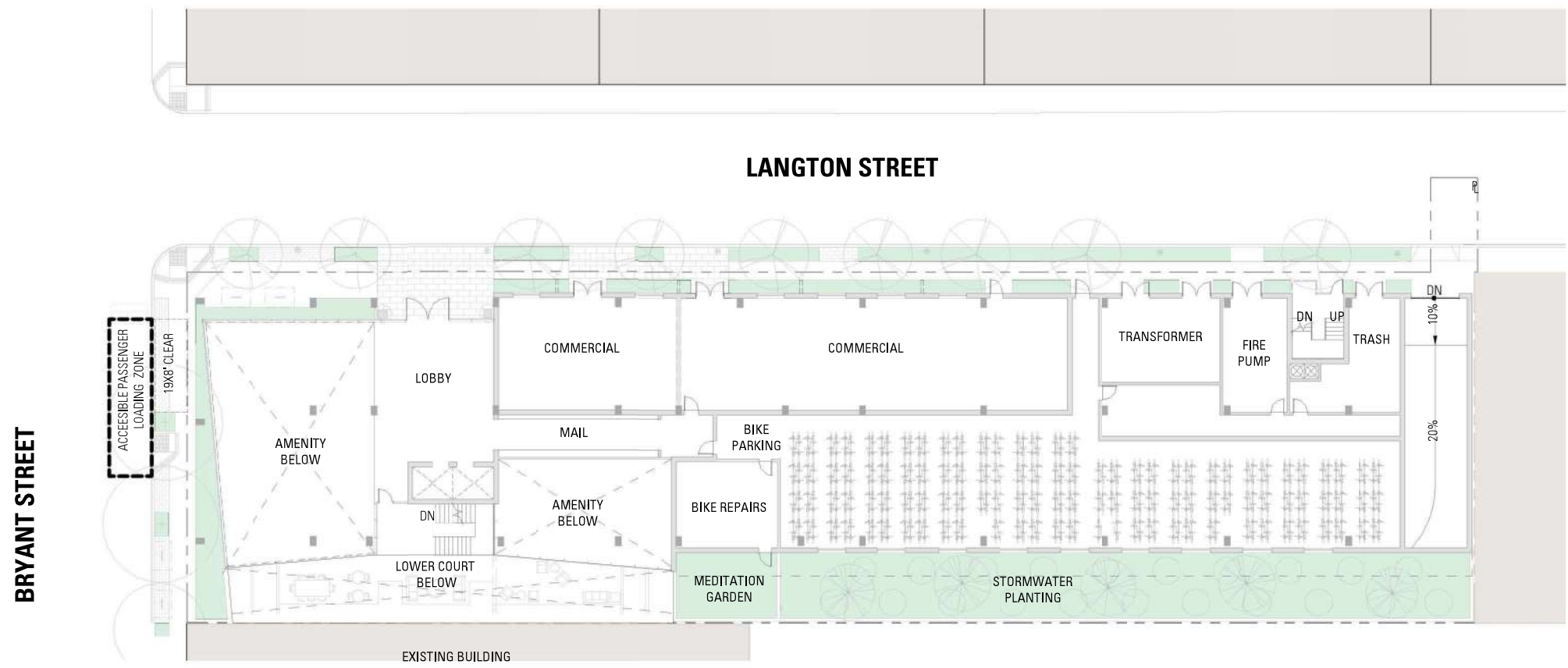
ROOF AREA SUMMARY

UPPER ROOF AREA = 17,357 SF
 PODIUM ROOF AREA = 1,565 SF
 TOTAL ROOF AREA = 18,922 SF

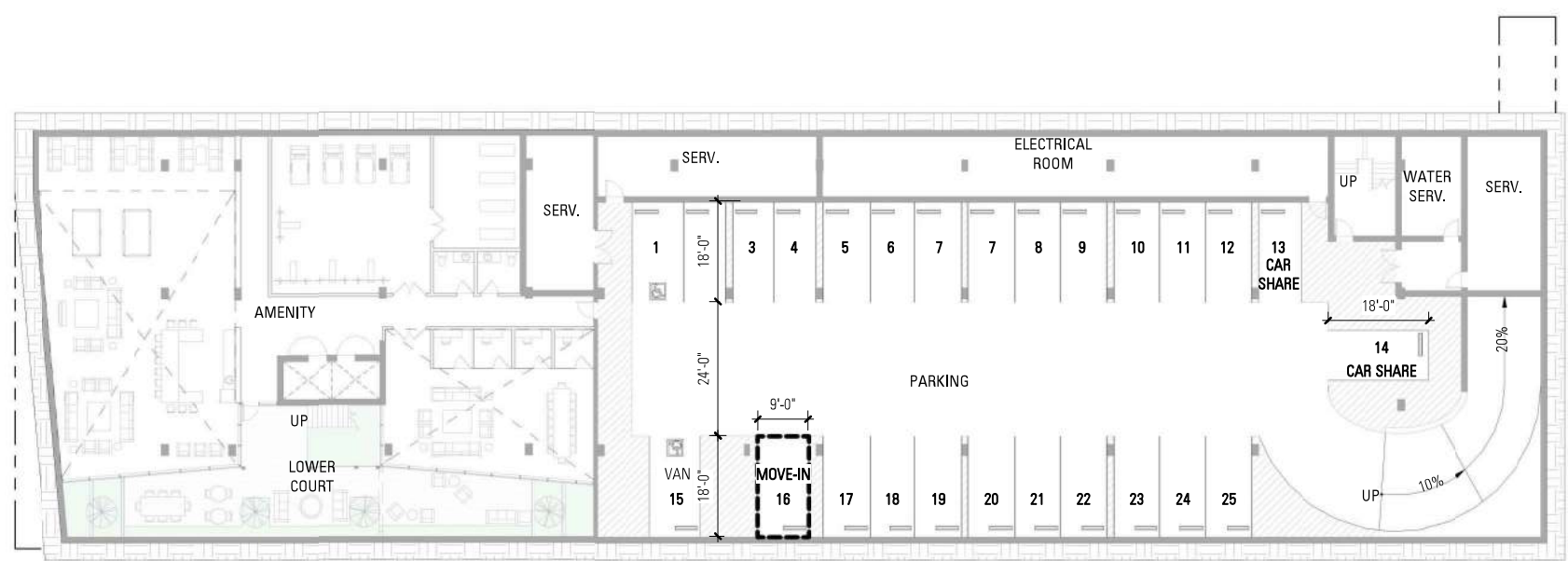
BETTER ROOF AREA REQUIRED = 15% OF 18,922 SF = 2,838 SF
 BETTER ROOF AREA PROVIDED = 2,860 SF

SOLAR READY AREA = 2,860 SF
 LIVING ROOF AREA = 2,120 SF (SEE L103)

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2
G005 LEVEL 01 - LOADING PLAN
1/16" = 1'-0"



1
G005 LEVEL B1 - LOADING PLAN
1/16" = 1'-0"

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1. VIEW FROM LANGTON ST



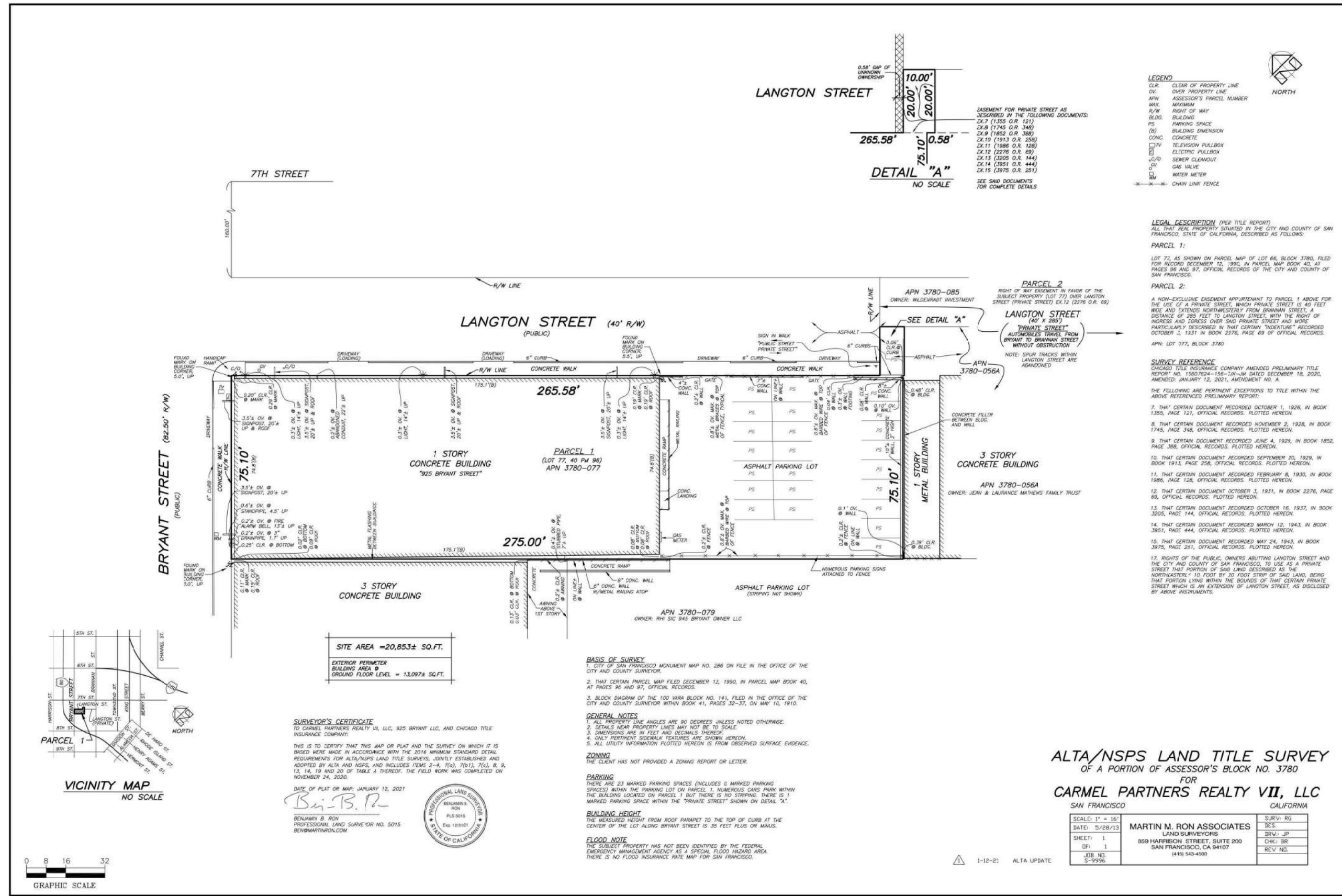
2. VIEW FROM BRYANT LOOKING SOUTH



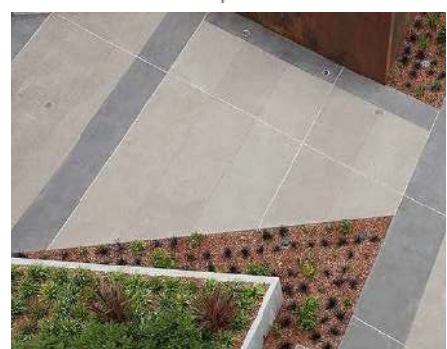
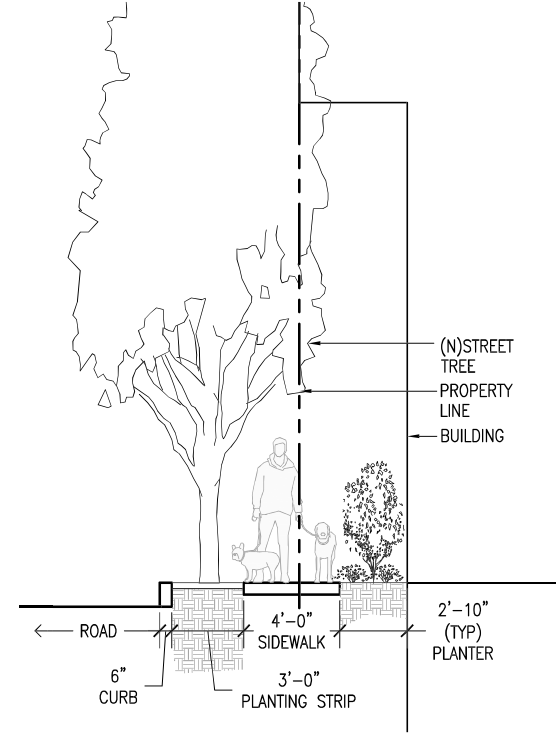
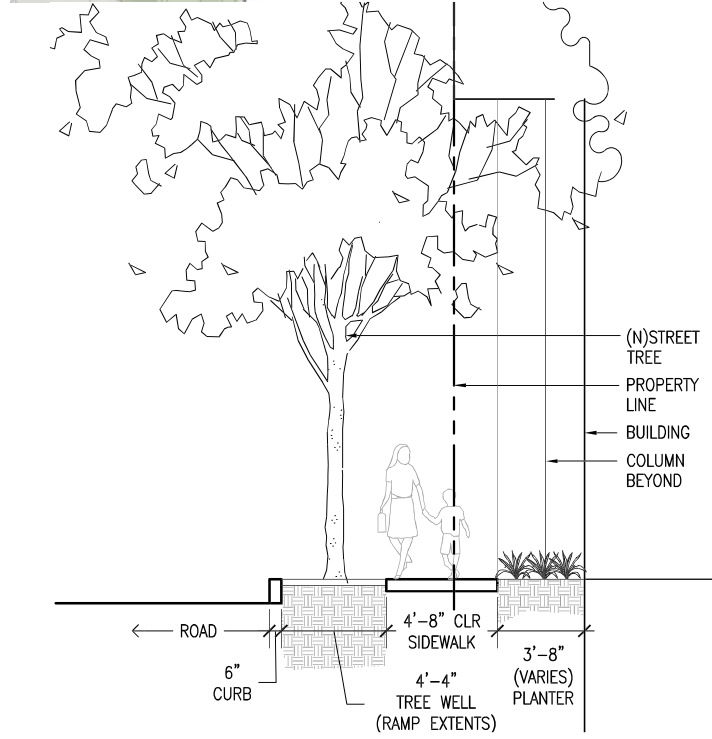
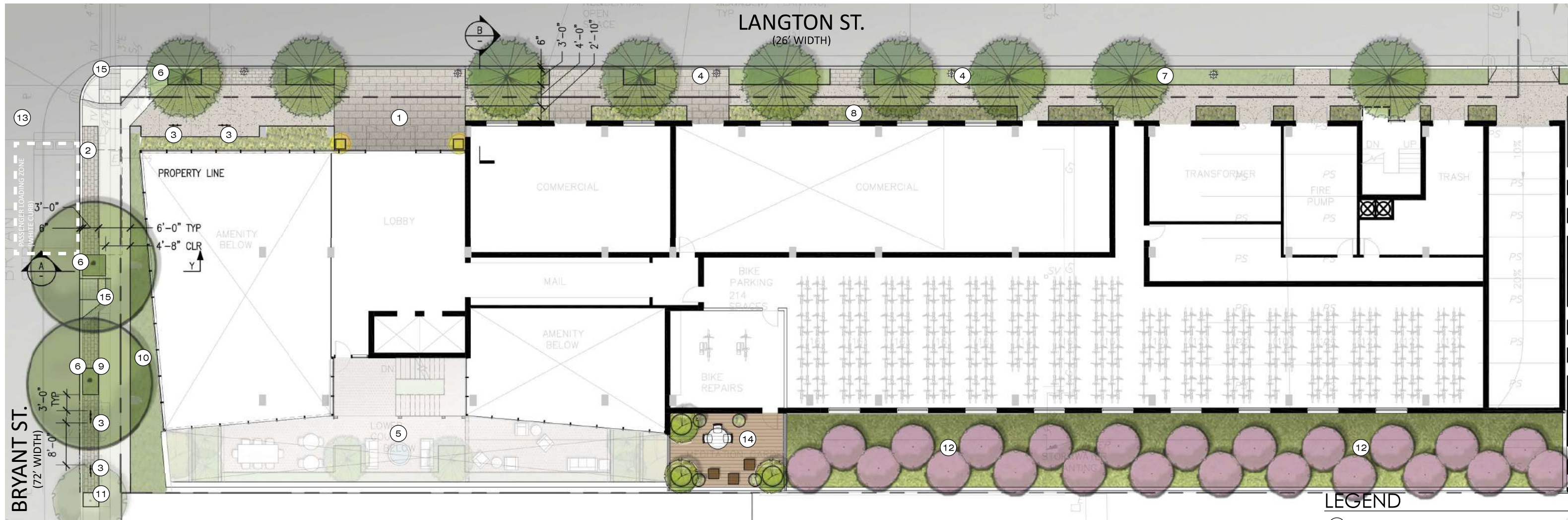
3. VIEW FROM BRYANT LOOKING NORTH



