



SAN FRANCISCO PLANNING DEPARTMENT

Executive Summary

Downtown Authorization, Office Allocation

HEARING DATE: DECEMBER 5, 2013

1650 Mission St.
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San Francisco,
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Date: November 26, 2013
Case No.: **2012.0605BEKUX**
Project Address: **300 CALIFORNIA STREET**
Zoning: C-3-O (Downtown Office)
400-S Height and Bulk District
Block/Lot: 0238/002
Project Sponsor: John Kevlin
Reuben, Junius & Rose, LLP
One Bush Street, Suite 600
San Francisco, CA 94104
Staff Contact: Elizabeth Watty – (415) 558-6620
Elizabeth.Watty@sfgov.org
Recommendation: **Approval with Conditions**

PROJECT DESCRIPTION

The Project is a four-story vertical addition of approximately 56,459 gsf of office space to the existing 117,187 gsf building with seven floors of office use over ground-floor retail, resulting in a 173,646 gsf, 12-story building. A new mechanical penthouse will be constructed on the roof, and 1,200 sf of open space will be provided at a rooftop garden, which will satisfy the Project's public open space requirement.

SITE DESCRIPTION AND PRESENT USE

The Project is located on the northwest corner of California and Battery Streets; Lot 002 in Assessor's Block 0238, in a C-3-O (Downtown Office) Zoning District, and a 400-S Height and Bulk District. The Subject Property is developed with an eight-story-over-basement, approximately 129-foot tall office building containing approximately 117,187 gsf of floor area. The building, built circa 1946, covers the entire 15,097 sf lot, which is located on a block bounded by California Street to the south, Battery Street to the east, Sansome Street to the west, and Sacramento Street to the north. It is located in the Financial District within the Downtown Area Plan. The ground floor of the building is devoted to a lobby and retail uses, including Staples and Café Madeline. The upper floors are devoted to office space for AECOM, Recurrent Energy, Delivery Agent, KXEN.

SURROUNDING PROPERTIES AND NEIGHBORHOOD

The Project site comprises a single parcel in the Downtown Area Plan and within the C-3-O Zoning District. The surrounding area consists of large office buildings with ground floor retail uses. This area of the Financial District is designated C-3-O and is developed with high-density office towers with ground floor retail and personal service uses. The property to the west is developed with a 22-story tall office

building occupied by Union Bank, and the three buildings at the intersection of Battery and California Streets are 10-, 11-, and 14-stories tall.

The C-3-O District plays a leading national role in finance, corporate headquarters and service industries, and serves as an employment center for the region, consisting primarily of high-quality office development. The intensity of building development is the greatest in the City, resulting in a notable skyline. The district is served by City and regional transit. Office development is supported by some related retail and service uses, with inappropriate uses excluded in order to conserve the supply of land in the core for further development of major office buildings.

ENVIRONMENTAL REVIEW

The Project is exempt from the California Environmental Quality Act (“CEQA”) as a Class 32 categorical exemption.

HEARING NOTIFICATION

TYPE	REQUIRED PERIOD	REQUIRED NOTICE DATE	ACTUAL NOTICE DATE	ACTUAL PERIOD
Classified News Ad	20 days	November 15, 2013	November 13, 2013	22 days
Posted Notice	20 days	November 15, 2013	November 15, 2013	20 days
Mailed Notice	10 days	November 25, 2013	November 4, 2013	31 days

PUBLIC COMMENT

- To date, the Department has not received any comments about the Project.

ISSUES AND OTHER CONSIDERATIONS

- **Office Use:** The Project includes the addition of four-floors of office space to an existing eight-story office building in the C-3-O Zoning District. This Zoning District encourages high-density office development. The addition of office space over 49,999 gsf requires the Allocation of Office Space by the Planning Commission, pursuant to Planning Code Section 321.
- **Planning Code Exceptions.** The Project does not strictly conform to several aspects of the Planning Code. As part of the Section 309 review process, the Commission may grant exceptions from certain requirements of the Planning Code for projects that meet specified criteria. The Project requests exceptions regarding “Separation of Towers” (Section 132.1), “Reduction of Ground-Level Wind Currents in C-3 Districts” (Section 148), and “Off-Street Freight Loading” (Section 161(i)). Compliance with the specific criteria for each exception is summarized below, and is described in the attached draft Section 309 motion.
- **Separation of Towers.** In order to provide light and air between structures, all structures in the S-Bulk District shall be set back from an interior property line which does not abut a public sidewalk and from the property line abutting the right-of-way of a public street or alley. Along the Project’s Halleck Street frontage, a 1.5 foot setback is required above a building height of 102’-6”, although no setback is provided. The

minimal encroachment of 1'-6" along the Halleck Street frontage will have virtually no effect on the light and air access to the street. Halleck Street is only 27 feet wide, is used mainly for parking access and loading for the adjacent buildings, and has few, if any, pedestrian entrances.

The interior lot line of the Subject Property is adjacent to a 22-story building. The existing building at the Property is built to the interior lot line, and the proposed four-story addition will also be built to the interior lot line, encroaching into the required 15'-0" setback. The adjacent building has an elevator core along the shared property line, as well as two setback portions of the building that are setback over 30-feet from the shared side property line. These setbacks provide the 30-feet of separation that would otherwise be provided if these two buildings were built under the current Planning Code regulations, each with 15'-0" setbacks.

- **Ground Level Wind Currents.** The Code requires that new buildings in C-3 Districts must be designed so as not cause ground-level wind currents to exceed specified comfort levels. When preexisting ambient wind speeds exceed the comfort levels, new buildings must be designed to attenuate ambient wind speeds to meet the specified comfort level. An exception to this requirement may be granted if the building cannot be shaped to meet the requirements without creating an ungainly building form and unduly restricting the development potential of the building site.

According to the wind analysis prepared for the project, under existing conditions – without the Project – four of the 47 test locations (Locations 15, 31, 45 and 47), exceeded the Planning Code's pedestrian comfort level of 11 mph (more than 10 percent of the time), and none of the locations exceeded the wind hazard criterion (speeds reaching or exceeding the hazard level of 26mph, as averaged for a single full hour of the year).

With the Project, the wind speeds would remain generally the same as under the existing conditions. All but three of the 47 ground-level test locations meet the Planning Code's 11 mph pedestrian-comfort criterion (Locations 15, 31, and 41). The Project results in the elimination of two ground-level comfort exceedences, but creates one new ground-level comfort exceedance. The new pedestrian-level exceedance occurred only on the east side of Battery Street near California Street, where the wind speeds increased marginally from 10 to 12 mph. The Project would not create any wind hazard locations. Exceeding the seating or pedestrian comfort criteria – and not eliminating all of the eight pre-existing comfort exceedences as part of the project – requires a Planning Code Section 309 exception.

An exception is justified under the circumstances, because the changes in wind speed and frequency due to the Project are slight, unlikely to be noticeable, and would remain substantially the same and the existing conditions.

- **Off-Street Freight Loading.** Although the Property already contains one large off-street loading space, the Planning Code requires one additional off-street loading space for the Project. The Project does not include any alterations to the basement garage other than the addition of bicycle parking, showers, and lockers, and therefore does not provide additional off-street loading. The Property does, however, abut Halleck Street, which functions as an on-street loading alley.

REQUIRED COMMISSION ACTION

In order for the project to proceed, the Commission must 1) determine that the Project complies with Planning Code Section 309, granting requests for exceptions as discussed under "Issues and Other Considerations Above"; and 2) authorize the allocation of 56,459 gsf of office space pursuant to Planning Code Sections 321 and 322.

BASIS FOR RECOMMENDATION

- The Project promotes new office development within the City's Downtown Core, an area of the City that encourages office development.
- The four-story addition to an existing eight-story building will result in a 12-story building, which is compatible with the surrounding large office buildings.
- The Project would not displace an existing retail tenant providing convenience goods and services to the neighborhood.
- The Project does not include any additional off-street parking, but does provide additional secure bicycle parking.
- The Project meets all applicable requirements of the Planning Code, other than the exceptions outlined above.
- The Project is desirable for, and compatible with the surrounding neighborhood.

RECOMMENDATION: Approval with Conditions
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Attachments:

Draft Motions

Block Book Map

Sanborn Map

Zoning Map

Aerial Photographs

CEQA Determination

Project Sponsor Submittal, including:

- Sponsor's Brief

- Reduced Plans

-Context Photos

Attachment Checklist

- | | |
|---|---|
| <input checked="" type="checkbox"/> Executive Summary | <input checked="" type="checkbox"/> Project sponsor submittal |
| <input checked="" type="checkbox"/> Draft Motions | Drawings: <u>Existing Conditions</u> |
| <input checked="" type="checkbox"/> Environmental Determination | <input checked="" type="checkbox"/> Check for legibility |
| <input checked="" type="checkbox"/> Zoning District Map | Drawings: <u>Proposed Project</u> |
| <input checked="" type="checkbox"/> Height & Bulk Map | <input checked="" type="checkbox"/> Check for legibility |
| <input checked="" type="checkbox"/> Block Book Map | 3-D Renderings (new construction or significant addition) |
| <input checked="" type="checkbox"/> Sanborn Map | <input checked="" type="checkbox"/> Check for legibility |
| <input checked="" type="checkbox"/> Aerial Photo | |
| <input checked="" type="checkbox"/> Context Photos | |
| <input checked="" type="checkbox"/> Site Photos | |

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

EW
Planner's Initials

EW: G:\Documents\309\300 California Street\PC Documents\ExecutiveSummary_DRAFT.doc



SAN FRANCISCO PLANNING DEPARTMENT

Subject to: (Select only if applicable)

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

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Planning Commission Draft Motion Section 309

HEARING DATE: DECEMBER 05, 2013

Date: November 26, 2013
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ADOPTING FINDINGS RELATED TO THE APPROVAL OF A SECTION 309 DETERMINATION OF COMPLIANCE AND REQUEST FOR EXCEPTIONS FOR REDUCTION OF GROUND-LEVEL WIND CURRENTS IN C-3 DISTRICTS UNDER PLANNING CODE SECTION 148, SEPARATION OF TOWERS UNDER PLANNING CODE SECTION 132.1, AND OFF-STREET FREIGHT LOADING UNDER PLANNING CODE SECTION 161(i), IN ORDER TO CONSTRUCT A FOUR-STORY, 56,459 GROSS SQUARE FOOT ADDITION OF OFFICE SPACE TO AN EXISTING EIGHT-STORY, 117,187 GROSS SQUARE FOOT OFFICE BUILDING WITH GROUND FLOOR RETAIL, AT 300 CALIFORNIA STREET WITHIN THE C-3-O (DOWNTOWN OFFICE) DISTRICT AND THE 400-S HEIGHT AND BULK DISTRICT, AND ADOPTING FINDINGS UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.

PREAMBLE

On September 14, 2012, John Kevlin of Reuben, Junius & Rose, LLP on behalf of 300 California Partners, LLC (hereinafter "Project Sponsor") filed an application with the Planning Department (hereinafter "Department") for Environmental Review, to allow the construction of a four-story, 56,459 gross square foot (hereinafter "gsf") addition of office space to an existing eight-story, 117,187 gsf office building.

On September 12, 2012, the Project Sponsor filed an application with the Department for a Determination of Compliance with Planning Code Section 309, with exceptions to the requirements for Reduction of Ground-Level Wind Currents in C-3 Districts (Section 148), Separation of Towers (Section 132.1), and Off-Street Freight Loading (Section 161(i)) within the C-3-O (Downtown Office) District and a 400-S Height and Bulk District.

On September 12, 2012, the Project Sponsor filed an application with the Department for the Allocation of Office Space, pursuant to Planning Code Section 321, in order to allow the addition of 56,459 gsf addition of office space to an existing eight-story, 117,187 gsf office building.

On December 05, 2013, the San Francisco Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting on Determination of Compliance Case No. 2012.0605BEKUX.

On November 21, 2013, the Project was determined to be exempt from the California Environmental Quality Act ("CEQA") as a Class 32 Categorical Exemption under CEQA as described in the determination contained in the Planning Department files for this Project.

The Planning Department, Jonas P. Ionin, is the custodian of records, located in the File for Case No. 2012.0605BEKUX, at 1650 Mission Street, Fourth Floor, 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 Determination of Compliance requested in Application No. 2012.0605BEKUX, 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 northwest corner of California and Battery Streets; Lot 002 in Assessor's Block 0238, in a C-3-O (Downtown Office) Zoning

District, and a 400-S Height and Bulk District (hereinafter "Subject Property"). The Subject Property is developed with an eight-story-over-basement, approximately 129-foot tall office building containing approximately 117,187 gsf of floor area. The building, built circa 1946, covers the entire 15,097 sf lot, which is located on a block bounded by California Street to the south, Battery Street to the east, Sansome Street to the west, and Sacramento Street to the north. It is located in the Financial District within the Downtown Area Plan. The ground floor of the building is devoted to a lobby space and retail uses, including Staples and Café Madeline. The upper floors are devoted to office space for AECOM, Recurrent Energy, Delivery Agent, KXEN.

3. **Surrounding Properties and Neighborhood.** The Project Site comprises a single parcel in the Downtown Area Plan and within the C-3-O Zoning District. The surrounding area consists of large office buildings with ground floor retail uses. This area of the Financial District is designated C-3-O and is developed with high-density office towers with ground floor retail and personal service uses. The property to the west is developed with a 22-story tall office building occupied by Union Bank, and the three buildings at the intersection of Battery and California Streets are 10-, 11-, and 14-stories tall.

The C-3-O District, plays a leading national role in finance, corporate headquarters and service industries, and serves as an employment center for the region, consisting primarily of high-quality office development. The intensity of building development is the greatest in the City, resulting in a notable skyline. The district is served by City and regional transit reaching its central portions and by automobile parking at peripheral locations. Office development is supported by some related retail and service uses within the area, with inappropriate uses excluded in order to conserve the supply of land in the core for further development of major office buildings.

4. **Project Description.** The Project is a four-story vertical addition of approximately 56,459 gsf of office space to the existing 117,187 gsf building with seven floors of office use over ground-floor retail, resulting in a 173,646 gsf, 12-story building. A new mechanical penthouse will be constructed on the roof, and 1,200 sf of public open space will be provided at a rooftop garden, which will satisfy the Project's public open space requirement.
5. **Public Comment.** The Department has not received any comments expressing support or opposition to this project.
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. **Floor Area Ratio (Section 124).** The floor area ratio (FAR) limit as defined by Planning Code Section 124 for the Downtown Office District is 9.0 to 1, and can be increased to 18.0 to 1 with the purchase of Transferable Development Rights ("TDR").

The lot area of the Subject Property is 15,097 sf. The base FAR allows for up to 135,873 sf and the maximum FAR allows for up to 271,746 sf at the Property. The gross floor area of the existing building is 117,187, leaving 18,686 gsf within the base FAR limit. The Project proposes an addition of 56,459 gsf of floor area. This would exceed the base FAR by 37,773 gsf, and would require the purchase of an equal amount of TDR.

- B. Setbacks (Section 132.1).** Planning Code Section 132.1(d)(1) requires all structures in C-3 Districts to provide a 15 foot setback from interior lot lines and the center of adjacent public rights of way. The setback applies at a height equal to 1.25 times the width of the principal street that the building faces.

The principal street that the Property faces is California Street, which has a width of 82 feet, thereby applying the setback requirement at a height of 102.5 feet and above. This requirement will not affect the California and Battery Street frontages of the building, as those streets are 82 feet and 69 feet in width, respectively, and a 15 foot front setback from the center lines of the streets will not encroach on to the Property.

Halleck Street is 27 feet wide, which will require the Property to provide a 1.5 foot setback above 102.5 feet along its entire Halleck Street frontage. The Property's one interior lot line will also require a full 15 foot setback above 102.5 feet along the western lot line of the Property.

The Property will not provide any setbacks above 102.5 feet and will therefore require an exception from this requirement under Planning Code Section 309, as discussed in more detail in Section 7 below.

- C. Public Open Space (Section 138).** New buildings in the C-3-O Zoning District must provide public open space at a ratio of one square foot per 50 gsf of all new uses, except residential uses, institutional uses, and uses in a predominantly retail/personal services building.

The Project proposes 56,459 gsf of new office space, and therefore must provide 1,129 sf of public open space. The Project complies with this requirement by providing 1,200 sf of public open space within a sun/view terrace on the rooftop of the building. The space will be designed in a manner that generally complies with the adopted Guidelines for Downtown Open Space, including the provision of outdoor seating. The design of the open space will be further refined throughout the building permit review process.

- D. Streetscape Improvements (Section 138.1).** Section 138.1 requires project sponsors to make streetscape Improvements where the proposed project includes the construction of a new building, substantial alterations to an existing building, or the addition of floor area equal to 20 percent or more of an existing building. Under Section 138.1(c), the Commission may also require the Project Sponsor to install additional sidewalk improvements such as lighting, special paving, seating and landscaping in accordance

with the guidelines of the Downtown Streetscape Plan if it finds that these improvements are necessary to meet the goals and objectives of the General Plan.

The Project proposes an addition of more than 20 percent of the existing building, therefore Section 138.1 applies. The Project will include appropriate streetscape improvements and will comply with the requirement. According to the Department of Public Works, the installation of new street trees is infeasible along the sidewalks of this property, so the Project Sponsor will pay an in-lieu fee to cover the cost for 13 of the 17 required street trees, while the existing four street trees in above grade planters will remain. The Project Sponsor will make other streetscape improvements, such as a raised crosswalk along Battery Street across Halleck Street, a widened sidewalk along the property's California Street frontage; and installation of benches, bike racks, and landscaping along the building's edge and furnishing zone.

- E. **Standards for Bird-Safe Buildings (Section 139).** Section 139 requires that buildings incorporate certain bird-safe building features. Certain requirements apply to new buildings when located within an Urban Bird Refuge, while other requirements apply anywhere in the City.

The Property is not located within 300 feet of an Urban Bird Refuge, and therefore the Project is not required to incorporate the location-related bird-safe building standards. The Project will, however, incorporate feature-related bird-safe standards where required.

- F. **Street Frontage Controls in Commercial Districts (Section 145.1(c)).** Section 145.1(c) of the Planning Code requires that within Downtown Commercial Districts, certain street frontage standards be included in the design of the lower floors of buildings. The Project complies with these standards as follows:

- i. Above Grade Parking Setback. *Neither the existing building nor the Project includes any above ground parking, and therefore this requirement does not apply.*
- ii. Parking and Loading Entrances. *No more than one-third or 20 feet, whichever is less, of any given street frontage may be devoted to ingress or egress to parking or loading. The existing access to the below-grade parking garage, along the 121-foot Halleck Street frontage, is less than 20 feet wide and is not proposed for alteration as part of this Project. No other parking entrances are proposed, and therefore the Project complies with this requirement.*
- iii. Active Uses. *With some exceptions, "active uses" must be provided in the first 25 feet of the ground floor and 15 feet on floors above from any façade facing a street of at least 30 feet. The Property fronts two streets that are equal to or greater than 30-feet in width: California Street and Battery Street; Halleck Street is 27-feet wide. Retail uses and a lobby are provided on the ground floor of the Subject Property fronting both California and Battery Streets, and office uses are provided above. The project complies with this requirement.*

- iv. Ground Floor Height. *The ground floor height of buildings in the C-3 District must be at least 14 feet. The ground floor of the Subject Property is 19 feet, 1 ½ inches, and therefore meets this requirement.*
- v. Street-Facing ground-level spaces. *Street-fronting interior spaces with non-residential uses and lobbies must be as close as possible to the level of the adjacent sidewalk and must open directly to the street, instead of just through building lobbies. The ground floor retail spaces and the building lobby open directly onto the sidewalk and are at the same level as the sidewalk.*
- vi. Transparency. *Frontages with active uses must be at least 60 percent transparent on the ground floor. The Property's California and Battery Street ground floor frontages provide at least 60 percent transparency. The Halleck Street frontage does not provide transparency; however, this is not required since active uses are not required along this frontage.*

- G. **Shadows on Public Sidewalks (Section 146).** Section 146(a) establishes design requirements for buildings on certain streets in order to maintain direct sunlight on public sidewalks in certain downtown areas during critical use periods. Section 146(c) requires that other buildings, not located on the specific streets identified in Section 146(a), shall be shaped to reduce substantial shadow impacts on public sidewalks, if it can be done without unduly creating an unattractive design and without unduly restricting development potential.

Section 146(a) does not apply to construction on California, Battery, or Halleck Streets, and therefore does not apply to the Project.

As it relates to Section 146(c), the Project would construct a four-story addition to an existing eight-story office building. The Property, located within a 400'-foot height district, is surrounded by towers that are substantially taller than the Project, which already cast shadows on the surrounding sidewalks. Although there would be new shadows on sidewalks and pedestrian areas adjacent to the site, the Project's net new shadow effects would be very limited in scope and would not increase the total amount of shading above levels that are commonly and generally accepted in urban areas. The Project is proposed at a height that is well below the zoned allowance for the Subject Property and cannot be further shaped to reduce shadows on public sidewalks without creating an unattractive design and without unduly restricting development potential. Therefore, the Project will not create substantial adverse shadows on public sidewalks.

- H. **Shadows on Public Open Spaces (Section 147).** Section 147 seeks to reduce substantial shadow impacts on public plazas and other publicly accessible open spaces other than those protected under Section 295. Consistent with the dictates of good design and without unduly restricting development potential, buildings taller than 50 feet should be shaped to reduce substantial shadow impacts on open spaces subject to Section 147. In

determining whether a shadow is substantial, the following factors shall be taken into account: the area shaded, the shadow's duration, and the importance of sunlight to the area in question.

A shadow analysis determined that the Project would not cast net new shadow on Maritime Plaza or Sue Bierman Park, or on any other open space under the jurisdiction of the Recreation and Park Commission. No other significant public or private open spaces – including those not protected by Section 295 – would be adversely affected by shadows cast by this Project.

- I. **Ground Level Wind (Section 148).** Pursuant to Section 148, in C-3 Districts, buildings and additions to existing buildings shall be shaped, or other wind-baffling measures shall be adopted, so that the developments will not cause ground-level wind currents to exceed more than 10 percent of the time year round, between 7:00 a.m. and 6:00 p.m., the comfort level of 11 miles per hour equivalent wind speed in areas of substantial pedestrian use and seven miles per hour equivalent wind speed in public seating areas.

When preexisting ambient wind speeds exceed the comfort level, or when a proposed building or addition may cause ambient wind speeds to exceed the comfort level, the building shall be designed to reduce the ambient wind speeds to meet the requirements. An exception may be granted, in accordance with the provisions of Section 309, allowing the building or addition to add to the amount of time that the comfort level is exceeded by the least practical amount if (1) it can be shown that a building or addition cannot be shaped and other wind-baffling measures cannot be adopted to meet the foregoing requirements without creating an unattractive and ungainly building form and without unduly restricting the development potential of the building site in question, and (2) it is concluded that, because of the limited amount by which the comfort level is exceeded, the limited location in which the comfort level is exceeded, or the limited time during which the comfort level is exceeded, the addition is insubstantial.

