Notice of Determination

Approval Date: October 30, 2018
Case No.: 2015-010013ENV
State Clearinghouse No: 2018022024
Project Title: 30 Otis Street Project
Zoning: Downtown General Commercial District (C-3-G); Neighborhood Commercial Transit (NCT-3) Van Ness and Market Downtown Residential Special Use District 85/250 R-2 and 85-X Height and Bulk Districts
Block/Lot: 3505/10, 12, 13, 16, and 18
Project Sponsor: Align Otis, LLC
Jessie Stuart (415) 360-1767 jstuart@alignrealestate.com
Julie Moore (415) 575-8733 julie.moore@sfgov.org
Staff Contact: San Francisco County Clerk

To: County Clerk, City and County of San Francisco
City Hall Room 168
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

State of California
Office of Planning and Research
PO Box 3044
Sacramento, CA 95812-3044

Pursuant to the California Environmental Quality Act (CEQA), the Guidelines of the Secretary for Resources, and San Francisco requirements, this Notice of Determination is transmitted to you for filing. At the end of the posting period, please return this Notice to the Staff Contact with a notation of the period it was posted.

Attachments:
- $66 filing fee
- CDFW No Effect Determination

PROJECT DESCRIPTION:
The project includes demolition of the five existing buildings and construction of a new residential building with ground-floor retail and arts activity uses. The proposed building includes a 9-story (85-foot tall) podium across the entire site and a 26-story (250-foot tall) tower at the corner of Otis and 12th Streets. The 398,365 gross square-foot building would include 416 dwelling units ranging from studios to two-bedroom units, 2,199 square feet of ground floor retail, 15,993 square feet of arts activities space for the City Ballet School, 31,290 square feet of usable open space, 95 residential parking spaces and 3 car-share spaces, and 224 Class 1 and 32 Class 2 bicycle parking spaces. Lastly, the Project would expand the existing sidewalk on the west side of 12th Street to create an approximately 7,200-square foot public plaza at the corner of 12th Street and South Van Ness Avenue.
DETERMINATION:

The City and County of San Francisco Planning Commission decided to carry out or approve the project on September 29, 2018 with the following approvals: EIR Certification (Motion No. 20291); Adoption of CEQA Findings (Motion No. 20292); Downtown Project Authorization (Motion No. 20293); and, Shadow Determination (Motion No. 20294). Approval became effective on October 27, 2018 at the end of the appeal period. A copy of the documents may be examined at Planning Department, 1650 Mission Street, Suite 400, San Francisco, CA 94103.

1. An Environmental Impact Report has been prepared pursuant to the provisions of CEQA. It is available to the public and may be examined at the Planning Department at the above address.

2. A determination has been made that the project in its approved form will have a significant effect on the environment and findings were made pursuant to Section 15091 and a statement of overriding considerations was adopted.

3. Mitigation measures were made a condition of project approval.

John Rahaim
Planning Director

By Lisa Gibson
Environmental Review Officer

cc: Jessie Stuart, Align LLC
**STATE OF CALIFORNIA - DEPARTMENT OF FISH AND WILDLIFE**

**2018 ENVIRONMENTAL FILING FEE CASH RECEIPT**

DFW 753.5a (Rev. 01/03/18) Previously DFG 753.5a

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**RECEIPT NUMBER:**

38 — 10302018 — 039

**STATE CLEARINGHOUSE NUMBER (If applicable)**

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**SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY.**

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<thead>
<tr>
<th>LEAD AGENCY</th>
<th>LEAD AGENCY EMAIL</th>
<th>DATE</th>
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<tr>
<td>SAN FRANCISCO PLANNING DEPT</td>
<td></td>
<td>10/30/2018</td>
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**COUNTY/STATE AGENCY OF FILING**

San Francisco

**DOCUMENT NUMBER**

673136

**PROJECT TITLE**

30 OTIS STREET PROJECT

**PROJECT APPLICANT NAME**

SAN FRANCISCO PLANNING DEPT

**PROJECT APPLICANT EMAIL**


**PHONE NUMBER**

(415) 360-1767

**PROJECT APPLICANT ADDRESS**

1650 MISSION ST.

**CITY**

SF

**STATE**

CA

**ZIP CODE**

49103

**PROJECT APPLICANT (Check appropriate box)**

- [ ] Local Public Agency
- [ ] School District
- [ ] Other Special District
- [ ] State Agency
- [x] Private Entity