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① SPECIALTY PAVING



② PERMEABLE PAVING



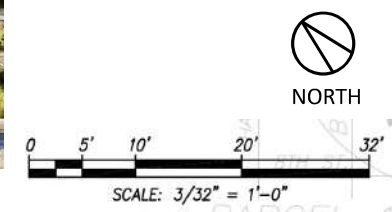
③ BIKE RACK

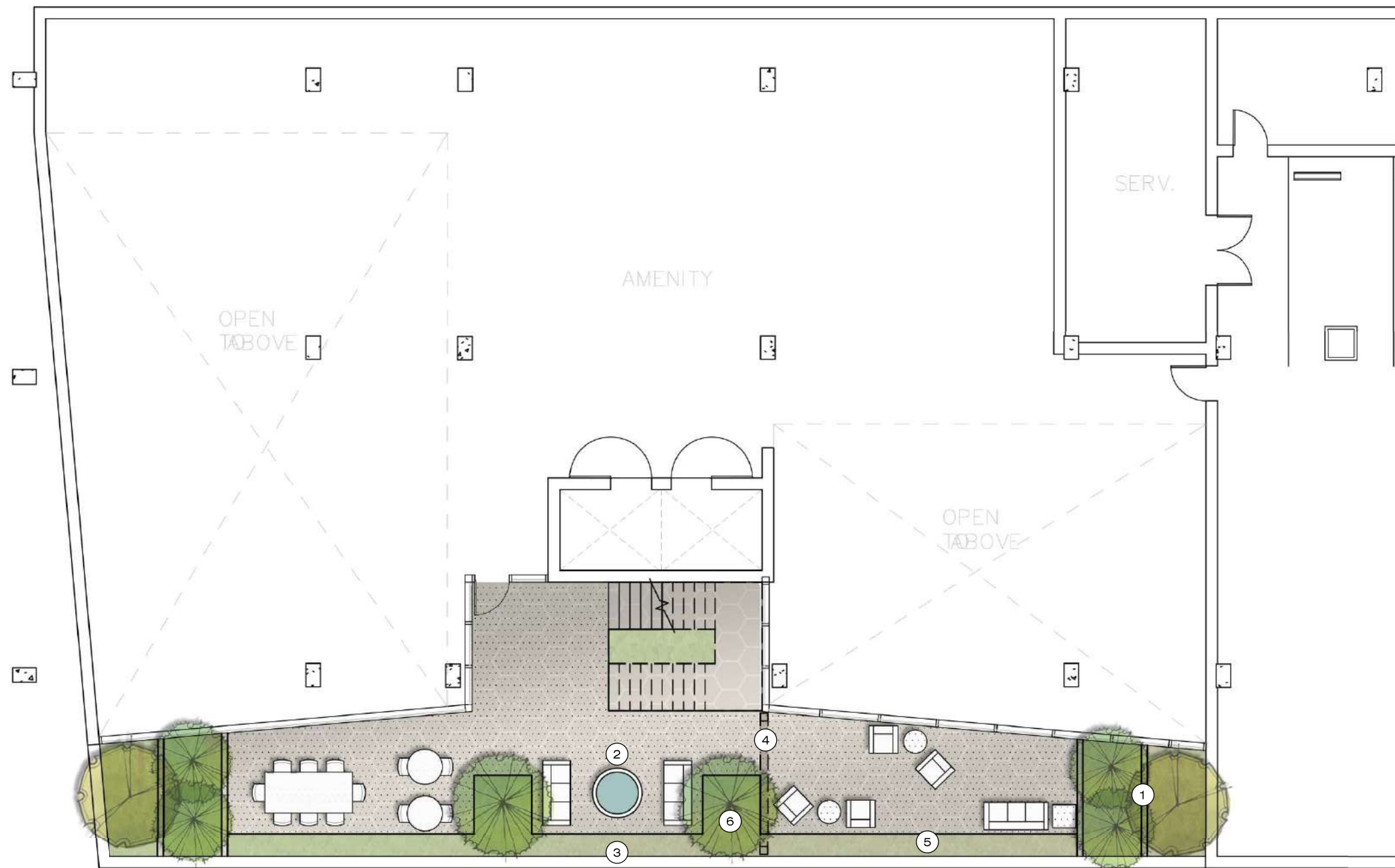


④ PEDESTRIAN LIGHT

LEGEND

- ① SPECIALTY PAVING, TYP
- ② PERMEABLE PAVERS, TYP (PER CITY STD)
- ③ BIKE RACK, TYP (4 TOTAL) (PER CITY STD)
- ④ PEDESTRIAN LIGHT, TYP (PER CITY STD)
- ⑤ LOWER COURT, SEE L1.02
- ⑥ NEW STREET TREE, TYP (PER CITY STD)
- ⑦ 3' WIDE PLANTING STRIP (PER CITY STD)
- ⑧ PLANTING STRIP
- ⑨ 3'X5' TREE WELL, TYP
- ⑩ PLANTING AREA, TYP
- ⑪ EXISTING TREE
- ⑫ STORMWATER PLANTING
- ⑬ PASSENGER LOADING ZONE
- ⑭ MEDITATION GARDEN
- ⑮ NEW CURB RAMP PER CITY STANDARDS (EAST, SOUTH, & LOADING ZONE)



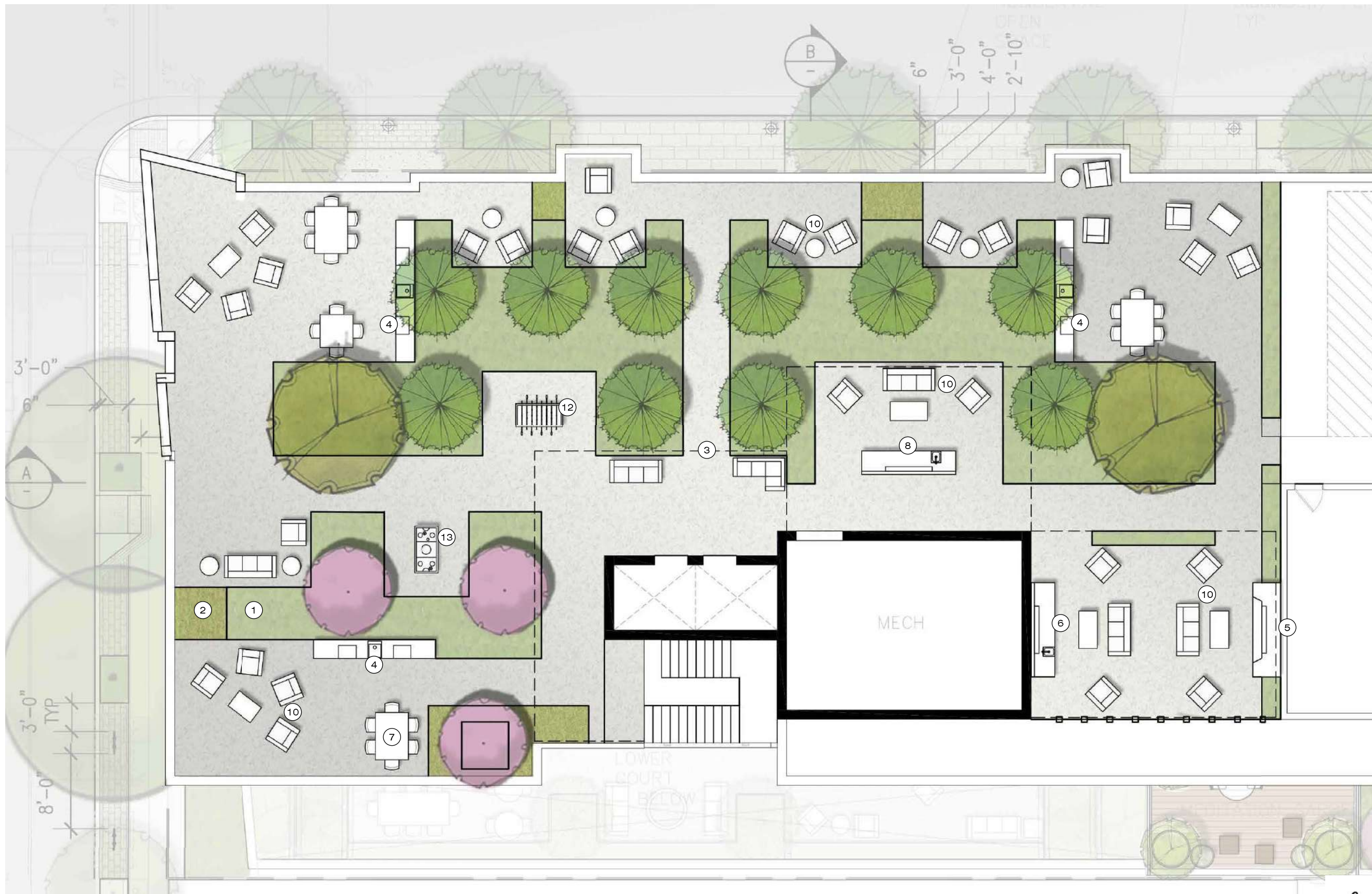


LEGEND

- ① TERRACED PLANTER W/LUSH PLANTING, TYP
- ② WATER FEATURE
- ③ FEATURE WALL
- ④ SEMI-TRANSPARENT SCREEN PASS-THOUGH
- ⑤ LOWER COURT PLANTING, TYP, SEE L2.01 & L2.02
- ⑥ SMALL TREE, TYP



SCALE: 1" = 10'-0"



LEGEND

- ① RAISED PLANTER, TYP
- ② LOW GREENROOF PLANTING, TYP
- ③ SHADE STRUCTURE OVER ELEVATOR LOBBY
- ④ BBQ (ELECTRIC)
- ⑤ ENTERTAINMENT PAVILION 1 - FIREPLACE W/TV ABOVE
- ⑥ COUNTER W/ KEG BAR, TV/GAMING CONSOLE & STORAGE
- ⑦ COMMUNITY TABLE, TYP
- ⑧ ENTERTAINMENT PAVILION 2 - TV ON DIVIDER WALL W/WINE BAR, COUNTER & STORAGE
- ⑨ WORK POD, TYP
- ⑩ LOUNGE FURNITURE, TYP
- ⑪ COMMUNITY TABLE, TYP
- ⑫ FOOSBALL
- ⑬ AIR HOCKEY

PLANTING AREA

LEFT: 1,7300 SF (1,200 SF MIN REQUIRED)
 RIGHT: 390 SF
 TOTAL: 2,120 SF



NORTH



SCALE: 1" = 10'-0"

925 Bryant Street

925 BRYANT ST, SAN FRANCISCO, CA 94103

3/1/22

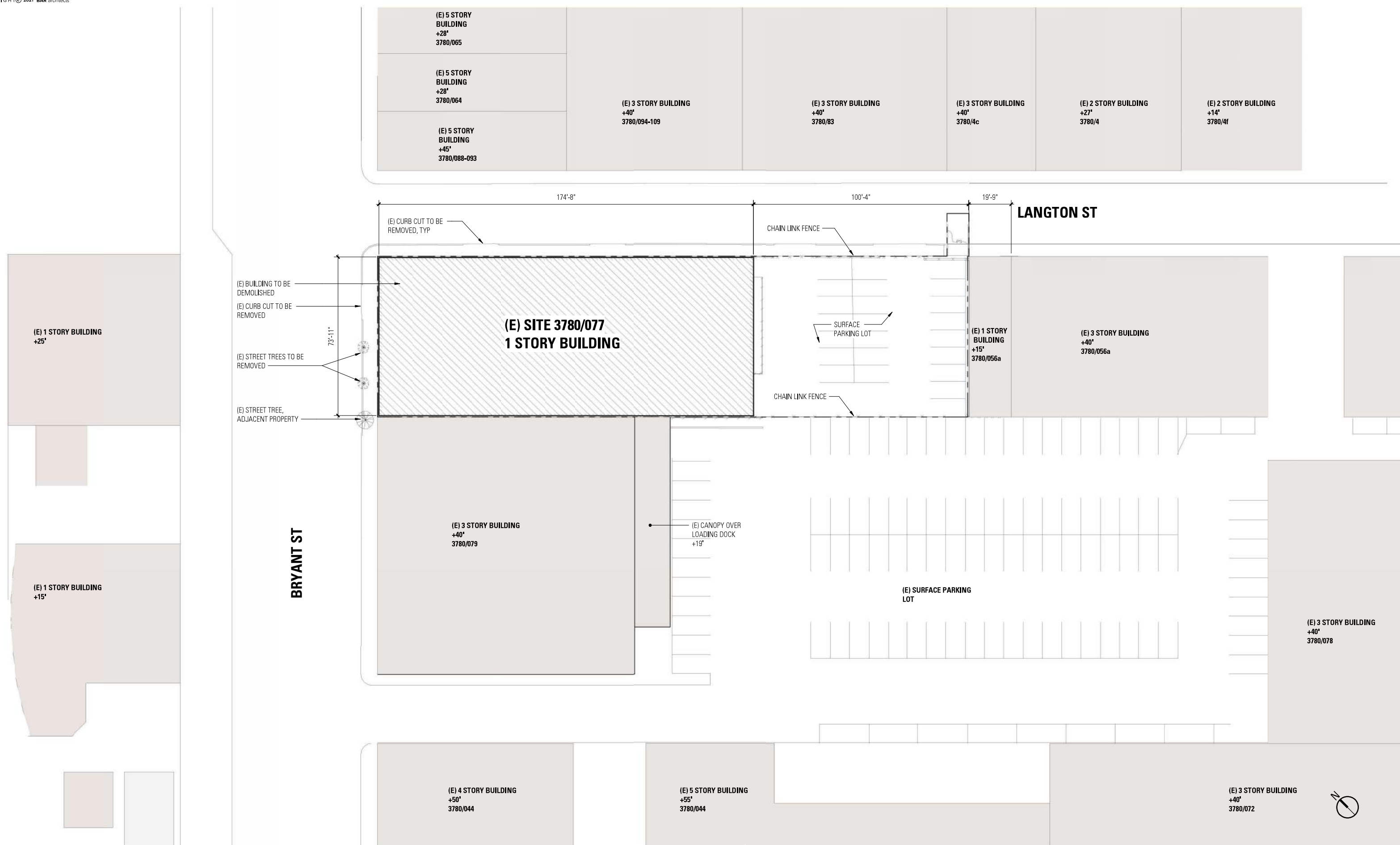
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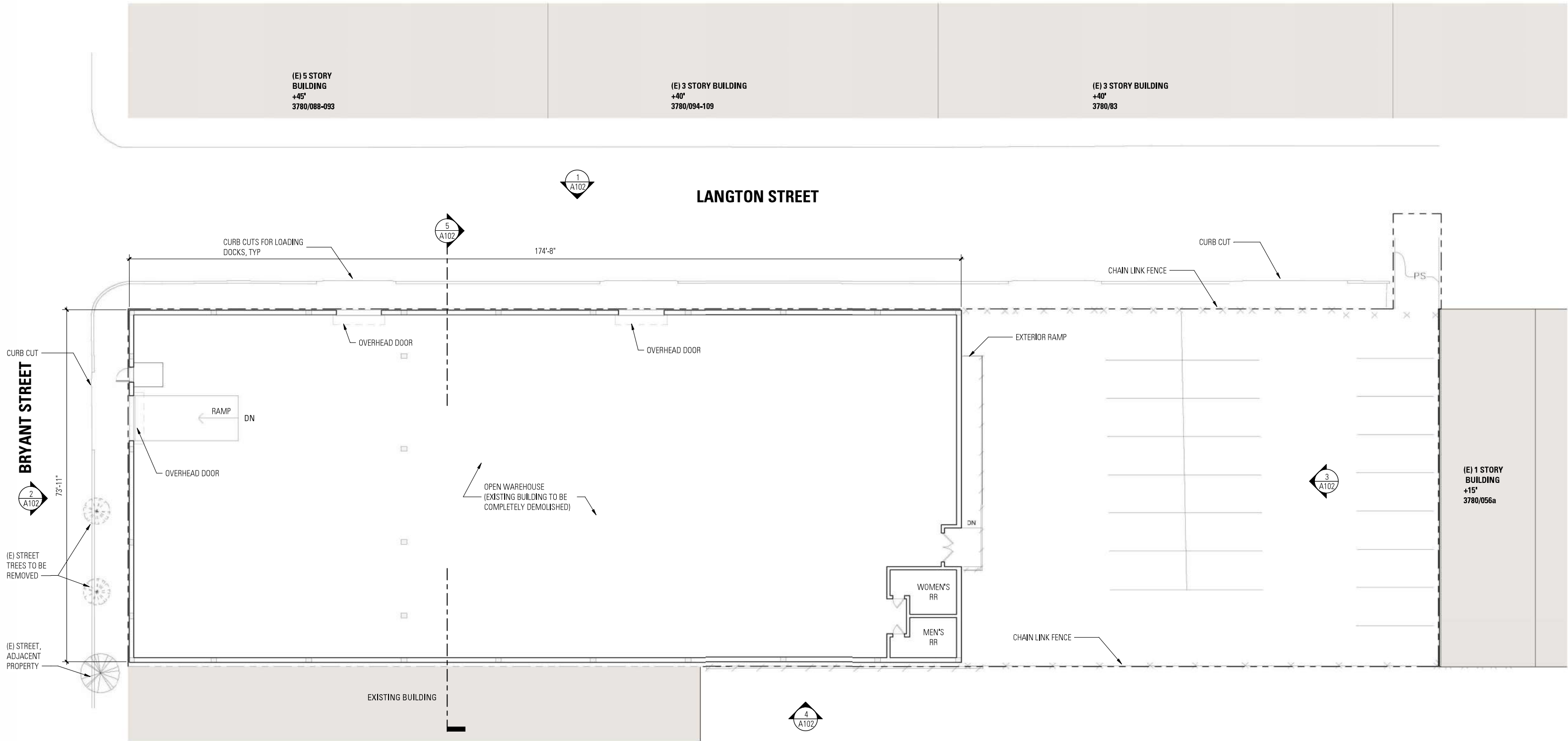


