



SAN FRANCISCO PLANNING DEPARTMENT

Subject to: (Select only if applicable)

- Affordable Housing (Sec. 415)
- Jobs Housing Linkage Program (Sec. 413)
- Downtown Park Fee (Sec. 412)
- First Source Hiring (Admin. Code)
- Child Care Requirement (Sec. 414)
- Other (TIDF, EN Impact, Public Art)

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

Planning Commission Motion No. 19089

HEARING DATE: FEBRUARY 20, 2014

Date: February 13, 2014
Case No.: **2013.0007BX**
Project Address: **81-85 Bluxome Street**
Zoning: WMUO (Western SoMa Mixed Use-Office) District
 Western SoMa Special Use District
 65-X Height and Bulk District
Block/Lot: 3786/018
Project Sponsor: Cyrus Sanandaji
 Bluxome Partners, LLC
 207 King Street, Suite 300
 San Francisco, CA 94107
Staff Contact: Brittany Bendix – (415) 575-9114
brittany.bendix@sfgov.org

ADOPTING FINDINGS RELATING TO A LARGE PROJECT AUTHORIZATION PURSUANT TO PLANNING CODE SECTION 329 TO ALLOW EXCEPTIONS FOR (1) THE PROJECTION OF AN AWNING OVER A SIDEWALK PURSUANT TO PLANNING CODE SECTION 136.1, AND (2) TO NOT PROVIDE AN OFF-STREET LOADING SPACE PURSUANT TO PLANNING CODE SECTION 152.1, AS PART OF THE CONSTRUCTION OF A FIVE-STORY OFFICE BUILDING CONTAINING 55,000 GROSS SQUARE-FEET OF OFFICE SPACE LOCATED AT 81-85 BLUXOME STREET, LOT 018 IN ASSESSOR’S BLOCK 3786, AND WITHIN THE WMUO (WESTERN SOMA MIXED USE-OFFICE) ZONING DISTRICT, THE WESTERN SOMA SPECIAL USE DISTRICT AND A 65-X HEIGHT AND BULK DISTRICT; AND ADOPTING FINDINGS UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.

PREAMBLE

On May 16, 2013, Cyrus Sanandaji of Bluxome Partners, LLC, (hereinafter “Project Sponsor”) filed Application No. 2013.0007BX (hereinafter “Application”) with the Planning Department (hereinafter “Department”) for a Large Project Authorization and an Office Development Authorization to construct a new five-story, 65-foot tall, office building containing approximately 55,000 square-feet of office space at 81-85 Bluxome Street (Block 3786, Lot 018) in San Francisco, California.

The environmental effects of the Project were determined by the San Francisco Planning Department to have been fully reviewed under the Western SoMa Community Plan Environmental Impact Report (hereinafter "EIR"). The EIR was prepared, circulated for public review and comment, and, at a public hearing on December 6, 2012 by Motion No. 18756, certified by the Commission as complying with the California Environmental Quality Act (Cal. Pub. Res. Code Section 21000 et seq., (hereinafter "CEQA"). The Commission has reviewed the Final EIR, which has been available for this Commission's review as well as public review.

The Western SoMa Community Plan EIR is a Program EIR. Pursuant to CEQA Guideline 15168(c)(2), if the lead agency finds that no new effects could occur or no new mitigation measures would be required of a proposed project, the agency may approve the project as being within the scope of the project covered by the Program EIR, and no additional or new environmental review is required. In approving the Western SoMa Community Plan, the Commission adopted CEQA Findings in its Motion No. 18756 and hereby incorporates such Findings by reference.

Additionally, State CEQA Guidelines Section 15183 provides a streamlined environmental review for projects that are consistent with the development density established by existing zoning, area 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 area 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 **January 27, 2014**, 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 Western SoMa Community Plan and was encompassed within the analysis contained in the Western SoMa Community Plan Final EIR. Since the Western SoMa Community Plan Final EIR was finalized, there have been no substantial changes to the Western SoMa Community Plan and no substantial changes in circumstances that would require major revisions to the Final EIR due to the involvement of new significant environmental effects or an increase in the severity of previously identified significant impacts, and there is no new information of substantial importance that would change the conclusions set forth in the Final EIR. The file for this project, including the Western SoMa Community Plan Final EIR and the Community Plan Exemption certificate, is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, San Francisco, California.

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

On February 20, 2014, the San Francisco Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting on Large Project Authorization Application No. 2013.0007X.

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

MOVED, that the Commission hereby authorizes the Large Project Authorization requested in Application No. 2013.0007X, subject to the conditions contained in "EXHIBIT A" of this motion, based on the following findings:

FINDINGS

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

1. The above recitals are accurate and constitute findings of this Commission.
2. **Site Description and Present Use.** The project is located on the southern side of Bluxome Street, between 4th and 5th Streets, Lot 018 of Assessor's Block 3786. The property is located within the WMUO (Western SoMa Mixed Use-Office) District, the Western SoMa Special Use District, and a 65-X height and bulk district. The subject property is a rectangular lot with a width of 91 feet 8 inches and a depth of 120 feet. At present, a two story, 27,646 square foot, industrial building occupies the entire 11,000 square foot lot.
3. **Surrounding Properties and Neighborhood.** The project site is located on the eastern edge of the Western SoMa Area Plan, on a block zoned as WMUO and MUO (Mixed Use-Office). Directly north of Bluxome Street and opposite to the property is a four story building occupied by the Bay Club SF Tennis facility, and directly east of the property is a six story residential building. Directly south and west of the property are three four-story live work developments. The remaining uses on the subject block and within the immediate neighborhood context are characterized by live work, residential, industrial and office activities. The site is one block north of the 4th and King Caltrain Station.

The project site is also situated within the proposed Central SoMa Area Plan which is currently undergoing environmental review. If approved, as currently proposed, the subject block would be rezoned to MUO and the height limit would increase to 130 feet with a required 15 foot setback above 85 feet.

4. **Project Description.** The proposal is to demolish the existing two story industrial building and construct a five story, 65-foot tall office building of approximately 55,000 square feet. The project includes thirteen Class 1 bicycle parking spaces, and four Class 2 bicycle parking spaces. The project does not include off-street parking.