No exception shall be granted and no building or addition shall be permitted that causes equivalent wind speeds to reach or exceed the hazard level of 26 miles per hour for a single hour of the year.

A total of 47 test point locations along sidewalk areas adjacent to and near the Subject Property were selected for the purpose of analyzing existing and proposed wind levels and wind near the Site pursuant to Planning Code Section 148. Under existing conditions – without the Project – four of the 47 test locations (Locations 15, 31, 45 and 47), exceeded the Planning Code's pedestrian comfort level of 11 mph (more than 10 percent of the time), and none of the locations exceeded the wind hazard criterion (speeds reaching or exceeding the hazard level of 26mph, as averaged for a single full hour of the year).

With the Project, the wind speeds would remain generally the same as under the existing conditions. All but three of the 47 ground-level test locations meet the Planning Code's 11 mph pedestrian-comfort criterion (Locations 15, 31, and 41). The Project results in the elimination of

two comfort exceedences, but creates one new comfort exceedence. The new pedestrian-level exceedance occurred only on the east side of Battery Street near California Street, where the wind speeds increased marginally from 10 to 12 mph. The Project would not create any wind hazard locations.

Exceeding the seating or pedestrian comfort criteria – and not eliminating all of the pre-existing comfort exceedences as part of the project – requires an exception through Planning Code Section 309, which is discussed in more detail in Section 7 below.

- J. **Parking (Section 151.1).** Planning Code Section 151.1 does not require any off-street parking for projects in the C-3 districts. Parking up to 7 percent of the gross floor area of office use is permitted.

The Project proposes no changes to the existing parking on the Subject Property. The existing 12,920 sf of basement parking, which exceeds seven percent of the proposed 173,646 sf building, is therefore considered a legal non-conforming use.

- K. **Off-Street Freight Loading (Section 152.1).** Planning Code Section 152.1 requires 0.1 off-street freight loading space per 10,000 gsf of office space, if the office space exceeds 10,000 gsf. The Code also requires one additional off-street freight loading space when a retail space is between 10,000 gsf and 30,000 gsf.

The Project adds 56,459 gsf of office space for a total of 162,246 gsf of office use. This requires two off-street freight loading spaces, where one space currently exists. Since the Project only includes one off-street loading space, the Project requires an exception through Planning Code Section 309, which is discussed in more detail in Section 7, below. Although the existing retail exceeds 10,000 gsf, the space is not expanding and therefore considered legal nonconforming with regard to the off-street loading requirements.

- L. **Bicycle Parking (Section 155.2).** Planning Code Section 155.2 requires existing commercial buildings that undergo major renovations that increase the building's gross floor area by more than 20 percent to include a certain amount of bicycle parking spaces. Section 155.2 requires one Class 1 space for every 5,000 occupied square feet of office space, and one Class 1 space for every 7500 occupied square feet of retail space. It also requires a minimum of two Class 2 spaces for any office use greater than 5,000 gross square feet, and one space for each additional 50,000 occupied square feet of office space; for retail uses, it requires one Class 2 space for every 2,500 sf of occupied floor area, with a minimum of two spaces

Planning Code Section 155.2, in total, requires 30 Class 1 spaces, and seven (7) Class 2 spaces. The existing basement accommodates 41 Class 1 spaces, and eight Class 2 spaces will be provided along the California Street sidewalk. The Project therefore complies with this requirement.

- M. **Use (Sections 215(b), 218(b)).** The project site is located in a Downtown Office (C-3-O) District wherein commercial office uses are permitted and encouraged. This district plays a leading national role in finance, corporate headquarters and service industries, and serving as an employment center for the region. It consists primarily of high-quality office development. The intensity of building development is the greatest in the City, and is well served by City and regional transit. Intense and compact office development is supported by some related retail and service uses within the area, with inappropriate uses excluded in order to conserve the supply of land in the core and its expansion areas for further development of major office buildings.

The Project is the expansion of an existing office building to accommodate four floors of additional office space. Office use above the ground floor is principally permitted in the C-3-O District, pursuant to Planning Code Section 219(c).

- N. **Height (Section 260).** The property is located in a 400-S Height and Bulk District, thus permitting structures up to a height of 400 feet.

The Project would reach a height of approximately 168" to the roof of the building, with various features such as elevator/mechanical penthouses, sunshades, and wind screens extending up to a maximum height of approximately 193 feet. The Project would therefore be well under the Planning Code's 400-foot height limit.

- O. **Bulk Limits (Section 270).** Planning Code Section 270(d) places certain bulk controls on buildings in S-Bulk Districts. Certain controls apply to the base, lower tower, and upper tower portions of buildings.

Base: 0 feet to 102.5 feet in height.

There is no maximum length or diagonal dimension placed on the base of buildings in the S-Bulk District; however, the building base must be delineated from the lower and upper tower and related to abutting buildings by a setback, cornice line or equivalent projection or other appropriate means.

The additional floors proposed as part of this Project are located roughly at the top of the base of the building, and they are distinguished from the base through various design features.

Lower Tower: 102.5 feet to 160 feet in height.

The lower tower may have a maximum length of 160 feet, a maximum floor size of 20,000 sf, and a maximum diagonal dimension of 190 feet

The upper tower of the Project has a maximum length of approximately 124 feet, a maximum average diagonal dimension of 165'-6", and an average and maximum floor size of 14,783 sf. The lower tower of the Project meets these restrictions.

Upper Tower: 160 feet in height to the top of the building.

The upper tower may have a maximum length of 130 feet, a maximum average diagonal dimension of 160 feet, a maximum average floor size of 12,000 sf, and an absolute maximum floor size of 17,000 sf.

The upper tower of the Project has a maximum length of approximately 113 feet, a maximum average diagonal dimension of approximately 149 feet, and an average and maximum floor size of 11,600 sf. The upper tower of the Project meets these requirements. The Project also meets the upper tower volume reduction requirements outlined in Section 2740(d)(3)(B).

- P. **Shadows on Parks (Section 295).** Section 295 requires any project proposing a structure exceeding a height of 40 feet to undergo a shadow analysis in order to determine if the project will result in the net addition of shadow to properties under the jurisdiction of the Recreation and Park Department.

The Department conducted a shadow analysis and determined that the Project would not have the potential to shade any property under the jurisdiction of, or designated for acquisition by, the Recreation and Park Department. The Project therefore complies with this requirement.

- Q. **Downtown Park Special Fund (Section 412).** Under Section 412, a proposed office development project within the C-3-O District that results in a net addition of gross floor area of office use is required to pay a fee to offset the increased pressure on existing public parks in the Downtown area.

The Project proposes an addition of approximately 56,459 gsf of new office use to an existing 117,187 gsf office building. As such, the Project is subject to the Downtown Park Special Fund Fee.

- R. **Jobs-Housing Linkage Program (Section 413).** Projects that include an addition of 25,000 gsf or more of office space are subject to the Jobs-Housing Linkage Program Fee.

The Project includes an addition of approximately 56,459 gsf of office space, and is therefore subject to the Jobs-Housing Linkage fee.

- S. **Child Care Provisions (Section 414).** Pursuant to Planning Code Section 414, development projects proposing the net addition of 50,000 gsf or more of office or hotel space shall be required to comply with the Child Care Requirements, outlined in Planning Code Section 414.4.

The Project will comply with the Child Care requirements of Planning Code Section 414 through the payment of a fee.

- T. **Public Art (Section 429).** In the case of construction of a new building or addition of floor area in excess of 25,000 sf to an existing building in a C-3 District, Section 429

requires a project to include works of art costing an amount equal to one percent of the construction cost of the building.

The Project will comply by dedicating one percent of the Project's construction cost to works of art. The public art concept and location will be presented to the Planning Commission at an informational presentation prior to approval of the Building Permit's Architectural Addenda.

7. **Exceptions Request Pursuant to Planning Code Section 309.** The Planning Commission has considered the following exceptions to the Planning Code, makes the following findings and grants each exception as further described below:

- A. **Section 132.1: Separation of Towers.** In order to provide light and air between structures, all structures in the S Bulk District shall be set back from an interior property line which does not abut a public sidewalk and from the property line abutting the right-of-way of a public street or alley. Pursuant to Planning Code Section 132.1(d)(2)(B), exceptions may be allowed to the extent that it is determined that restrictions on adjacent properties make it unlikely that development will occur at a height or bulk which will, overall, impair access to light and air or the appearance of separation between buildings, thereby making full setbacks unnecessary.

Along the Project's Halleck Street frontage, only a 1.5 foot setback is required above a building height of 102'-6". The minimal encroachment of 1'-6" along the Halleck Street frontage will have virtually no effect on the light and air access to the street. Halleck Street is only 27 feet wide, is used mainly for parking access and loading for the adjacent buildings, and has few, if any, pedestrian entrances. The building immediately to the north of the Project, which also fronts on Halleck Street, has no setback. Due to the height of the existing buildings adjacent to the street, virtually no sunlight currently reaches the Halleck Street sidewalks. A 1'-6" encroachment in to the setback at a building height of 102'-6" will have no discernible effect on pedestrians.

The interior lot line of the Subject Property is adjacent to a 22-story building. The existing building at the Property is built to the interior lot line; the proposed four-story addition will also be built to the interior lot line. The center portion of the adjacent building's façade along the property line houses the elevator core and comes close, but does not touch, the shared property line with the Project. On either side of the elevator core are two setback portions of the building that are over 30-feet from the property line. These two setbacks extend from the ground level all the way to the top of the adjacent 22-story building. These setbacks provide the 30-feet that would otherwise be provided if these two buildings were built under the current Planning Code regulations. Since these setbacks extend between 20 and 30 feet into the building from Halleck and California Street, they effectively provide the appearance of separation of buildings that would apply with a combined 30 foot setback. Since the adjacent building is 22-stories tall, there is minimal likelihood that it will be modified in such a way that would make conditions on the Property any worse.

- B. **Section 148: Ground-Level Wind Currents.** In C-3 Districts, buildings and additions to existing buildings shall be shaped, or other wind-baffling measures shall be adopted, so that the developments will not cause ground-level wind currents to exceed more than 10

percent of the time year round, between 7:00 a.m. and 6:00 p.m., the comfort level of 11 miles per hour equivalent wind speed in areas of substantial pedestrian use and seven miles per hour equivalent wind speed in public seating areas.

When preexisting ambient wind speeds exceed the comfort level, or when a proposed building or addition may cause ambient wind speeds to exceed the comfort level, the building shall be designed to reduce the ambient wind speeds to meet the requirements. An exception may be granted, in accordance with the provisions of Section 309, allowing the building or addition to add to the amount of time that the comfort level is exceeded by the least practical amount if (1) it can be shown that a building or addition cannot be shaped and other wind-baffling measures cannot be adopted to meet the foregoing requirements without creating an unattractive and ungainly building form and without unduly restricting the development potential of the building site in question, and (2) it is concluded that, because of the limited amount by which the comfort level is exceeded, the limited location in which the comfort level is exceeded, or the limited time during which the comfort level is exceeded, the addition is insubstantial.

Section 309(a)(2) permits exceptions from the Section 148 ground-level wind current requirements. No exception shall be granted and no building or addition shall be permitted that causes equivalent wind speeds to reach or exceed the hazard level of 26 miles per hour for a single hour of the year.

Independent consultants RWDI analyzed ground-level wind currents in the vicinity of the Project Site. A wind analysis was conducted using a scale model of the Project Site and its immediate vicinity.

A total of 47 test point locations along sidewalk areas adjacent to and near the Subject Property were selected for the purpose of analyzing existing and proposed wind levels and wind near the Site, pursuant to Planning Code Section 148. Under the existing conditions – without the Project – four of the 47 ground-level test locations (Locations 15, 31, 45 and 47), exceeded the Planning Code’s pedestrian comfort level of 11 mph (more than 10 percent of the time), and none of the locations exceeded the wind hazard criterion (speeds reaching or exceeding the hazard level of 26mph, as averaged for a single full hour of the year).

With the Project, the wind speeds would remain generally the same as under the existing conditions. All but three of the 47 ground-level test locations meet the Planning Code’s 11 mph pedestrian-comfort criterion (Locations 15, 31, and 41). The Project results in the elimination of two ground-level comfort exceedences, but creates one new ground-level comfort exceedance. The new pedestrian-level exceedance occurred only on the east side of Battery Street near California Street, where the wind speeds increased marginally from 10 to 12 mph. The Project would not create any wind hazards.

Exceeding the seating or pedestrian comfort criteria – and not eliminating all of the pre-existing comfort exceedences as part of the Project – requires an exception through Planning Code Section 309.

An exception is justified under the circumstances, because the changes in wind speed and frequency due to the Project are slight, unlikely to be noticeable, and would remain substantially the same and the existing conditions. It is unlikely that the Project could be designed in a manner that would affect wind conditions substantially enough to eliminate all of the existing comfort exceedences, without unduly restricting the site's development potential.

Furthermore, an exception is justified because the Project will comply with the wind hazard criterion. The Wind Study indicated that all test points currently meet the wind hazard criterion, and that the Project would not cause wind speeds to reach or exceed the hazard level.

- C. **Section 161(i): Off-Street Freight Loading.** Pursuant to Planning Code Section 161(i), exceptions to the off-street loading requirement in the C-3 Districts may be granted in consideration of the following criteria:

- i. **Provision of freight loading and service vehicle spaces cannot be accomplished underground because site constraints will not permit ramps, elevators, turntables and maneuvering areas with reasonable safety.**

The Project includes the construction of an additional four stories on an eight-story building. The existing below-grade parking level is not proposed to be altered, other than to accommodate bicycle parking spaces, showers, and lockers. Currently, there is one freight loading space in the parking garage along with 77 valet parking spaces. The current loading space has dimensions larger than those required by the Planning Code. Since the Project expands on an existing building located in the core of the City's Financial District, there is currently adequate loading space – on-street and off-street, to service the proposed building. Additional off-street loading is neither feasible nor needed.

- ii. **Provision of the require number of freight loading and service vehicle spaces on-site would result in the use of an unreasonable percentage of ground-floor area, and thereby preclude more desirable use of the ground floor for retail, pedestrian circulation or open space uses.**

The ground floor of the Property is already developed and it would not be feasible to provide loading space on the ground floor, which is currently occupied by retail uses and building circulation.

- iii. **A jointly used underground facility with access to a number of separate buildings and meeting the collective needs for freight loading and service vehicles for all uses in the buildings involved cannot be provided.**

The Project proposes an addition to an existing office building with an existing parking and loading level within the basement, and therefore significant modifications to the existing parking garage, especially connecting it with other underground parking garages, is infeasible.

- iv. **Spaces for delivery functions can be provided at the adjacent curb without adverse effect on pedestrian circulation, transit operations or general traffic**

circulation, and off-street space permanently reserved for service vehicles is provided either on-site or in the immediate vicinity of the building.

Halleck Street effectively serves as on-street loading for all of the adjacent buildings, including the Subject Property. No parking is permitted for the entirety of Halleck Street adjacent to the Property. Due to its narrow width and its overwhelming use as a loading alley, Halleck Street is not heavily used by pedestrians.

8. **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 Project supports these policies in that it provides significant benefits to the City by increasing the supply of office space in the Downtown Core, thus creating new jobs at a location that is easily accessible by a variety of transit services. It will result in an increase in tax revenue for the City and an increase in demand for retail uses in the immediate neighborhood.

The Subject Property is zoned C-3-O, which principally permits office and retail uses. Therefore, the Project Site is an ideal location for the proposed Project and will concentrate office development in the core of the City's Financial District.

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.

The Project supports this policy due to its location in the Downtown Core. The Project is anticipated to easily attract and retain commercial entities. The Project is centrally located and is close to many jobs and services. The Property is also conveniently accessible by multiple transit services. It will add to the existing business climate by offering modern office space within the City's Financial District.

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 3.1:

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.

Policy 3.6:

Relate the bulk of buildings to the prevailing scale of development to avoid an overwhelming or dominating appearance in new construction.

The Project includes the addition of four-stories to the existing eight-story building. The Project will not substantially change the building's relationship with nearby buildings and will not significantly affect the building's existing scale relative to the surrounding built environment. The other three buildings at the intersection of California and Battery Streets are 10-, 11-, and 14-stories tall, and the one abutting property to the west is approximately 22-stories tall. The addition of four floors, for a total of 12 floors, will be consistent with the buildings in the surrounding area. The Project will continue to be vastly smaller than the other buildings on both sides of this block of California Street, and the building across Halleck Street. The building will continue to be of modest scale in comparison to the other buildings in the immediate vicinity.

DOWNTOWN AREA PLAN

Objectives and Policies

OBJECTIVE 2:

MAINTAIN AND IMPROVE SAN FRANCISCO'S POSITION AS A PRIME LOCATION FOR FINANCIAL, ADMINISTRATIVE, CORPORATE, AND PROFESSIONAL ACTIVITY.

Policy 2.1:

Encourage prime downtown office activities to grow as long as undesirable consequences of such growth can be controlled.

Policy 2.2:

Guide location of office development to maintain a compact downtown core and minimize displacement of other uses.

The Project strongly supports these Policies. It will not displace any permanent uses. The Property is currently occupied by an eight-story office building, and furthers the policy for a compact downtown core by expanding on top of an existing office building. The Property is exceptionally well served by transit, and is close to many services. The Project, while enhancing the City's ability to attract and retain office uses, will also serve to concentrate office use in the Downtown Core.

TRANSPORTATION ELEMENT

Objectives and Policies

OBJECTIVE 2:

USE THE TRANSPORTATION SYSTEM AS A MEANS FOR GUIDING DEVELOPMENT AND IMPROVING THE ENVIRONMENT.

Policy 2.1:

Use rapid transit and other transportation improvements in the city and region as the catalyst for desirable development, and coordinate new facilities with public and private development.

The Project is located within an existing high-density downtown neighborhood. The Downtown Financial District has a multitude of transportation options, including BART, MUNI bus and light rail service, Golden Gate Transit bus service, SAM Trans bus service, AC Transit bus services, ferry service, and the future Transbay Terminal. The Property would make good use of the existing transit services available in this area and would assist in maintaining the desirable urban characteristics and services of the area.

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

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

The existing building at the Property contains one entire floor of retail use and the Project will preserve and maintain this use. The additional office workers that will result from this Project will increase demand for retail services in the vicinity.

- 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 would not adversely affect any existing housing, since the Property is currently occupied by office and retail uses.

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

There is currently no housing on the site, so no affordable housing will be adversely affected. The Project will, however, contribute impact fees to the Jobs-Housing Linkage Program, which funds affordable housing.

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

The Property is situated in the Downtown Core and is well served by public transit. The Property is located within walking distance of most of the region's transit services, including: BART, MUNI bus and light rail service, Golden Gate Transit bus service, SAM Trans bus service, AC Transit bus service, ferry service, and the future Transbay Terminal.

- 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.

No industrial or service sector businesses would be displaced by the Project, since the scope of the Project is a four-story addition to an existing eight-story office building. The Property does not include any industrial uses, and the ground floor retail uses will remain.

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

The Project would be constructed to meet all of the most current and rigorous seismic and life-safety requirements of the San Francisco Building Code. This proposal would not adversely affect the property's ability to withstand an earthquake.

- G. That landmarks and historic buildings be preserved.

No landmarks or historic buildings would be demolished, and the property is not considered an historic resource under CEQA. Furthermore, the Property is not part of an historic or conservation district.

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

The project will have no negative impact on existing parks and open spaces, since there will be no net new shadows cast on any park or open space.

10. The Project is consistent with and would promote the general and specific purposes of the Code provided under Section 101.1(b) in that, as designed, the Project would contribute to the character and stability of the neighborhood and would constitute a beneficial development.
11. The Commission hereby finds that approval of the Downtown 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 a Determination of Compliance under Section 309, Application No. 2012.0605BEKUX**, subject to the following conditions attached hereto as "EXHIBIT A", and subject to the Conditions of Approval of Planning Commission Motion No. _____, in general conformance with plans on file, dated September 12, 2013, and stamped "EXHIBIT B", which is incorporated herein by reference as though fully set forth.

APPEAL AND EFFECTIVE DATE OF MOTION: Any aggrieved person may appeal this Section 309 Determination of Compliance and Request for Exceptions 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 this Motion if not appealed 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 in person at 1650 Mission Street, Room 304, San Francisco, or call (415) 575-6880.

I hereby certify that the Planning Commission ADOPTED the foregoing Motion on December 05, 2013.

Jonas P. Ionin
Commission Secretary

AYES:

NAYS:

ABSENT:

ADOPTED: December 05, 2013

EXHIBIT A

AUTHORIZATION

1. This authorization is for the granting of a Downtown Authorization with certain exceptions pursuant to Planning Code Section 309, to allow the construction of a four-story, 56,459 gsf office addition to an existing eight-story-over-basement, 117,187 gsf office building with ground floor retail, with exceptions to Separation of Towers, Ground-Level Wind Currents in C-3 Districts, and Off-Street Freight-Loading, for the property located at 300 California Street, Block 0238, and Lot 002 pursuant to Planning Code Sections 132.1, 148, 161(i), and 309 within the C-3-O District and a 400-S Height and Bulk District; in general conformance with plans, dated September 12, 2013, and stamped "EXHIBIT B" included in the docket for Case No. 2012.0605BEKUX and subject to conditions of approval reviewed and approved by the Commission on December 05, 2013, under Motion No. _____. 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

2. 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 **December 05, 2013**, under Motion No. _____.

PRINTING OF CONDITIONS OF APPROVAL ON PLANS

3. The conditions of approval under the 'Exhibit A' of this Planning Commission Motion No. _____ 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 Planning Code Section 309 Determination of Compliance and any subsequent amendments or modifications.

SEVERABILITY

4. 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

5. 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 Planning Code Section 309 Determination of Compliance.

Conditions of Approval, Compliance, Monitoring, and Reporting

PERFORMANCE

6. **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
7. **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
8. **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
9. **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
10. **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

11. **Additional Project Authorization.** The Project Sponsor must obtain a Project authorization under Sections 321 and 322 to allocate 56,459 gsf of office square footage, and satisfy all the conditions thereof. The conditions set forth below are additional conditions required in connection with the Project. If these conditions overlap with any other requirement imposed on the Project, the more restrictive or protective condition or requirement, as determined by the Zoning Administrator, shall apply.

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

DESIGN – COMPLIANCE AT PLAN STAGE

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

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

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

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

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

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

15. **Lighting Plan.** The Project Sponsor shall submit an exterior lighting plan to the Planning Department prior to Planning Department approval of the site permit application.

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

16. **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, the Downtown 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 415-558-6378, www.sf-planning.org

17. **Open Space Provision - C-3 Districts.** Pursuant to Planning Code Section 138, the Project Sponsor shall continue to work with Planning Department staff to refine the design and programming of the public open space so that the open space generally meets the standards of the Downtown Open Space Guidelines in the Downtown Plan of the General Plan.