ROOF DECK

L1.03

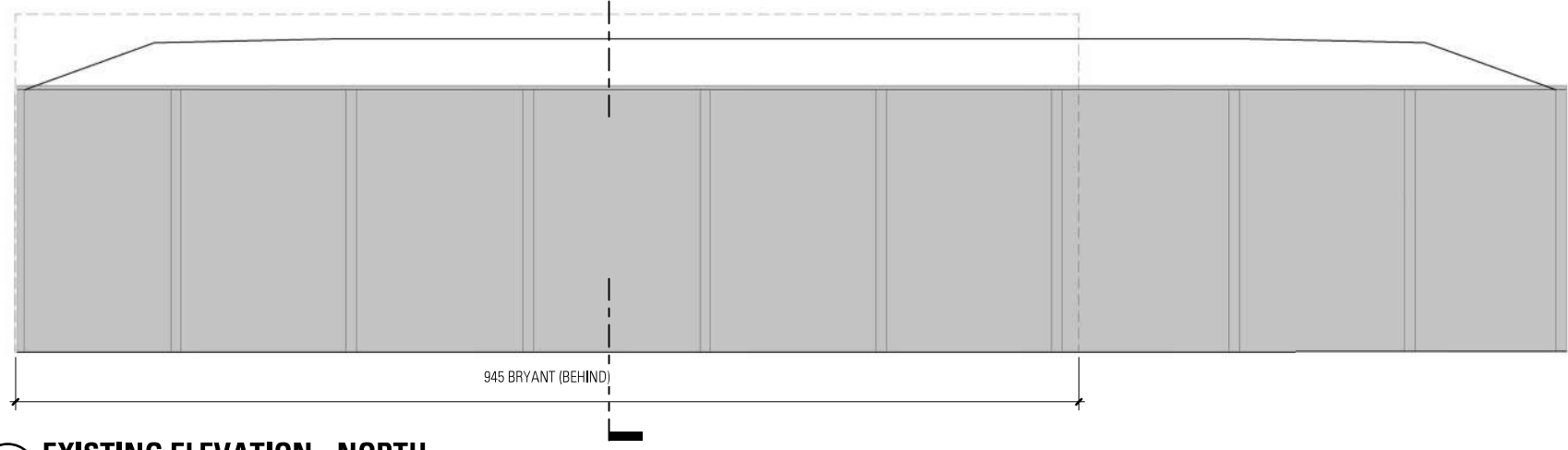
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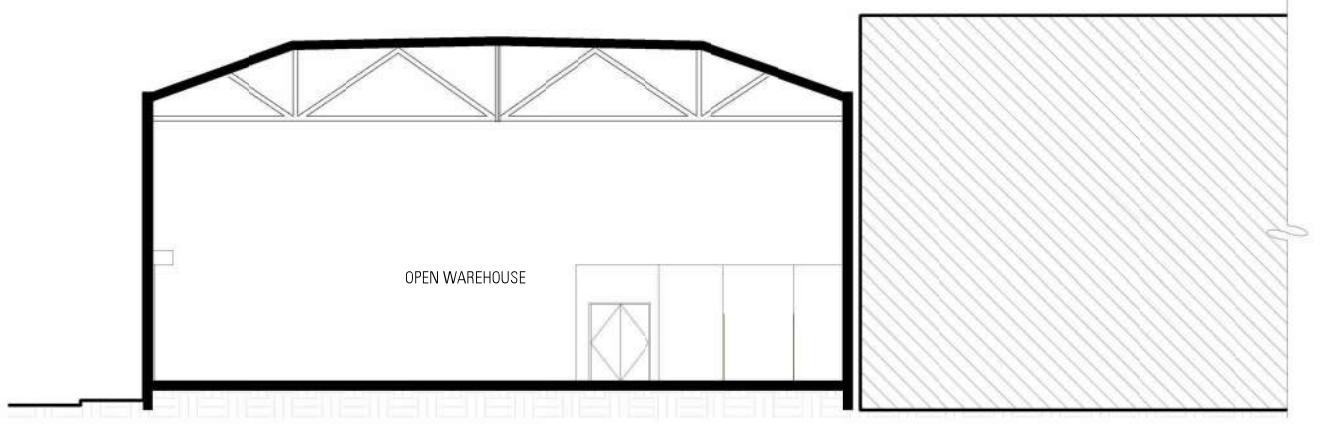


1 (E) LEVEL 01
 A101 1" = 10'-0"

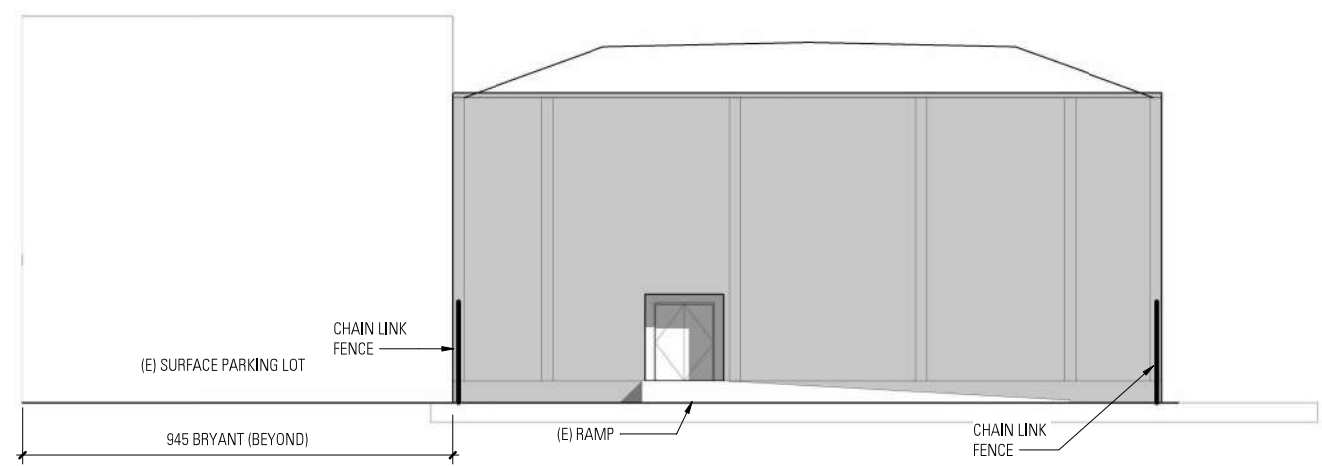
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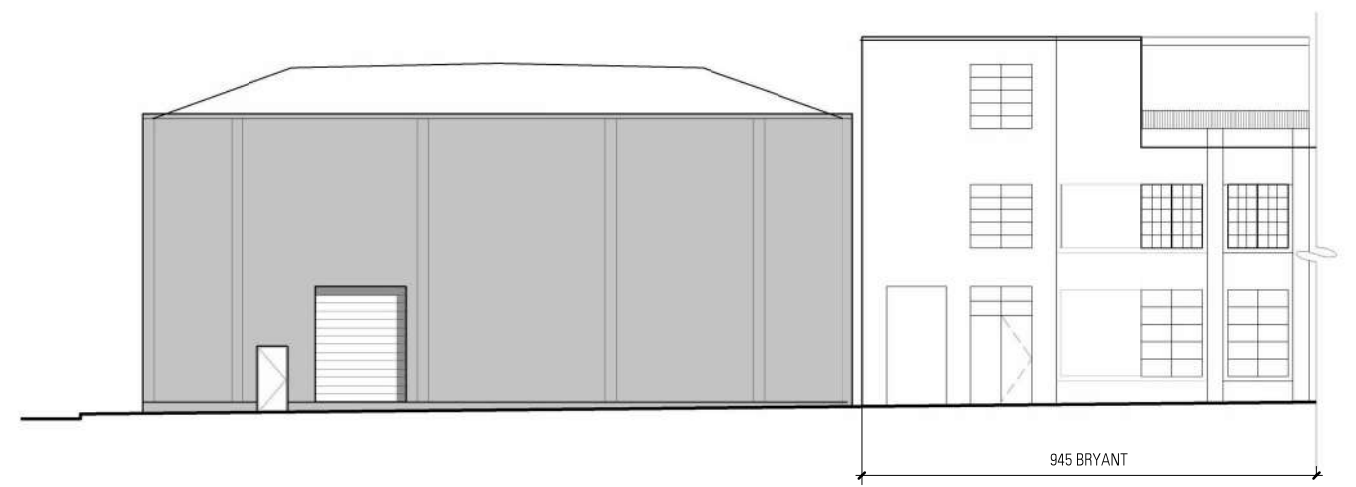
4 **EXISTING ELEVATION - NORTH**
1" = 10'-0"



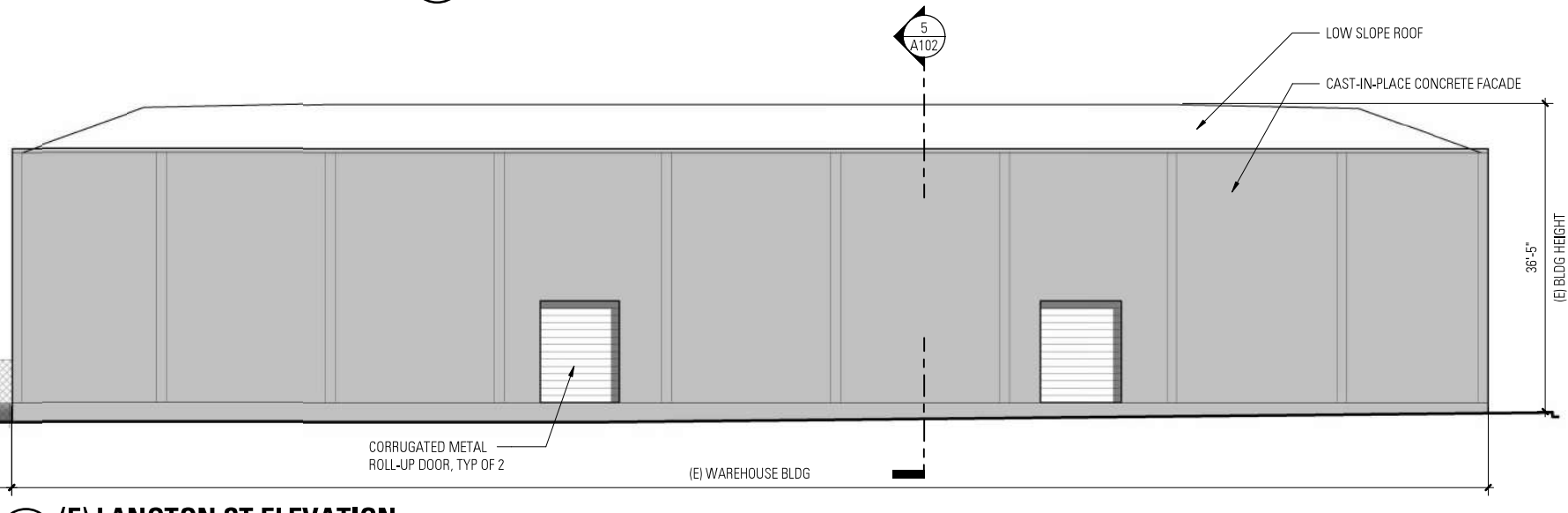
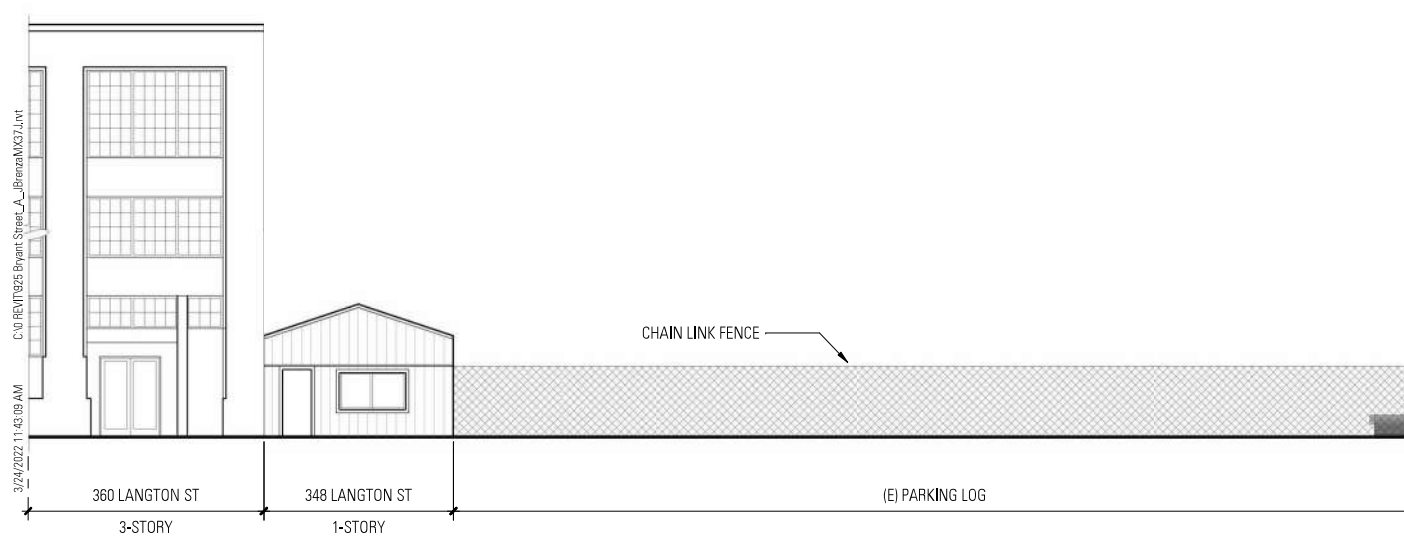
5 **EXISTING BUILDING SECTION**
1" = 10'-0"



3 **EXISTING ELEVATION - EAST**
1" = 10'-0"

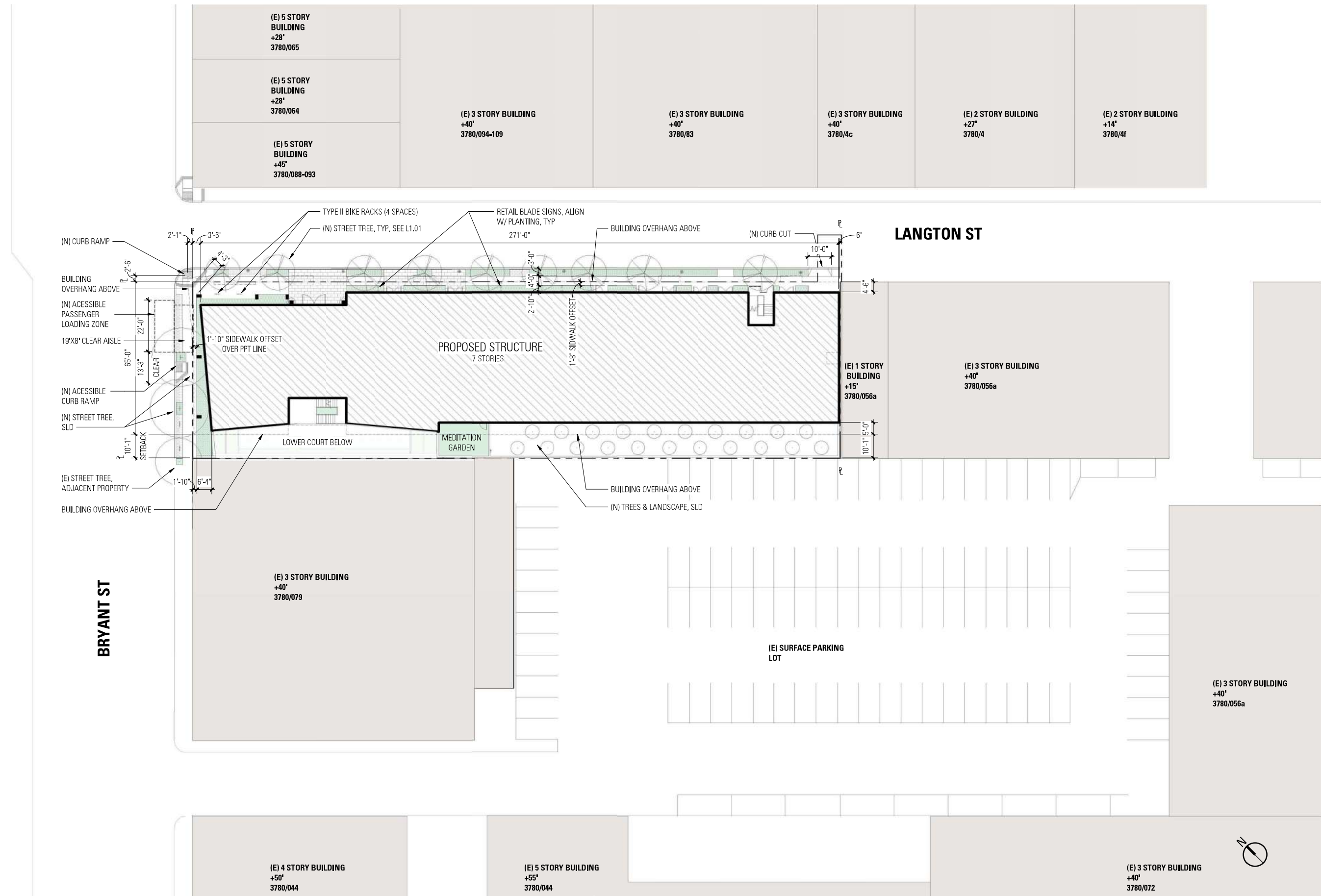


2 **(E) BRYANT ST ELEVATION**
1" = 10'-0"



1 **(E) LANGTON ST ELEVATION**
1" = 10'-0"

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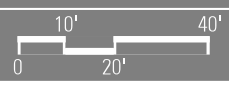
925 Bryant Street
 925 BRYANT ST, SAN FRANCISCO, CA 94103