5. **Public Comment.** To date, the Department has not received direct public comment regarding the proposed project. Included in the Project Sponsor's submittal are letters from three neighboring small-businesses indicating support of the project.

Upon submittal of the application the Department received concerns from an owner of an adjacent live/work unit regarding the project's impact to his unit's light and air. The Project Sponsor is working with interested parties and their respective Home Owners Associations to find a workable alternative to address concerns.

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. **Office Use in WMUO Zoning District.** Planning Code Section 845.66 states that office use is permitted as of right within the Western SoMa Mixed Use-Office (WMUO) Zoning District.

The Project would construct new office space within the WMUO Zoning District; therefore, the proposed project complies with Planning Code Section 845.66.

- B. **Neighborhood Notification.** Planning Code Section 312 requires notification to all owners and occupants within 150-feet of the subject property if the property converts from one land use category to another and is located in an Eastern Neighborhoods Mixed Use District.

The proposal is located in the WMUO zoning district which is considered an Eastern Neighborhoods Mixed Use District pursuant to Planning Code Section 802.4. The project also proposes converting the property use from industrial to office. Accordingly, Section 312 notification was conducted in conjunction with the noticing for the Large Project Authorization and Office Development Authorization hearings.

- C. **Floor Area Ratio.** Planning Code Section 124 limits the basic floor area ratio of developments in the WMUO Zoning District and 65-X Height District to five square feet of non-residential development for every one square foot of lot area.

The subject property has a lot area of 11,000 square feet. The proposed development is 55,000 gross square feet of a non-residential use and thereby has a floor area ratio of 5:1. Therefore, the proposed project complies with Planning Code Section 124.

- D. **Useable Open Space.** Planning Code Section 135.3 requires that new office uses within the Eastern Neighborhoods Mixed Use Districts provide one square-foot of useable open space accessible to tenants for every 50 square-feet of occupied floor area.

The project is located within the WMUO Zoning District, which per Planning Code Section 802.4 is considered an Eastern Neighborhood Mixed Use District. The proposed development includes approximately 48,449 square feet of occupied floor area and thereby requires approximately 969 square

feet of useable open space. The project includes two open spaces areas that collectively provide 3,544 square feet of useable open space for future tenants.

- E. Awnings and Canopies in Eastern Neighborhood Mixed Use Districts.** Planning Code Section 136.1 states that any awning in an Eastern Neighborhood Mixed Use District that is greater than 10 feet may not project further than four feet from the face of the building.

The project proposes an awning that is 27 feet wide and projects 5.5 feet from the face of the building. As this proposed awning is not in compliance with Planning Code Section 136.1, the project is seeking an exception pursuant to Planning Code Section 329 from this requirement (See Item 8 below).

- F. Street Trees.** Planning Code Section 138.1 requires that new developments provide one street tree for every 20 feet of frontage, as well as one tree for any remainder greater than 10 feet.

The project includes new construction on a lot that is 91 feet 8 inches wide and thereby requires five street trees. Accordingly, the proposal includes five street trees.

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

The subject lot is not located in close proximity to an Urban Bird Refuge and is not a location-related hazard. To comply with the Planning Code's bird-safe standards any glazed segments greater than 24 square feet will be treated with a UV reflective coating.

- H. Street Frontage in Mixed Use Districts.** Planning Code Section 145.1 requires that any new development include the following: 1) active uses on the ground floor; 2) a ground floor height of 14 feet if located within the WMUO district; 3) street-facing, ground-level, interior spaces for non-residential uses; and, 4) that a minimum of 60 percent of the ground-floor street frontage be transparent for non-residential uses.

The project proposes a ground floor, street facing, frontage that satisfies all of the aforementioned requirements. Office space is a principally permitted use in the WMUO zoning district and is thereby considered an active use on the ground floor. Further, the ground floor use faces the street, has a height of 14 feet, and is more than 60 percent transparent to the street.

- I. Off-Street Freight Loading.** Planning Code Section 152.1 requires new office developments in an Eastern Neighborhoods Mixed Use District to provide 0.1 off-street freight loading spaces for every 10,000 square feet of gross floor area, rounding up to the nearest whole number per Planning Code Section 153.

The project is a new office development of 55,000 gross square feet within the WMUO zoning district. Therefore the project requires one off-street freight loading space. The proposal does not include an off-street freight loading space and is seeking an exception pursuant to Planning Code Section 329 from this requirement (See Item 8 below).

- J. **Shower Facility and Clothes Locker Requirement in New Buildings.** Planning Code Section 155.4 requires that new office developments greater than 50,000 square feet provide four shower facilities and 24 lockers.

The project is to construct a new office building of 55,000 gross square feet. Accordingly, the project includes four shower facilities and 24 lockers.

- K. **Bicycle Parking in New Buildings.** Planning Code Section 155.2 requires new office developments to provide one Class 1 bicycle space for every 5,000 square feet of occupied floor area and a minimum of two Class 2 spaces for any office use greater than 5,000 gross square feet, with one Class 2 space for each additional 50,000 occupied square feet.

The project is a new office development of approximately 48,449 occupied square feet. The project requires 10 Class 1 bicycle parking spaces and two Class 2 bicycle parking spaces. The project is proposing 13 Class 1 bicycle parking spaces and four Class 2 bicycle parking spaces.

- L. **Transportation Management Program.** Planning Code Section 163 requires the Project Sponsor to execute an agreement with the Planning Department for the provision of on-site transportation brokerage services and preparation of a transportation management program to be approved by the Director of Planning and implemented by the provider of transportation brokerage services for projects within the WMUO District, where the gross square feet of new, converted or added floor area for office use equals at least 55,000 square feet.

The proposed project includes 55,000 square feet of office use, thus the Project Sponsor must execute an agreement to provide on-site transportation brokerage services. The agreement will be reviewed by the Planning Department prior to the issuance of a temporary certificate of occupancy, in accordance with Planning Code Section 163.