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

18. **Open Space Plaques - C-3 Districts.** Pursuant to Planning Code Section 138, the Project Sponsor shall install the required public open space plaques at each building entrance including the standard City logo identifying it; the hours open to the public and contact information for building management. The plaques shall be plainly visible from the public sidewalks on California and Battery Streets and shall indicate that the open space is accessible to the public. Design of the plaques shall utilize the standard templates provided by the Planning Department, as available, and shall be approved by the Department staff prior to installation.

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

19. **Ground Floor Transparency.** Pursuant to Planning Code Section 145.1(c)(6), frontages with active uses must be at least 60 percent transparent on the ground floor. The Property's California and Battery Street ground floor frontages shall be at least 60 percent transparent and allow visibility to the inside of the building. The use of dark or mirrored glass shall not count towards the required transparent area.

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

20. **Transformer Vault.** The location of individual project PG&E Transformer Vault installations has significant effects to San Francisco streetscapes when improperly located. However, they may not have any impact if they are installed in preferred locations. Therefore, the Planning Department recommends the following preference schedule in locating new transformer vaults, in order of most to least desirable:

- a. On-site, in a basement area accessed via a garage or other access point without use of separate doors on a ground floor façade facing a public right-of-way;
- b. On-site, in a driveway, underground;
- c. On-site, above ground, screened from view, other than a ground floor façade facing a public right-of-way;
- d. Public right-of-way, underground, under sidewalks with a minimum width of 12 feet, avoiding effects on streetscape elements, such as street trees; and based on Better Streets Plan guidelines;
- e. Public right-of-way, underground; and based on Better Streets Plan guidelines;

- f. Public right-of-way, above ground, screened from view; and based on Better Streets Plan guidelines;
- g. On-site, in a ground floor façade (the least desirable location).

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

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

21. **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

22. **Street Trees.** Pursuant to Planning Code Section 138.1, the Project Sponsor shall submit a site plan to the Planning Department prior to Planning approval of the building permit application indicating a total of four (4) street trees, and sidewalk landscaping along California, Battery, and Halleck Streets. In addition, the Sponsor is required to pay an in-lieu fee for the remaining 13 required street trees. The exact location, size and species of tree shall be as approved by the Department of Public Works (DPW). In any case in which DPW cannot grant approval for installation of any additional trees in the public right-of-way, on the basis of inadequate sidewalk width, interference with utilities or other reasons regarding the public welfare, and where installation of such tree on the lot itself is also impractical, the requirements of Section 138.1 may be modified or waived by the Zoning Administrator to the extent necessary.

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

PARKING AND TRAFFIC

23. **Bicycle Parking.** No fewer than 30 Class 1 bicycle parking spaces, and seven (7) Class 2 bicycle parking spaces shall be provided as required by Planning Code Section 155.5.

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

24. **Showers and Clothes Lockers.** Pursuant to Planning Code Section 155.4, the Project shall provide no fewer than four (4) showers and 24 clothes lockers.

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

25. **Managing Traffic during Construction.** The Project Sponsor and construction contractor(s) shall coordinate with the Traffic Engineering and Transit Divisions of the San Francisco Municipal Transportation Agency (SFMTA), the Police Department, the Fire Department, the Planning

Department, and other construction contractor(s) for any concurrent nearby Projects to manage traffic congestion and pedestrian circulation effects during construction of the Project.

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

PROVISIONS

26. **Transferable Development Rights.** Pursuant to Section 128, the Project Sponsor shall purchase the required number of units of Transferrable Development Rights (TDR) and secure a Notice of Use of TDR prior to the issuance of a site permit for all development which exceeds the base FAR of 9.0 to 1, up to an FAR of 18.0 to 1. The net addition of gross floor area subject to the fee shall be determined based on drawings submitted with the Building Permit Application.

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

27. **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

28. **Transit Impact Development Fee.** Pursuant to Planning Code Section 411, 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 Director with certification that the fee has been paid.

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

29. **Jobs Housing Linkage.** Pursuant to Planning Code Section 413, 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 building 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

30. **Childcare Requirements for Office and Hotel Development Projects.** Pursuant to Section 414, the Project Sponsor shall pay the in-lieu fee as required. The net addition of gross floor area subject to the fee shall be determined based on drawings submitted with the Building Permit Application.

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

31. **Art - C-3 District.** Pursuant to Planning Code Section 429, the Project shall include work(s) of art valued at an amount 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

32. **Art - C-3 District.** Pursuant to Planning Code Section 429, the Project Sponsor and the Project artist shall consult with the Planning Department during design development regarding the height, size, and final type of the art. The final art concept shall be submitted for review for consistency with this Motion by, and shall be satisfactory to, the Director of the Planning Department in consultation with the Commission. The Project Sponsor and the Director shall report to the Commission on the progress of the development and design of the art concept prior to the submittal of the first building or site permit application.

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

33. **Art Plaques - C-3 District.** Pursuant to Planning Code Section 429(b), the Project Sponsor shall provide a plaque or cornerstone identifying the architect, the artwork creator and the Project completion date in a publicly conspicuous location on the Project Site. The design and content of the plaque shall be approved by Department staff prior to its installation.

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

34. **Art - C-3 District.** Pursuant to Planning Code Section 429, prior to issuance of any certificate of occupancy, the Project Sponsor shall install the public art generally as described in this Motion and make it available to the public. If the Zoning Administrator concludes that it is not feasible to install the work(s) of art within the time herein specified and the Project Sponsor provides adequate assurances that such works will be installed in a timely manner, the Zoning Administrator may extend the time for installation for a period of not more than twelve (12) months.

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

MONITORING - AFTER ENTITLEMENT

35. **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

36. **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

37. **Garbage, Recycling, and Composting Receptacles.** Garbage, recycling, and compost containers shall be kept within the premises and hidden from public view, and placed outside only when being serviced by the disposal company. Trash shall be contained and disposed of pursuant to garbage and recycling receptacles guidelines set forth by the Department of Public Works.

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

38. **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>

39. **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

40. **Lighting.** All Project lighting shall be directed onto the Project site and immediately surrounding sidewalk area only, and designed and managed so as not to be a nuisance to adjacent residents. Nighttime lighting shall be the minimum necessary to ensure safety, but shall in no case be directed so as to constitute a nuisance to any surrounding property.

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



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

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Planning Commission Draft Motion Allocation of Office Space

HEARING DATE: DECEMBER 05, 2013

Date: November 26, 2013
Case No.: **2012.0605BEKUX**
Project Address: **300 CALIFORNIA STREET**
Zoning: C-3-O (Downtown Office)
 400-S Height and Bulk District
Block/Lot: 0238/002
Project Sponsor: John Kevlin
 Reuben, Junius & Rose, LLP
 One Bush Street, Suite 600
 San Francisco, CA 94104
Staff Contact: Elizabeth Watty – (415) 558-6620
Elizabeth.Watty@sfgov.org

ADOPTING FINDINGS APPROVING THE ALLOCATION OF OFFICE SQUARE FOOTAGE UNDER THE 2013-2014 ANNUAL OFFICE-DEVELOPMENT LIMITATION PROGRAM FOR A PROPOSED PROJECT LOCATED AT 300 CALIFORNIA STREET THAT WOULD ADD APPROXIMATELY 56,459 GROSS SQUARE FEET OF OFFICE AREA TO AN EXISTING 117,187 GSF OFFICE BUILDING WITH GROUND FLOOR RETAIL, PURSUANT TO PLANNING CODE SECTION 321 AND 322, AT 300 CALIFORNIA STREET WITHIN THE C-3-O (DOWNTOWN OFFICE) DISTRICT AND THE 400-S HEIGHT AND BULK DISTRICT, AND ADOPTING FINDINGS UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.

PREAMBLE

On September 14, 2012, John Kevlin of Reuben, Junius & Rose, LLP on behalf of 300 California Partners, LLC (hereinafter "Project Sponsor") filed an application with the Planning Department (hereinafter

“Department”) for Environmental Review, to allow the construction of a four-story, 56,459 gross square foot (hereinafter “gsf”) addition of office space to an existing eight-story, 117,187 gsf office building.

On September 12, 2012, the Project Sponsor filed an application with the Department for a Determination of Compliance with Planning Code Section 309, with exceptions to the requirements for Reduction of Ground-Level Wind Currents in C-3 Districts (Section 148), Separation of Towers (Section 132.1), and Off-Street Freight Loading (Section 161(i)) within the C-3-O (Downtown Office) District and a 400-S Height and Bulk District.

On September 12, 2012, the Project Sponsor filed an application with the Department for the Allocation of Office Space, pursuant to Planning Code Section 321, in order to allow the addition of 56,459 gsf addition of office space to an existing eight-story, 117,187 gsf office building.

On December 05, 2013, the San Francisco Planning Commission (hereinafter “Commission”) conducted a duly noticed public hearing at a regularly scheduled meeting on the Allocation of Office Space Case No. 2012.0605BEKUX.

On November 21, 2013, the Project was determined to be exempt from the California Environmental Quality Act (“CEQA”) as a Class 32 Categorical Exemption under CEQA as described in the determination contained in the Planning Department files for this Project.

The Planning Department, Jonas P. Ionin, is the custodian of records, located in the File for Case No. 2012.0605BEKUX, at 1650 Mission Street, Fourth Floor, 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 Allocation of Office Space requested in Application No. 2012.0605BEKUX, 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 northwest corner of California and Battery Streets; Lot 002 in Assessor’s Block 0238, in a C-3-O (Downtown Office) Zoning District, and a 400-S Height and Bulk District (hereinafter “Subject Property”). The Subject Property is developed with an eight-story-over-basement, approximately 129-foot tall office building containing approximately 117,187 gsf of floor area. The building, built circa 1946, covers the entire 15,097 sf lot, which is located on a block bounded by California Street to the south,

Battery Street to the east, Sansome Street to the west, and Sacramento Street to the north. It is located in the Financial District within the Downtown Area Plan. The ground floor of the building is devoted to a lobby and retail uses that include Staples and Café Madeline. The upper floors are devoted to office space for AECOM, Recurrent Energy, Delivery Agent, KXEN.

3. **Surrounding Properties and Neighborhood.** The project site comprises a single parcel in the Downtown Area Plan and within the C-3-O Zoning District. The surrounding area consists of large office buildings with ground floor retail uses. This area of the Financial District is designated C-3-O and is developed with high-density office towers with ground floor retail and personal service uses. The property to the west is developed with a 22-story tall office building occupied by Union Bank, and the other corner buildings at the intersection of Battery and California Streets are 10-, 11-, and 14-stories tall.

The C-3-O District plays a leading national role in finance, corporate headquarters and service industries, and serves as an employment center for the region, consisting primarily of high-quality office development. The intensity of building development is the greatest in the City, resulting in a notable skyline. The district is served by City and regional transit reaching its central portions and by automobile parking at peripheral locations. Office development is supported by some related retail and service uses within the area, with inappropriate uses excluded in order to conserve the supply of land in the core for further development of major office buildings.

4. **Project Description.** The Project is a four-story vertical addition of approximately 56,459 gsf of office space to the existing 117,187 gsf building with seven floors of office use over ground-floor retail, resulting in a 12-story, 173,646 gsf building. A new mechanical penthouse will be constructed on the roof, and 1,200 sf of publically-accessible open space will be provided at a rooftop garden, which will satisfy the Project's public open space requirement.
5. **Public Comment.** The Department has not received any comments expressing support or opposition to this project.
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 Allocation.** Section 321 establishes standards for San Francisco's Office Development Annual Limit. In determining if the proposed Project would promote the public welfare, convenience and necessity, the Commission considered the seven criteria established by Code Section 321(b)(3), and finds as follows:
 - i. Apportionment of office space over the course of the approval period in order to maintain a balance between economic growth on the one hand, and housing, transportation and public services, on the other.

There currently exists 2,271,142 gsf of office space available for allocation to office buildings of more than 49,999 sf of office space ("Large Buildings") during this Approval Period, which ends October 16, 2014. If the Planning Commission approves the office allocation for the Project with up to 56,459 gsf of office space, there would still be 2,214,683 gsf of office space available for allocation. On October 17, 2014, and each succeeding year, an additional 875,000 square feet of office space will become available for allocation to buildings of greater than 49,999 square feet of office space.

The Project is ideal for its location: it will add up to 56,459 gsf of new office space in the downtown core, which is zoned for high-density office use. The Project will promote economic growth by allowing a significant number of new tenants including a greater variety of tenants to occupy the building. The proposed new office space would draw more business, commercial and professional services into the area surrounding the site, thereby encouraging economic growth in the Project vicinity.

The Project will also benefit San Francisco's housing supply by contributing to the development of affordable housing through payment into the Jobs-Housing Linkage Program. Although the Subject Property is exceptionally well served by public transportation, the Project will also comply with the Transit Impact Development Fee Program, which allows MUNI to maintain its base service standard as new development occurs throughout the City.

The Project will maintain the balance between economic growth and housing, transportation, and public services.

- ii. The contribution of the office development to, and its effects on, the objectives and policies of the General Plan.

The Project is consistent with the General Plan, as discussed in Motion No. _____. Overall, as described in more detail in Motion _____, it would advance the Objectives and Policies of the Commerce and Industry, Transportation, and Urban Design Elements of the General Plan, as well as the Downtown Area Plan, and presents no significant conflicts with other elements. Specifically, the 56,459 gsf addition of new office space, and the payment of office exactions, directly supports the following objectives of the Commerce and Industry Element of the General Plan:

The Project is consistent with Objective 1, Policy 1 of the Commerce and Industry Element (Object 1: "Manage economic growth to ensure enhancement of the total City living and working environment;" Policy 1: "Encourage development which provides substantial net benefits and minimizes undesirable consequences. Discourage development which has substantial undesirable consequences that cannot be mitigated"). By encouraging a development that provides substantial net benefits and minimizes undesirable consequences through the creation of up to 56,459 gsf of additional office space, the Project would provide the City with additional office space without

exacerbating the demand on public services, including the level of existing public transit use. The Project will furnish additional office space in an area that is well-served by public infrastructure and transit.

The Project proposes to locate commercial activity according to the generalized land use plan to increase the efficiency of this area as a specialized center for commercial uses and to minimize distances to transit and traffic systems. (Objective 1, Policy 3: "Locate commercial and industrial activities according to a generalized commercial and industrial land use plan.")

The Project further advances the objectives of the Commerce and Industry Element through the creation of up to 56,459 gsf of office space that would retain and attract commercial activity in the City. (Objective 2: "Maintain and enhance a sound and diverse economic base and fiscal structure for the City; Policy 1: "Seek to retain existing commercial and industrial activity and to attract new such activity to the City.")

The Project will therefore make a great contribution to the City by advancing the Objectives and Policies of the General Plan, and will have no significant conflicts with any Objective or Policy. The Project does not include housing or small business displacement, or the loss of architectural resources. The Project Sponsor will pay the required affordable housing fee as well as all other applicable fees.

iii. The quality of the design of the proposed office development.

The Project is a four-story addition to an existing eight-story office building. The addition will be compatible with the existing structure and integrated into the existing design; however, through building modulation and fenestration design, the addition will be modestly differentiated from the existing structure. The building will continue to be a first-class office development that will enhance, and be compatible with, the neighborhood.

iv. The suitability of the proposed office development for its location, and any effects of the proposed office development specific to that location.

Office use is principally permitted at this location under the C-3-0 zoning, and is compatible with the existing office uses in the vicinity. With the exception of the existing retail uses, below-grade parking, and roof-level terrace, the entire building will be occupied by office space. The Subject Property is located in the City's downtown core, which is well served by City and regional public transportation options, making it an ideal location for office use.

v. The anticipated uses of the proposed office development in light of employment opportunities to be provided, needs of existing businesses, and the available supply of space suitable for such anticipated uses.

The Project will add up to 56,459 gsf of office space to the existing office building, which will create new employment opportunities for San Franciscans. The Project proposes to add additional office space in an existing office development, resulting in 173,646 gsf of office space, which the Project Sponsors hopes will make for an attractive building for a variety of tenants, which will thereby better serve the needs of the business community. By attracting a more diverse tenant base, the Project would contribute to the expansion of the City's employment base. Furthermore, there exists a demand for office space in San Francisco for all types of users. The Project will contribute toward meeting the demand for office space north of Market Street.

- vi. The extent to which the proposed development will be owned or occupied by a single entity.

The anticipated tenant or tenants have not yet been determined.

- vii. The use, if any, of transferable development rights ("TDRs") by the project sponsor.

The Project will require approximately 37,773 units of TDR.

- 7. **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 Project supports these policies in that it provides significant benefits to the City by increasing the supply of office space in the Downtown area, thus creating new jobs in a location that is easily accessible by a variety of transit services. It will result in an increase in tax revenue for the City and an increase in demand for retail uses in the immediate neighborhood.

The Subject Property is zoned C-3-O, which principally permits office use. Therefore, the Project Site is an ideal location for the Project and will concentrate office development in the core of the City's Financial District.

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.

The Project supports this policy due to its location in the Downtown Core. The Project is anticipated to easily attract and retain commercial entities. The Project is centrally located and is close to many jobs and services. The Property is also conveniently accessible by multiple transit services. It will add to the existing business climate by offering modern office space within the City's Financial District.

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 3.1:

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.

Policy 3.6:

Relate the bulk of buildings to the prevailing scale of development to avoid an overwhelming or dominating appearance in new construction.

The Project proposes a four-story addition to the existing eight-story building. The Project will not substantially change the building's relationship with nearby buildings and will not significantly affect the building's existing scale relative to the surrounding built environment. The other three buildings at the intersection of California and Battery Streets are 10-, 11-, and 14-stories tall, and the one abutting property

to the west is approximately 22-stories tall. The addition of four floors, for a total of a 12-story building, will be consistent with the development in the surrounding area. The Project will continue to be vastly smaller than the other buildings on both sides of this block of California Street, and the building across Halleck Street. The building will continue to be of modest scale in comparison to the other buildings in the immediate vicinity.

DOWNTOWN AREA PLAN

Objectives and Policies

OBJECTIVE 2:

MAINTAIN AND IMPROVE SAN FRANCISCO'S POSITION AS A PRIME LOCATION FOR FINANCIAL, ADMINISTRATIVE, CORPORATE, AND PROFESSIONAL ACTIVITY.

Policy 2.1:

Encourage prime downtown office activities to grow as long as undesirable consequences of such growth can be controlled.

Policy 2.2:

Guide location of office development to maintain a compact downtown core and minimize displacement of other uses.

The Project strongly supports these Policies. It will not displace any permanent uses: the Property is currently occupied by an eight-story office building, and the Project will add four-stories at the top of the existing building. The Property is exceptionally well served by transit, and is close to many services. The Project, while enhancing the City's ability to attract and retain office uses, will also serve to concentrate office use in the Downtown Core.

TRANSPORTATION ELEMENT

Objectives and Policies

OBJECTIVE 2:

USE THE TRANSPORTATION SYSTEM AS A MEANS FOR GUIDING DEVELOPMENT AND IMPROVING THE ENVIRONMENT.

Policy 2.1:

Use rapid transit and other transportation improvements in the city and region as the catalyst for desirable development, and coordinate new facilities with public and private development.

The Project is located within an existing high-density downtown neighborhood. The Downtown Financial District has a multitude of transportation options, including BART, MUNI bus and light rail service, Golden Gate Transit bus service, SAM Trans bus service, AC Transit bus services, ferry service, and the future Transbay Terminal. The Property would make good use of the existing transit services available in this area and would assist in maintaining the desirable urban characteristics and services of the area.

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

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

The existing building at the Property contains one entire floor of retail use and the Project will preserve and maintain this use. The additional office workers that will result from this Project will increase demand for the retail services in the vicinity.

- 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 would not adversely affect any existing housing, since the Property is currently occupied by office and retail uses.

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

There is currently no housing on the site, so no affordable housing would be adversely affected. The Project will, however, contribute impact fees to the Jobs-Housing Linkage Program, which funds affordable housing.

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

The Property is situated in the Downtown Core and is well served by public transit. The Property is located within walking distance of most of the region's transit services, including: BART, MUNI bus and light-rail service, Golden Gate Transit bus service, SAM Trans bus service, AC Transit bus service, ferry service, and the future Transbay Terminal.

- 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.

No industrial or service sector businesses would be displaced by the Project, since the scope of the Project is a four-story addition to an existing eight-story office building. The Property does not include any industrial uses, and the ground floor retail uses will remain.

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

The Project would be constructed to meet all of the most current and rigorous seismic and life-safety requirements of the San Francisco Building Code. This Project would not adversely affect the property's ability to withstand an earthquake.

- G. That landmarks and historic buildings be preserved.

No landmarks or historic buildings would be demolished, and the property is not considered an historic resource under CEQA. Furthermore, the Property is not part of an historic or conservation district.

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

The Project will have no negative effect on existing parks and open spaces, since there will be no net new shadows cast on any park or open space.

9. 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.
10. The Commission hereby finds that approval of the Office Allocation 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 the Allocation of Office Space under Sections 321 and 322, Application No. 2012.0605BEKUX**, subject to the following conditions attached hereto as "EXHIBIT A", and subject to the Conditions of Approval of Planning Commission Motion No. _____, in general conformance with plans on file, dated September 12, 2013, and stamped "EXHIBIT B", which is incorporated herein by reference as though fully set forth.

APPEAL AND EFFECTIVE DATE OF MOTION: Any aggrieved person may appeal this Office Allocation 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 this Motion if not appealed 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 in person at 1650 Mission Street, Room 304, San Francisco, or call (415) 575-6880.

I hereby certify that the Planning Commission ADOPTED the foregoing Motion on December 05, 2013.

Jonas P. Ionin
Commission Secretary

AYES:

NAYS:

ABSENT:

ADOPTED: December 05, 2013

EXHIBIT A

AUTHORIZATION

1. This authorization is for the allocation of office square footage under the 2013-2014 annual Office-Development Limitation Program for a Project at 300 California Street that would add 56,459 gsf of office space to an existing 117,187 gsf office building with ground floor retail pursuant to Planning Code Sections 321 and 322 on Assessor's Block 0238, Lot 002, within the C-3-O District and a 400-S Height and Bulk District; in general conformance with plans, dated September 12, 2013, and stamped "EXHIBIT B" included in the docket for Case No. 2012.0605BEKUX and subject to conditions of approval reviewed and approved by the Commission on December 05, 2013, under Motion No. _____. 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

2. 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 **December 05, 2013**, under Motion No. _____.

PRINTING OF CONDITIONS OF APPROVAL ON PLANS

3. The conditions of approval under the 'Exhibit A' of this Planning Commission Motion No. _____ 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 Planning Code Section 321/322 allocation of office square footage and any subsequent amendments or modifications.