PROPOSED SITE PLAN

3/23/2022

2020026

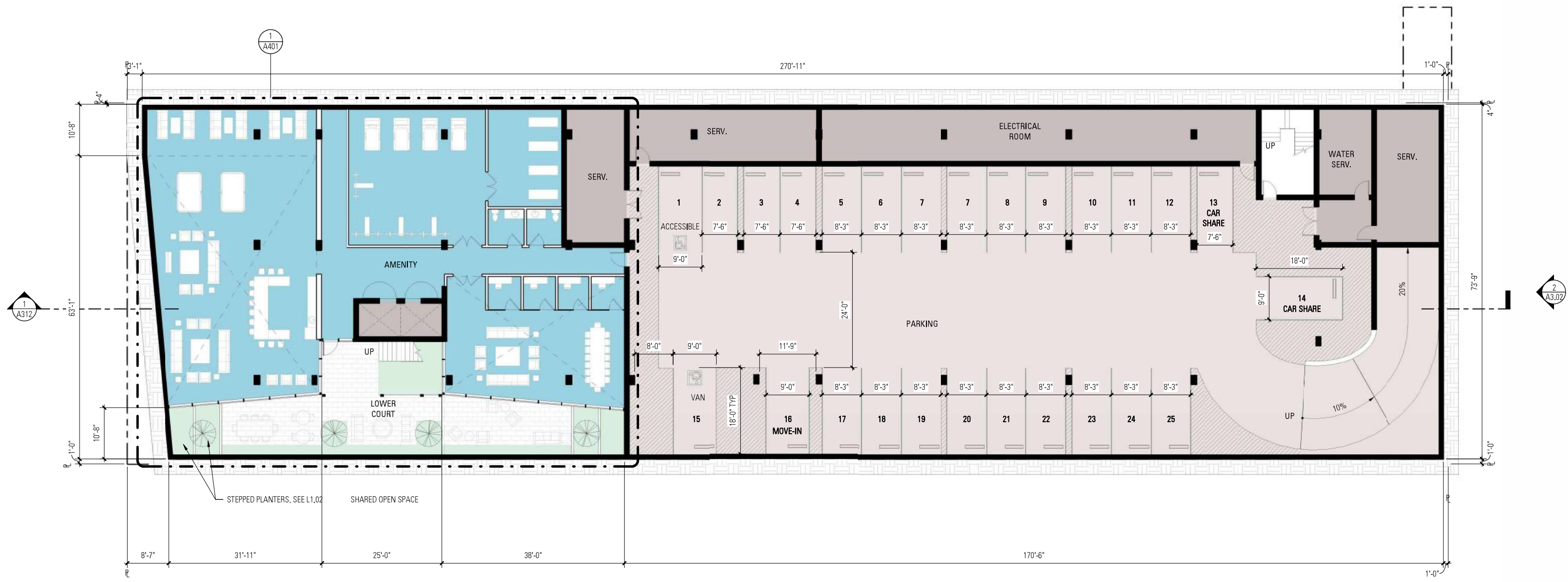
BAR architects



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(E) 5 STORY
BUILDING
+45'
3780/088-093

(E) 3 STORY BUILDING
+40'
3780/094-109

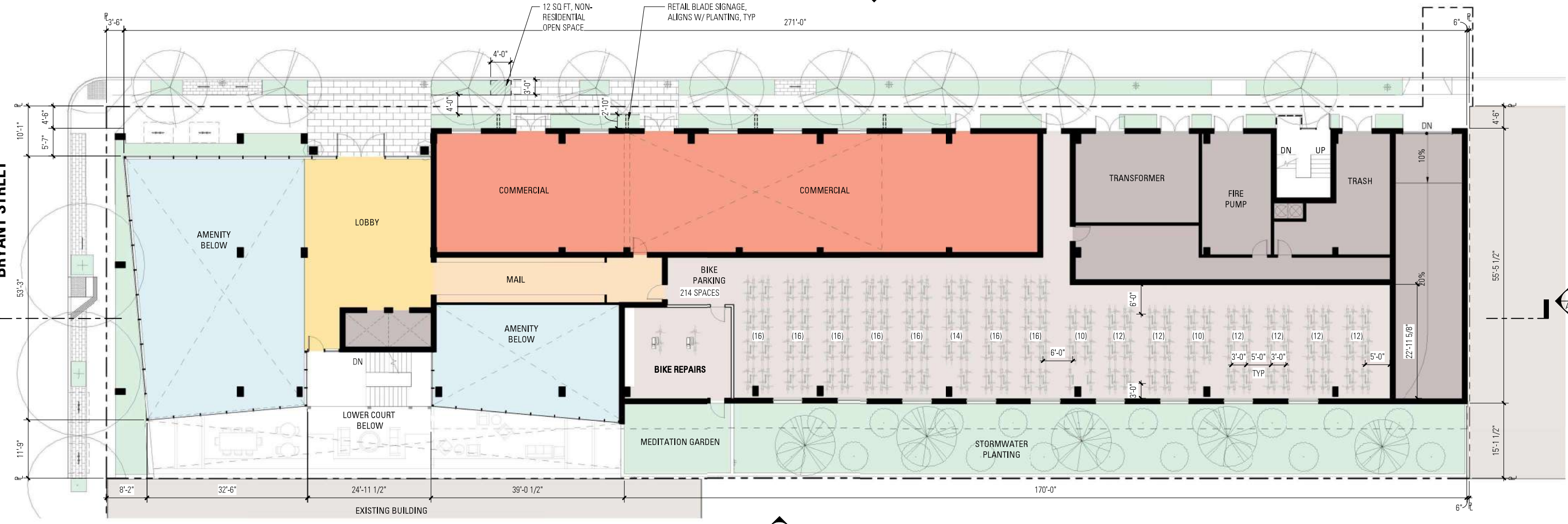
(E) 3 STORY BUILDING
+40'
3780/83

(E) 3 STORY BUILDING
+40'
3780/4c

LANGTON STREET



BRYANT STREET



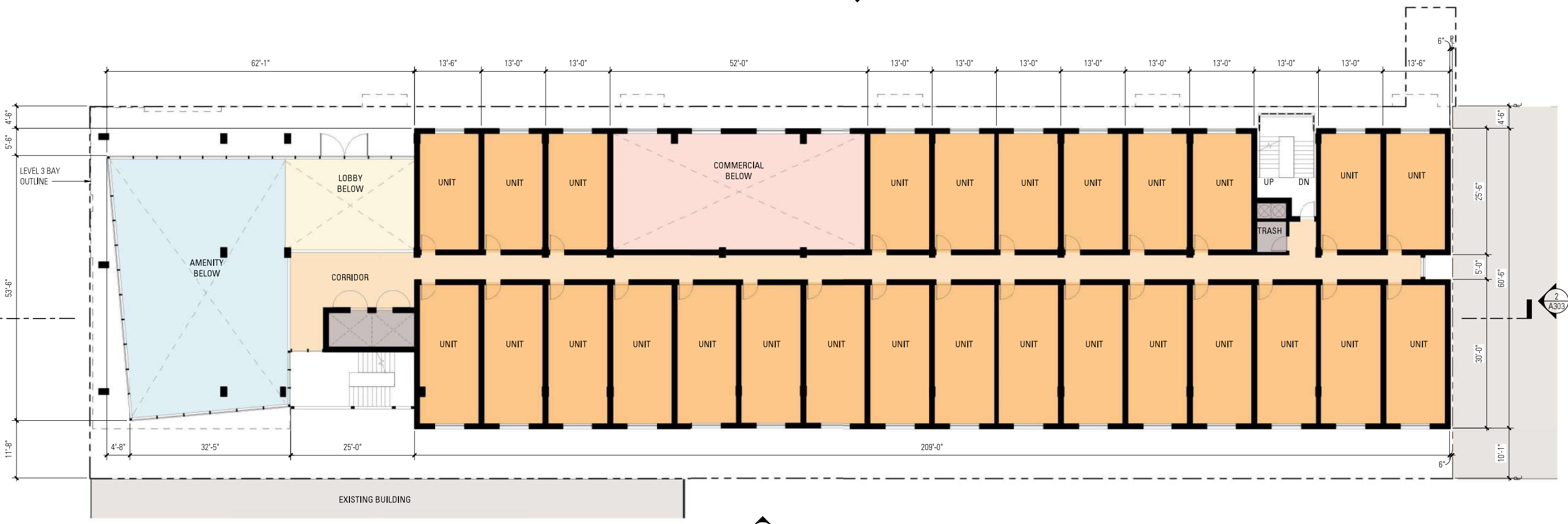
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LANGTON STREET



BRYANT STREET



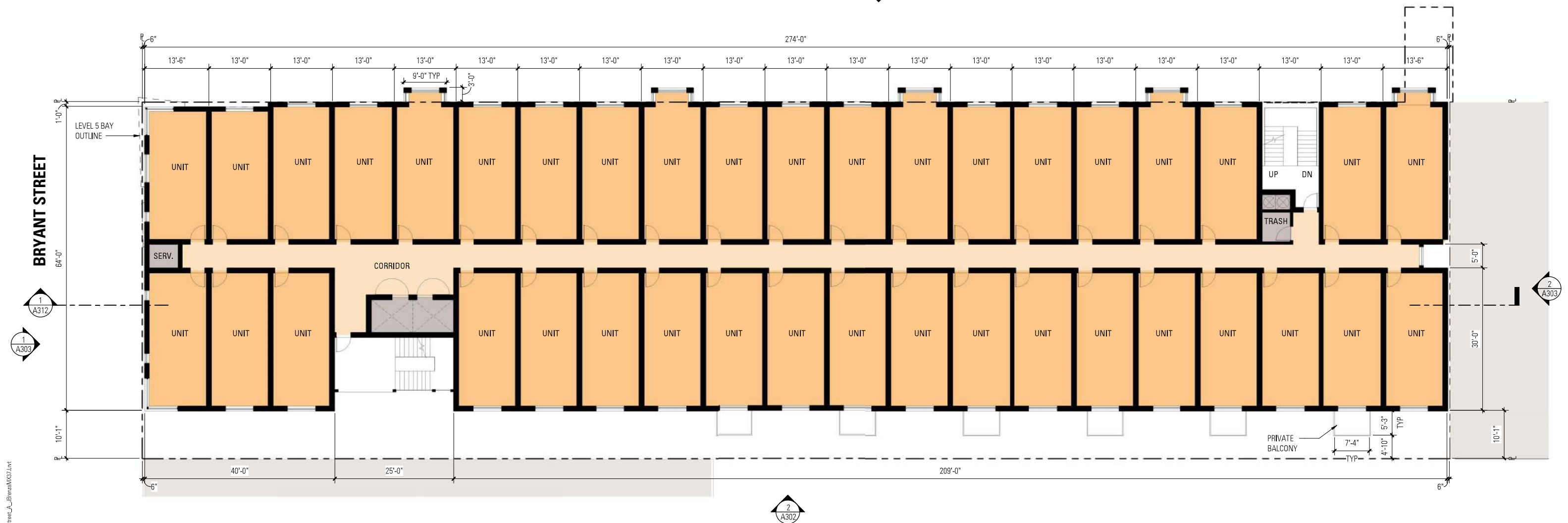
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LANGTON STREET



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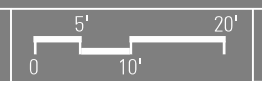
925 Bryant Street
925 BRYANT ST, SAN FRANCISCO, CA 94103

FLOOR PLAN - LEVEL 4

3/23/2022

2020026

BAR architects



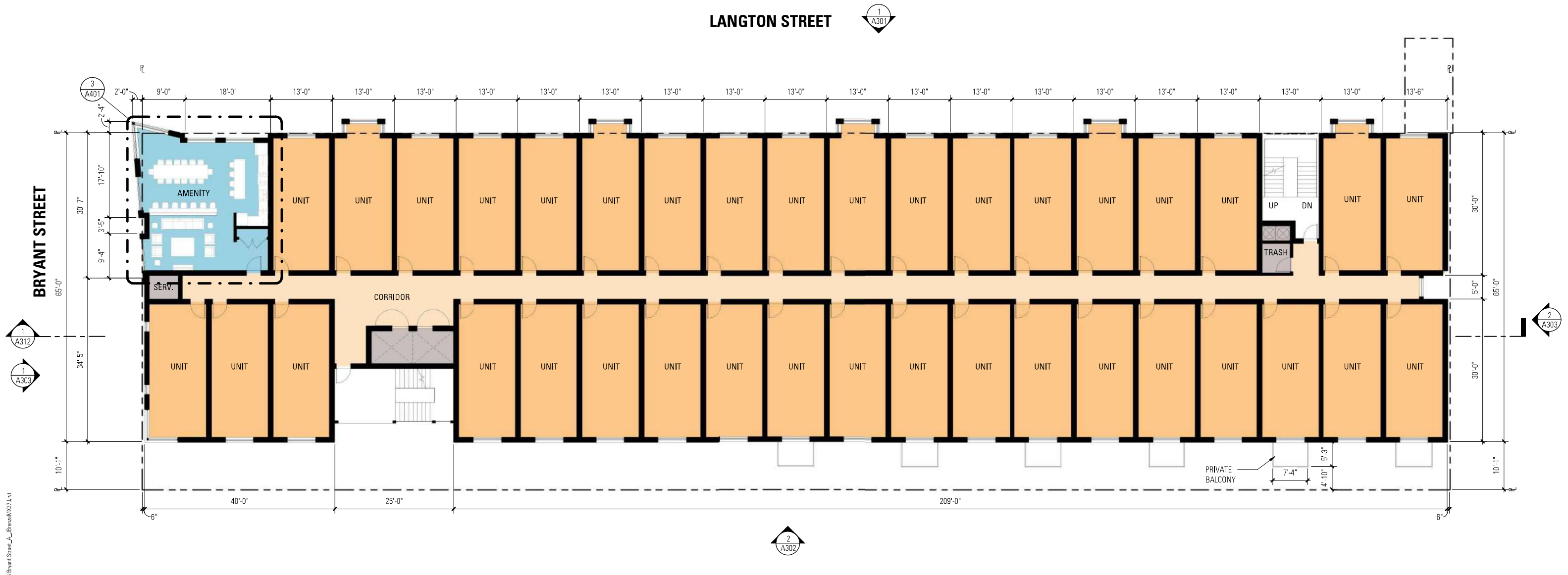
A204



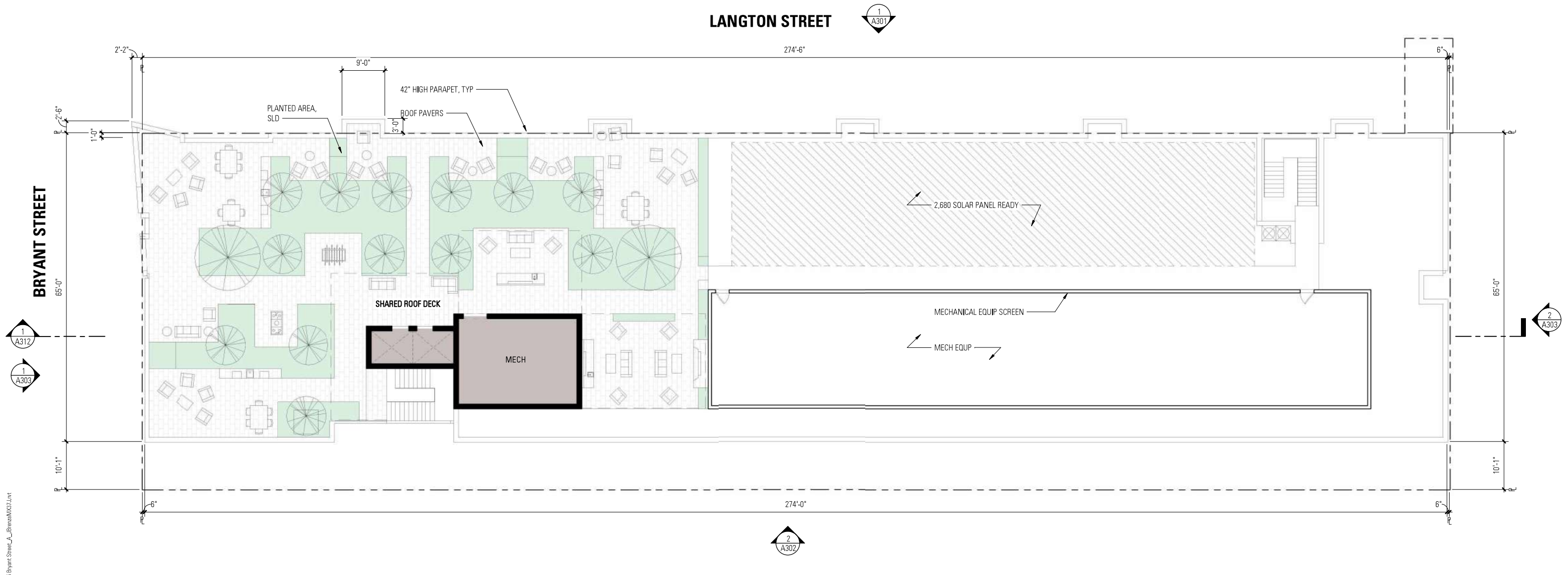
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KEY	FINISH
1	CEMENT PLASTER 01 - BUFF
2	CEMENT PLASTER 02 - DARK GRAY
3	VERTICAL COMPOSITE SIDING
4	NAIL FIN WINDOWS
5	GLASS & ALUMINUM STOREFRONT
6	PERFORATED METAL SCREEN
7	CONCRETE COLUMNS
8	METAL CLADDING
9	VERTICAL RETAIL SIGNAGE
10	GLASS GUARDRAIL
11	HOLLOW METAL DOORS & FRAMES
12	METAL STAIRS & GUARDRAIL
13	METAL LOUVERS
14	UNIT INTAKE LOUVER