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

Based upon a detailed shadow analysis, the proposed project does not cast any net new shadow upon property under the jurisdiction of the Recreation and Parks Commission.

- N. **Office Development Authorization.** Planning Code Section 321 outlines the requirements for an Office Development Authorization from the Planning Commission for new office space in excess of 25,000 gross square feet.

The proposed project has submitted an application for an Office Development Authorization. The proposed project will seek an office development authorization for approximately 55,000 square feet of new office space from the Planning Commission. (See Case No. 2013.0007B).

- O. **Transit Impact Development Fee.** Planning Code Section 411 applies the Transit Impact Development Fee to projects cumulatively creating more than 800 gross square feet of non-residential uses, including Retail/Entertainment, Management, Information and Professional Services, and Production/Distribution/Repair.

The proposed project includes 55,000 gross square feet of office use. This use is subject to the Transit Impact Development Fee at the per gross square foot rate in place at the time of site permit issuance.

- P. **Jobs-Housing Linkage Program.** Planning Code Section 413 applies the Jobs-Housing Linkage Fee to any project that increases by at least 25,000 gross square feet the total amount of any combination of entertainment use, hotel use, Integrated PDR use, office, research and development use, retail use, and/or Small Enterprise Workspace use.

The proposed project includes 55,000 gross square feet of office use and is subject to the Jobs-Housing Linkage Program, as outlined in Planning Code Section 413. The Project Sponsor may elect between the Housing Requirement option, the Payment to Housing Developer option, the In-Lieu Fee Payment option or compliance by combination payment to Housing Developer and payment of In-Lieu Fee at the time of site permit issuance.

- Q. **Child Care Requirements for Office Development Projects.** Planning Code Section 414 applies the Child Care Requirements for Office Development Projects Requirement to any project that increases by at least 50,000 gross square feet the total amount of office space.

The proposed project includes 55,000 gross square feet of office space and is subject to the Child Care Requirements for Office Development Projects Requirement. Prior to issuance of the first construction document, the Project Sponsor will elect between compliance by providing an on-site child-care facility, compliance in conjunction with the sponsors of other development projects to provide an on-site child care facility at another project, compliance in conjunction with the sponsors of other development projects to provide a child-care facility within one mile of the development projects, compliance by payment of an in-lieu fee, compliance by combining payment of an in-lieu fee with construction of a child care facility or compliance by entering into an arrangement with a non-profit organization.

- R. **Eastern Neighborhood Infrastructure Impact Fee.** Planning Code Section 423 is applicable to any development project within the WMUO Zoning District that results in the addition of gross square feet of non-residential space.

The proposed project includes 55,000 square feet of office space and is subject to Eastern Neighborhood Infrastructure Impact Fees, as outlined in Planning Code Section 423. These fees are due at the issuance of the first construction document.

- S. **Public Art Requirement.** Planning Code Section 429 requires that new construction projects within the WMUO zoning district resulting in a building greater than 25,000 gross square feet must pay a fee equal to one percent the cost of construction.

The proposal is to construct a 55,000 gross square foot building and is therefore, subject to the Public Art Fee Requirement, as outlined in Planning Code Section 429. This fee is due at the issuance of the first construction document.

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

- A. Overall building mass and scale.

The proposed project's mass and scale are appropriate for the existing context as the area is mostly characterized by four to six story buildings. The addition of this structure will help establish a strong street wall of multiple stories. Like other properties in the vicinity, the proposed project has full lot coverage and a large rectangular massing. Thus, the project is consistent and compatible with the surrounding context.

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

The façade is composed of a stair tower clad in a weathered metal finish and a more prominent glass curtain wall with metal panel bands. As applied in the proposal, the architectural treatments and building materials are simple and used to create strong, clean lines. As a result, the project's architectural treatments, façade design and building materials are compatible with both the aesthetic of the neighborhood's older industrial buildings and more contemporary developments.

- 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 proposal features a predominately glazed ground floor which encourages interaction between the tenant space and the public realm. The top floor is setback from the front façade to accommodate a roof deck and provide a relief to the overall massing.

- 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 3,544 square-feet of useable open space on roof decks above the 4th and 5th stories that are accessible by tenants within the building. Both decks are well designed and create outdoor spaces with seating and landscaping. Both decks also exceed the 969 square feet of useable open space required per Planning Code Section 135.3.

- 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 any mid-block alleys or pathways, as defined in Planning Code Section 270.2.

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

In compliance with Planning Code Sections 138.1 and 155.2, the proposed project would provide five new street trees and four Class 2 bicycle spaces along Bluxome Street.

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

The Bluxome Street façade is the focal point for pedestrian access, which is facilitated via the main entry lobby. The project does not include off-street parking spaces and is seeking an exemption from providing one off-street loading space.

- H. Bulk limits;

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

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

The proposed project, on balance, meets the Objectives and Policies of the General Plan.

8. **Large Project Authorization Exceptions.** Proposed Planning Code Section 329 allows exceptions for Large Projects in the Eastern Neighborhoods Mixed Use Districts:

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

The proposed project is seeking modifications of: 1) Planning Code Section 136.1, which defines the maximum projection of an awning; and, 2) Planning Code Section 152.1, which defines the number of required off-street freight loading spaces.

Planning Code Section 136.1 requires that an awning, greater than 10 feet in width may only project 4 feet from the face of the subject building wall. The proposed awning is 27 feet and projects 5.5 feet. The Department is supportive of this modification as the scale of the awning is proportionate to the overall building and adds emphasis to the entryway.

Planning Code Section 152.1 requires that a new office development in an Eastern Neighborhoods Mixed Use District must provide 0.1 off-street freight loading spaces for every 10,000 gross square feet of floor area, rounding up to the nearest whole value per Planning Code Section 153. The project proposes construction of a 55,000 gross square foot office building in the WMUO zoning district and therefore is required to provide one off-street freight loading space. The project does not include any off-street parking and, therefore, does not incorporate vehicular access into the Bluxome Street façade. This would change upon provision of the loading space. Given the project's high quality of design, ground floor transparency and proposed streetscape improvements (trees and bicycle parking), vehicular access on-site would diminish the overall aesthetic quality of the project for both the public and private realms. Therefore, the Department is supportive of this modification.