SEVERABILITY

4. 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

5. 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 Office Allocation.

Conditions of Approval, Compliance, Monitoring, and Reporting PERFORMANCE

1. **Development Timeline - Office.** Pursuant to Planning Code Section 321(d)(2), construction of the office development project shall commence within eighteen (18) months of the effective date of this Motion. 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 development authorization.

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 eighteen (18) month 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 eighteen (18) months 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. **Additional Project Authorization.** The Project Sponsor must obtain a Downtown Authorization under Section 309, with exceptions to Section 132.1 (Separation of Towers), 148 (Ground Level Wind Currents); and Off-Street Freight Loading (Section 161(i)), and satisfy all the conditions thereof, prior to approval of this Motion. The conditions set forth below are additional conditions required in connection with the Project. If these conditions overlap with any other requirement imposed on the Project, the more restrictive or protective condition or requirement, as determined by the Zoning Administrator, shall apply.

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

PROVISIONS

7. **Transferable Development Rights.** Pursuant to Section 128, the Project Sponsor shall purchase the required number of units of Transferrable Development Rights (TDR) and secure a Notice of Use of TDR prior to the issuance of a site permit for all development which exceeds the base FAR of 9.0 to 1, up to an FAR of 18.0 to 1. The net addition of gross floor area subject to the fee shall be determined based on drawings submitted with the Building Permit Application.

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

8. **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

9. **Transit Impact Development Fee.** Pursuant to Planning Code Section 411, 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 Director with certification that the fee has been paid.

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

10. **Jobs-Housing Linkage.** Pursuant to Planning Code Section 413, 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 building 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

11. **Childcare Requirements for Office and Hotel Development Projects.** Pursuant to Section 414, the Project Sponsor shall pay the in-lieu fee as required. The net addition of gross floor area subject to the fee shall be determined based on drawings submitted with the Building Permit Application.
For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org
12. **Art - C-3 District.** Pursuant to Planning Code Section 429, the Project shall include work(s) of art valued at an amount 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
13. **Art - C-3 District.** Pursuant to Planning Code Section 429, the Project Sponsor and the Project artist shall consult with the Planning Department during design development regarding the height, size, and final type of the art. The final art concept shall be submitted for review for consistency with this Motion by, and shall be satisfactory to, the Director of the Planning Department in consultation with the Commission. The Project Sponsor and the Director shall report to the Commission on the progress of the development and design of the art concept prior to the submittal of the first building or site permit application.
For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org
14. **Art Plaques - C-3 District.** Pursuant to Planning Code Section 429(b), the Project Sponsor shall provide a plaque or cornerstone identifying the architect, the artwork creator and the Project completion date in a publicly conspicuous location on the Project Site. The design and content of the plaque shall be approved by Department staff prior to its installation.
For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org
15. **Art - C-3 District.** Pursuant to Planning Code Section 429, prior to issuance of any certificate of occupancy, the Project Sponsor shall install the public art generally as described in this Motion and make it available to the public. If the Zoning Administrator concludes that it is not feasible to install the work(s) of art within the time herein specified and the Project Sponsor provides adequate assurances that such works will be installed in a timely manner, the Zoning Administrator may extend the time for installation for a period of not more than twelve (12) months.
For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org

MONITORING - AFTER ENTITLEMENT

16. **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

17. **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

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



SAN FRANCISCO PLANNING DEPARTMENT

Certificate of Determination Exemption from Environmental Review

Case No.: 2012.0605E
 Project Title: 300 California Street
 Zoning: C-3-O (Downtown Office) Use District
 400-S Height and Bulk District
 Block/Lot: 0238/002
 Lot Size: 15,097 square feet
 Project Sponsor: John Kevlin – Reuben, Junius & Rose, LLP
 (415) 567-9000
 Staff Contact: Christopher Espiritu – (415) 575-9022
 christopher.espiritu@sfgov.org

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
 Information:
415.558.6377

PROJECT DESCRIPTION:

The proposed project would include the vertical expansion of an existing office building and the addition of four new stories for office use. The existing building, constructed in 1946, is currently occupied by a 129-foot-tall, eight-story over basement, 133,598 square-foot building currently used for office and ground-floor retail. The approximately 15,097-square-foot (sq ft) project site is located in downtown San Francisco, on a block bounded by Halleck Street to the north, Battery Street to the east, Sansome Street to the west, and California Street to the south.

EXEMPT STATUS:

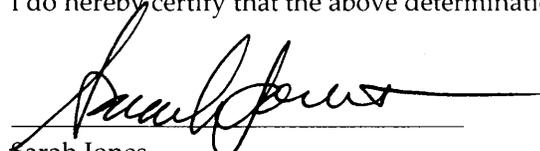
Categorical Exemption, Class 32 (State CEQA Guidelines Section 15332)

REMARKS:

See next page.

DETERMINATION:

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


 Sarah Jones

Environmental Review Officer

November 21, 2013
 Date

cc: John Kevlin, Project Sponsor
 Distribution List

Supervisor David Chiu, District 3
 Virna Byrd, M.D.F
 Historic Preservation Distribution List

PROJECT DESCRIPTION (continued):

Besides the addition of the proposed four new stories (an approximately 85-foot vertical addition) for approximately 58,582 sq ft of new office use, the proposed project would include the removal of the existing rooftop penthouse, renovation of the existing ground-floor lobby, and the addition of approximately 3,844 sq ft of publicly-accessible open space on the new roof-top terrace level. The 77 off-street parking spaces within the existing basement-level garage, one loading space, and the ground-floor retail uses, would remain unchanged by the proposed project. No expansion of the existing building footprint would occur and the proposed project would not introduce any new uses to the project site. The finished office/retail building would be approximately 197 feet tall, 12 stories, and 192,180 sq ft in size.

APPROVALS:

The proposed project is subject to notification under Section 309 and 321 of the Planning Code and a public hearing held by the Planning Commission. Notice of such hearing shall be mailed not less than 10 days prior to the date of the hearing to the project applicant, to property owners immediately adjacent to the site of the application, and to any person who has requested such notice. Approval Action for the proposed project is granted through the Planning Commission, which determines if any additional conditions (and/or exemptions) would be imposed on the approval of a building, site permit application, or Section 309 and Section 321 applications, and the applicant agrees to comply with such conditions.

REMARKS:

In-Fill Development. California Environmental Quality Act (CEQA) State Guidelines Section 15332, or Class 32, provides an exemption from environmental review for in-fill development projects which meet the following conditions:

- a) *The project is consistent with applicable general plan designations and policies as well as with applicable zoning designations.*

The *San Francisco General Plan*, which provides general policies and objectives to guide land use decisions, contains some policies that relate to physical environmental issues. The proposed project would not conflict with any such policy. The project site is located within the Downtown-Office (C-3-O) zoning district and a 400-S Height and Bulk district in the Financial District area of Downtown San Francisco. The proposed project would not introduce new uses to the project site and would include the addition of four new stories (an approximately 85-foot vertical addition) for office use. At approximately 197 feet in height, the proposed building would comply with the 400-S height and bulk district. Thus, the proposed project is consistent with all *General Plan* designations and applicable zoning plans and policies.

- b) *The development occurs within city limits on a site of less than five acres surrounded by urban uses.*

The approximately 0.35-acre (15,097 sq ft) project site is located within a fully developed area of San Francisco. The surrounding uses near the project site office, retail, and other commercial uses. The proposed project, therefore, would be properly characterized as in-fill development of less than five (5) acres, completely surrounded by urban uses.

c) The project site has no habitat for endangered, rare, or threatened species.

The project site is within a developed urban area and occupied by existing development, with minimal landscaping, including hedges, ground cover, and street trees. Thus, the project site has no value as habitat for rare, threatened, or endangered species.

d) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.

Traffic. The project site is located within the block surrounded by Halleck Street to the north, Battery Street to the east, Sansome Street to the west, and California Street to the south in the Financial District.

Based on the trip rate for office use in the Planning Department's Transportation Impact Analysis Guidelines for Environmental Review (Guidelines) (October 2002), the proposed office addition would generate an estimated 1,060 average daily person-trips, of which there would be about 90 p.m. peak hour person-trips (generally between 4:00 to 6:00 p.m.). These additional peak hour person-trips would be distributed among various modes of transportation, including 35 automobile person-trips, 43 transit trips, 10 walking trips, and three (3) trips by other means, which include bicycles and motorcycles. This would result in about 21 p.m. peak hour vehicle trips. This change in traffic in the project area as a result of the proposed project would be undetectable to most drivers, although it could be noticeable to those immediately adjacent to the project site. The proposed project would add a small increment to the cumulative long-term traffic increase on the local roadway network in the neighborhood and to other land use and development changes in the region. However, the volume of additional trips would not result in considerable contributions to any intersection cumulative impacts.

Vehicular access would remain unchanged and would continue to be provided through a garage entrance on Halleck Street. There would be adequate on-site queuing space on the existing ramp, within the project site, which would prevent queuing of the additional project-related vehicles accessing the project site along Halleck Street. The effect on traffic flow on nearby streets from vehicles entering and exiting the parking garage would therefore not be substantial.

Parking. The existing on-site building provides approximately 77 vehicle parking spaces, 31 bicycle parking spaces (8 bike lockers and 23 bike racks), and a single loading space, in a basement-level parking garage, which is accessed through an existing garage entrance on Halleck Street. In addition, a single loading space provided within the existing garage would also remain with project development. The proposed project would not include any changes to the existing parking or loading on site.

Parking conditions are not static, as parking supply and demand varies from day to day, from day to night, from month to month, etc. Hence, the availability of parking spaces (or lack thereof) is not a permanent physical condition, but changes over time as people change their modes and patterns of travel. While parking conditions change over time, a substantial shortfall in parking caused by a project that creates hazardous conditions or significant delays to traffic, transit, bicycles or pedestrians could adversely affect the physical environment. Whether a shortfall in parking creates such conditions will depend on the magnitude of the shortfall and the ability of drivers to change travel patterns or switch to other travel modes. If a substantial shortfall in parking caused by a project creates hazardous conditions or significant delays in travel, such a condition could also result in secondary physical environmental impacts (e.g., air quality or noise impacts caused by congestion), depending on the project and its setting.

The absence of a ready supply of parking spaces, combined with available alternatives to auto travel (e.g., transit service, taxis, bicycles or travel by foot) and a relatively dense pattern of urban development, induces many drivers to seek and find alternative parking facilities, shift to other modes of travel, or change their overall travel habits. Any such resulting shifts to transit service or other modes (walking and biking), would be in keeping with the City's "Transit First" policy and numerous San Francisco General Plan Policies, including those in the Transportation Element. The City's Transit First Policy, established in the City's Charter Article 8A, Section 8A.115, provides that "parking policies for areas well served by public transit shall be designed to encourage travel by public transportation and alternative transportation."

The transportation analysis accounts for potential secondary effects, such as cars circling and looking for a parking space in areas of limited parking supply, by assuming that all drivers would attempt to find parking at or near the project site and then seek parking farther away if convenient parking is unavailable. The secondary effects of drivers searching for parking is typically offset by a reduction in vehicle trips due to others who are aware of constrained parking conditions in a given area, and thus choose to reach their destination by other modes (i.e. walking, biking, transit, taxi). If this occurs, any secondary environmental impacts that may result from a shortfall in parking in the vicinity of the proposed project would be minor, and the traffic assignments used in the transportation analysis, as well as in the associated air quality, noise and pedestrian safety analyses, would reasonably address potential secondary effects.

The parking demand for the new office uses associated with the proposed project was determined based on the methodology presented in the *Transportation Guidelines*. On an average weekday, the additional demand for parking would be 63 spaces. The proposed project would not include any changes to the existing parking garage. Thus, the project would have an unmet parking demand of approximately 63 spaces due to the addition. While the proposed off-street parking spaces would be less than the calculated parking demand anticipated for the project, this parking shortfall would not result in a significant impact in this case. At this location, the unmet parking demand could be accommodated within existing on-street and off-street parking spaces within a reasonable distance of the project vicinity. There is limited

on-street parking capacity available near the project site along the California Street frontage and nearby streets such as Sansome Street and Sacramento Street. Off-street parking lots/garages are available within ¼-mile of the project site, such as the 1040 Sacramento Street, 255 3rd Street, and 500 Post Street garages. Additionally, the project site is well served by public transit and bicycle facilities. The project site is well-served by local public transit, including the Muni Metro Historic Streetcar F Line, 18 Muni bus routes (1, 2, 3, 5, 6, 7, 9, 10, 14, 21, 30, 31, 38, 71, 76, 80, 81, and 82), and six Muni Metro lines (J, K, L, M, N, and T). The Embarcadero BART station with access to BART's regional rail lines is approximately ¼-mile distance the project site. Any unmet parking demand associated with the project would not materially affect the overall parking conditions in the project vicinity such that hazardous conditions or significant delays are created.

In summary, the proposed project would not result in a substantial parking shortfall or create hazardous conditions or significant delays affecting traffic, transit, bicycles or pedestrians. Therefore, parking impacts would be less than significant.

Transit, Bicycles, and Pedestrians. The 1 California, 6 Parnassus, 31 Balboa, and 38 Geary Muni bus lines run on the California Street frontage of the project site. An additional 14 Muni bus routes, as well as stops for other regional transit lines, such as Golden Gate Transit, are located within a ¼-mile of the project site. Shared bicycle routes 11, 16, and 50 are also located near the project site and provide connections to other bicycle facilities. Pedestrian circulation is served by built sidewalks and painted crosswalks in the surrounding area. The proposed addition of four new stories for office use would not generate substantial additional trips and thus, would not result in a substantial adverse change in transit, bicycle, or pedestrian conditions in the project vicinity. During project construction, truck traffic and any construction activities may be noticeable and a potential inconvenience to transit users, bicycle riders, and pedestrians in the project vicinity; however, construction-related impacts of a project are generally considered less-than-significant due to their temporary nature and limited duration.

The proposed project would generate a total of approximately 3 p.m. peak hour bicycle trips and 53 pedestrian trips (10 pedestrian walking trips and 43 pedestrian transit trips). The proposed project would therefore not cause a substantial increase in the amount of pedestrian and vehicle conflicts. Sidewalk widths adjacent to and in proximity of the project site are sufficient to allow for the free flow of pedestrian traffic. Pedestrian activity may marginally increase as a result of the proposed project, but not to a degree that could not be accommodated on nearby sidewalks or that would result in safety concerns. Although the proposed project would result in an incremental increase in the number of vehicles in the project vicinity, this increase would not substantially affect bicycle travel and safety in the area.

Loading. The existing building provides a single loading space within the basement-level garage. The proposed project would not include any changes to the existing garage and would continue to provide a single loading space. The loading space is adequate per Planning Code requirements and would

accommodate any additional loading demand. Therefore, project-related loading demand would have no significant impacts.

Construction. During the project construction period, construction-related trucks would travel in and out of the site. It is not anticipated that any construction-related lane closure would be required; however, if required, a lane closure permit would be secured to accommodate this work. Lane and sidewalk closures are subject to review and approval by the Department of Public Works (DPW) and the Transportation Advisory Staff Committee (TASC), which consists of representatives from the Fire Department, Police Department, MTA Traffic Engineering Division, and Department of Public Works. TASC provides recommendations to minimize the effects of construction projects on the public right-of-way. TASC review and subsequent compliance of the proposed project with its recommendations would therefore help minimize traffic effects due to any temporary lane closures during project construction. The project construction truck traffic would result in a temporary decrease in the capacities of local streets in the project area due to the slower movement and larger turning radii of project-related construction trucks. Due to its temporary nature and limited duration, project-related construction impacts on traffic would not be considered significant.

Noise. An approximate doubling of traffic volumes in the project area would be necessary to produce an increase in ambient noise levels noticeable to most people. As described above, the proposed project would not cause a doubling in traffic volumes. The project's marginal increase to the existing traffic volumes (see Traffic, p.4), would not cause a noticeable increase in the ambient noise level in the project vicinity. The noise generated by the proposed new use would be considered common and generally acceptable in an urban area, and would not be considered a significant impact.

During project construction, all diesel and gasoline-powered engines would be equipped with noise-arresting mufflers. Delivery truck trips and construction equipment would generate noise that that may be considered an annoyance by occupants of nearby properties. Construction noise is regulated by the San Francisco Noise Ordinance (Article 29 of the City Police Code). Section 2907 of the Police Code requires that noise levels from individual pieces of construction equipment, other than impact tools, not exceed 80 A-weighted decibels (dBA) at a distance of 100 feet from the source. Impact tools (such as jackhammers and impact wrenches) must have both intake and exhaust muffled to the satisfaction of the Director of Public Works. Section 2908 of the Police Code prohibits construction work between 8:00 p.m. and 7:00 a.m. if the construction noise would exceed the ambient noise level by 5 dBA at the project property line, unless a special permit is authorized by the Director of Public Works. Construction noise impacts related to the project would be temporary and intermittent in nature. Considering the above, the proposed project would not result in a significant impact with respect to noise.

Air Quality. In accordance with the state and federal Clean Air Acts, air pollutant standards are identified for the following six criteria air pollutants: ozone, carbon monoxide (CO), particulate matter (PM), nitrogen dioxide (NO₂), sulfur dioxide (SO₂) and lead. These air pollutants are termed criteria air

pollutants because they are regulated by developing specific public health- and welfare-based criteria as the basis for setting permissible levels. The Bay Area Air Quality Management District (BAAQMD) has established thresholds of significance to determine if projects would violate an air quality standard, contribute substantially to an air quality violation, or result in a cumulatively considerable net increase in criteria air pollutants within the San Francisco Bay Area Air Basin. To assist lead agencies, the BAAQMD, in their CEQA Air Quality Guidelines (May 2011) has developed screening criteria. If a proposed project meets the screening criteria, then the project would result in less-than-significant criteria air pollutant impacts. A project that exceeds the screening criteria may require a detailed air quality assessment to determine whether criteria air pollutant emissions would exceed significance thresholds. The proposed project would not exceed criteria air pollutant screening levels for operation or construction.¹

In addition to criteria air pollutants, individual projects may emit toxic air contaminants (TACs). TACs collectively refer to a diverse group of air pollutants that are capable of causing chronic (i.e., of long-duration) and acute (i.e., severe but of short-term) adverse effects to human health, including carcinogenic effects. In an effort to identify areas of San Francisco most adversely affected by sources of TACs, San Francisco partnered with the BAAQMD to inventory and assess air pollution and exposures from mobile, stationary, and area sources within San Francisco. Areas with poor air quality, termed “air pollution hot spots,” were identified based on two health-protective criteria: (1) excess cancer risk from the contribution of emissions from all modeled sources greater than 100 per one million population, and/or (2) cumulative PM_{2.5} concentrations greater than 10 micrograms per cubic meter. Land use projects within these air pollution hot spots require special consideration to determine whether the project’s activities would expose sensitive receptors to substantial air pollutant concentrations.

The proposed project is located within an air pollution hot spot zone. However, the proposed project would not include the addition of new sensitive receptors to the project site. Also, there are no sensitive receptors (residences, schools, medical uses) located in the immediate vicinity of the project site, with the exception of the Chinese Education Center Elementary School located approximately ¼-mile from the project site. The proposed project would include construction activities for the approximately 18-month construction phase. However, given the limited nature and duration of project-related construction, construction emissions would be temporary and variable in nature and would not be expected to expose any nearby sensitive receptors to substantial air pollutants. Furthermore, the proposed project would be subject to, and comply with, California regulations limiting idling to no more than five minutes,² which would further reduce any nearby sensitive receptors’ exposure to temporary and variable TAC emissions. Therefore, construction period TAC emissions would result in a less-than-significant impact with respect to exposing sensitive receptors (including the nearby Chinese Education Center Elementary School) to substantial levels of air pollution over extended periods of time.

¹ Bay Area Air Quality Management District, CEQA Air Quality Guidelines, Updated May 2011. Table 3-1.

² California Code of Regulations, Title 13, Division 3, § 2485.

In conclusion, the proposed project would result in less-than-significant air quality impacts.

Water Quality. The proposed project involves the vertical addition of four stories for office use and minor ground-floor lobby renovations. The proposed project would not involve 5,000 square feet or more of the ground surface disturbance; thus the project would not require a Stormwater Control Plan. The project would not generate wastewater or result in discharges that would have the potential to degrade water quality or contaminate a public water supply. Project-related wastewater and stormwater would flow to the City's combined sewer system and would be treated to standards contained in the City's National Pollutant Discharge Elimination System (NPDES) Permit for the Southeast Water Pollution Control Plant prior to discharge. Therefore, the proposed project would not result in significant water quality impacts.

e) *The site can be adequately served by all required utilities and public services.*

The project site is located in a dense urban area where all public services and utilities are available. The proposed project would be connected with the City's water, electric, and wastewater services. Prior to receiving a building permit, the project would be reviewed by the City to ensure compliance with City and State fire and building code regulations concerning building standards and fire protection. The proposed project would not result in a substantial increase in intensity of use or demand for utilities or public services that would necessitate any expansion of public utilities or public service facilities.

Other Environmental Concerns

Historic Architectural Resources. The existing building was constructed in 1946 and is not considered as an eligible historic resource. A Historic Resource Evaluation Response (HRER) was prepared by Planning Department staff for the subject property on February 22, 2008.³ Planning Department staff found that the property at 300 California Street did not qualify for listing in the California Register under any significance criteria and that the building lacked integrity due to additions, renovations, and exterior alterations. A Note to File was issued in June 20, 2013 with Department staff affirming the findings and conclusions of the HRER from 2008.⁴ In addition, the project site is not located within a historic or potentially historic district, or adjacent to a historic resource. Therefore, the proposed project would not result in a significant impact to historic resources.

Archeological Resources. The proposed project would include excavation activities of less than 8 feet in depth for seismic strengthening to support the addition of four new floors to the existing office building, as well as the installation of a new elevator pit. Planning Department staff concluded that the proposed

³ *Historic Resource Evaluation Response for 300 California Street* by Angela Heitter, February 2007. This document is available for review at the Planning Department, 1650 Mission Street, Suite 400, San Francisco, CA 94103 as part of Case File No. 2012.0605E.

⁴ *300 California Street Historic Resource Status (Note to File re: Case No. 2012.0605E)* by Gretchen Hilyard, Preservation Planner, June 2013. This document is available for review at the Planning Department, 1650 Mission Street, Suite 400, San Francisco, CA 94103 as part of Case File No. 2012.0605E

project is not expected to cause effects to archeological resources. Thus, no environmental concerns involving cultural resources would be associated with the proposed project and there would be no significant cultural resource impacts due to the project.

Geologic and Seismic Hazards. Project construction would include excavation and installation of new footings for seismic strengthening of the existing building. The proposed project would be required to conform to the San Francisco Building Code, which ensures the safety of all new construction in the City. Geologic and seismic hazards are considered as part of the Department of Building Inspection (DBI) review process. Background information provided to DBI would provide for the security and stability of the subject building and adjoining properties during construction. Potential damage to structures from geologic hazards on the project site would be addressed through the DBI requirement for a geotechnical report and review of the building permit application pursuant to DBI implementation of the Building Code. In light of the above, no environmental concerns involving geologic and seismic hazards would be associated with the proposed project. Thus, the proposed project would not have any significant adverse impacts related to geologic and seismic hazards.