**CHECK APPLICABLE FEES:**

- [ ] Environmental Impact Report (EIR) $3,168.00 $ 0.00
- [ ] Mitigated/Negative Declaration (MND)(ND) $2,280.75 $ 0.00
- [ ] Certified Regulatory Program document (CRP) $1,077.00 $ 0.00
- [ ] Exempt from fee
  - [ ] Notice of Exemption (attach)
  - [ ] CDFW No Effect Determination (attach)
- [ ] Fee previously paid (attach previously issued cash receipt copy)

- [ ] Water Right Application or Petition Fee (State Water Resources Control Board only) $850.00 $ 0.00

**PAYMENT METHOD:**

- [ ] Cash
- [ ] Credit
- [ ] Check
- [ ] Other

**TOTAL RECEIVED**

$ 66.00

**SIGNATURE**

Maribel Jaldon, Deputy County Clerk

**AGENCY OF FILING PRINTED NAME AND TITLE**

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**ORIGINAL - PROJECT APPLICANT**

**COPY - CDFW/ASSB**

**COPY - LEAD AGENCY**

**COPY - COUNTY CLERK**

DFW 753.5a (Rev. 20151215)
Date Submitted: October 1, 2018

Applicant Name: Jessie Stuart, Align Real Estate

Applicant Address: 255 California Street, Suite 525, San Francisco, CA 94111

Project Name: 30 Otis Street Project

CEQA Lead Agency: San Francisco Planning Department
CEQA Document Type: Environmental Impact Report
SCH Number and/or local agency ID Number: SCH #2018022024, 2015-0100

Project Location: The project site is on the north side of Otis Street at the intersection of Otis Street, 12th Street, and South Van Ness Avenue (U.S. 101), in San Francisco’s South of Market (SoMa) neighborhood. The site comprises five adjacent lots (Assessor’s Parcel Numbers 3505-010, 3505-012, 3505-013, 3505-016, and 3505-018) with frontage along Otis Street, 12th Street, Colusa Place, and Chase Court. Five commercial buildings, ranging from one to three stories, currently occupy the entire extent of their respective five lots.

Brief Project Description: The project includes demolition of the five existing buildings and construction of a new residential building with ground-floor retail and arts activity uses. The proposed building includes a 9-story (85-foot tall) podium across the entire site and a 26-story (250-foot tall) tower at the corner of Otis and 12th Streets. The 398,365 gross square-foot building would include 416 dwelling units ranging from studios to two-bedroom units, 2,199 square feet of ground floor retail, 15,993 square feet of arts activities space for the City Ballet School, 31,290 square feet of usable open space, 95 residential parking spaces and 3 car-share spaces, and 224 Class 1 and 32 Class 2 bicycle parking spaces. Lastly, the project would expand the existing sidewalk on the west side of 12th Street to create an approximately 7,200-square foot public plaza at the corner of 12th Street and South Van Ness Avenue.

Describe clearly why the project has no effect on fish and wildlife: The project would not result in or have the potential to result in noise, vibration, dust, light, pollution, or an alteration in water quality that may affect fish and/or wildlife directly or from a distance, and the project would not result in or have the potential to result in any interference with the movement of any fish and/or wildlife species.

No mitigation measures related to biological resources were identified in the Environmental Impact Report.

Determination: Based on a review of the Project as proposed, the California Department of Fish and Wildlife has determined that for purposes of the assessment of CEQA filing fees [F&G Code 711.4(c)] the project has no potential effect on fish, wildlife and habitat and the project as described does not require payment of a CEQA filing fee. This determination
does not in any way imply that the project is exempt from CEQA and does not determine the significance of any potential project effects evaluated pursuant to CEQA.

Please retain this original determination for your records; you are required to file a copy of this determination with the County Clerk after your project is approved and at the time of filing of the CEQA lead agency’s Notice of Determination (NOD). If you do not file a copy of this determination with the County Clerk at the time of filing of the NOD, the appropriate CEQA filing fee will be due and payable.

Without a valid No Effect Determination Form or proof of fee payment, the project will not be operative, vested, or final, and any local permits issued for the project will be invalid, pursuant to Fish and Game Code Section 711.4(c)(3).

CDFW Approval By: Gregg Erickson
Regional Manager
Bay Delta Region

Date: October 4, 2018