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

COMMERCE AND INDUSTRY ELEMENT

Objectives and Policies

OBJECTIVE 1:

MANAGE ECONOMIC GROWTH AND CHANGE TO ENSURE ENHANCEMENT OF THE TOTAL CITY LIVING AND WORKING ENVIRONMENT.

Policy 1.1:

Encourage development which provides substantial net benefits and minimizes undesirable consequences. Discourage development that has substantial undesirable consequences that cannot be mitigated.

Policy 1.2:

Assure that all commercial and industrial uses meet minimum, reasonable performance standards.

Policy 1.3:

Locate commercial and industrial activities according to a generalized commercial and industrial land use plan.

The proposed office development will provide net benefits to the City and the community in the form of new office space, and through the redevelopment of an underutilized lot in a zoning district with the stated intent of encouraging the growth of office use. The nature of the office use has few physical consequences that are undesirable and the standard Conditions of Approval (Exhibit A) will help ensure that the operations will not generate any unforeseen problems.

OBJECTIVE 2:

MAINTAIN AND ENHANCE A SOUND AND DIVERSE ECONOMIC BASE AND FISCAL STRUCTURE FOR THE CITY.

Policy 2.1:

Seek to retain existing commercial and industrial activity and to attract new such activity to the City.

Policy 2.3:

Maintain a favorable social and cultural climate in the city in order to enhance its attractiveness as a firm location

The proposed office development will help attract new commercial activity to San Francisco as it provides a large quantity of vacant office space for use. It also contributes to San Francisco's attractiveness as a firm location as it is within short walking distance of the 4th and King Caltrain Station as well as the Central Subway.

TRANSPORTATION ELEMENT

Objectives and Policies

OBJECTIVE 24:

IMPROVE THE AMBIENCE OF THE PEDESTRIAN ENVIRONMENT.

Policy 24.2:

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

The Project will install street trees at regular intervals along Bluxome Street and provide four Class 2 bicycle parking spaces.

OBJECTIVE 28:

PROVIDE SECURE AND CONVENIENT PARKING FACILITIES FOR BICYCLES.

Policy 28.1:

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

Policy 28.3:

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

The project includes 13 Class 1 bicycle parking spaces in a secure, convenient location within the basement level along with required shower and locker facilities, as well as four Class 2 bicycle parking spaces.

URBAN DESIGN ELEMENT

Objectives and Policies

OBJECTIVE 1:

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

Policy 1.3:

Recognize that buildings, when seen together, produce a total effect that characterizes the city and its districts.

The design of the proposed office development complements the existing character of the subject block of Bluxome Street as its scale, massing and choice of façade materials draws inspiration from both the older light industrial and more contemporary buildings along Bluxome Street. The proposed development does not stand out, but rather contributes to a general sense of building type along the subject block face of Bluxome Street.

OBJECTIVE 3:

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

Policy 3.1:

Promote harmony in the visual relationships and transitions between new and older buildings.

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.

The proposed development successfully melds a new building into an area with a mix of established 19th and early 20th century light industrial buildings and more recently developed buildings. The proposed development does not clash with the existing context as the selected building materials, massing and scale are typical of the buildings found along Bluxome Street.

WESTERN SOMA AREA PLAN

Objectives and Policies

OBJECTIVE 4.1:

FACILITATE THE MOVEMENT OF PEDESTRIANS AND BICYCLES IN THE ALLEYS.

Policy 4.1.1:

Introduce treatments that effectively improve the pedestrian experience in alleys.

Bluxome Street is considered an alley per the Western SoMa Area Plan. The project incorporates a transparent and active ground floor use and improves the sidewalk with bicycle parking and street trees. Collectively, these improvements enhance the pedestrian experience on Bluxome Street and are amenities that are largely absent on the block.

OBJECTIVE 4.2:

LIMIT THE SPEED AND VOLUME OF MOTOR VEHICLES IN ALLEYS.

Policy 4.2.1:

Restrict the entry of motor vehicles in the alleys.

The project does not include any off-street parking and is seeking an exception through Planning Code Section 329 to not provide an off-street freight loading space. The absence of vehicular uses on the property will reduce the presence of motor vehicles in the alley.

OBJECTIVE 4.23:

IMPROVE THE AMBIENCE OF THE PEDESTRIAN ENVIRONMENT.

Policy 4.23.1:

Design pedestrian facilities so that they blend in well with surrounding land uses. In order to avoid potential conflicts, auto-oriented uses should be avoided where possible.

As previously mentioned, the proposal removes all auto-oriented uses from the property. This will diminish the site's conflict between auto-oriented uses and pedestrian activities, thereby enhancing the overall pedestrian experience.

OBJECTIVE 5.1

REINFORCE THE DIVERSITY OF THE EXISTING BUILT FORM AND THE WAREHOUSE, INDUSTRIAL AND ALLEY CHARACTER.

Policy 5.1.6:

Encourage a mix of uses rather than mixed use development.

Office uses will occupy the entire structure and will reinforce the existing diversity of uses within the immediate area which consists of residential, live/work, industrial, office and commercial land uses. Further, the design of the building facilitates a harmonization of the various architectural characteristics of those uses.

OBJECTIVE 5.2:

PROMOTE ENVIRONMENTAL SUSTAINABILITY.

Policy 5.2.2:

Require new development to meet minimum levels of "green" construction.

Policy 5.2.5:

Strongly encourage new development to adhere to a new performance-based ecological evaluation tool to improve the amount and quality of green landscaping.

Policy 5.2.8:

Enhance the connection between the building form and ecological sustainability by promoting use of renewable energy, energy-efficient building envelopes, passive heating and cooling, and sustainable materials.

Policy 5.2.9:

Compliance with strict environmental efficiency standards for new buildings is strongly encouraged.

The Project will promote environmental sustainability by incorporating some of the latest "green" innovative technologies that will exceed CalGreen, San Francisco Green Building and the Western SoMa Area Plan's sustainability objectives. The project will target LEED Gold certification through the US Green Building Council's Core & Shell (CS) version 2009 rating system.