Wind. Planning Code Section 148 dictates that buildings, and additions to existing buildings within C-3 Districts, shall be shaped, or other wind-baffling measures shall be adopted, so that the developments will not cause ground-level wind currents to exceed, more than 10 percent of the time year round, the comfort level of 11 mph equivalent wind speeds in areas of substantial pedestrian use and seven mph equivalent wind speeds in public seating areas. The proposed project would include the addition of four new floors to an existing eight-story office building. The current height of the existing building at 126 feet would increase to a total of 196 feet after the proposed vertical addition has been constructed. A Pedestrian Wind Study⁵ was conducted to assess wind conditions around the project site and determine whether the proposed project would contribute to ground level wind conditions that would exceed comfort or hazard levels established in the Planning Code.

The wind study results showed that wind conditions on the project site were generally low and did not exceed the hazard threshold of 26 mph for both existing and existing plus project conditions. Wind comfort conditions generally remained the same when comparing existing and existing plus project conditions. Finally, a marginal exceedance of the wind comfort criteria was observed at two locations under the existing plus project conditions. However, wind speeds at these locations were estimated from 10 to 12 mph, which was well below the hazard level of 26 mph, as identified in the Planning Code. Thus, no environmental concerns involving wind would be associated with the proposed project and there would be no significant wind impacts due to the proposed project.

⁵ 300 California Street – Pedestrian Wind Study Final Report (RWDI # 1300791) prepared by RWDI, April 2013. This report is available for review at the Planning Department, 1650 Mission Street, Suite 400, San Francisco, CA 94103 as part of Case File No. 2012.0605E.

Shadow. The proposed project would have a maximum height of approximately 197 feet, representing an increase in built height on the project site of up approximately 85 feet. Section 295 of the Planning Code, adopted in response to Proposition K (passed November 1984) protects certain public open spaces from shadowing by new structures during the period between one hour after sunrise and one hour before sunset, year round. Planning Code Section 295 restricts net new shadow on public open spaces under the jurisdiction of, or to be acquired by, the Recreation and Park Commission by any structure exceeding 40 feet unless the Planning Commission, in consultation with the Recreation and Park Commission, finds the impact to be less than significant. Therefore, the Planning Department conducted an initial shadow fan analysis to determine the shadow impact, if any, of the proposed project.

The initial shadow fan analysis indicated that the proposed project could potentially cast new shadow on Maritime Plaza and Sue Bierman Park, located within a ¼-mile from the project site and within the jurisdiction of the Recreation and Park Commission. A secondary shadow analysis was reviewed by the Department and concluded that the project would comply with the provisions of Section 295.⁶ The Department concurred with the analysis and determined that no net new shadow would be cast upon Maritime Plaza and Sue Bierman Park as a result of project development, since intervening existing development blocks any potential project-related shadow at times when the project would cast shadow on these Recreation and Park Commission properties. CEQA considers shadow impacts on all properties within, as well as outside, the jurisdiction of the Recreation and Park Commission. No net new shadow will be cast on non-Recreation and Park Commission public open spaces. Based on the above discussion, the proposed project would not result in significant new shadow impacts.

Hazards and Hazardous Materials. The proposed project would involve subsurface soils work such as minor excavation (less than 8 feet) for seismic strengthening of the existing building foundations, which would comply with all applicable regulations. Any interior work involving the handling and removal of hazardous building materials, such as asbestos-containing materials and lead-based paint, would comply with federal, state, and local regulations. Thus, no substantial environmental concerns involving hazardous conditions or materials would be associated with the proposed project and no significant hazards and hazardous materials impacts would occur with project development.

Neighborhood Concerns. A "Notification of Project Receiving Environmental Review" was mailed on May 31, 2013, to community organizations, tenants of the affected property, and properties adjacent to the project site, and those persons who own property within 300 feet of the project site. Two members of the public commented on the proposed project and requested to be included in any future mailings/notices and requested receipt of any environmental documents issued for the proposed project.

⁶ Section 295 Determination for 300 California Street, San Francisco, California, August 30, 2013, by Kevin Guy. This document is available for public review at the Planning Department, 1650 Mission Street, Suite 400, San Francisco, California, as part of Case File No. 2012.0605E.

CONCLUSION:

CEQA State Guidelines Section 15300.2 states that a categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances. There are no unusual circumstances surrounding the current proposal that would suggest a reasonable possibility of a significant effect. The proposed project would have no significant environmental effects. The project would be exempt under the above-cited classification. For the above reasons, the proposed project is appropriately exempt from environmental review.



SAN FRANCISCO PLANNING DEPARTMENT

MEMO

DATE: June 20, 2013
TO: Case No. 2012.0605E File
FROM: Gretchen Hilyard, Preservation Planner
RE: 300 California Street Historic Resource Status
(Note to File re: Case No. 2012.0605E)

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

The proposed project at 300 California Street involves the construction of a seven-story vertical addition to an eight-story building. According to the Preliminary Project Assessment Letter prepared by the Planning Department (dated July 6, 2012), the proposed project should be evaluated to assess potential impacts to a potential historical resource (based on the age of the building, which was constructed in 1946 and is older than 50 years of age).

A Historic Resource Evaluation Response (HRER) was prepared by Planning Department staff for the subject property at 300 California Street on February 22, 2008. The HRER was based on information provided in a Supplemental Information Form for Historic Resource Evaluation prepared by historic preservation consultant Kelley & VerPlanck in 2008. The subject property contains an eight-story-over-basement (plus penthouse) reinforced-concrete commercial office building constructed in 1946. Staff found that the subject property did not qualify for listing in the California Register under any significance criteria and that the building lacked integrity due to additions, renovations and exterior alterations.

No new information has been presented since this evaluation in 2008, which was conducted just within the five year threshold considered for the longevity of survey evaluations. Department staff concurs with the staff analysis and consultant report prepared in 2008 and confirms that the subject property is NOT an eligible historic resource. The building is considered a "Category C" property (Properties Determined Not To Be Historical Resources/ Properties For Which The City Has No Information Indicating That The Property is an Historical Resource) for the purposes of the Planning Department's California Environmental Quality Act (CEQA) review procedures.

Signature: 
Tina Tam, Senior Preservation Planner

Date: 6-27-2013

cc: Chris Espiritu, Environmental Planner

GH: G:\Documents\HRER\300 California\2012.0605E_300 California_Memo to File_2013-06-20.doc



SAN FRANCISCO PLANNING DEPARTMENT

MEMO

Historic Resource Evaluation Response

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

MEA Planner: Tim Blomgren
Project Address: **300 California Street**
Block/Lot: 0238/002
Case No.: 2007.1248E
Date of Review: February 22, 2008
Planning Dept. Reviewer: Angela Heitter
 (415) 558-6602 | angela.heitter@sfgov.org

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PROPOSED PROJECT Demolition Alteration Addition

PROJECT DESCRIPTION

300 California Street currently contains an eight-story-over-basement-plus-penthouse reinforced-concrete commercial office building constructed in 1946. The existing building is approximately 112 feet, excluding the mechanical penthouse, and contains 133,600 gross square feet (gsf). There are 77 off-street parking spaces in the below-grade parking garage.

The project proposes a vertical addition of four stories of office use, with no change to the existing office, retail, and parking uses. The proposed mixed-use building would contain a total of approximately 195,200 gsf, with office use comprising of 168,861 gsf; ground floor commercial area of 11,412 gsf; 3,945 gsf of storage; and 10,980 gsf of below-grade parking garage accessible from Halleck Street. The project will not provide any new additional off-street parking spaces.

PRE-EXISTING HISTORIC RATING / SURVEY

The subject building has not been a part of any adopted survey, nor do any historic ratings exist.

HISTORIC DISTRICT / NEIGHBORHOOD CONTEXT

The parcel is located on the northwest corner of California and Battery Streets in the Financial District of Downtown. The subject property is within a C-3-O (Downtown Office) zoning district and a 400-S height and bulk district. The project site consists of a 15,097 square-foot rectangular shaped lot bounded by Halleck Street to the north, Battery Street to the east, California Street to the south and the 22-story Union Bank office building to the west.

The Financial District has been in a constant state of change since the 1850s. Up through the 1880s, the area quickly recognized itself as the site for legal services, real estate interests, and stock and insurance brokers. After 1888 the district began to expand vertically by the advent of earthquake-resistant steel frame. The triangle created by Montgomery and California with Market Street defined one of the country's most compact clusters of skyscrapers through the 1970s and 1980s, to which the subject

building sits adjacent. Visual continuity is mixed in terms of age, style and materials, however, there is a strong pattern of massing among the blocks.

1. **California Register Criteria of Significance:** Note, a building may be an historical resource if it meets any of the California Register criteria listed below. If more information is needed to make such a determination please specify what information is needed. (This determination for California Register Eligibility is made based on existing data and research provided to the Planning Department by the above named preparer / consultant and other parties. Key pages of report and a photograph of the subject building are attached.)

- Event: or Yes No Unable to determine
Persons: or Yes No Unable to determine
Architecture: or Yes No Unable to determine
Information Potential: Further investigation recommended.
District or Context: Yes, may contribute to a potential district or significant context

If Yes; Period of significance:

Notes: Based on the criteria, 300 California Street is not eligible for inclusion on the California Register individually or as a contributor to a potential historic district or district expansion.

2. **Integrity** is the ability of a property to convey its significance. To be a resource for the purposes of CEQA, a property must not only be shown to be significant under the California Register criteria, but it also must have integrity. To retain historic integrity a property will always possess several, and usually most, of the aspects. The subject property has retained or lacks integrity from the period of significance noted above:

- | | | | | | |
|---------------------|----------------------------------|---|-------------------|----------------------------------|---|
| Location: | <input type="checkbox"/> Retains | <input checked="" type="checkbox"/> Lacks | Setting: | <input type="checkbox"/> Retains | <input checked="" type="checkbox"/> Lacks |
| Association: | <input type="checkbox"/> Retains | <input checked="" type="checkbox"/> Lacks | Feeling: | <input type="checkbox"/> Retains | <input checked="" type="checkbox"/> Lacks |
| Design: | <input type="checkbox"/> Retains | <input checked="" type="checkbox"/> Lacks | Materials: | <input type="checkbox"/> Retains | <input checked="" type="checkbox"/> Lacks |
| Workmanship: | <input type="checkbox"/> Retains | <input checked="" type="checkbox"/> Lacks | | | |

Although the existing eight-story building was built in 1946, to which an addition is proposed, the building lacks historic integrity due to the additions, renovations, and exterior alteration performed to the exterior ornamentation, windows, and façade facing materials as documented in the Supplemental Information Form prepared by Kelley & VerPlanck.

3. **Determination Whether the property is an "historical resource" for purposes of CEQA**

- No Resource Present (Go to 6. below) Historical Resource Present (Continue to 4.)

4. If the property appears to be an historical resource, whether the proposed project is consistent with the Secretary of Interior's Standards or if any proposed modifications would materially impair the resource (i.e. alter in an adverse manner those physical characteristics which justify the property's inclusion in any registry to which it belongs).

The project appears to meet the Secretary of the Interior's Standards. (Go to 6. below)

Optional: See attached explanation of how the project meets standards.

The project is NOT consistent with the Secretary of the Interior's Standards and is a significant impact as proposed. (Continue to 5. if the project is an alteration)

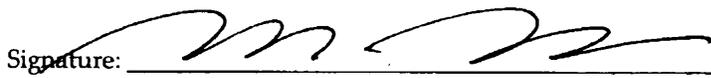
5. Character-defining features of the building to be retained or respected in order to avoid a significant adverse effect by the project, presently or cumulatively, as modifications to the project to reduce or avoid impacts. Please recommend conditions of approval that may be desirable to mitigate the project's adverse effects.

6. Whether the proposed project may have an adverse effect on off-site historical resources, such as adjacent historic properties.

Yes No Unable to determine

Notes: The proposed building will have not have an adverse effect on the Financial District. The overall compatibility of the proposed addition represents the general materials, features, height, scale, proportion, and massing found in the immediate area without creating false historicism, but is representative of its time.

PRESERVATION COORDINATOR REVIEW

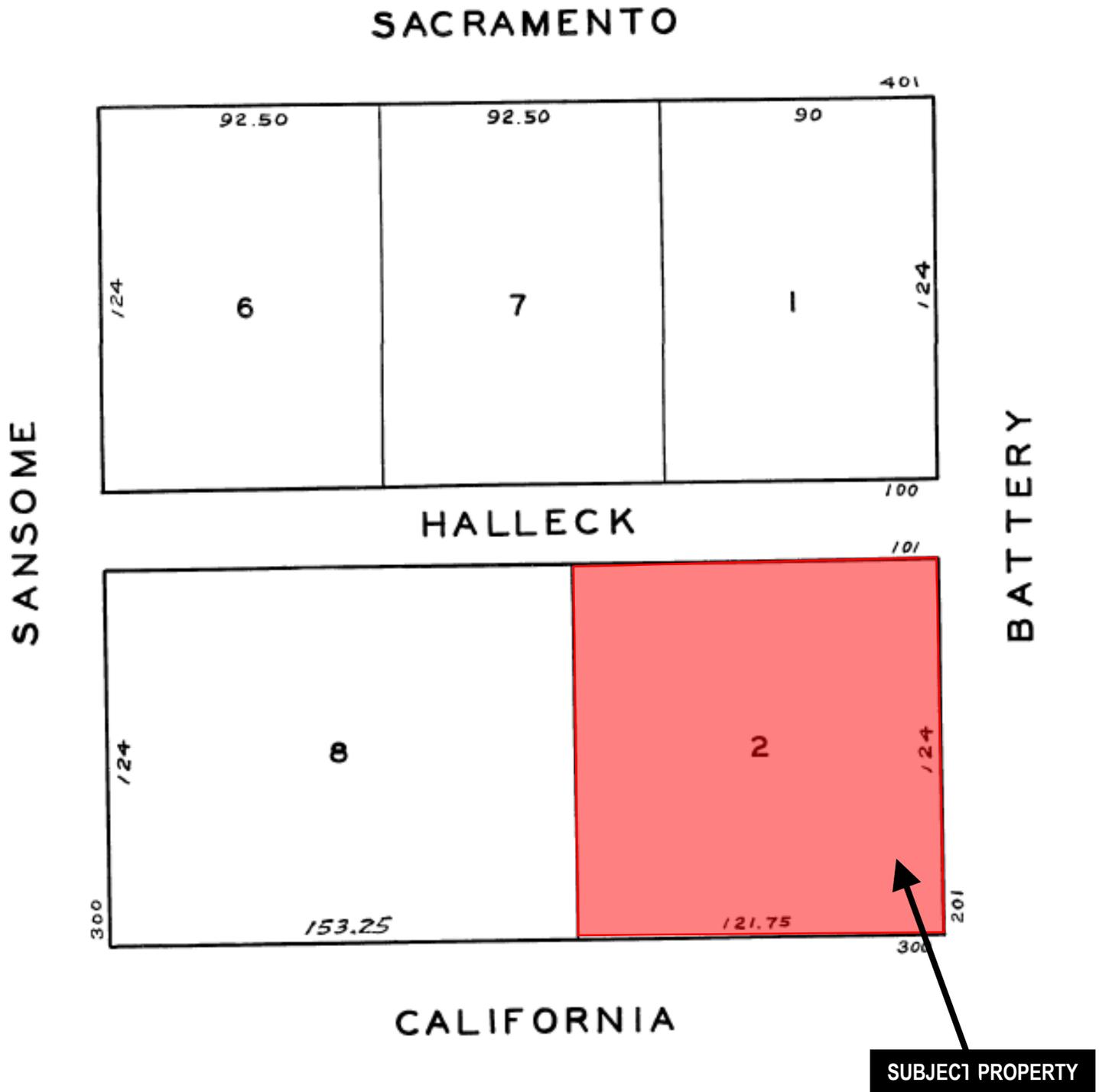
Signature: 

Mark Luellen, *Preservation Coordinator*

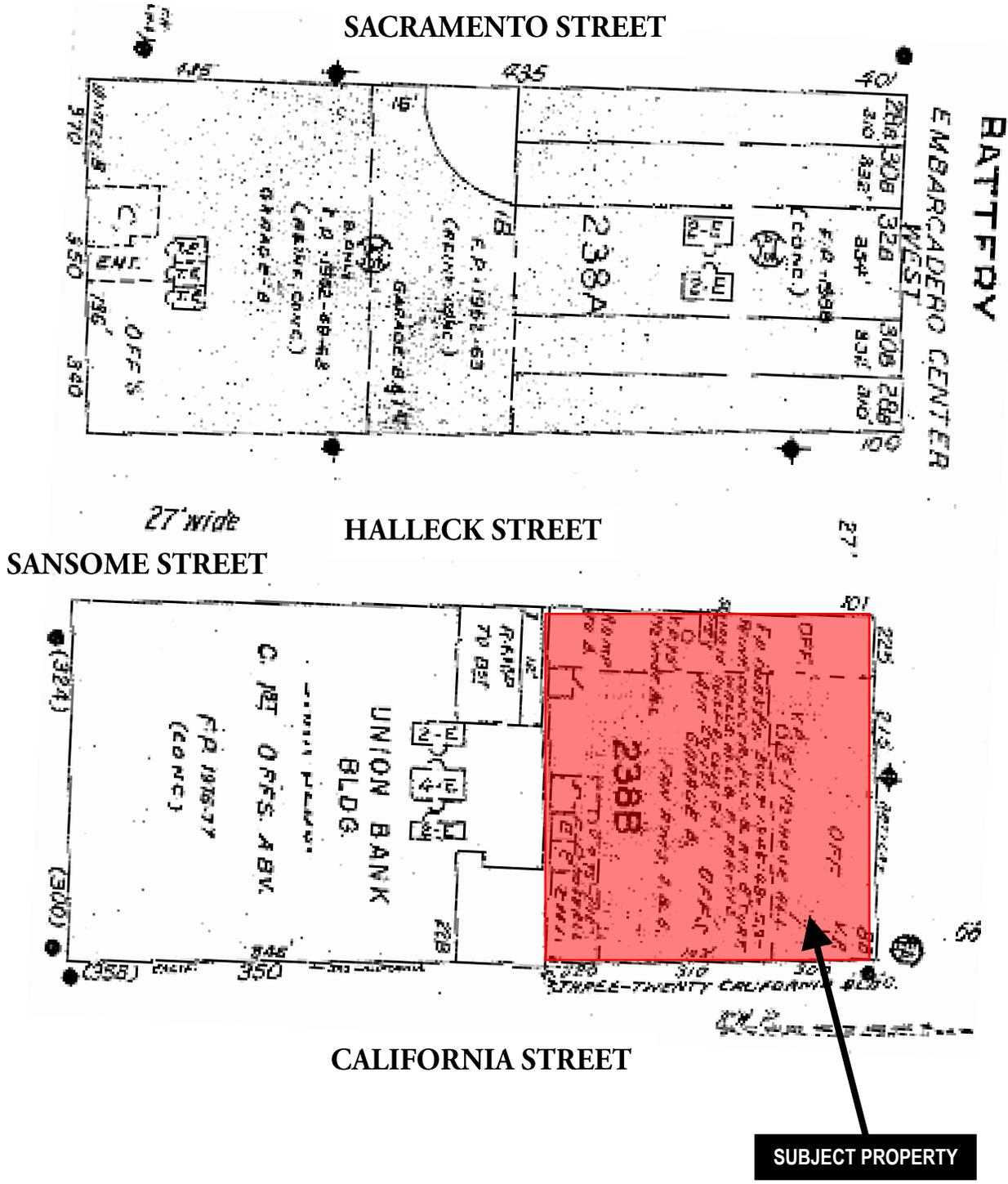
Date: 2-25-08

cc: Sonya Banks, *Recording Secretary*, Landmarks Preservation Advisory Board
Vernaliza Byrd / Historic Resource Impact Review File
Jim Miller / Neighborhood Planning- Northeast Quadrant

Block Book Map



Sanborn Map*

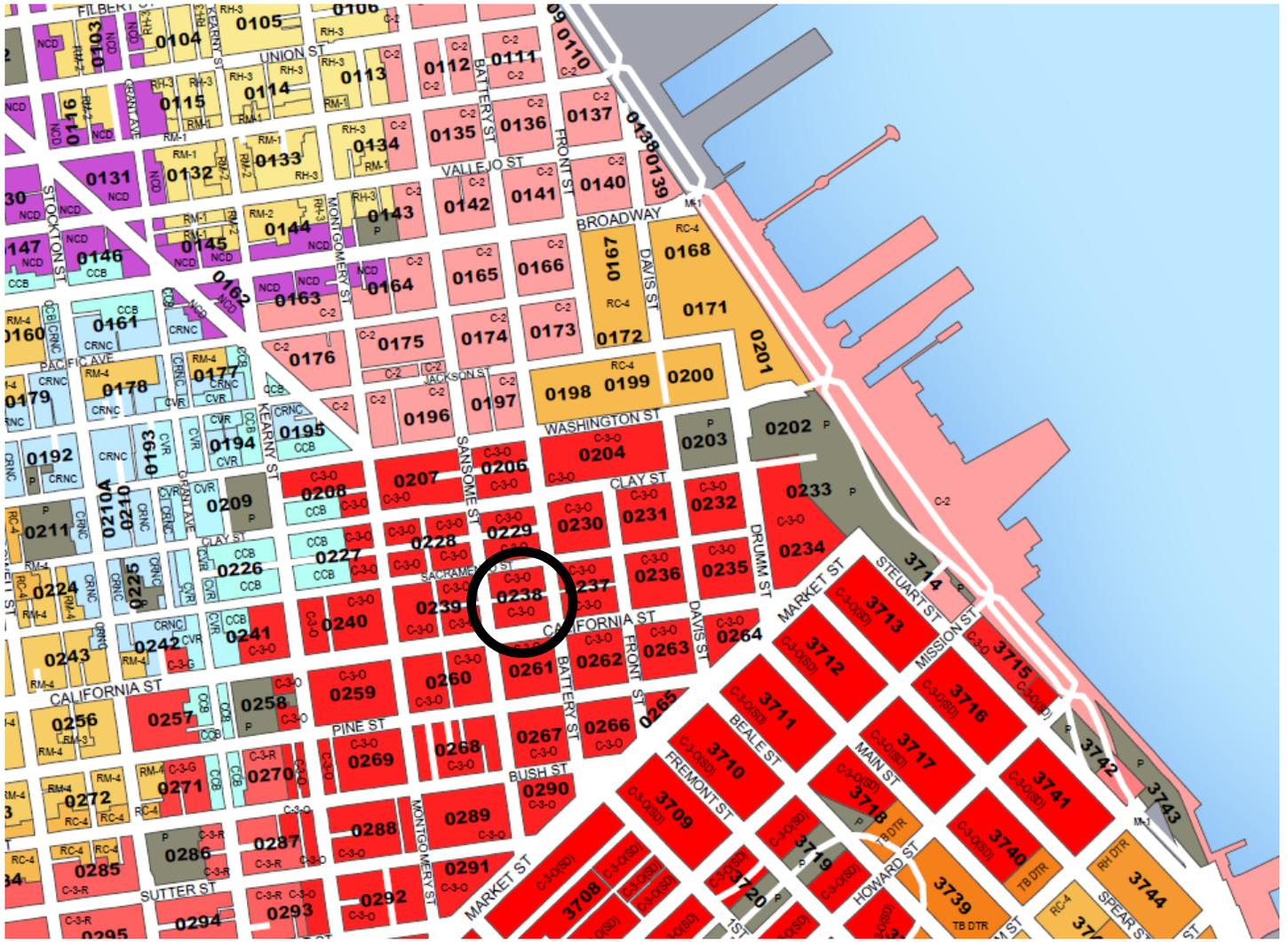


*The Sanborn Maps in San Francisco have not been updated since 1998, and this map may not accurately reflect existing conditions.