1
A301
EXTERIOR ELEVATION - NORTH
1" = 10'-0"

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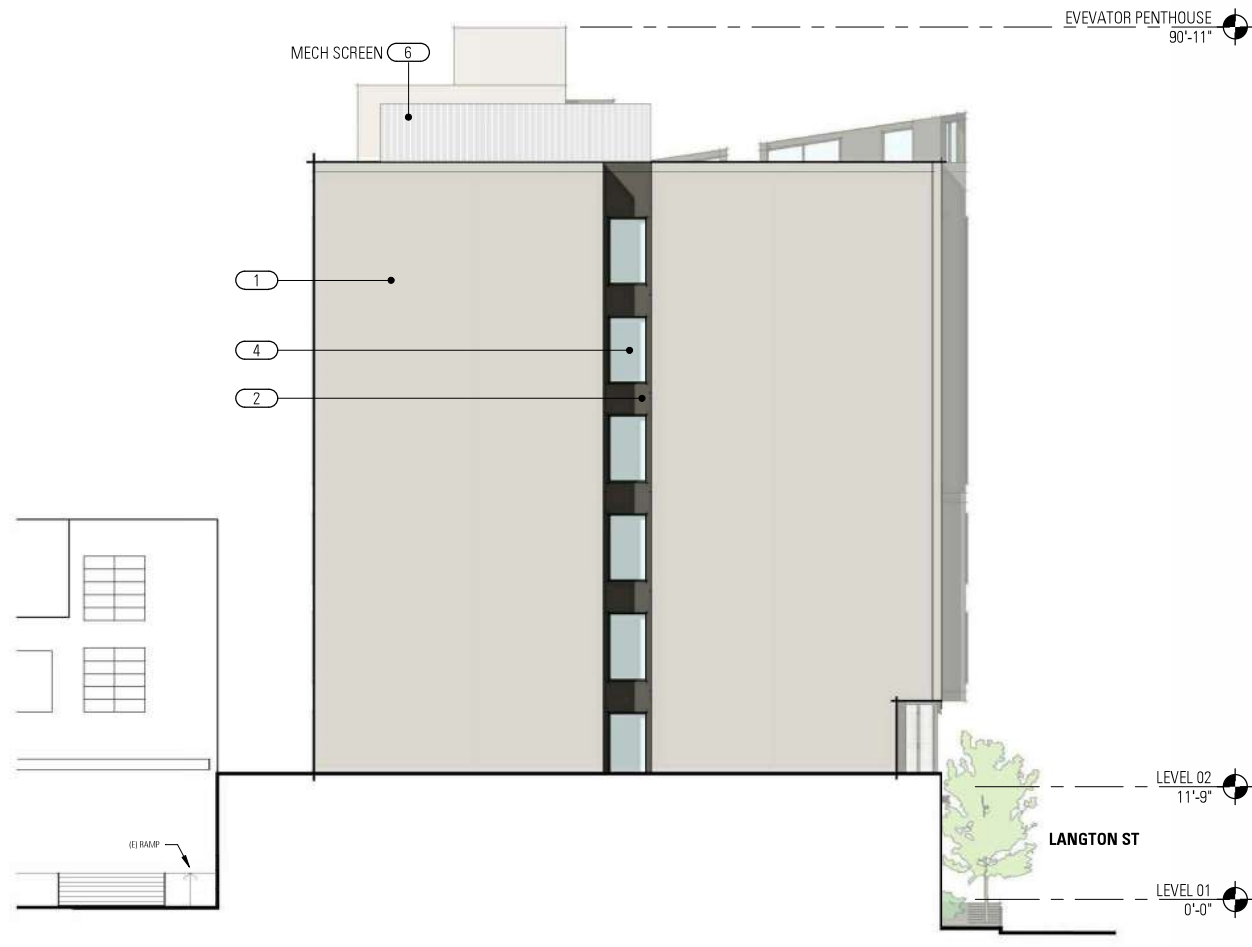
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4	NAIL FIN WINDOWS
5	GLASS & ALUMINUM STOREFRONT
6	PERFORATED METAL SCREEN
7	CONCRETE COLUMNS
8	METAL CLADDING
9	VERTICAL RETAIL SIGNAGE
10	GLASS GUARDRAIL
11	HOLLOW METAL DOORS & FRAMES
12	METAL STAIRS & GUARDRAIL
13	METAL LOUVERS
14	UNIT INTAKE LOUVER



2
A302
EXTERIOR ELEVATION - SOUTH
1" = 10'-0"

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2	CEMENT PLASTER 02 - DARK GRAY
3	VERTICAL COMPOSITE SIDING
4	NAIL FIN WINDOWS
5	GLASS & ALUMINUM STOREFRONT
6	PERFORATED METAL SCREEN
7	CONCRETE COLUMNS
8	METAL CLADDING
9	VERTICAL RETAIL SIGNAGE
10	GLASS GUARDRAIL
11	HOLLOW METAL DOORS & FRAMES
12	METAL STAIRS & GUARDRAIL
13	METAL LOUVERS
14	UNIT INTAKE LOUVER

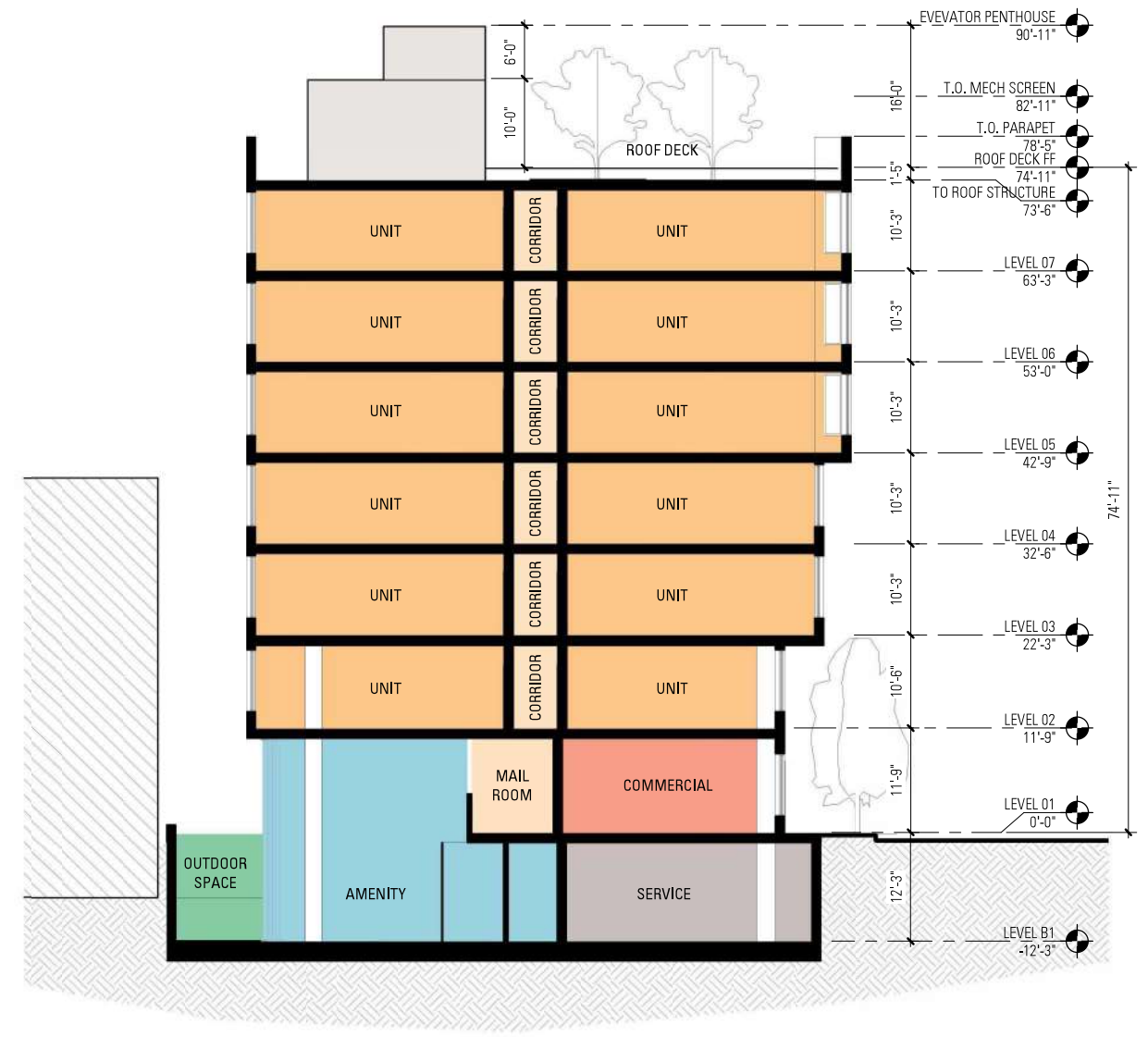


2 EXTERIOR ELEVATION - EAST
A303 1" = 10'-0"



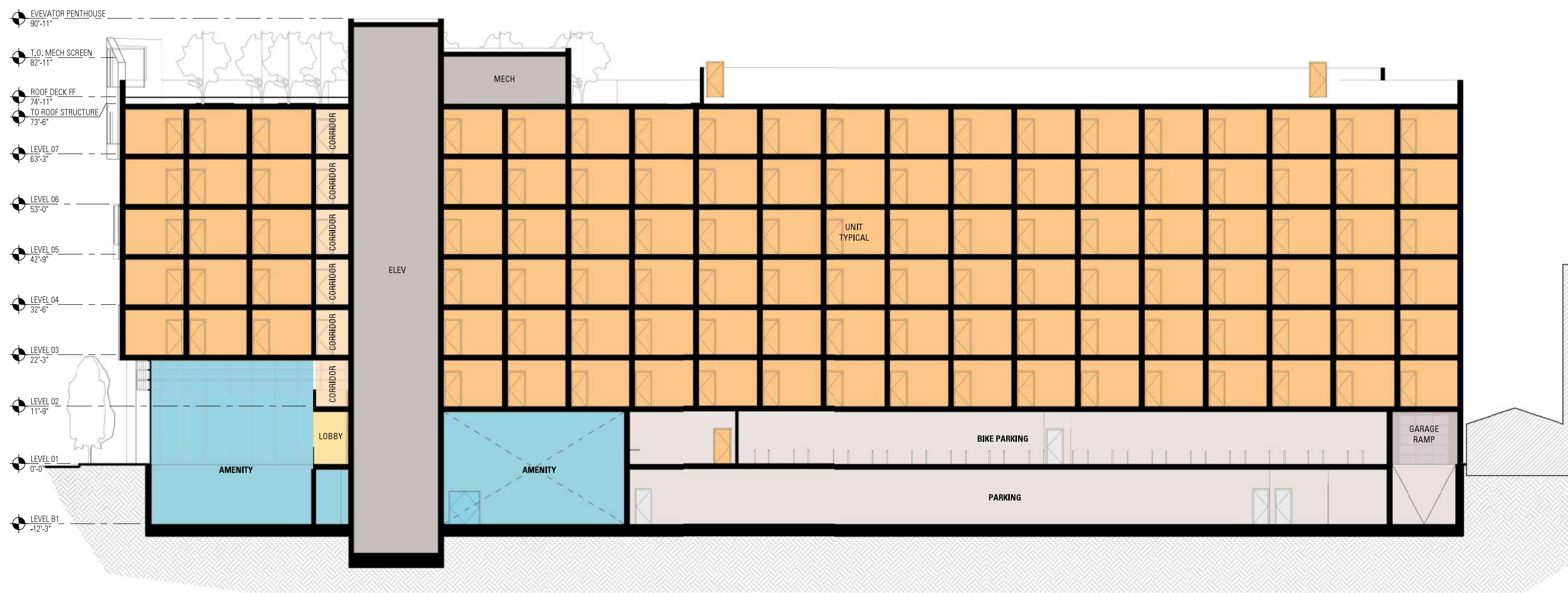
1 EXTERIOR ELEVATION - WEST
A303 1" = 10'-0"

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1 BUILDING SECTION
 A311 1" = 10'-0"

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1 LONGITUDINAL BUILDING SECTION
 A312 1" = 10'-0"

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VIEW FROM BRYANT ST LOOKING SOUTH DOWN LANGTON

925 Bryant Street
 925 BRYANT ST, SAN FRANCISCO, CA 94103

PERSPECTIVE

3/23/2022

2020026

BAR architects

A320



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VIEW FROM BRYANT ST LOOKING SOUTHWEST

925 Bryant Street
 925 BRYANT ST, SAN FRANCISCO, CA 94103

PERSPECTIVE

3/23/2022

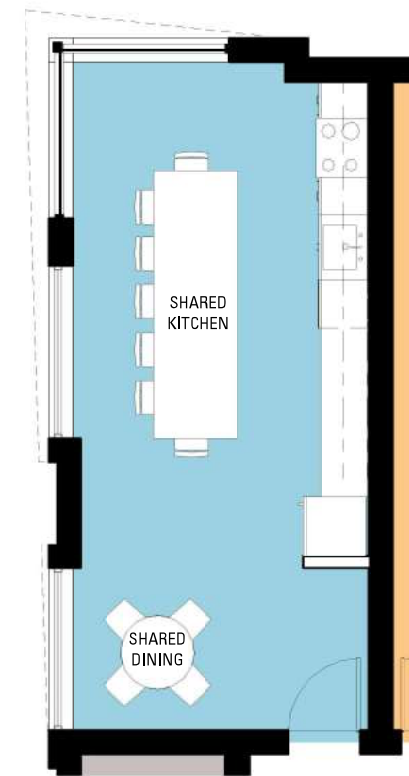
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BAR architects

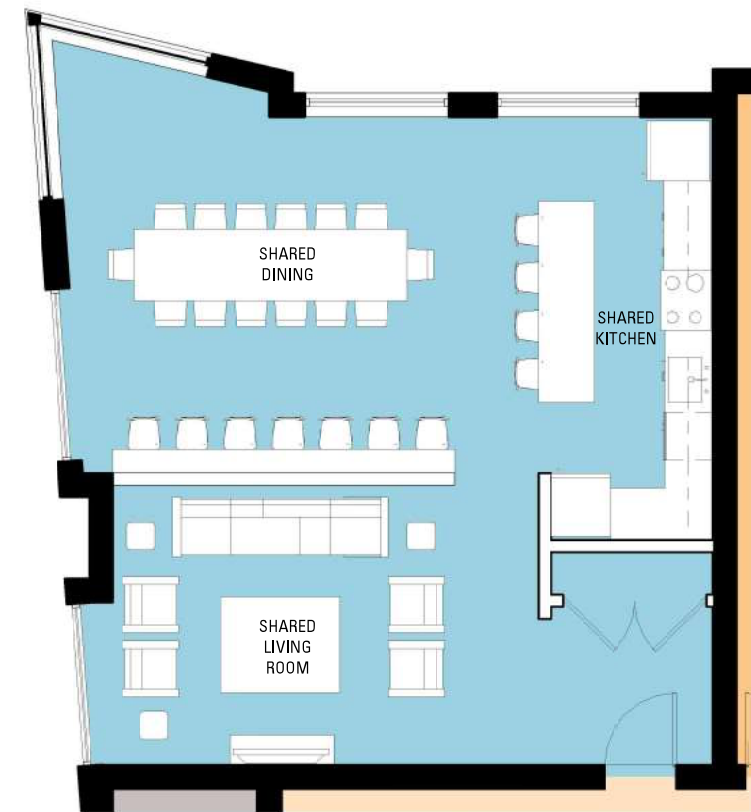
A321



1
A401
LEVEL B1 - AMENITY (ENLARGED) 5,056 SQ FT
1/8" = 1'-0"



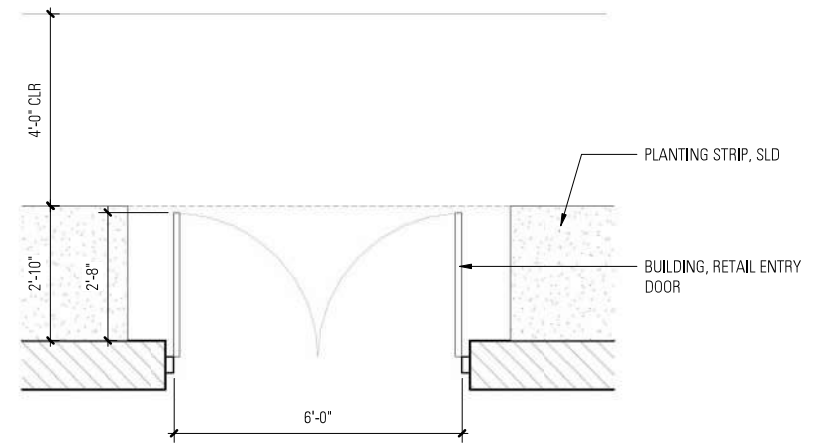
2
A401
LEVEL 03 - AMENITY - 338 SQ FT (SIM AT LEVEL 05)
1/4" = 1'-0"



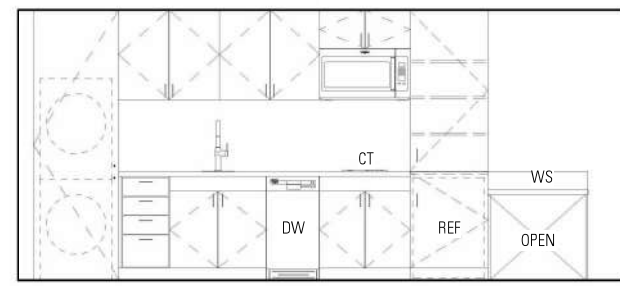
3
A401
LEVEL 07 - ENLARGED AMENITY PLAN LEVEL 7 - 711 SQ FT
1/4" = 1'-0"