The project will enhance the connection between the building form and ecological sustainability by providing energy-efficient weather tight building envelope and use of sustainable materials. The project will comply with strict efficiency standards for new buildings.

OBJECTIVE 5.3:

PROMOTE WALKING, BIKING AND AN ACTIVE URBAN PUBLIC REALM.

Policy 5.3.2:

Require high quality design of street facing building exteriors.

Policy 5.3.3:

Minimize the visual impact of parking.

Policy 5.3.4:

Strengthen the relationship between a building and its fronting sidewalk.

The project will enhance the urban public realm as it provides an active and transparent use on the ground floor, and improves the sidewalk by providing new street trees and bicycle racks.

OBJECTIVE 7.3:

IMPROVE THE NEIGHBORHOOD'S PUBLIC REALM CONDITIONS.

Policy 7.3.11:

Require that new development contribute a continuous row of appropriately-spaced trees at all streets adjacent to the project.

The project will include five required street trees on Bluxome Street to be reviewed by the Department of Public Works.

OBJECTIVE 7.6:

MAINTAIN AND PROMOTE DIVERSITY OF NEIGHBORHOOD OPEN SPACES.

Policy 7.6.8:

Encourage private open space to be provided as common spaces for residents and workers of the building.

The project is required to provide 969 square feet of useable open space accessible to tenants. The proposal includes two roof decks, each which exceeds the open space requirement and which collectively account for 3,544 square feet of useable open space on-site, available to tenants.

10. **Section 101.1 Priority Policy Findings.** Section 101.1(b)(1-8) establishes eight priority planning Policies and requires review of permits for consistency with said policies.

The Commission finds and determines that the Project is consistent with the eight priority policies, for the reasons set forth below.

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

The existing buildings do not contain any neighborhood-serving retail uses. The proposal would enhance the neighborhood-serving retail district by introducing a large number of new employees and potential patrons to the retail uses in the area.

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

The existing neighborhood character will be preserved as the design of the proposal is in harmony with the building scale, massing and form found along the subject block of Bluxome Street. The Project is located in the Western SoMa Area Plan and is located within a zoning district that allows office use. Other nearby properties function as commercial, residential or light industrial spaces.

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

There is no existing affordable or market-rate housing on the Project Site. The development will contribute fees to the Jobs-Housing Linkage Program. Therefore, the Project is in compliance with this priority policy.

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

The area is served by a variety of transit options, including MUNI and Caltrain. It is also near several streets that are part of the City's growing bicycle network. It is not anticipated that commuter traffic will impede MUNI transit or overburden streets or neighborhood parking as the project is not required to, and does not, provide off-street parking given its proximity to transit alternatives.

- 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 demolish a two-story industrial building. However, the proposed new office development is a principally permitted use within the subject zoning district and is at a scale that

maximizes the current development potential of the site. The project will provide quality flexible office space that is suitable for a variety of office uses and sizes. This office space will help maintain the local resident employment and demand for neighborhood-serving businesses in the area.

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

The proposed project is designed and will be constructed to conform to the structural and seismic safety requirements of the Building Code.

- G. That landmarks and historic buildings be preserved.

The subject property was evaluated as part of the South of Market Historic Resource Survey and was determined to not be an individual resource or a contributor to a district.

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

The proposed project would not affect nearby parks or open space.

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

DECISION

That based upon the Record, the submissions by the Applicant, the staff of the Department and other interested parties, the oral testimony presented to this Commission at the public hearings, and all other written materials submitted by all parties, the Commission hereby **APPROVES Large Project Authorization Application No. 2013.0007X** under Planning Code Section 329 to allow the new construction of a five-story, 65-foot tall, office building with 55,000 gross square feet of office use, and a modification to: 1) the projection of an awning over the sidewalk pursuant to Planning Code Sections 136.1; and, 2) off-street freight loading requirements pursuant to Planning Code Section 152.1 within the WMUO (Western SoMa Mixed Use-Office) Zoning District, the Western SoMa Special Use District, and a 65-X Height and Bulk District. The project is subject to the following conditions attached hereto as "EXHIBIT A" in general conformance with plans on file, dated December 12, 2013, and stamped "EXHIBIT B", which is incorporated herein by reference as though fully set forth.

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

APPEAL AND EFFECTIVE DATE OF MOTION: Any aggrieved person may appeal this Section 329 Large Project Authorization to the Board of Appeals within fifteen (15) days after the date of this Motion. The effective date of this Motion shall be the date of adoption of this Motion if not appealed (after the 15-day period has expired) OR the date of the decision of the Board of Appeals if appealed to the Board of Appeals. For further information, please contact the Board of Appeals at (415) 575-6880, 1660 Mission, Room 3036, San Francisco, CA 94103.

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

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

I hereby certify that the Planning Commission ADOPTED the foregoing Motion on February 20, 2014.

Jonas P. Ionin
Commission Secretary

AYES: Commissioners Wu, Fong, Antonini, Borden, Hillis, Moore, Sugaya

NAYS: None

ABSENT: None

ADOPTED: February 20, 2014

EXHIBIT A

AUTHORIZATION

This authorization is for a Large Project Authorization to allow for the new construction of a five-story, 65-foot tall, office building with 55,000 square feet of office use and a modification to: 1) the projection of an awning over the sidewalk pursuant to Planning Code Sections 136.1; and, 2) off-street freight loading requirements pursuant to Planning Code Section 152.1, located at 81-85 Bluxome Street, Lot 018 in Assessor's Block 3786 pursuant to Planning Code Section 329 within the WMUO (Western SoMa Mixed-Use Office) Zoning District, the Western SoMa Special Use District, and a 65-X Height and Bulk District; in general conformance with plans, dated December 12, 2013, and stamped "EXHIBIT B" included in the docket for Case No. 2013.0007X and subject to conditions of approval reviewed and approved by the Commission on February 20, 2014 under Motion No. 19089. 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 February 20, 2014 under Motion No. 19089.