Office Expansion
 309/Office Allocation Applications
 Case Number 2012.0605EBKXU
 300 California Street

Zoning Map



Office Expansion
309/Office Allocation Applications
Case Number 2012.0605EBKXU
300 California Street

Aerial Photo



SUBJECT PROPERTY



Office Expansion
309/Office Allocation Applications
Case Number 2012.0605EBKXU
300 California Street

Aerial Photo



SUBJECT PROPERTY



Office Expansion
309/Office Allocation Applications
Case Number 2012.0605EBKXU
300 California Street

Aerial Photo



SUBJECT PROPERTY



Office Expansion
309/Office Allocation Applications
Case Number 2012.0605EBKXU
300 California Street

Aerial Photo

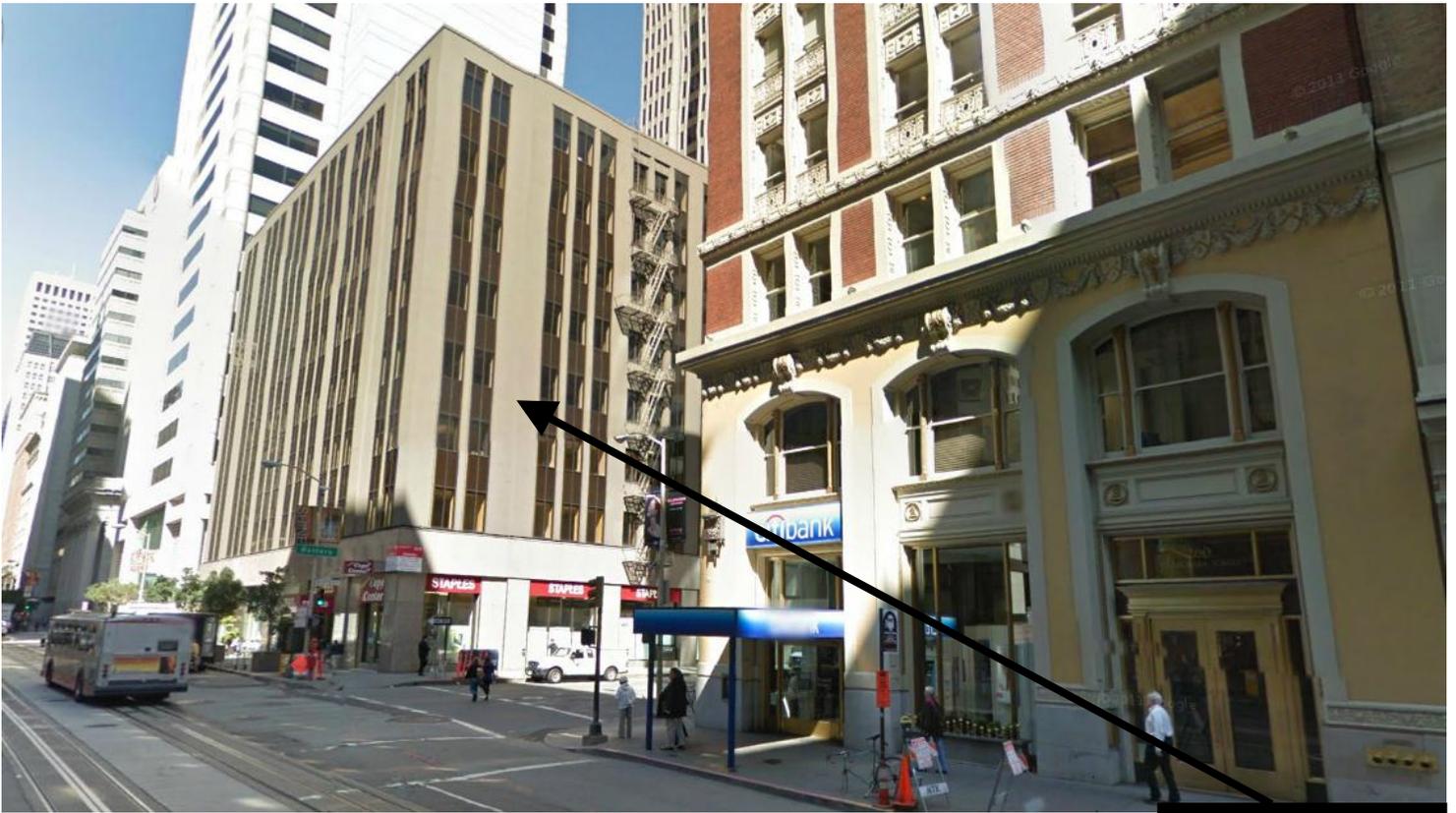


SUBJECT PROPERTY

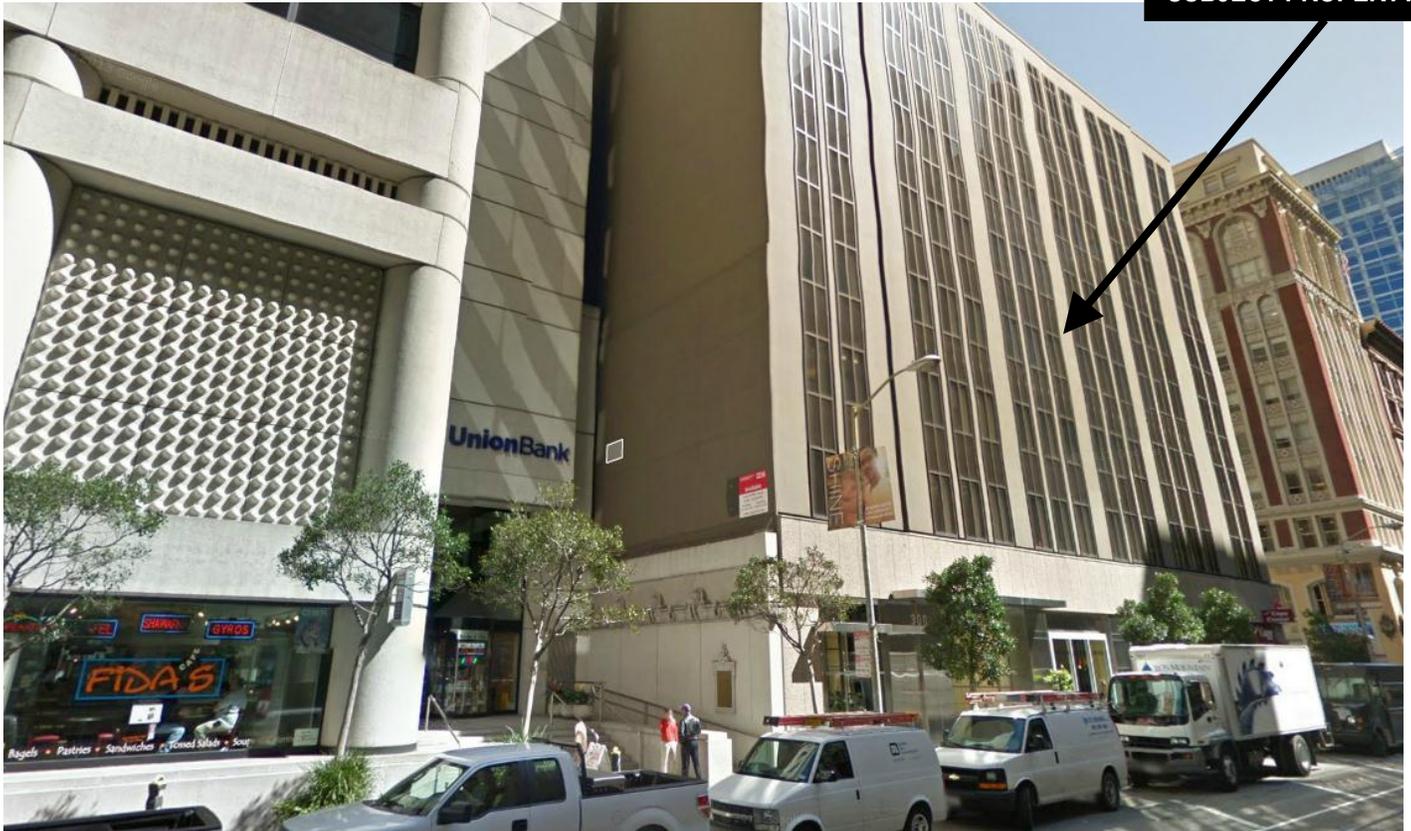


Office Expansion
309/Office Allocation Applications
Case Number 2012.0605EBKXU
300 California Street

Site Photo



SUBJECT PROPERTY



Office Expansion
309/Office Allocation Applications
Case Number 2012.0605EBKXU
300 California Street

REUBEN, JUNIUS & ROSE, LLP

November 14, 2013

By Messenger

Mr. Rodney Fong, President
San Francisco Planning Commission
1650 Mission Street, 4th Floor
San Francisco, CA 94103

**Re: 300 California Street
Project Sponsor's Brief in Support
CPC Hearing Date: December 5, 2013
Case No.: 2013.0605
Our File No.: 5827.02**

Dear President Fong and Commissioners:

This office represents 300 California Partners, LLC ("Project Sponsor"), the owner of the building located at 300 California Street, at the northwest corner of California and Battery Streets in downtown San Francisco (the "Property"). The Property is currently improved with an 8-story office building with ground floor retail. The Project Sponsor proposes a 4-story vertical addition to the building that would increase the existing office area of 105,787 square feet by 56,459 square feet, for a total of 162,246 square feet of office space.

The Project will provide at least 1,200 square feet of new public open space with a terrace on the rooftop of the new addition. This will provide a scenic and comfortable place for area workers to eat lunch, take a break, or meet with work contacts. The Project will significantly improve the streetscape environment consistent with the Downtown Plan streetscape guidelines. The Project will also improve the ground floor street frontage by removing the existing non-transparent surface of one of the building's bays along the Battery Street frontage and replacing it with a window, further improving the pedestrian experience.

The Project efficiently provides an additional 56,459 square feet of office space in a vertical addition of an existing office building in the downtown Central Business District. The existing building was modest in height compared to its neighbors, just 8 stories, and the increase of 4 stories in height will make it more consistent with the buildings on the three other corners of the intersection (10, 10 and 14 stories) and will cast virtually no discernable new shadow.

James A. Reuben | Andrew J. Junius | Kevin H. Rose | Daniel A. Frattin
Sheryl Reuben¹ | David Silverman | Thomas Tunny | Jay F. Drake | John Kevin
Lindsay M. Petrone | Melinda A. Sarjapur | Kenda H. McIntosh | Jared Eigerman^{2,3} | John McInerney III²

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

One Bush Street, Suite 600
San Francisco, CA 94104

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fax: 415-399-9480

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The Project plans are attached as **Exhibit A**. Streetscape plans are attached as **Exhibit B**. Renderings of the completed Project are attached as **Exhibit C**.

The Project Furthers the Goals of the Downtown Plan

The Project will provide significant new Class A office space at a location in a dense urban environment, furthering the Downtown Plan's goals and objectives of concentrating office uses in the Central Business District. The Project is located within the C-3-O District, which has the specific purpose of providing high-density office space.

The Project promotes a number of the objectives of the Downtown Plan including the following:

- Objective 1, where the Plan recognizes "the need to create jobs, specifically for San Franciscans, and to continue San Francisco's role as an international center of commerce and services. New jobs enhance these City functions, to expand employment opportunities, and to provide added tax resources, to make downtown growth at a reasonable scale and desirable course for the City."
- Objective 2, which states that "Almost two-thirds of the City's new permanent jobs in recent years have been located in the Downtown Financial District. This growth, primarily in the finance, insurance, real estate activities, and business services reflects the City's strong competitive advantage in this sector. Since the office sector is the City's major provider of employment opportunities, it is essential that's its vitality remain at a high level."

The Downtown CBD remains the primary economic engine of the City. That is where most of the jobs and transit infrastructure is located. The Downtown Plan prioritizes the continued construction of well-designed office buildings in this core district. The Project advances this important goal.

Economic and Public Benefits from the Project

The Project will bring significant economic benefits to the City in the form of significant development fees, new property taxes, and new jobs. The Project will also provide a major public benefit with the creation of new public open space and streetscape improvements.

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- Fees. The Project will pay significant development fees to fund a variety of City programs including contributions to the Downtown Park Fund, payment of the Transit Impact Development Fee, contributions to the Jobs, Housing Linkage Program, contributions to child care and public schools. **The total value of all of these development fees and exactions equals roughly \$2,205,288 in benefits to the City.**
- Jobs. The Project will provide construction jobs and, once completed, the Project will provide space for significant, new knowledge sector jobs, creating needed space for long term future job growth in the City, and providing additional revenues to the City through the payment of City payroll taxes.
- Property Taxes. The Project will generate significant new annual revenues to the City in property taxes paid into the City's General Fund.
- Improvement of Exterior Appearance. The Project will improve the pedestrian experience along Battery Street by removing the red granite encasing an entire bay and replace it with transparent window. The Project will also remove an existing fire escape on the Battery Street frontage.
- Open Space and Pedestrian Experience. The Project is providing at least 1,200 square feet of new public open space with a rooftop terrace. The Project will significantly improve the streetscape surrounding the existing building consistent with the streetscape guidelines of the Downtown Plan.
- Green Infill. The Project promotes regional green policies by focusing significant new development within San Francisco's existing urban core. Such infill developments make use of existing transportation and other infrastructure while reducing the need for expanding the regional urban boundaries through greenfield development.

Exceptions Requested

The Project requires three exceptions to the Planning Code under Section 309: an exception from the upper-story setback requirement (Section 132.1); an exception to the wind comfort criterion (Section 148), and an exception to the off-street loading requirement (Section 152.1).

Upper-Story Setbacks. The Project requires an exception to the upper story setback requirement since it does not provide a 1.5 foot setback above 102.5 feet along its Halleck Street frontage and does not provide a 15 foot setback above 102.5 feet along its western interior lot

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line. The Halleck Street setback requirement is minimal, and a 1.5 foot difference above a height of 102.5 feet will have a negligible impact on light and air reaching Halleck Street, which is extremely narrow, has no primary pedestrian entrances, and is mostly used as parking and loading access to adjacent buildings. The Project proposes a lot line development along its western interior lot line, which is adjacent to a 22-story building, and in particular, an elevator core and two portions of the building on either side that are set back over 30 feet from the property line. These 30-foot setbacks provide the same building separation as would two new buildings that are consistent with this section of the Planning Code, and therefore the intent of the requirement is met here.

Wind Exception. The Project requires a minor exception to Planning Code Section 148. The Project does not create any wind hazards, nor does it cause a net increase in exceedances of the comfort criterion, but since two of the exceedances have changed locations, an exception is still required. The two relocated exceedances are on the east side of Battery Street and at one of the roof decks at the northwest corner of the 12th floor, and both have wind speeds that exceed 12 m.p.h. more than 10% of the year – just one m.p.h. above the threshold. Since the existing building is being retained and extended vertically, no reshaping or redesign can be incorporated that would eliminate the comfort criterion exceedances. However, virtually all large downtown buildings require an exception to Section 148. This Project is no different, and, in the words of the wind consultant for the Project, the wind conditions “generally remained the same when compared to existing conditions.”

Off-Street Loading. The existing building at the Property provides one, larger-than-required, off-street loading space in a below-grade garage. The Planning Code requires that the Project provide a second off-street loading space. Since the Project is not expanding the size of the garage, it would be infeasible to create a second loading space. In addition, the Project is served by significant on-street loading along Halleck Street – no parking is permitted along the street, and therefore it functions as additional loading area for the adjacent buildings. This, along with an existing, larger-than-required loading space in the garage, will be adequate to serve the Project.

Conclusion

The Project proposes the efficient creation of significant new office space in a vertical addition to an existing, modest-sized building in the city’s downtown area. The Project would make the building more consistent with its surrounding built environment. It will provide significant new public open space, streetscape improvements, and will improve the building’s exterior appearance. Being located in an already-dense environment, the Project will have virtually no negative impact on pedestrians due to shadow or winds. The Project is fully

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San Francisco, CA 94104

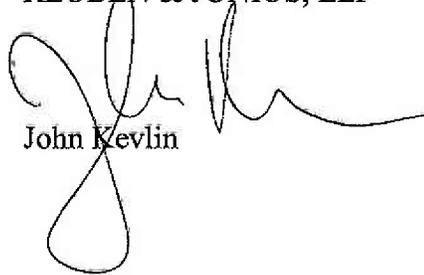
tel: 415-567-9000
fax: 415-399-9480

President Rodney Fong and Commissioners
San Francisco Planning Commission
November 14, 2013
Page 5

consistent with the Downtown Plan. We respectfully request that the Planning Commission approve the Project.

Very truly yours,

REUBEN & JUNIUS, LLP



John Kevlin

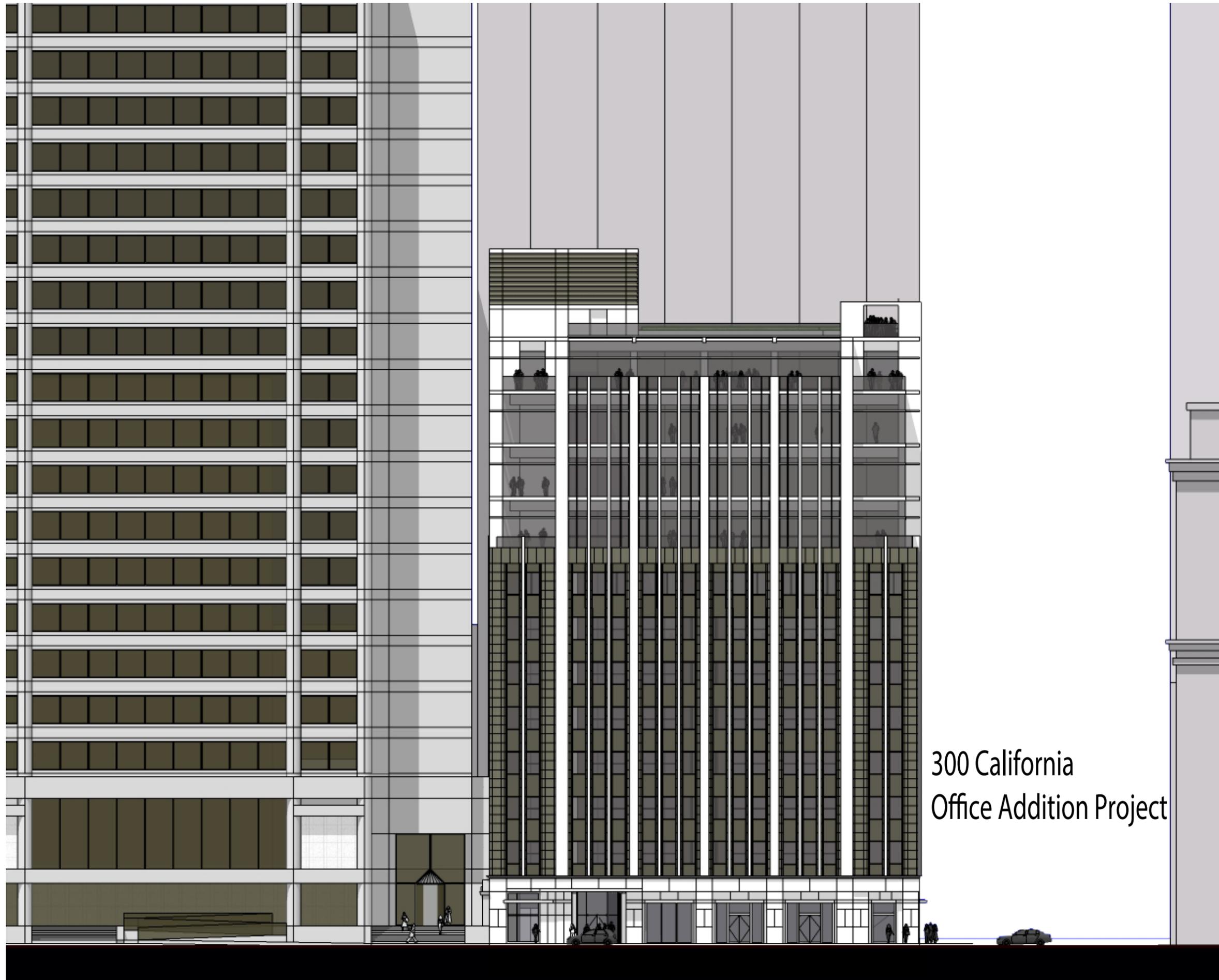
cc: Vice President Cindy Wu
Commissioner Michael Antonini
Commissioner Gwyneth Borden
Commissioner Rich Hillis
Commissioner Kathrin Moore
Commissioner Hisashi Sugaya
John Rahaim – Planning Director
Jonas Ionan – Commission Secretary
Elizabeth Watty – Project Planner
300 California Partners, LLC

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REUBEN, JUNIUS & ROSE, LLP

www.reubenlaw.com



300 California
Office Addition Project

300 California
Office Addition
Project

300
California
Partners, LLC

SEPTEMBER 12, 2013

PROJECT INFORMATION

Location and Classification

STREET ADDRESS OF PROJECT: 300 California Street			ZIP CODE: 94104	
CROSS STREETS: Battery Street & Halleck Street				
ASSESSORS BLOCK/LOT: 0238 / 002	LOT DIMENSIONS: 121.75' x 124'	LOT AREA (SQ FT): 15,097	ZONING DISTRICT: C - 3 - O	HEIGHT/BULK DISTRICT: 400 - S

Project Description

Vertical Addition of 4 floors of office to an existing 8 story office building. Existing basement parking and ground floor retail uses would remain. Publically accessible open space will be provided at a rooftop terrace level.