ACCESSIBLE

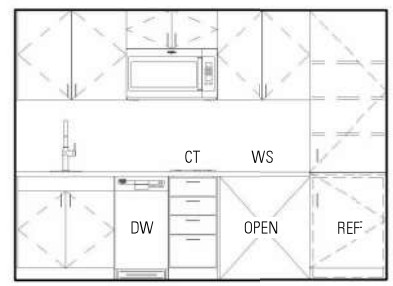




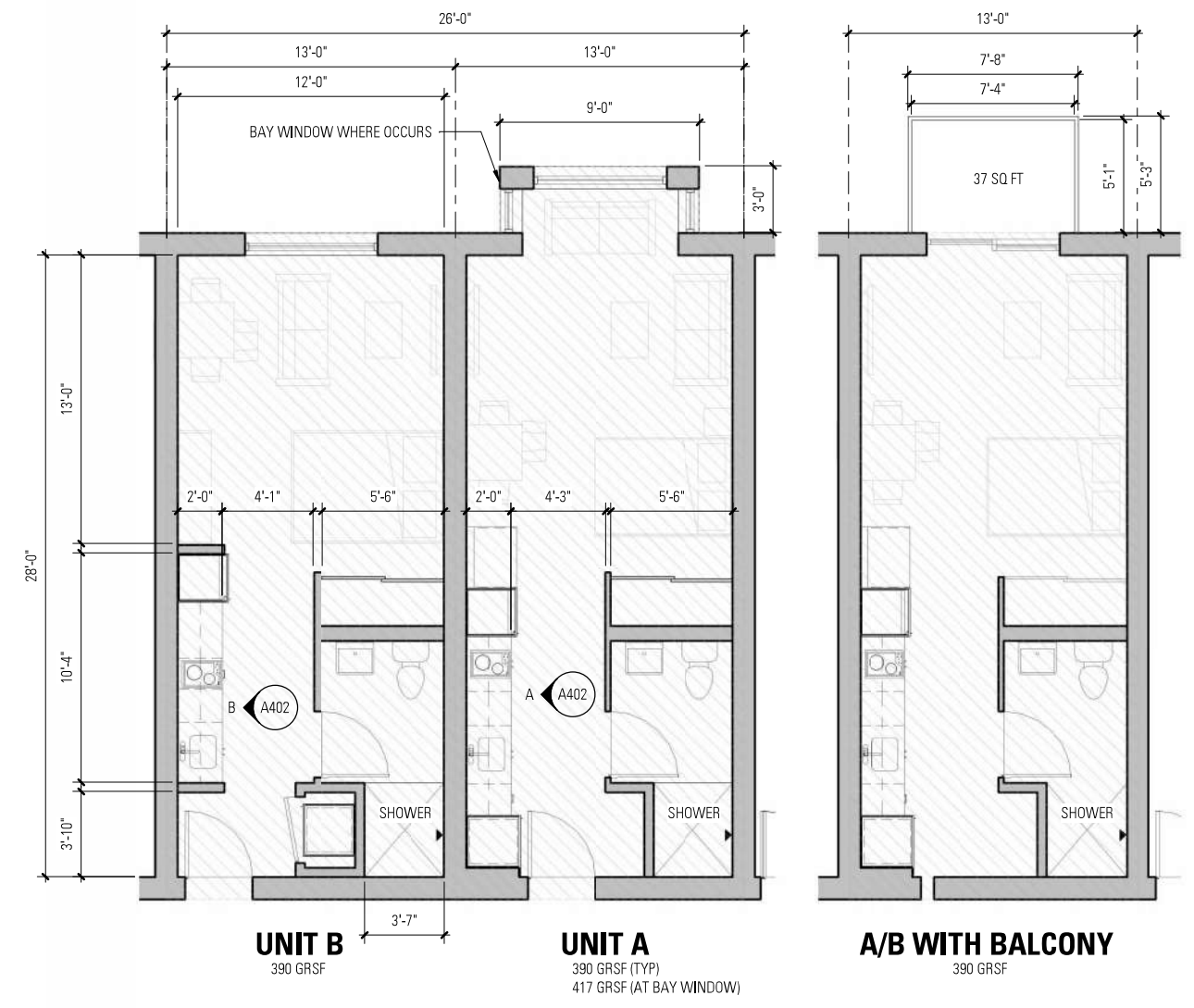
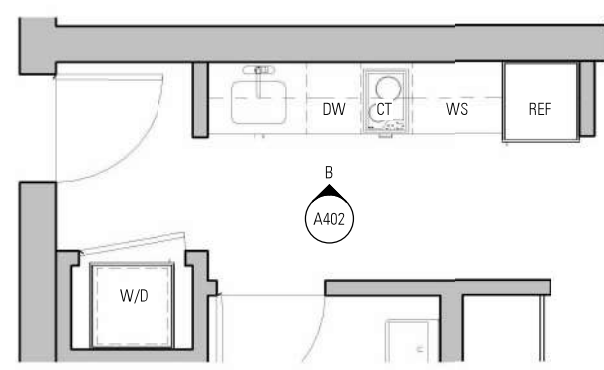
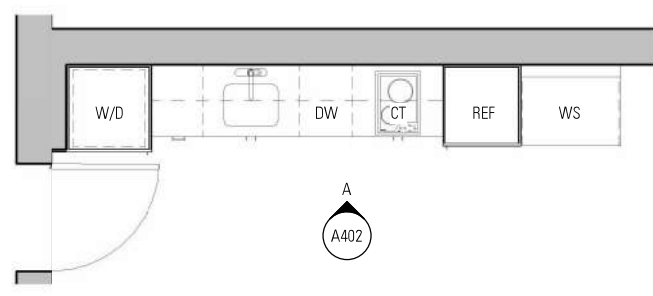
2 ENLARGED ENTRY DOOR AT LANGTON ST
 1/2" = 1'-0"



KITCHEN A
 3/8" = 1'-0"



KITCHEN B
 3/8" = 1'-0"



1 UNIT PLAN OPTIONS
 1/4" = 1'-0"

DW = 18" DISHWASHER
 CT = 15" COOKTOP
 REF = 24" UNDER COUNTER REFRIGERATOR
 WS = 30" WORKSURFACE

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LEVEL 2-4

1" = 20'-0"

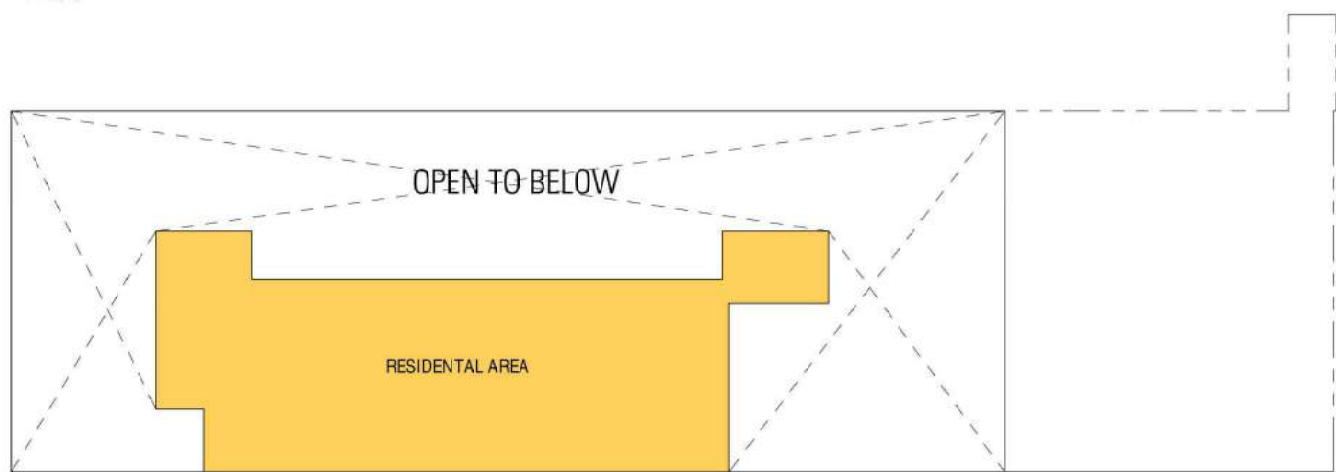
Level	Residential Total GSF	Non-RGFA Total GSF	Building Total GSF
Roof	0	0	0
5	15,652	0	15,652
4	15,652	0	15,652
3	15,652	0	15,652
1 Mezz.	5,174	0	5,174
1/Ground	15,522	0	15,522
B1*	0	16,347	16,347
Totals	67,652	16,347	83,999

*Basement excluded from RGFA

Notes:

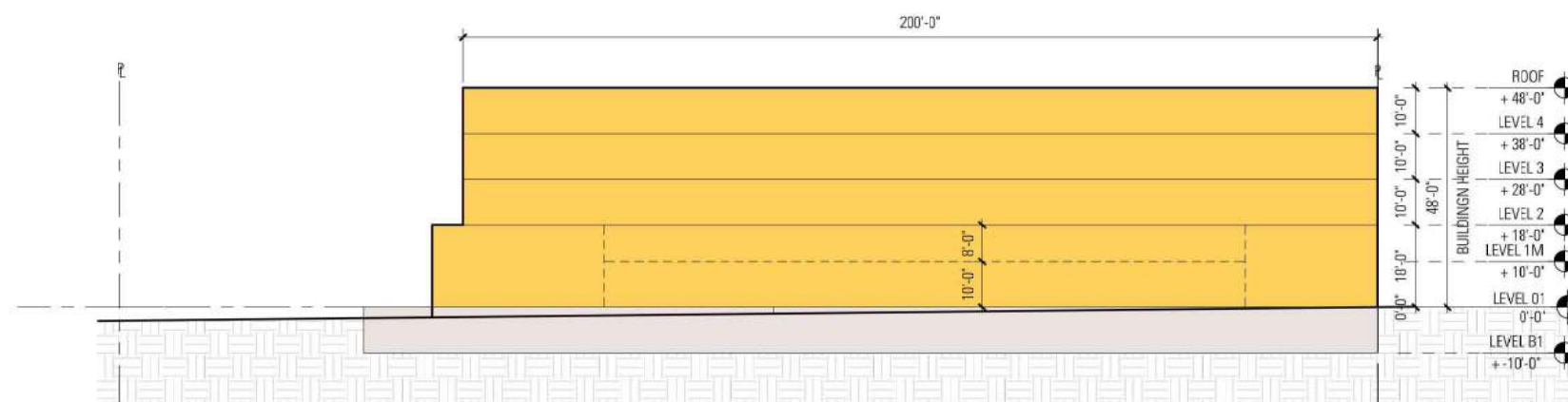
All areas are in gross square feet, and are taken to CL of corrid...

1.35 91,330
1.5 101,478



LEVEL 1M

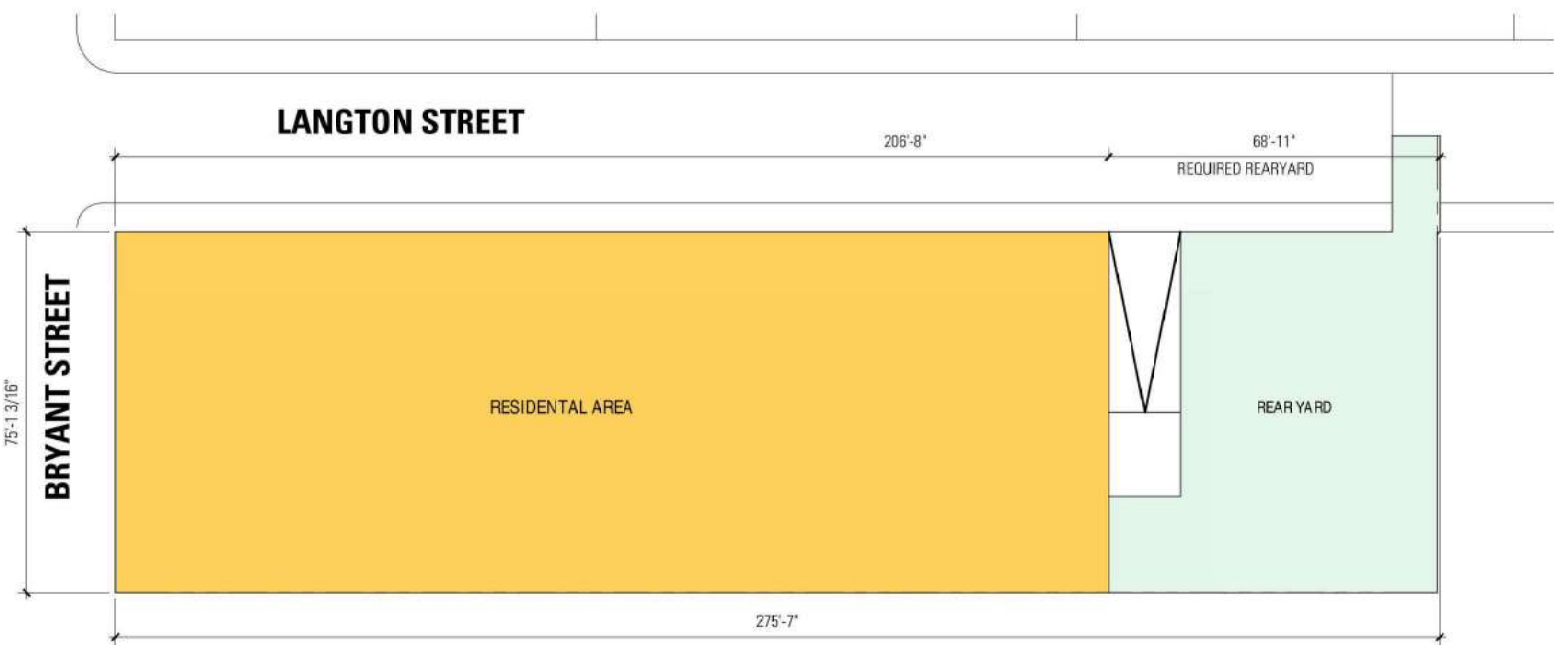
1" = 20'-0"



SECTION

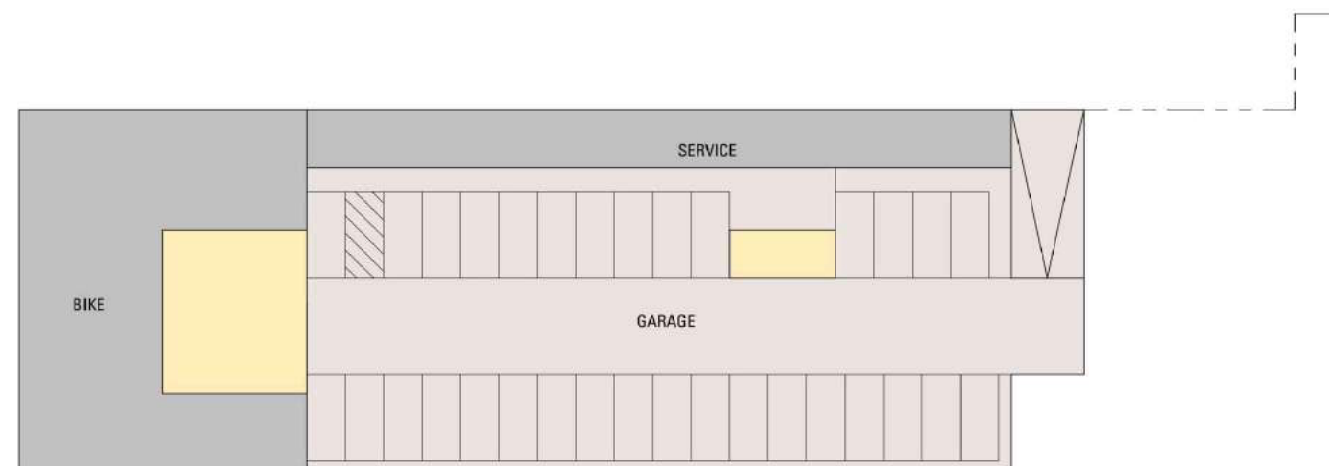
1" = 20'-0"

LANGTON STREET



LEVEL 01

1" = 20'-0"



LEVEL B1

1" = 20'-0"



AGREEMENT TO IMPLEMENT MITIGATION MONITORING AND REPORTING PROGRAM

<i>Record No.:</i>	2021-005342ENV	<i>Block/Lot:</i>	3780/077
<i>Project Title:</i>	925 Bryant Street	<i>Lot Size:</i>	20,653 square feet (0.47 acres)
<i>BPA Nos:</i>	N/A	<i>Project Sponsor:</i>	Greg Pasquali – gpasquali@carmelpartners.com
<i>Zoning:</i>	UMU (Urban Mixed Use) Use District 48-X Height and Bulk District	<i>Lead Agency:</i>	San Francisco Planning Department
		<i>Staff Contact:</i>	Lauren Bihl – 628.652.7498

The table below indicates when compliance with each mitigation measure must occur. Some mitigation measures span multiple phases. Substantive descriptions of each mitigation measure’s requirements are provided on the following pages in the Mitigation Monitoring and Reporting Program.

Adopted Mitigation Measure	Period of Compliance			Compliance with Mitigation Measure Completed?
	Prior to the Start of Construction*	During Construction**	Post-construction or Operational	
Project Mitigation Measure M-CR-1: Archeological Testing Program	X	X		
Project Mitigation Measure M-NO-1: Construction Noise	X	X		
Project Mitigation Measure M-AQ-4: Clean Off-road Construction Equipment	X	X		

NOTES:
 * Prior to any ground disturbing activities at the project site.
 ** Construction is broadly defined to include any physical activities associated with construction of a development project including, but not limited to: site preparation, clearing, demolition, excavation, shoring, foundation installation, and building construction.

I agree to implement the attached mitigation measure(s) as a condition of project approval.

_____	July 15, 2022
Property Owner or Legal Agent Signature	Date

Note to sponsor: Please contact CPC.EnvironmentalMonitoring@sfgov.org to begin the environmental monitoring process prior to the submittal of your building permits to the San Francisco Department Building Inspection.

ATTACHMENT B

MITIGATION MONITORING AND REPORTING PROGRAM

Adopted Mitigation Measure	Monitoring and Reporting Program ^a			
	Implementation Responsibility	Mitigation Schedule	Monitoring/Reporting Responsibility	Monitoring Actions/Completion Criteria
MITIGATION MEASURES AGREED TO BY PROJECT SPONSOR				
HISTORIC ARCHITECTURAL/CULTURAL RESOURCES				
<p>Project Mitigation Measure M-CR-1: Archeological Testing Program</p> <p>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 and on human remains and associated or unassociated funerary objects. The project sponsor shall retain the services of an archeological consultant from the rotational Department Qualified Archeological Consultants List (QACL) maintained by the Planning Department archeologist. After the first project approval action or as directed by the ERO, the project sponsor shall contact the Department archeologist 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 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).</p>	Project sponsor's qualified archeological consultant and construction contractor.	Prior to issuance of construction permits and throughout the construction period.	Environmental Review Officer	Considered complete after Final Archeological Resources Report is approved.

Adopted Mitigation Measure	Monitoring and Reporting Program ^a			
	Implementation Responsibility	Mitigation Schedule	Monitoring/Reporting Responsibility	Monitoring Actions/Completion Criteria
<p><i>Consultation with Descendant Communities:</i> On discovery of an archeological site¹ associated with descendant Native Americans, the Overseas Chinese, or other potentially interested descendant group an appropriate representative² 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 Archeological Resources Report shall be provided to the representative of the descendant group.</p>				
<p><i>Archeological Testing Program.</i> The archeological consultant shall prepare and submit to the ERO for review and approval an archeological testing plan (ATP). The archeological testing program shall be conducted in accordance with the approved ATP. The ATP shall identify the property types of the expected archeological resource(s) that potentially could be adversely affected by the proposed project, the testing method to be used, and the locations recommended for testing. The purpose of the archeological testing program will be to determine to the extent possible the presence or absence of archeological resources and to identify and to evaluate whether any archeological resource encountered on the site constitutes an historical resource under CEQA.</p>	Project sponsor's qualified archeological consultant and construction contractor.	Prior to issuance of construction permits and throughout the construction period.	Planning Department	Considered complete after the approval of Archeological testing Report.