PRINTING OF CONDITIONS OF APPROVAL ON PLANS

The conditions of approval under the 'Exhibit A' of this Planning Commission Motion No. 19089 shall be reproduced on the Index Sheet of construction plans submitted with the Site or Building permit application for the Project. The Index Sheet of the construction plans shall reference to the Office Development Authorization and any subsequent amendments or modifications.

SEVERABILITY

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

CHANGES AND MODIFICATIONS

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

Conditions of Approval, Compliance, Monitoring, and Reporting

PERFORMANCE

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

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

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

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

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

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

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

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

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

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

6. **Development Timeline - Office.** Pursuant to Planning Code Section 321(d)(2), construction of an office development shall commence within 18 months of the date of this Motion approving this Project becomes effective. Failure to begin work within that period or to carry out the development diligently thereafter to completion, shall be grounds to revoke approval of the office development under this Office Allocation authorization.

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

DESIGN – COMPLIANCE AT PLAN STAGE

7. **Final Materials.** The Project Sponsor shall continue to work with Planning Department on the building design and implement the ground floor glazing detail and façade articulation presented at the Planning Commission hearing on February 20, 2014. Final materials, glazing, color, texture, landscaping, and detailing shall be subject to Department staff review and approval. The architectural addenda shall be reviewed and approved by the Planning Department prior to issuance.

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

PARKING AND TRAFFIC

8. **Bicycle Parking.** Pursuant to Planning Code Section 155.2, the Project shall provide no fewer than **10** Class 1 bicycle parking spaces and **2** Class 2 bicycle parking spaces for the 55,000 gross square feet of office use.

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

PROVISIONS

9. **Transportation Brokerage Services - C-3, EN, and SOMA.** Pursuant to Planning Code Section 163, the Project Sponsor shall provide on-site transportation brokerage services for the actual lifetime of the project. Prior to the issuance of any certificate of occupancy, the Project Sponsor shall execute an agreement with the Planning Department documenting the project's transportation management program, subject to the approval of the Planning Director.

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

10. **Transit Impact Development Fee.** Pursuant to Planning Code Sections 411 (formerly Chapter 38 of the Administrative Code), the Project Sponsor shall pay the Transit Impact

Development Fee (TIDF) as required by and based on drawings submitted with the Building Permit Application. Prior to the issuance of a temporary certificate of occupancy, the Project Sponsor shall provide the Planning Department with certification of fee payment.

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

www.sf-planning.org

11. **Jobs Housing Linkage.** Pursuant to Planning Code Sections 413 (formerly 313), the Project Sponsor shall contribute to the Jobs-Housing Linkage Program (JHLP). The calculation shall be based on the net addition of gross square feet of each type of space to be constructed as set forth in the permit plans. The Project Sponsor shall provide evidence that this requirement has been satisfied to the Planning Department prior to the issuance of the first site or building permit by the Department of Building Inspection.

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

www.sf-planning.org

12. **Child Care Requirement.** Pursuant to Planning Code Section 414, the Project Sponsor shall comply with the provisions of the Child-Care Requirements for Office and Hotel Development Project through payment of an in-lieu fee pursuant to Article 4 of the Planning Code.

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

www.sf-planning.org

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

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

www.sf-planning.org

14. **Art - WMUO.** Pursuant to Planning Code Section 429, the Project Sponsor shall comply with the Public Art Requirement through payment of a fee equal to one percent of the hard construction costs for the Project as determined by the Director of the Department of Building Inspection. The Project Sponsor shall provide to the Director necessary information to make the determination of construction cost hereunder.

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

MONITORING - AFTER ENTITLEMENT

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

For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863,

www.sf-planning.org

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

For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863,

www.sf-planning.org

OPERATION

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

For information about compliance, contact Bureau of Street Use and Mapping, Department of Public Works, 415-695-2017, <http://sfdpw.org>

18. **Community Liaison.** Prior to issuance of a building permit to construct the project and implement the approved use, the Project Sponsor shall appoint a community liaison officer to deal with the issues of concern to owners and occupants of nearby properties. The Project Sponsor shall provide the Zoning Administrator with written notice of the name, business address, and telephone number of the community liaison. Should the contact information change, the Zoning Administrator shall be made aware of such change. The community liaison shall report to the Zoning Administrator what issues, if any, are of concern to the community and what issues have not been resolved by the Project Sponsor.

For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863,

www.sf-planning.org

**Motion No. 19089
February 20, 2014**

**CASE NO. 2013.0007X
81-85 Bluxome Street**

**Exhibit C: MITIGATION MONITORING AND REPORTING
PROGRAM –
81-85 BLUXOME STREET**

Mitigation Measures	Applies to These Project Components	Responsibility for Implementation	Mitigation Schedule	Monitoring/ Reporting Responsibility	Monitoring Schedule
A. Cultural and Paleontological Resources					
<p>M-CP-4a: Project-Specific Preliminary Archeological Assessment. Project sponsors wishing to obtain building permits from the City are required to undergo environmental review pursuant to CEQA. The San Francisco Planning Department, as the Lead Agency, requires an evaluation of the potential archeological effects of a proposed individual project. Pursuant to this evaluation, the San Francisco Planning Department has established a review procedure that may include the following actions, carried out by the Department archeologist or by a qualified archeological consultant, as retained by the project sponsor.</p> <p>This archeological mitigation measure may apply to any project involving any soils-disturbing or soils-improving activities including excavation, utilities installation, grading, soils remediation, compaction/chemical grouting to a depth of five (5) feet or greater below ground surface and located within those properties within the Draft Plan Area for which no archeological assessment report has been prepared.</p> <p>Projects to which this mitigation measure applies shall be subject to Preliminary Archeology Review (PAR) by the San Francisco Planning Department archeologist, or a Preliminary Archeological Sensitivity Study (PASS) shall be prepared by an archeological consultant with from the pool of qualified archeological consultants maintained by the Planning Department archeologist. The PASS shall:</p> <ul style="list-style-type: none"> • Determine the historical uses of the project site based on any previous archeological documentation and Sanborn maps; • Determine types of archeological resources/properties that may have been located within the project site and whether the archeological resources/property types would potentially be eligible for listing on the California Register; • Determine if 19th or 20th century soils-disturbing activities may have adversely affected the identified potential archeological resources; • Assess potential project effects in relation to the depth of any identified potential archeological resource; • Provide a conclusion that assesses whether any California Register-eligible archeological resources could be adversely affected by the proposed project and recommends appropriate further action. 	<ul style="list-style-type: none"> • 81-85 Bluxome Street 	<p>Project sponsor, Planning Department’s archeologist or qualified archaeological consultant, and Planning Department’s Environmental Review Officer for each subsequent project undertaken pursuant to the Western SoMa Community Plan or Rezoning of Adjacent Parcels</p>	<p>Prior to issuance of a building permit</p>	<p>Planning Department’s Environmental Review Officer; Planning Department’s archeologist or qualified archaeological consultant</p>	<p>Considered complete upon submittal of PAR or PASS to ERO or designated Planning Department staff</p>