	EXISTING USES:	EXISTING USES TO BE RETAINED:	NET NEW CONSTRUCTION AND/OR ADDITION:	PROJECT TOTALS:
GROSS SQUARE FOOTAGE (GSF)				
Retail	11,400	11,400		11,400
Office	105,787	105,787	56,459	162,246
Parking (Not included in GSF)	12,920	12,920		
TOTAL GSF	117,187	118,071	56,459	173,646
Publicly Accessible Open Space @ Roof Terrace			1,200	1,200
PROJECT FEATURES				
Parking Spaces	77 (valet)	77 (valet)		77 (valet)
Loading Spaces	1	1		1
Number of Buildings	1	1		1
Height of Building(s)	128' - 5 1/2"	107' - 9 1/2"	85' - 0"	192' - 9 1/2"
Number of Stories	8	8	4	12

Building Code Analysis

Applicable Codes: 2010 California Building Code (CBC)
 2010 California Plumbing Code (CPC)
 2010 San Francisco Building Code (SFBC)
 2010 San Francisco Plumbing Code (SFPC)
 San Francisco Planning Code (SFPC)

Use: Office

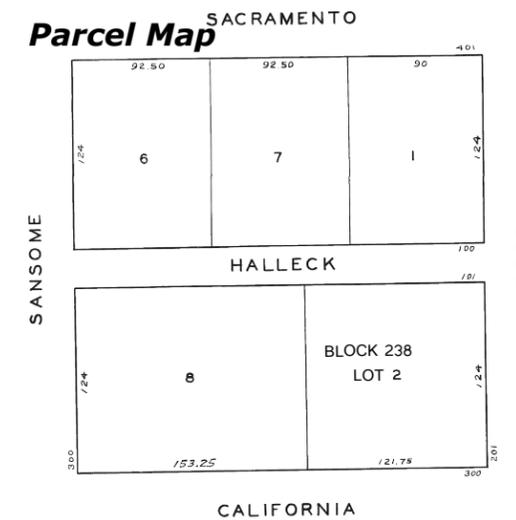
Occupancy Classification: Primary Occupancy: B
 Accessory Occupancy: A-3 (Conf/Mtg Rms)
 M (Retail)
 S-2 (Parking)

Occupancy Separation: Separated Occupancy Between B or M and S-2

Construction Type: Type I; Fully Sprinklered

Drawing List

- Cover Page
- 1 Project Information
- 1.5 Building Area Calculations
- 2 Site Location Plan
- 3 Existing Basement Plan
- 4 Existing Ground Floor Plan
- 5 Existing Typical Floor 2-8
- 6 Existing Roof Plan
- 6.5 Existing Roof Photos
- 7 Proposed Basement Plan
- 7.5 Proposed Ground Floor Plan
- 8 Proposed Level 9
- 9 Proposed Typical Floor 10-11
- 10 Proposed Floor 12
- 11 Proposed Roof Terrace
- 12 California Street Before & After Elevations
- 13 Battery Street Before & After Elevations
- 14 Halleck Street Before & After Elevations
- 15 3D in Context
- 16 3D in Context
- 17 Looking West on California Street
- 18 Looking East on California Street
- 19 Looking North on Battery Street
- 20 Open Space Looking South
- 21 Level 12 Balcony View Looking East
- 22 Street Level View



Existing Building View

BUILDING AREA CALCULATIONS

Gross and Occupied Floor Area Calculations

	Building Floor Area	Gross Area Exclusions				Gross Floor Area	Occupied Floor Area Exclusions					Occupied Floor Area
		Building Operations 102.9(b)(1)	Accessory Parking 102.9(b)(6)	Ground Flr. Circulation 102.9(b)(11)	Ground Flr. Retail < 5000sf 102.9(b)(12)		Exterior Walls 102.10(b)	Mech Equip. 102.10(c)	Restrooms 102.10(d)	Retail Mgt. and Storage 102.10(e)	Tenant Storage 102.10(f)	
Basement	17,910	3,391	12,920			1,599	467		40		132	776
Ground	13,950			1,633	917	11,400	562			1,337		9,501
2	14,884					14,884	622	357	438			13,467
3	14,884					14,884	622	357	438			13,467
4	14,884					14,884	622	357	438			13,467
5	14,884					14,884	622	357	438			13,467
6	14,884					14,884	622	357	438			13,467
7	14,884					14,884	622	357	438			13,467
8	14,884					14,884	622	357	438			13,467
9	14,783					14,783	678		438			13,667
10	14,783					14,783	678		438			13,667
11	14,783					14,783	678		438			13,667
12	11,600					11,600	678		438			10,484
Penthouse	3,610	3,100				510	74					436
Totals	195,607	6,491	12,920	1,633	917	173,646	8,169	2,499	4,858	1,337	132	156,651

New Construction

Bicycle Parking Calculations

Class 1			Class 2		
Minimum No. of Class 1 Spaces Required (per Table 155.2)	Occupied Floor Area	No. of Spaces	Minimum No. of Class 2 Spaces Required (per Table 155.2)	Occupied Floor Area	No. of Spaces
Office: One Class 1 space for every 5,000 occupied square feet.	147,150	30	Office: Minimum two spaces for any office use greater than 5,000 gross square feet, one Class 2 space for each additional 50,000 occupied square feet.	147,150	3
Retail: One Class 1 space for every 7,500 square feet of occupied floor area.	9,501	2	Retail: Minimum two spaces. One Class 2 space for every 2,500 sq. ft. of occupied floor area. For uses larger than 50,000 gross square feet, 10 Class 2 spaces plus one Class 2 space for every additional 10,000 occupied square feet.	9,501	4
Total Spaces	156,651	32		156,651	7

Transfer of Development Rights Calculations

Gross Floor Area after Sec 102.9 Exclusions	173,646
Gross Floor Permitted (Base FAR 9:1)Area after Sec 102.9 Exclusions	135,873
Gross Floor Permitted (Base Max FAR 18:1)	271,746
TDR Required (Gross Floor Area - Base FAR Permitted)	37,773

Publicly Accessibly Open Space Requirement

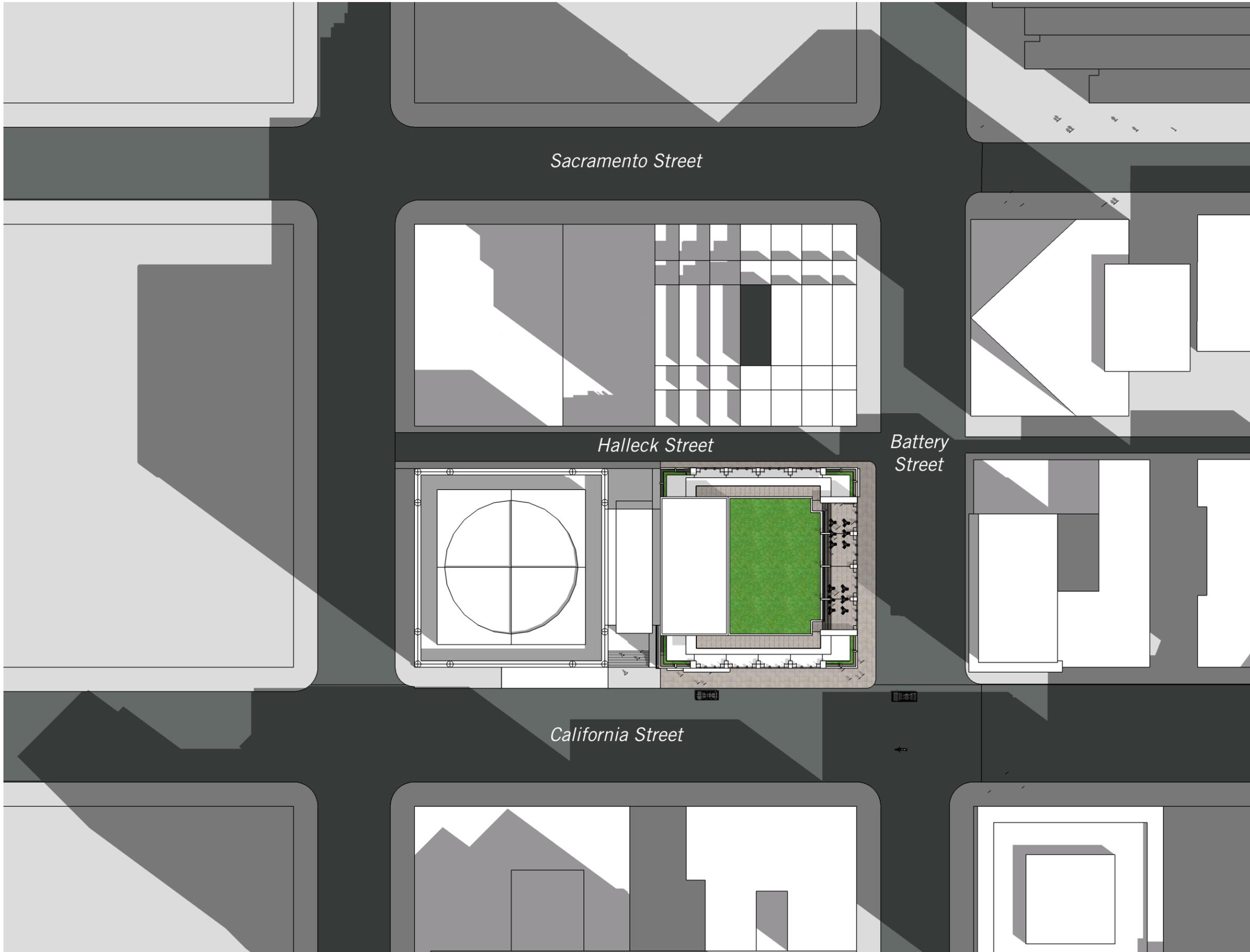
Net New Construction/ Addition Space use	Addition/Construction Area	Open Space	
		Required	Provided
Office	56,459	1,129	1,200

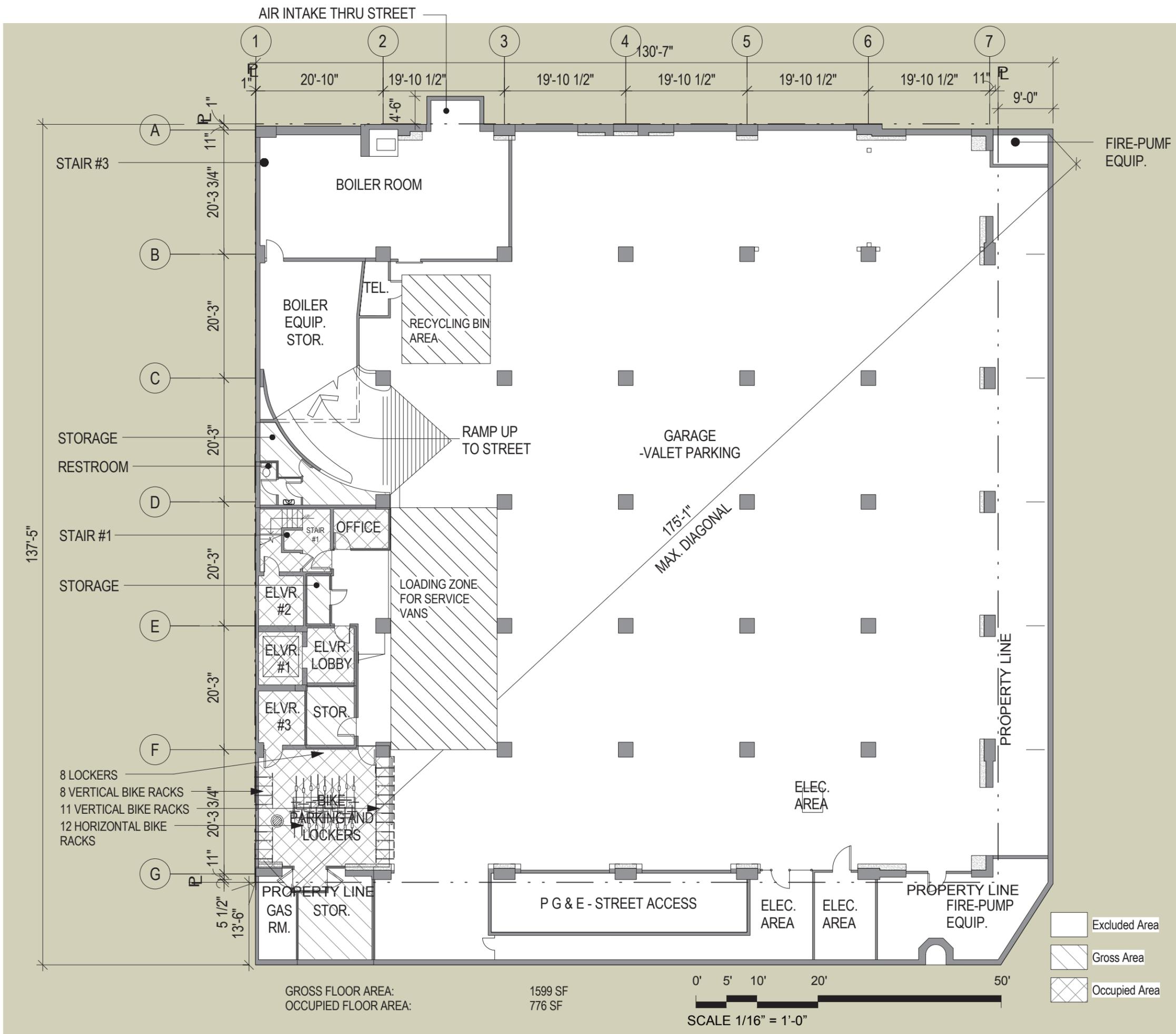
300 California
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Project

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Site
Location Plan





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Existing
Basement Plan

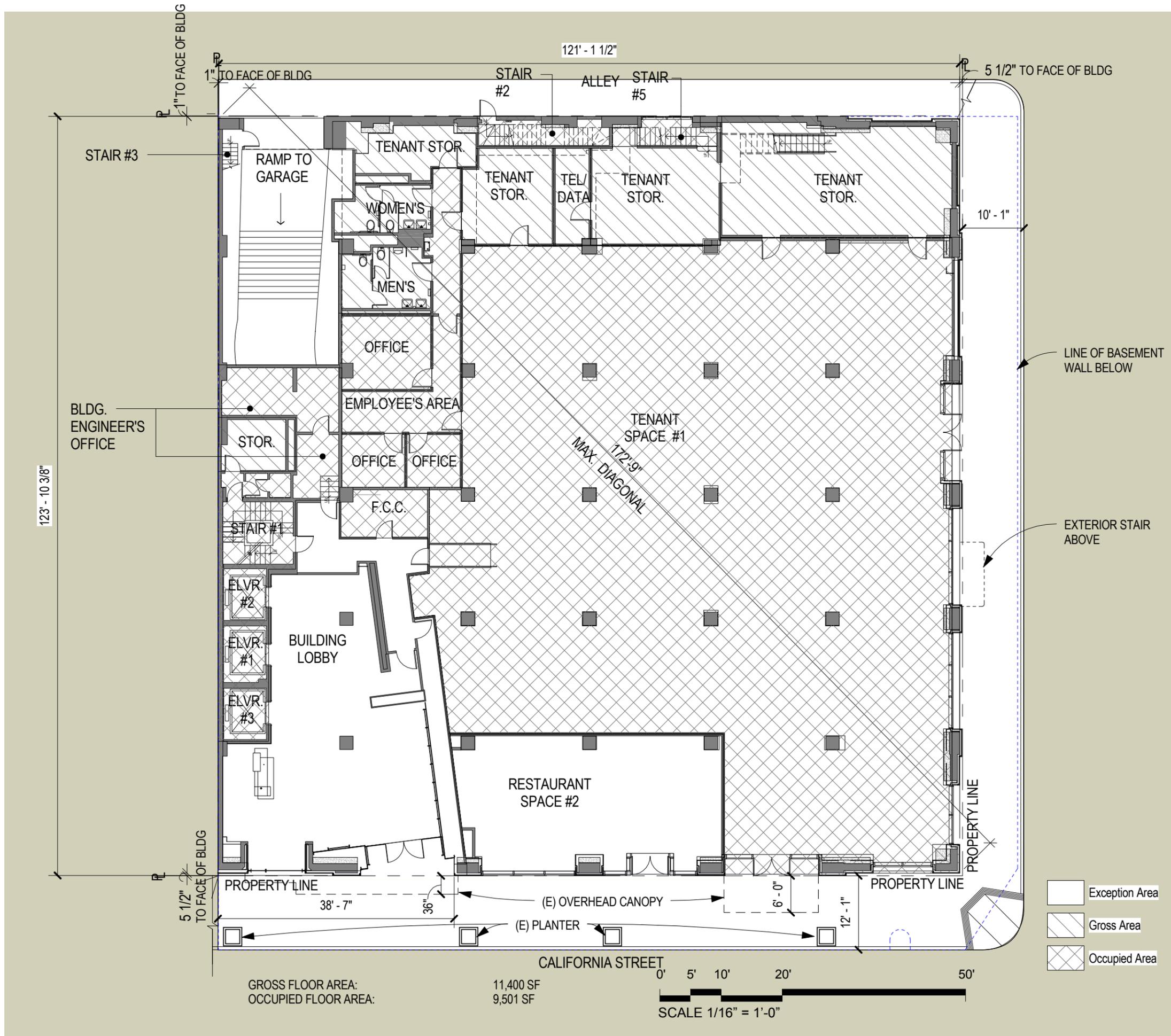
300 California Office Addition Project

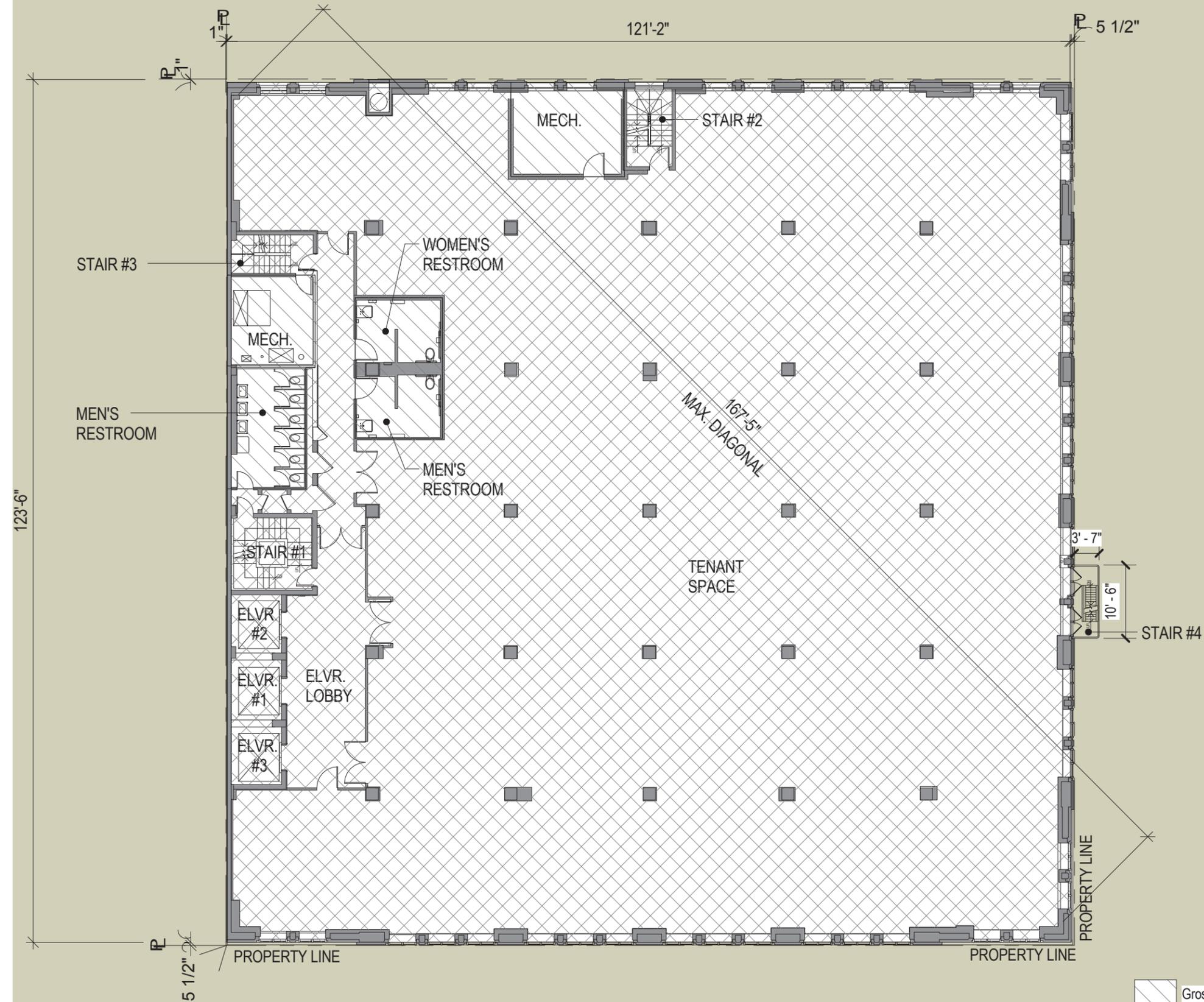
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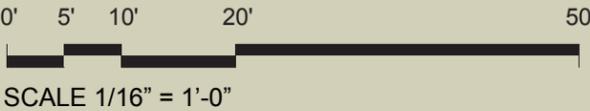
Existing Ground Floor Plan