¹ The term "archeological site" is intended here to minimally include any archeological deposit, feature, burial, or evidence of burial.

² 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 archeologist.

Adopted Mitigation Measure	Monitoring and Reporting Program ^a			
	Implementation Responsibility	Mitigation Schedule	Monitoring/Reporting Responsibility	Monitoring Actions/Completion Criteria
<p>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 preservation in place, 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.</p> <p>If the ERO determines that a significant archeological resource is present and that the resource could be adversely affected by the proposed project, the ERO, in consultation with the project sponsor, shall determine whether preservation of the resource in place is feasible. If so, the proposed project shall be redesigned so as to avoid any adverse effect on the significant archeological resource. If preservation in place is not feasible, 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.</p>	Project sponsor/ archeological consultant at the direction of the ERO.	After completion of the Archeological Testing Program.	Archeological consultant shall submit report of the findings of the ATP to the ERO.	Archeological Testing Result report or memo on file with Environmental Planning, with email or other written documentation of concurrence on need to archeological data recovery.
<p><i>Archeological Monitoring Program.</i> 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:</p> <p>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 archeological resources and to their depositional context;</p>	The project sponsor and archeological consultant at the direction of the ERO.	Prior to issuance of site permits.	Consultation with ERO on scope of AMP.	After consultation with and approval by ERO of AMP.

Adopted Mitigation Measure	Monitoring and Reporting Program ^a			
	Implementation Responsibility	Mitigation Schedule	Monitoring/Reporting Responsibility	Monitoring Actions/Completion Criteria
<ul style="list-style-type: none"> The archeological consultant shall undertake a worker training program for soil-disturbing workers that will include an overview of expected resource(s), how to identify the evidence of the expected resource(s), and 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/construction activities and equipment until the deposit is evaluated. If in the case of pile driving or deep foundation activities (foundation, shoring, etc.), the archeological monitor has cause to believe that deep foundation activities may affect an archeological resource, or deep foundation activities 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. <p>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.</p>				

Adopted Mitigation Measure	Monitoring and Reporting Program ^a			
	Implementation Responsibility	Mitigation Schedule	Monitoring/Reporting Responsibility	Monitoring Actions/Completion Criteria
<p><i>Archeological Data Recovery Program.</i> 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.</p> <p>The scope of the ADRP shall include the following elements:</p> <ul style="list-style-type: none"> • 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. 	Project sponsor's qualified archeological consultant and construction contractor.	In the event that an archeological site is uncovered during the construction period.	Planning Department	Considered complete upon approval of Final Archeological Results Report.

Adopted Mitigation Measure	Monitoring and Reporting Program ^a			
	Implementation Responsibility	Mitigation Schedule	Monitoring/Reporting Responsibility	Monitoring Actions/Completion Criteria
<ul style="list-style-type: none"> • 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. 				
<p><i>Human Remains.</i> 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 Medical Examiner of the City and County of San Francisco and, in the event of the Medical Examiner’s determination that the human remains are Native American remains, notification of the California State Native American Heritage Commission, which will appoint a Most Likely Descendant (MLD). The MLD will complete his or her inspection of the remains and make recommendations or preferences for treatment within 48 hours of being granted access to the site (Public Resources Code section 5097.98). The ERO also shall be notified immediately upon the discovery of human remains.</p> <p>The project sponsor and ERO shall make all reasonable efforts to develop a Burial Agreement (“Agreement”) with the MLD, as expeditiously as possible, for the treatment and disposition, with appropriate dignity, of human remains and associated or unassociated funerary objects (as detailed in CEQA Guidelines section 15064.5(d)). The Agreement shall take into consideration the appropriate excavation, removal, recordation, scientific analysis, custodianship, curation, and final disposition of the human remains and associated or unassociated funerary objects. If the MLD agrees to scientific analyses of the remains and/or associated or unassociated funerary objects, the archeological consultant shall retain possession of the remains and associated or unassociated funerary objects until completion of any such analyses, after which the remains and associated or unassociated funerary objects shall be reinterred or curated as specified in the Agreement.</p> <p>Nothing in existing State regulations or in this mitigation measure compels the project sponsor and the ERO to accept treatment recommendations of the MLD. However, if the ERO, project sponsor and MLD are unable to</p>	Project sponsor/ archeological consultant in consultation with the San Francisco Medical Examiner, and MLD.	In the event the human remains are uncovered during the construction period.	Planning Department	Considered complete upon approval of Final Archeological Results Report and disposition of human remains has occurred as specified in Agreement.

Adopted Mitigation Measure	Monitoring and Reporting Program ^a			
	Implementation Responsibility	Mitigation Schedule	Monitoring/Reporting Responsibility	Monitoring Actions/Completion Criteria
<p>reach an Agreement on scientific treatment of the remains and associated or unassociated funerary objects, the ERO, with cooperation of the project sponsor, shall ensure that the remains and/or mortuary materials are stored securely and respectfully until they can be reinterred on the property, with appropriate dignity, in a location not subject to further or future subsurface disturbance.</p> <p>Treatment of historic-period human remains and of associated or unassociated funerary objects discovered during any soil-disturbing activity, additionally, shall follow protocols laid out in the project's archeological treatment documents, and in any related agreement established between the project sponsor, Medical Examiner and the ERO.</p>				
<p><i>Final Archeological Resources Report.</i> 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. The Draft FARR shall include a curation and deaccession plan for all recovered cultural materials. The Draft FARR shall also include an Interpretation Plan for public interpretation of all significant archeological features.</p> <p>Copies of the Draft FARR shall be sent to the ERO for review and approval. Once approved by the ERO, the consultant shall also prepare a public distribution version of the FARR. Copies of the FARR shall be distributed as follows: California Archeological Site Survey Northwest Information Center (NWIC) shall receive one 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 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 public interest in or the high interpretive value of the resource, the ERO may require a different or additional final report content, format, and distribution than that presented above.</p>	Project sponsor's qualified archeological consultant.	At completion of archeological investigations.	Planning Department	Considered complete after Final Archeological Resources Report is approved.

Adopted Mitigation Measure	Monitoring and Reporting Program ^a			
	Implementation Responsibility	Mitigation Schedule	Monitoring/Reporting Responsibility	Monitoring Actions/Completion Criteria
NOISE				
Project Mitigation Measure M-NO-1: Construction Noise				
<p>The project sponsor and general contractor shall adhere to the following measures to reduce construction noise:</p> <ul style="list-style-type: none"> • Temporary plywood noise barriers shall be used along the boundaries of the project site to shield potential sensitive receptors and reduce noise levels. For the noise barrier to be effective, it must be minimum 8 feet high, 2 pounds per square foot (psf), and constructed without cracks or gaps. Where gates are needed for access to the site, they shall be closed when not in use. • Equipment and trucks used for project construction shall use the best available noise control techniques (e.g., improved mufflers, equipment redesign, use of intake silencers, ducts, engine enclosures and acoustically-attenuating shields or shrouds, wherever feasible). • Stationary noise sources (e.g., generators, compressors) shall be located as far from adjacent or nearby sensitive receptors as possible, to muffle such noise sources, and to construct barriers around such sources and/or the construction site, as needed. To further reduce noise, stationary equipment shall be located in pit areas or excavated areas (e.g., dewatering pumps), as feasible. • Impact tools (e.g., jack hammers, pavement breakers, and rock drills) that are hydraulically or electrically powered shall be used wherever possible to avoid noise associated with compressed air exhaust from pneumatically powered tools. Where use of pneumatic tools is unavoidable, an exhaust muffler on the compressed air exhaust shall be used, along with external noise jackets on the tools. 	Project sponsor and project contractor	During construction	Project sponsor to provide planning department with monthly reports during construction period.	Considered completed upon receipt of final monitoring report at completion of construction.

Adopted Mitigation Measure	Monitoring and Reporting Program ^a			
	Implementation Responsibility	Mitigation Schedule	Monitoring/Reporting Responsibility	Monitoring Actions/Completion Criteria
<ul style="list-style-type: none"> All work shall be performed in a manner that minimizes noise to the extent feasible; uses equipment with effective mufflers; undertakes the noisiest activities during times of least disturbance to surrounding residents and occupants, as feasible; and selects haul routes that avoid residential buildings, where such routes are otherwise feasible. Prior to the issuance of a building permit, along with the submission of construction document, the project sponsor shall submit to the planning department a list of measures to respond and track complaints pertaining to construction noise. These measures shall include 1) information regarding the noise complaint procedures and phone numbers for notifying the building department, public health department, and police department, 2) a sign posted on-site describing noise complaint procedures and a complaint hotline number that shall be answered at all times, 3) designation of an on-site noise enforcement manager, and 4) notification to neighboring residents and non-residential building managers within 300 feet of the project construction area at least 30 days in advance of extreme noise-generating activity (defined as activities generating noise level of 90 dBA or greater) about the estimated duration of the activity. The effectiveness of noise attenuation measures shall be monitored by taking noise measurements during construction. 				
AIR QUALITY				
<p>Project Mitigation Measure M-AQ-4: Clean Off-road Construction Equipment</p> <p>The project sponsor or contractor shall provide the planning department with a certification statement that the sponsor or contractor agrees to fully comply with the following requirements which shall be included in contract specifications:</p> <p>A. Engine Requirements.</p> <ol style="list-style-type: none"> All off-road equipment greater than 25 horsepower and operating 	Project Sponsor and its construction contractor(s)	Prior to the commencement of construction activity and during construction activities.	Environmental Review Officer (ERO) or designee/ project sponsor	Considered complete upon Planning Department review and approval of Construction Emissions Minimization Plan, ongoing review, and approval of final construction report

Adopted Mitigation Measure	Monitoring and Reporting Program ^a			
	Implementation Responsibility	Mitigation Schedule	Monitoring/Reporting Responsibility	Monitoring Actions/Completion Criteria
<p>for more than 20 total hours over the entire duration of construction activities shall have engines that meet or exceed United States Environmental Protection Agency (EPA) or California Air Resources Board (air board) Tier 4 Final off-road emission standards.</p> <ol style="list-style-type: none"> 2. Where access to alternative sources of power are available, portable diesel engines (e.g., generators) shall be prohibited. 3. Diesel engines, whether for off-road or on-road equipment, shall not be left idling for more than two minutes, at any location, except as provided in exceptions to the applicable state regulations regarding idling for off-road and on-road equipment (e.g., traffic conditions, safe operating conditions). The contractor shall post legible and visible signs in English, Spanish, and Chinese, in designated queuing areas and at the construction site to remind operators of the two-minute idling limit. 4. The project sponsor shall instruct construction workers and equipment operators on the maintenance and tuning of construction equipment and require that such workers and operators properly maintain and tune equipment in accordance with manufacturer specifications. <p>B. Waivers</p> <ol style="list-style-type: none"> 1. The planning department’s environmental review officer or designee (ERO) may waive the alternative source of power requirement of Subsection (A)(2) if an alternative source of power is limited or infeasible at the project site. If the ERO grants the waiver, the contractor must submit documentation that the equipment used for onsite power generation meets the requirements of Subsection (A)(1). 2. The ERO may waive the equipment requirements of Subsection (A)(1) if: a particular piece of Tier 4 final off-road equipment is technically not feasible; the equipment would not produce desired emissions reduction due to expected operating modes; or there is a compelling emergency need to use off-road equipment 				

Adopted Mitigation Measure	Monitoring and Reporting Program ^a			
	Implementation Responsibility	Mitigation Schedule	Monitoring/Reporting Responsibility	Monitoring Actions/Completion Criteria
that is not Tier 4 compliant. If the ERO grants the waiver, the contractor must use the next cleanest piece of off-road equipment that results in comparable reductions of diesel particulate matter.				
<p>C. Construction Minimization Plan</p> <p>Before starting onsite construction activities, the contractor shall submit a construction emissions minimization plan (plan) to the ERO for review and approval. The plan shall state, in reasonable detail, how the contractor will meet the requirements of Section A.</p> <ol style="list-style-type: none"> 1. The plan shall include estimates of the construction timeline by phase, with a description of each piece of off-road equipment required for every construction phase. The description may include, but is not limited to: equipment type, equipment manufacturer, equipment identification number, engine model year, engine certification (Tier rating), horsepower, engine serial number, and expected fuel use and hours of operation. For off-road equipment using alternative fuels, the description shall also specify the type of alternative fuel being used. 2. The project sponsor shall ensure that all applicable requirements of the plan have been incorporated into the contract specifications. The plan shall include a certification statement that the project sponsor agrees to comply fully with the plan. 3. The project sponsor shall make the plan available to the public for review on-site during working hours. The project sponsor shall post at the construction site a legible and visible sign summarizing the plan. The sign shall also state that the public may ask to inspect the plan for the project at any time during working hours and shall explain how to request to inspect the plan. The project sponsor shall post at least one copy of the sign in a visible location on each side of the construction site facing a public right-of-way. 				

Adopted Mitigation Measure	Monitoring and Reporting Program ^a			
	Implementation Responsibility	Mitigation Schedule	Monitoring/Reporting Responsibility	Monitoring Actions/Completion Criteria
<p>D. Monitoring</p> <p>After start of construction activities, the contractor shall submit reports every six months to the ERO documenting compliance with the plan. After completion of construction activities and prior to receiving a final certificate of occupancy, the project sponsor shall submit to the ERO a final report summarizing construction activities, including the start and end dates and duration of each construction phase, and the specific information required in the Plan.</p>				

NOTES:

^a Definitions of MMRP Column Headings:

Adopted Mitigation and Improvements Measures: Full text of the mitigation measure(s) copied verbatim from the final CEQA document.

Implementation Responsibility: Entity who is responsible for implementing the mitigation measure. In most cases this is the project sponsor and/or project's sponsor's contractor/consultant and at times under the direction of the planning department.

Mitigation Schedule: Identifies milestones for when the actions in the mitigation measure need to be implemented.

Monitoring/Reporting Responsibility: Identifies who is responsible for monitoring compliance with the mitigation measure and any reporting responsibilities. In most cases it is the Planning Department who is responsible for monitoring compliance with the mitigation measure. If a department or agency other than the planning department is identified as responsible for monitoring, there should be an expressed agreement between the planning department and that other department/agency. In most cases the project sponsor, their contractor, or consultant are responsible for any reporting requirements.

Monitoring Actions/Completion Criteria: Identifies the milestone at which the mitigation measure is considered complete. This may also identify requirements for verifying compliance.

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APPELLANT(S) DID NOT SUBMIT A BRIEF

BRIEF SUBMITTED BY THE DETERMINATION HOLDER(S)

REUBEN, JUNIUS & ROSE, LLP

John Kevlin
jkevin@reubenlaw.com

September 8, 2022

Delivered Via Email (boardofappeals@sfgov.org)

President Rick Swig
San Francisco Board of Appeals
49 South Van Ness Ave, Suite 1475
San Francisco, CA 94103

**Re: 925 Bryant Street – Respondent’s Brief
Appeal No. 22-061
Hearing Date: December 8, 2021**

Dear President Swig and Board Members:

Our office represents Carmel Partners (“Carmel”), the developer of the property located at 925 Bryant Street (“Property”). On July 28, 2022, the Planning Commission approved a 218-unit project at the Property (the “Project”). **The appellant has filed no brief justifying their appeal.** As such, this letter provides background on the Project, and attempts to respond to the limited concerns raised in the appeal filing.

A. Background

The Project demolishes an existing 13,000 square foot retail and warehouse building and associated surface parking, and replaces it with a 7-story mixed use residential building with ground floor retail. As a density bonus project, it will provide 15% of the base project’s units at 50% AMI, in addition to 9% between 80-110% AMI. The ground floor includes lobby and tenant amenity space, approximately 230 bike parking spaces, and 3,000 square feet of retail space. The Project proposes 218 units (35 of which are affordable units), each of which will be approximately

400 square feet in size. It will also have a network of indoor and outdoor tenant amenity spaces, discussed in detail below.

In addition to the affordable units onsite, the unrestricted housing units are intended to be a market-based strategy to provide a more affordable housing product than most new market rate housing in San Francisco. The rents forecast for these market rate units align with roughly 110-120% AMI rents in today's market. This housing is very important to create, as it is one way the market can provide for the "missing middle" that has been substantially underbuilt in San Francisco and contribute to a diversity of housing options for San Franciscans with different lifestyles and budgets.

Carmel has over 25 years' experience building, renovating, and operating over 43,000 housing units in major metropolitan areas throughout the US, including San Francisco and Oakland, Southern California, Seattle, Hawaii, Denver, Washington D.C., and New York. It has a rigorous and deliberate approach to housing, and has found that in very high-cost markets like San Francisco, people are willing to choose smaller apartments to both save money and because they have access to a vibrant and rich city just out their doorstep.

B. Appeal Filing Responses

As mentioned above, no appeal brief was filed by the appellant, meaning the only information describing the appellant's concerns are the appeal filing, consisting of two paragraphs. The following identifies and responds to the handful of concerns cited in the filing.

- 1. "[The Planning Commission] approval is in contradiction to the General Plan and the Planning Code."** This is untrue. The Planning Department staff report and the Planning Commission motion identified multiple General Plan policies the Project fulfills, in

particular the need for new housing (both market rate and affordable). Staff and the Commission has confirmed the Project is consistent with the Planning Code, when applying the State Density Bonus Law.