**MITIGATION MONITORING AND REPORTING PROGRAM –
81-85 BLUXOME STREET (Continued)**

Mitigation Measures	Applies to These Project Components	Responsibility for Implementation	Mitigation Schedule	Monitoring/ Reporting Responsibility	Monitoring Schedule
A. Cultural and Paleontological Resources (cont.)					
<p>Based on the PAR or PASS, the Environmental Review Officer (ERO) shall determine if an Archeological Research Design Treatment Plan (ARDTP) shall be required to more definitively identify the potential for California Register-eligible archeological resources to be present within the project site and determine the appropriate action necessary to reduce the potential effect of the project on archeological resources to a less-than-significant level. The scope of the ARDTP shall be determined in consultation with the ERO and consistent with the standards for archeological documentation established by the Office of Historic Preservation (OHP) for purposes of compliance with CEQA (OHP <i>Preservation Planning Bulletin</i> No. 5).</p>					
<p>M-CP-4b: Procedures for Accidental Discovery of Archeological Resources. This mitigation measure is required to avoid any potential adverse effect on accidentally discovered buried or submerged historical resources as defined in <i>CEQA Guidelines</i> Section 15064.5(a)(c).</p> <p>The project sponsor shall distribute the Planning Department archeological resource “ALERT” sheet to the project prime contractor; to any project subcontractor (including demolition, excavation, grading, foundation, pile driving, etc. firms); and to utilities firms involved in soils-disturbing activities within the project site. Prior to any soils-disturbing activities being undertaken, each contractor is responsible for ensuring that the “ALERT” sheet is circulated to all field personnel, including machine operators, field crew, pile drivers, and supervisory personnel. The project sponsor shall provide the Environmental Review Officer (ERO) with a signed affidavit from the responsible parties (prime contractor, subcontractor(s), and utilities firms) to the ERO confirming that all field personnel have received copies of the “ALERT” sheet.</p> <p>Should any indication of an archeological resource be encountered during any soils-disturbing activity of the project, the project head foreman and/or project sponsor shall immediately notify the ERO and shall immediately suspend any soils-disturbing activities in the vicinity of the discovery until the ERO has determined what additional measures should be undertaken.</p> <p>If the ERO determines that an archeological resource may be present within the project site, the project sponsor shall retain the services of an</p>	<ul style="list-style-type: none"> • 81-85 Bluxome Street 	<p>Project sponsor, contractor, Planning Department’s archeologist or qualified archaeological consultant, and Planning Department’s Environmental Review Officer for each subsequent project undertaken pursuant to the Western SoMa Community Plan or Rezoning of Adjacent Parcels</p>	<p>Prior to issuance of any permit for soil-disturbing activities and during construction</p>	<p>Project Sponsor; ERO; archeologist</p>	<p>Considered complete upon ERO’s approval of FARR</p>

**MITIGATION MONITORING AND REPORTING PROGRAM –
81-85 BLUXOME STREET (Continued)**

Mitigation Measures	Applies to These Project Components	Responsibility for Implementation	Mitigation Schedule	Monitoring/ Reporting Responsibility	Monitoring Schedule
A. Cultural and Paleontological Resources (cont.)					
<p>archeological consultant from the pool of qualified archeological consultants maintained by the Planning Department archeologist. The archeological consultant shall advise the ERO as to whether the discovery is an archeological resource, retains sufficient integrity, and is of potential scientific/historical/cultural significance. If an archeological resource is present, the archeological consultant shall identify and evaluate the archeological resource. The archeological consultant shall make a recommendation as to what action, if any, is warranted. Based on this information, the ERO may require, if warranted, specific additional measures to be implemented by the project sponsor.</p> <p>Measures might include preservation in situ of the archeological resource, an archeological monitoring program, or an archeological testing program. If an archeological monitoring program or archeological testing program is required, it shall be consistent with the Environmental Planning (EP) division guidelines for such programs. The ERO may also require that the project sponsor immediately implement a site security program if the archeological resource is at risk from vandalism, looting, or other damaging actions.</p> <p>The project archeological consultant shall submit a 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 monitoring/data recovery program(s) undertaken. Information that may put at risk any archeological resource shall be provided in a separate removable insert within the final report.</p> <p>Copies of the Draft FARR shall be sent to the ERO for review and approval. Once approved by the ERO, copies of the FARR shall be distributed as follows: California Archaeological Site Survey Northwest Information Center (NWIC) shall receive one 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 copy, one unbound copy, and one unlocked, searchable PDF copy on a CD of the FARR along with copies of any formal site recordation forms (CA DPR 523 series) and/or documentation for nomination to the National Register of Historic Places/California Register of Historical Resources. In instances of high public interest or interpretive value, the ERO may require a different final report content, format, and distribution from that presented above.</p>					