2. **“The Project fails to align with existing building designs in the vicinity.”** While there is nothing specific to respond to here, this statement is untrue. Carmel worked closely with Planning Department staff on several rounds of design review to achieve the approved Project design. Carmel also hired San Francisco-based BAR architects to design the building. BAR have over 55 years of extensive experience designing buildings in SoMa and other mixed-use districts throughout the City. The Project incorporates multiple colors and materials which emphasize the mixed-use nature of the neighborhood. Ultimately, the Planning Commission concluded “Overall, the Project offers high-quality architectural treatment that emphasizes its corner location, which provides for a unique and expressive design that is consistent and compatible with the buildings in the surrounding neighborhood.”
3. **“[T]he Commission overlooks the influx of new housing in the vicinity.”** This comment is consistent with arguments made by the appellant at the Planning Commission hearing that enough housing had been approved in this neighborhood already. This sentiment completely misses that San Francisco and California are in an extreme housing crisis, as underscored by the City’s current Housing Element process which has the goal of allowing for even more housing to be developed in the City that would be permitted today. The City is currently preparing a new Housing Element, with objectives including:
 - Substantially expand the amount of permanently affordable housing for extremely low- to moderate-income households.

- Expand small and mid-rise multi-family housing production to serve our workforce, prioritizing middle-income households.
- Diversify housing types for all cultures, family structures, and abilities. (2022 Housing Element, Goal 4, Objectives 1, 2 and 3.)

The Project achieves and fulfills all three of these goals, by providing 218 total new housing units, 35 new affordable housing units, and by providing a housing model that serves the “missing middle,” which most projects are not designed to serve.

4. **“The Project fails to meet many development standards and seeks waivers to meet the requirements of the state Density Bonus Law.”** The State Density Bonus law mandates that City’s provide specific density bonuses in exchange for project sponsors providing increased amounts of affordable housing. As such, the Project provides more affordable housing than is otherwise required by San Francisco’s Planning Code, and has received typical waivers from height and setbacks that otherwise apply. Planning Department staff has extensively analyzed the Project and recommended approval to the Planning Commission based on its conformance with the Planning Code and its consistency with previous City approvals regarding State Density Bonus exceptions.

C. **Conclusion**

The City’s current housing policies stress the need for housing, in particular affordable housing and housing that serves a diverse array of households. Even the Project’s market rate units will be more naturally affordable than most new units coming online today. The Project maximizes residential density at the Property, provides more affordable housing than is otherwise required by the Planning Code, and provides a unique housing type that serves the “missing

middle” of households that most projects do not serve. The Planning Commission approved the Project, consistent with the State Density Bonus Law and Housing Accountability Act. We therefore urge the Board to deny the appeal. Thank you.

Very truly yours,

REUBEN, JUNIUS & ROSE, LLP

A handwritten signature in blue ink, appearing to read "John Kevlin". The signature is fluid and cursive, with the first name "John" being more prominent than the last name "Kevlin".

John Kevlin

cc: Vice President Jose Lopez
Commissioner Alex Lemberg
Commissioner John Trasvina
Julie Rosenberg, Executive Director

PUBLIC COMMENT

Sanya Khanna
303 Langton Street, San Francisco, CA 94103
sanyak@gmail.com

September 8, 2022

Via Email

San Francisco Board of Appeals
49 South Van Ness Avenue, Suite 1475
San Francisco, CA 94103
boardofappeals@sfgov.org

Re: 925 Bryant Street; 2021-005342ENX

To San Francisco Board of Appeals:

I am a resident in the immediate vicinity of 925 Bryant Street. This letter serves as public comment on behalf of myself and several residents surrounding 925 Bryant Street regarding the Planning Commission's approval of the referenced application to construct a 75-foot-tall residential building containing 218 dwelling units (the "Project"). Because such approval is in contradiction to the General Plan and the Planning Code, we ask that the Board reverse the approval of the referenced application.

Background

The Project seeks to demolish a 36-foot-tall warehouse and parking lot to then construct a 75-foot-tall residential building. In its July 28, 2022, draft motion to approve the referenced application (the "Draft Approval"), the Commission notes but fails to properly analyze the Project's impact on nearby residents and the larger environmental impacts to the neighborhood at large. Further, the Commission overlooks the current supply of available, vacant housing in the vicinity. The Project fails to meet over ten development standards and seeks waivers of and concessions for the same to meet the requirements of the state Density Bonus Law under Gov. Code 65915, *et seq.* That a project proposes to achieve additional residential density under a state program is insufficient analysis when that development negatively impacts the surrounding community. Moreover, the presentation at the hearing contained mixed information, and the Project suffers from ongoing inconsistencies varying from the staff packet assessment and recommendation. We therefore urge the Board to reverse the Commission's decision to protect and promote development of the City's current housing supply.

General Plan

The Project is, on balance, not consistent with the General Plan. The Draft Approval references seven policies that the Project allegedly supports, three of these specifically regarding the Showplace Square/Potrero Hill Area Plan (the "Showplace/Potrero Plan"). However, the Draft

Approval neglects to discuss certain policies of the Housing Element and Urban Design Element of the General Plan and the Showplace/Potrero Plan and thus fails to appreciate the Project's consequences to the neighborhood. Indeed, the Draft Approval devotes three paragraphs of scant analysis for seventeen separate policies which the Project allegedly supports.

Housing Element – Objective 2: Retain Existing Housing Units, and Promote Safety and Maintenance Standards, Without Jeopardizing Affordability

The Housing Element generally sets out to preserve and enhance housing in San Francisco. While the City is undoubtedly in need of affordable housing, the Commission fails to delineate this fact from the location of the existing new housing supply. At the very least, the Commission should study or hear testimony on the current ownership and rental rates of available units in the vicinity of the Project to remain consistent with this objective. Adding new housing into a neighborhood with a glut of available housing does not solve the City's larger supply issues. The Commission should focus its permitting activity on upgrading and preserving the existing housing supply in neighborhoods with larger supply to encourage filling these units. *See Housing Element Policy 2.4.*

Housing Element – Objective 11: Support and Respect the Diverse and Distinct Character of San Francisco's Neighborhoods

Further, the Housing Element makes clear that the City's neighborhoods are diverse and unique and as such, "[t]he existing character, design context[,] . . . and land use patterns of each neighborhood shall inform and define the specific application of Housing Element policies and programs." Proposed developments should be consistent with the neighborhood's height and bulk. *See Housing Element Policy 11.3.* The property is zoned as Urban Mixed Use in the 48-X Height & Bulk District. As discussed in greater detail below, the Project exceeds the maximum height and horizontal massing standards of the 48-X Height & Bulk District and thus seeks waivers. The Commission swept aside the Project's failure to adhere to those requirements simply because the Project meets certain standards under the state's Density Bonus Law. The Commission's focus on the Project's density bonus achievements clouded its judgment of the balance the Project strikes with the General Plan. The Board must reconsider the Project's adherence to the General Plan.

Urban Design Element – 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

The Urban Design Element seeks harmony between and among all of the City's unique districts, emphasizing patterns within neighborhoods. Indeed, Objective 1 recognizes that "buildings, when seen together, produce a total effect that characterizes the [C]ity." *See Urban Design Element Policy 1.3.* The Planning Code implements this objective by providing litany height and horizontal massing requirements, among other development standards, that seek to maintain building patterns within neighborhoods. *See, e.g., Planning Code Sections 260 & 270.1.* The Commission discounts this objective by waiving height and bulk requirements for the Project.

In its current form, the Project will extend upward seven stories (75 feet in height) with no horizontal relief—a brutalist, towering obelisk in a neighborhood designed to provide relief from its former industrial character.¹ Thus, the Commission overlooks a core objective of the General Plan to usher in development under the state density bonus program.

Urban Design Element – Objective 3: Moderation of Major New Development to Complement the City Pattern, the Resources to Be Conserved, and the Neighborhood Environment

Urban Design Element Objective 3 is clear: “As San Francisco grows and changes, new development can and must be fitted in with established city and neighborhood patterns in a complementary fashion. Harmony with existing development requires careful consideration of the character of the surroundings at each construction site. The scale of each new building must be related to the prevailing height and bulk in the area” See, e.g., *Urban Design Element Policies 3.1, 3.5, and 3.6*. As above, the Project fails to accomplish this objective based on its extension above maximum allowable height and minimum horizontal bulk relief standards in the district. The Commission fails to analyze the impacts of the Project on the surrounding community and its negative relationship to neighborhood harmony.

Showplace/Potrero Plan – Objective 3.1: Promote an Urban Form that Reflects Showplace Square and Potrero Hill’s Distinctive Place in the City’s Larger Form and Strengthens Its Physical Fabric and Character

Like the General Plan, the Showplace/Potrero Plan emphasizes new development’s relation to existing neighborhood character and structures. Six policies of Objective 1 of the Showplace/Potrero Plan thus address height and views for new developments. See *Showplace/Potrero Plan Policies 3.1.1-6*. As above, because the property falls into the 48-X height district, new developments, depending on their positioning within street corridors, must cap at certain heights in order to preserve the existing pattern and character of buildings in the neighborhood. See *Planning Code Section 263.35 and Figure 249.90-2*. The Project fails to meet these requirements and thus interrupts the sightlines and visual uniformity of the surrounding neighborhood. The Commission fails to address these concerns and thus the Draft Approval is deficient in its “balanced” approval of the Project.

Planning Code – Section 329(c) – Large Project Authorization Design Review in Eastern Neighborhoods Mixed Use District

The Commission analyzes nine criteria in the Draft Approval under the Large Project Authorization Design Review, wherein the Project purportedly complies or need not comply. However, the Commission fails to properly analyze the first aspect of overall bulk and scale. See *Planning Code Section 329(c)(1)*. First, the Project fails to meet maximum height requirements

¹ The property is zoned Urban Mixed Use. UMU Districts are “intended to promote a vibrant mix of uses while maintaining the characteristics of this formerly industrially-zoned area.” *Planning Code Section 843*.

designated by the 48-X Height & Bulk District and horizontal massing development standards required for Eastern Neighborhood Mixed Use Districts (“ENMU Districts”). *See Planning Code Sections 260 & 270.1*. Thus, the Project on its face is incompatible with the neighborhood. Second, the Commission analyzes this first aspect of the Project by noting that the Project is compatible with development on nearby blocks, including in the Central SoMa Area Plan and in 68-X Height & Bulk Districts. If the Commission wishes to redesignate the property as a 68-X Height & Bulk District or include the property into the Central SoMa Area Plan, it should do so by appropriate means. This application and Draft Approval are not such avenues to achieve the Commission’s apparent objective.

Planning Code – Section 101.1(b)

When a proposed project is not in compliance with existing Code requirements, the Commission must ensure that the project is in alignment with eight priority planning policies related to the General Plan. *Code § 101.1(b)*. The Draft Approval found that all eight policy goals were met for the Project. We disagree. In fact, only four criteria are relevant to the Project.² Further still, Policy 6, regarding protection against damages and loss of life in the event of an earthquake, is already demanded by local law, and thus should not factor into an analysis. *See Francisco Building Code 1626.1*.

Policy 2 demands that “existing housing and neighborhood character be conserved and protected in order to preserve the cultural and economic diversity of our neighborhoods.” The Project does the opposite: in fact, the Project negatively impacts surrounding residential units by severing access to existing light (and views). Policy 4 demands that commuter traffic to a project avoid negative impacts to existing transit and commuter services. The Commission fails to properly analyze this factor because it references the Project site’s access to existing transit services rather than the Project’s impact on existing services—especially vehicle commuters to the Project overwhelming the streets.

On balance, the Commission failed to properly analyze the required findings under Section 101.1(b). Therefore, the Board must reject the Draft Approval.

Presentation and Staff Packet Recommendation Inconsistencies

Entrance Location

Presentation provided by the Planning Staff falsely claimed that existing regulations would prohibit their ability to move the entrance to the Project from Langton Street to Bryant. Specifically, the Project Sponsor appeared to indicate that curb cut regulations and the general traffic volume of Bryant Street would render impossible a relocation of the entrance to Bryant;

² The Commission found that Policy 7 (regarding historical site preservation) and Policy 8 (regarding light access to public spaces) were inapplicable. Policy 1 (regarding preservation of existing retail uses) and Policy 5 (regarding preservation of

however, a closer review of available materials shows that the existing curb cut can be leveraged on 925 Bryant. The diagram on page 49 of the Plans, as well as the Certificate of Determination Community Plan Evaluation both *reference* curb cuts on Bryant—and by means of example: (1) the existing building to be demolished has its own curb-cut/driveway on Bryant Street; and (2) the Astella Apartments on 975 Bryant Street successfully utilize a Bryant Street entrance:



Executive Summary Not Fully Represented at Hearing, and Other Inconsistencies

On or about July 28, 2022, the Executive summary was apparently updated, yet not posted to the Planning Project, and not made available to telephonic hearing attendees. Instead, only a few copies of this update were circulated in person. References made to these updates during the Hearing refer to vague “clarification” as to the Project meeting the open space requirements for group housing units—but it remains unclear to the public from whom this clarification was received, and whether this clarification relates to any Zoning Administrators needing to exercise judgment over the adequacy of the proposed UOS. Public Notice and transparency requirements dictate that such information be made available and capable of being contemplated at public hearing—and the unavailability of this information alone should justify a re-hearing of this matter such that the public can adequately analyze all relevant information.

Additionally, the list of foreseeable projects (page 79) excludes the 600 7th Street project, which is 221 units and located within .2 miles of 925 Bryant—across the Southern end of Langton. This same Project is omitted under the analysis of the cumulative effect of wind.

Staff Packet Recommendation Fatally Omits Langton Street Context (Narrow & Private)

The pertinent findings as to Surrounding Properties and Neighborhood on page 13 of the Staff Recommendation does not mention any attributes of Langton Street itself—a finding that should be considered vital to the accuracy and completeness of the Staff Recommendation.

Instead, the Staff Recommendation is conclusory, and states with no substantiation that the Project's mass and scale are appropriate for the surrounding context, with no mention of the uniqueness of the Project's proposed location on an extremely narrow and private street (Langton Street) which is already abutted by a three-story building. Similarly, the Certificate of Determination Community Plan Evaluation on page 71 makes no reference to Langton Street as narrow, nor as private—key pieces of context toward the determination of appropriateness of scale. The street design review fails to consider the traffic implications of the Project's location on this private street: on Langton, a private street, certain private residents are permitted by law to intermittently block through passage. When this occurs (which it regularly does, by neighbor estimates roughly four times a day, for 30-minute intervals), up to 40 feet of through traffic can be blocked without access to three-point turn exit capabilities—which will inevitably lead to backups onto Bryant Street.


This same analysis is completely missing from Transportation and Circulation (page 81) and the Site context for construction (page 93). The former fails to mention curtailed flow and capacity with a private street, while the latter fails to consider the narrowness of the alley. Ultimately the lack of off-street loading fails to consider the impact of a narrow private alley during construction. In particular, the lack of off-street loading on west Langton Street (near the only entrance) will inevitably pose an ongoing hindrance, exacerbated during estimated two-year construction period, because trucks of all sizes will need to access Langton's narrow private alley, which as described above can be blocked with frequency.

Finally, analysis regarding the impact of the narrowness of the alley should appear when considering construction noise abatement requirements stipulated for Eastern Neighborhood PEIR Mitigation Measures F-1 and F-2 (page 98) – yet these measures fail to consider whatsoever the impact of the narrowness of the alley, which has never before been abutted by a 7-story building. Similarly, Eastern Neighborhood PEIR Mitigation Measure G-1 (page 101), related to construction dust control, fails to account for a never-before-present 75-foot-tall building abutting a narrow alley.

Conclusion

The Board must reject the Commission's Draft Approval of the Project because the Project contradicts the intent and provisions of both the General Plan and the Code. The Draft Approval fails to give proper weight to the impact of a 75-foot-tall residential building where a 36-foot-tall warehouse once stood. In particular, the Commission overlooked the fact that the behemoth building will tower over existing buildings, with no horizontal mass reduction, and malign the character of the Showplace/Potrero Plan area. Further still, the Draft Approval is deficient in its analysis of several required factors under the Code—the Commission instead directing attention toward positive attributes of the Project rather than in-depth review of the Project's impact on the surrounding neighborhood. For these reasons, we urge the Board to reverse the Commission's approval of the Project.

Very Truly Yours,

DocuSigned by:

EBCCBAD33EF0473...
Sanya Khanna

cc: Laura L. Campbell, Esq., lcampbell@kdvlaw.com
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This is the 301 Langton Street Association Building, which faces Langton St and is directly across the street from the proposed 925 Bryant Street development. All of our windows face Langton Street and is the ONLY source of light and our primary source of air into our homes. Building a 7 story building right across from us will eliminate any natural light into our homes.



Back side of 301
Langton St
building facing
7th Street

Current
concrete
building
on 925
Bryant St.

This is the back of our homes (see arrow), while we all have private roof decks, there are no windows on the back side of our building; further showing that all natural light comes from the window on Langton St.

These photos are just a few examples of the delivery trucks and semi-trucks that enter Langton Street on a daily basis. They deliver to MacMurray Pacific Wholesale, who is located on the private street at the end of Langton Street. Since the street is private, they have the right to block the end of Langton with their delivery trucks.

*****please note that this is during all times of the day.***





CURRENT & APPROVED DEVELOPMENTS IN 2 BLOCK RADIUS FROM 301 LANGTON STREET

This is the current amount of market rate rental housing and low-income rental housing in a two-block radius from Langton Street.



833 BRYANT ST
(between 7th & 6th Street)
Mercy Housing
Development of 145 Studio apartments for adults experiencing homelessness



The Slate Residences
911 Bryant St
(right around the corner from 301 Langton St)
16 total units for rent



Astella Apartments
975 Bryant St
(½ a block from 301
Langton St)
185 Apartments for
Rent with 135 parking
spaces.
-mix of market rent
and low income
**notice garage
entrance is on Bryant
St*



855 Branna Street Apartments
(located across from Langton St)
434 apartments and 21 flex lofts
with 429 parking spots
-mix of market rent and low income





600 7th Street
Mercy Housing Development
(across the street from Langton St)
221 New Affordable homes over
half of which will be for formerly
homeless adults and families



LANGTON STREET PUBLIC AND PRIVATE STREET



One of MacMurray Pacific Bldgs

This is the length of Langton Street before it becomes a private street.



This is the private street that runs up to Brannan Street
**note the signs on each side indicate what is private and what is public



Here is a close up of the two signs on the left and right hand at the end of Langton Street and where the private street begins



Here is the private street from Brannan St for perspective.