**MITIGATION MONITORING AND REPORTING PROGRAM –
81-85 BLUXOME STREET (Continued)**

Mitigation Measures	Applies to These Project Components	Responsibility for Implementation	Mitigation Schedule	Monitoring/ Reporting Responsibility	Monitoring Schedule
B. Noise and Vibration					
<p>M-NO-2a: General Construction Noise Control Measures. To ensure that project noise from construction activities is minimized to the maximum extent feasible, the sponsor of a subsequent development project shall undertake the following:</p> <ul style="list-style-type: none"> • The sponsor of a subsequent development project shall require the general contractor to ensure that equipment and trucks used for project construction 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). • The sponsor of a subsequent development project shall require the general contractor to locate stationary noise sources (such as compressors) 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, which could reduce construction noise by as much as 5 dBA. To further reduce noise, the contractor shall locate stationary equipment in pit areas or excavated areas, if feasible. • The sponsor of a subsequent development project shall require the general contractor to use impact tools (e.g., jack hammers, pavement breakers, and rock drills) that are hydraulically or electrically powered 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, which could reduce noise levels by as much as 10 dBA. • The sponsor of a subsequent development project shall include noise control requirements in specifications provided to construction contractors. Such requirements could include, but not be limited to, performing all work in a manner that minimizes noise to the extent feasible; undertaking the most noisy activities during times of least disturbance to surrounding residents and occupants, as feasible; and selecting haul routes that avoid residential buildings inasmuch as such routes are otherwise feasible. • Prior to the issuance of each building permit, along with the submission of construction documents, the sponsor of a subsequent development 	<ul style="list-style-type: none"> • 81-85 Bluxome Street 	<p>Project sponsor and construction contractor</p>	<p>During construction period</p>	<p>Project sponsor to provide monthly noise reports during construction</p>	<p>Considered complete upon final monthly report</p>

**MITIGATION MONITORING AND REPORTING PROGRAM –
81-85 BLUXOME STREET (Continued)**

Mitigation Measures	Applies to These Project Components	Responsibility for Implementation	Mitigation Schedule	Monitoring/ Reporting Responsibility	Monitoring Schedule
B. Noise and Vibration (cont.)					
<p>project shall submit to the San Francisco Planning Department and Department of Building Inspection (DBI) a list of measures to respond to and track complaints pertaining to construction noise. These measures shall include: (1) a procedure and phone numbers for notifying DBI, the Department of Public Health, and the Police Department (during regular construction hours and off-hours); (2) a sign posted on-site describing noise complaint procedures and a complaint hotline number that shall be answered at all times during construction; (3) designation of an on-site construction complaint and enforcement manager for the project; and (4) notification of 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 activities (defined as activities generating noise levels of 90 dBA or greater) about the estimated duration of the activity.</p>					
C. Biological Resources					
<p>M-BI-1a: Pre-Construction Special-Status Bird Surveys. Conditions of approval for building permits issued for construction within the Draft Plan Area or on the Adjacent Parcels shall include a requirement for pre-construction special-status bird surveys when trees would be removed or buildings demolished as part of an individual project. Pre-construction special-status bird surveys shall be conducted by a qualified biologist between February 1 and August 15 if tree removal or building demolition is scheduled to take place during that period. If bird species protected under the Migratory Bird Treaty Act or the California Fish and Game Code are found to be nesting in or near any work area, an appropriate no-work buffer zone (e.g., 100 feet for songbirds) shall be designated by the biologist. Depending on the species involved, input from the California Department of Fish and Game (CDFG) and/or United States Fish and Wildlife Service (USFWS) may be warranted. As recommended by the biologist, no activities shall be conducted within the no-work buffer zone that could disrupt bird breeding. Outside of the breeding season (August 16 – January 31), or after young birds have fledged, as determined by the biologist, work activities may proceed. Special-status birds that establish nests during the construction period are considered habituated to such activity and no buffer shall be required, except as needed to avoid direct destruction of the nest, which would still be prohibited.</p>	<ul style="list-style-type: none"> • 81-85 Bluxome Street 	Project Sponsor; qualified biologist; CDFG; USFWS	Prior to issuance of demolition or building permits when trees or shrubs would be removed or buildings demolished as part of an individual project	Project Sponsor; qualified biologist; CDFG; USFWS	Prior to issuance of demolition or building permits

**MITIGATION MONITORING AND REPORTING PROGRAM –
81-85 BLUXOME STREET (Continued)**

Mitigation Measures	Applies to These Project Components	Responsibility for Implementation	Mitigation Schedule	Monitoring/ Reporting Responsibility	Monitoring Schedule
C. Biological Resources (cont.)					
<p>M-BI-1b: Pre-Construction Special-Status Bat Surveys. Conditions of approval for building permits issued for construction within the Draft Plan Area or on the Adjacent Parcels shall include a requirement for pre-construction special-status bat surveys by a qualified bat biologist when large trees (those with trunks over 12 inches in diameter) are to be removed, or vacant buildings or buildings used seasonally or not occupied, especially in the upper stories, are to be demolished. If active day or night roosts are found, the bat biologist shall take actions to make such roosts unsuitable habitat prior to tree removal or building demolition. A no-disturbance buffer shall be created around active bat roosts being used for maternity or hibernation purposes at a distance to be determined in consultation with the CDFG. Bat roosts initiated during construction are presumed to be unaffected, and no buffer would be necessary.</p>	<ul style="list-style-type: none"> • 81-85 Bluxome Street 	Project Sponsor; qualified biologist; CDFG	Prior to issuance of building or demolition permits when trees with trunks over 12 inches in diameter are to be removed or when vacant buildings or those used seasonally or not occupied, especially in the upper stories, are to be demolished	Project Sponsor; qualified biologist	Prior to issuance of building or demolition permits
D. Hazards and Hazardous Materials					
<p>M-HZ-2: Hazardous Building Materials Abatement. The City shall condition future development approvals to require that the subsequent project sponsors ensure that any equipment containing polychlorinated biphenyls (PCBs) or mercury, such as fluorescent light ballasts, are removed and properly disposed of according to applicable federal, state, and local laws prior to the start of renovation, and that any fluorescent light tube fixtures, which could contain mercury, are similarly removed intact and properly disposed of. Any other hazardous materials identified, either before or during work, shall be abated according to applicable federal, state, and local laws.</p>	<ul style="list-style-type: none"> • 81-85 Bluxome Street 	Project Sponsor; Planning Department	Prior to any demolition or construction activities	Project Sponsor; Planning Department	Prior to any demolition or construction activities