4





GROSS FLOOR AREA: 14,884 SF
 OCCUPIED FLOOR AREA: 13,467 SF



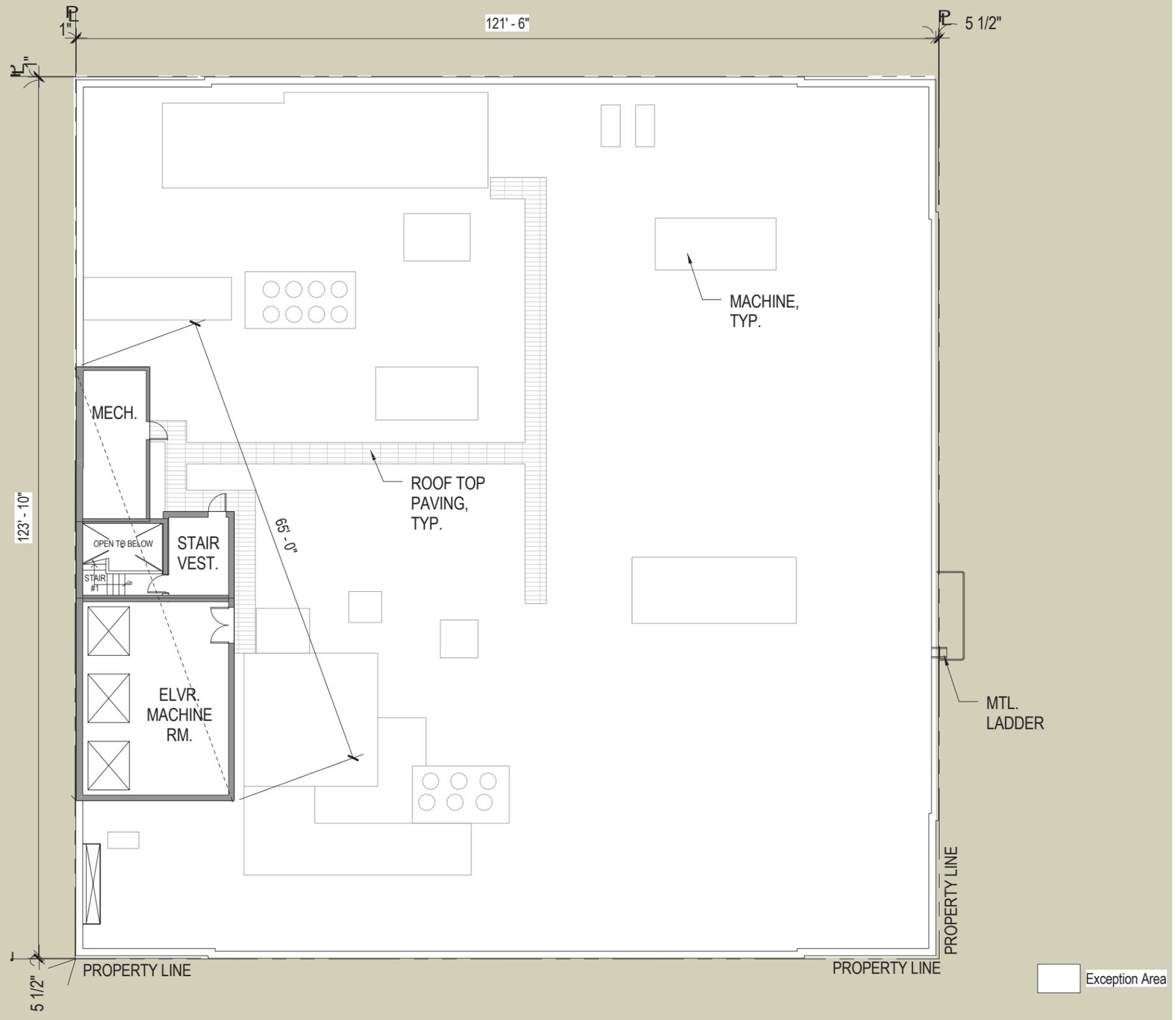
- Gross Area
- Occupied Area

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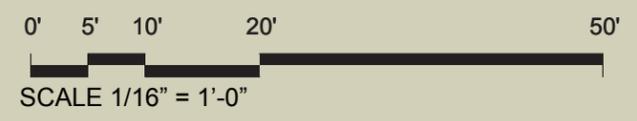
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 Partners, LLC

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Existing
 Typical Floor
 2-8



GROSS FLOOR AREA: 0 SF
 OCCUPIED FLOOR AREA: 0 SF



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Existing Roof



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Existing Roof
Photos

6.5

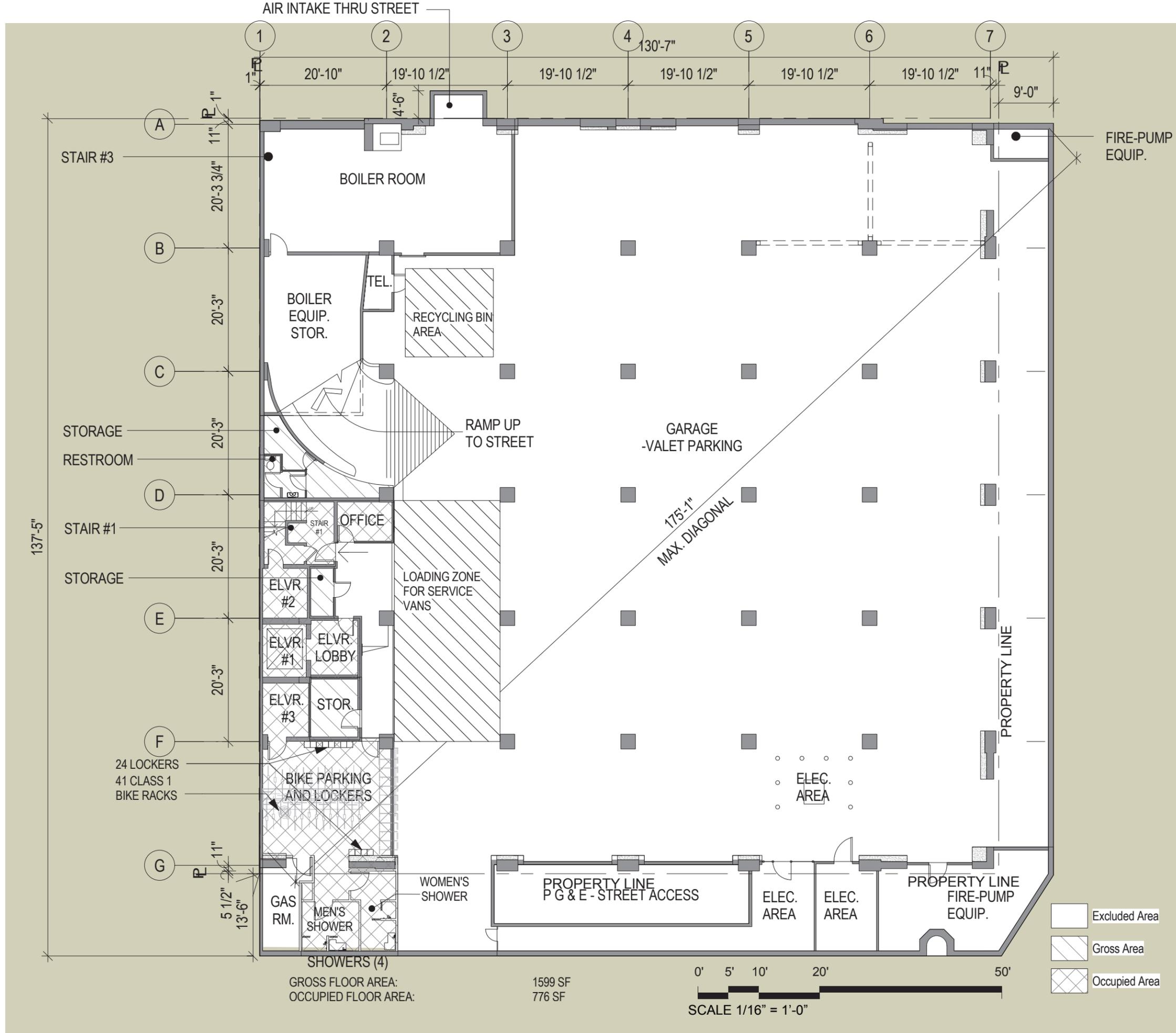
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Office Addition
Project

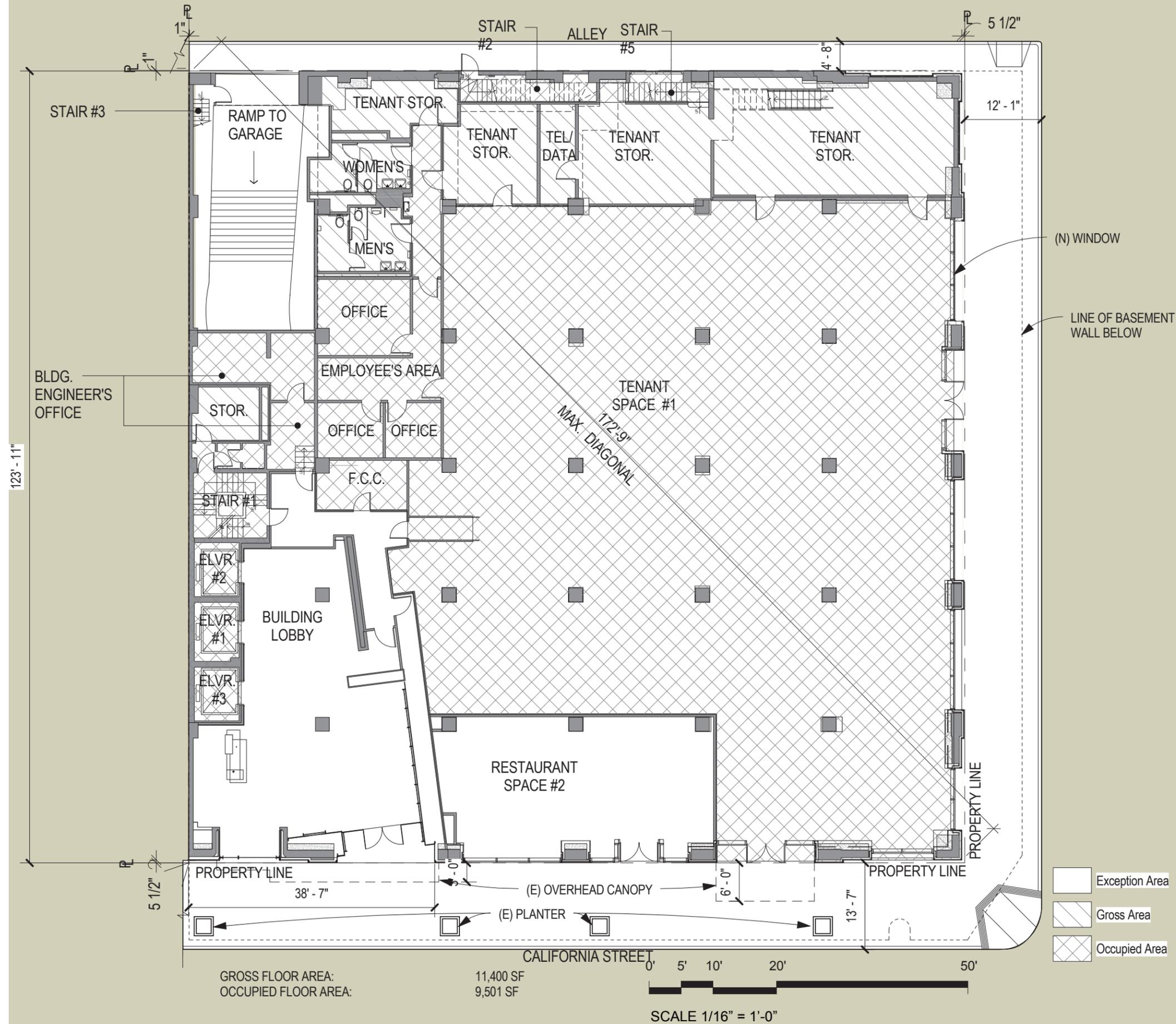
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California
Partners, LLC

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Proposed
Basement Plan

7





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Proposed Ground Floor Plan

7.5

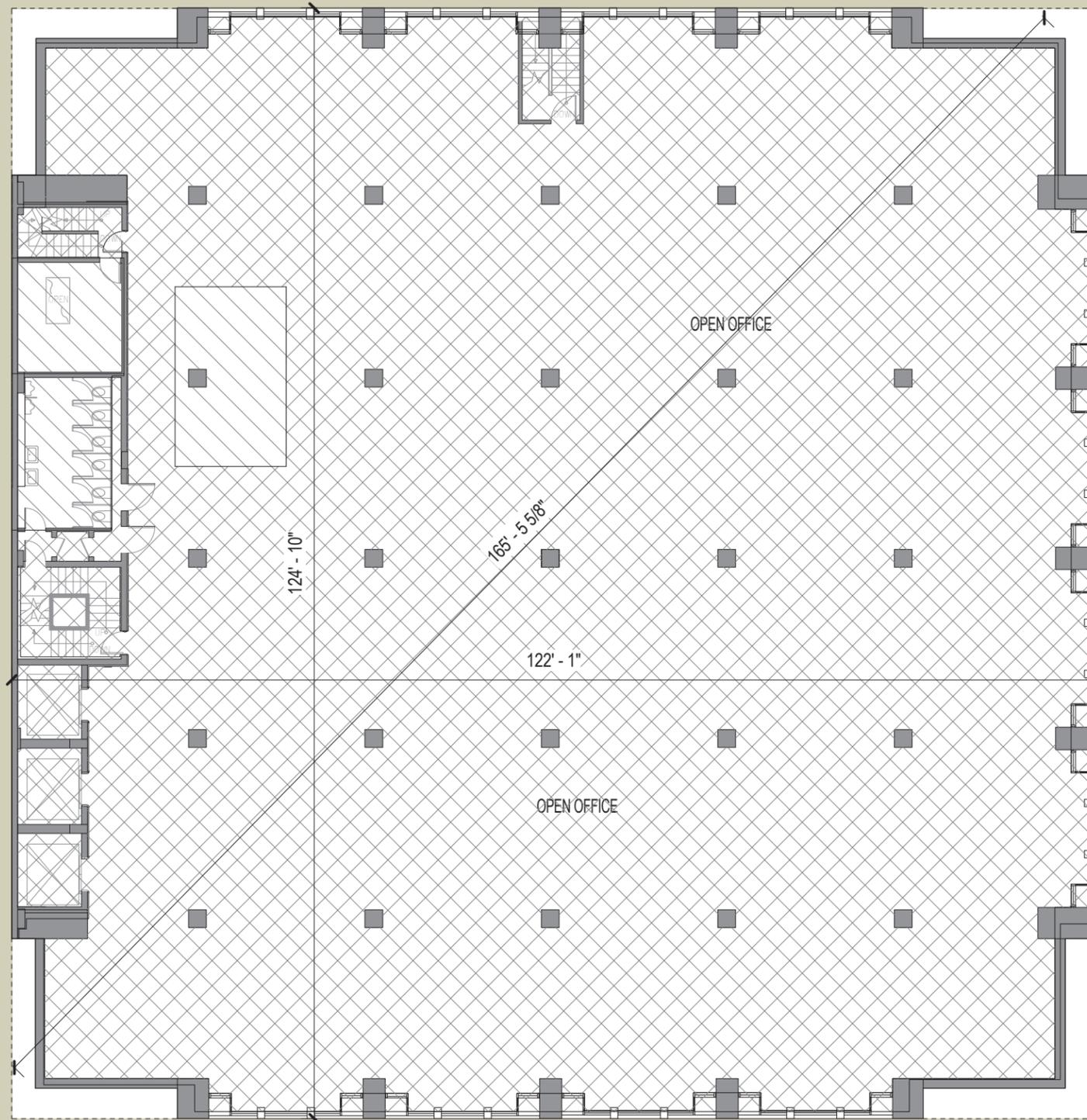
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Proposed
Floor 9

8



 Gross Area
 Occupied Area

GROSS FLOOR AREA: 14,783 SF
OCCUPIED FLOOR AREA: 13,667 SF



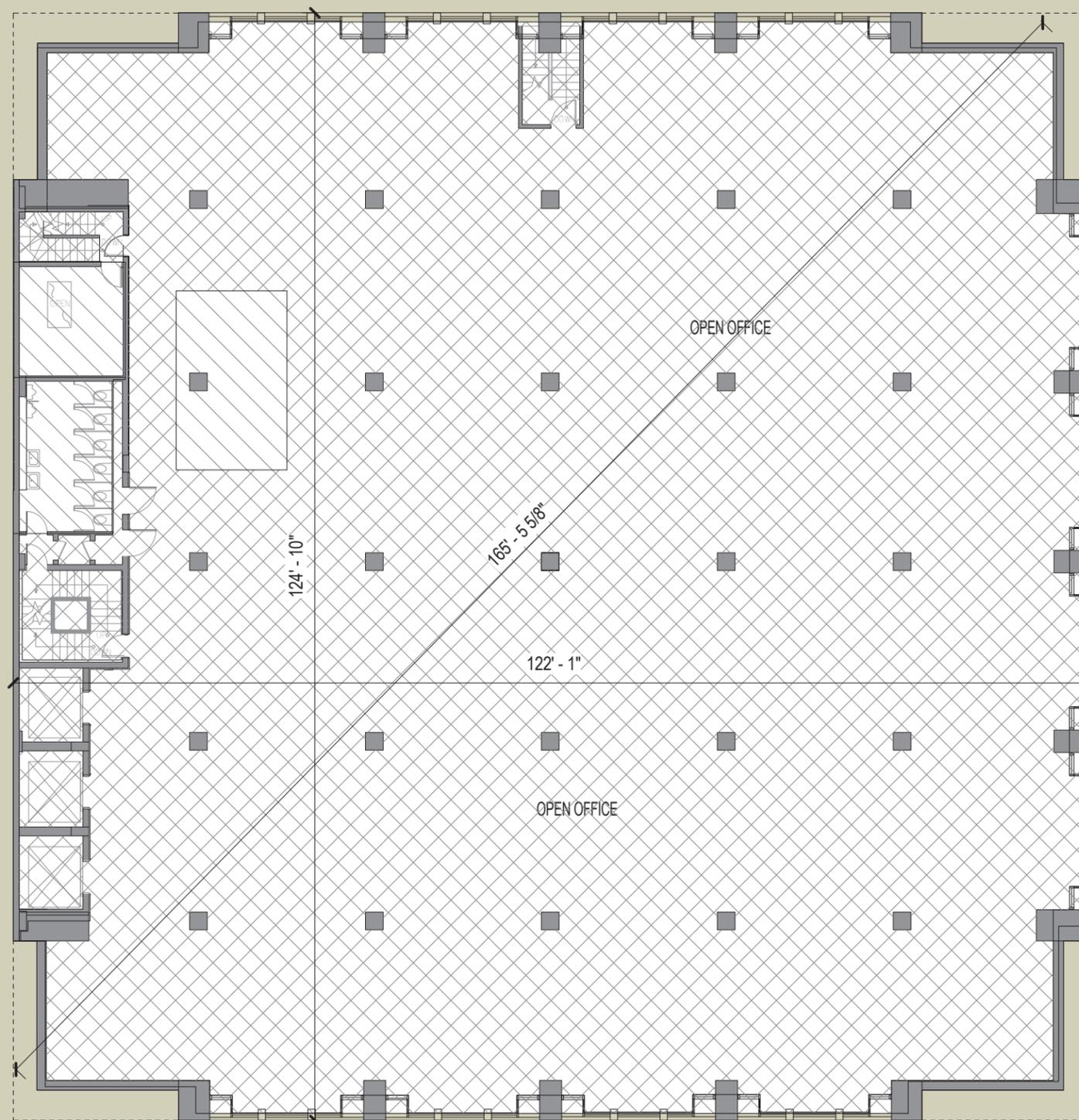
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Proposed
Typical Floor
10-11

9



GROSS FLOOR AREA: 14,783 SF
OCCUPIED FLOOR AREA: 13,667 SF



 Gross Area
 Occupied Area

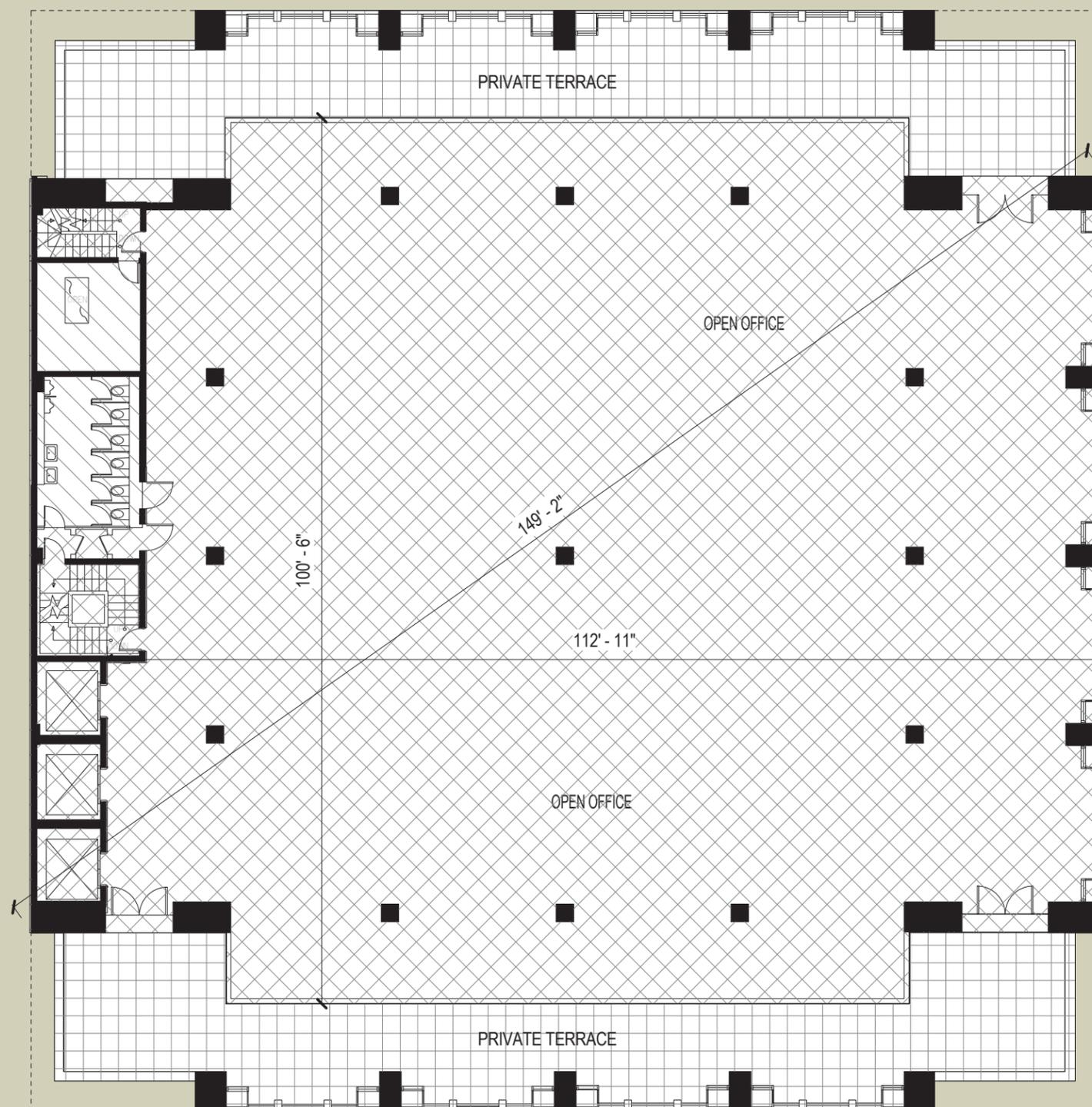
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Proposed
 Floor 12

10



GROSS FLOOR AREA: 11,600 SF
 OCCUPIED FLOOR AREA: 10,484 SF



SCALE 1/16" = 1'-0"

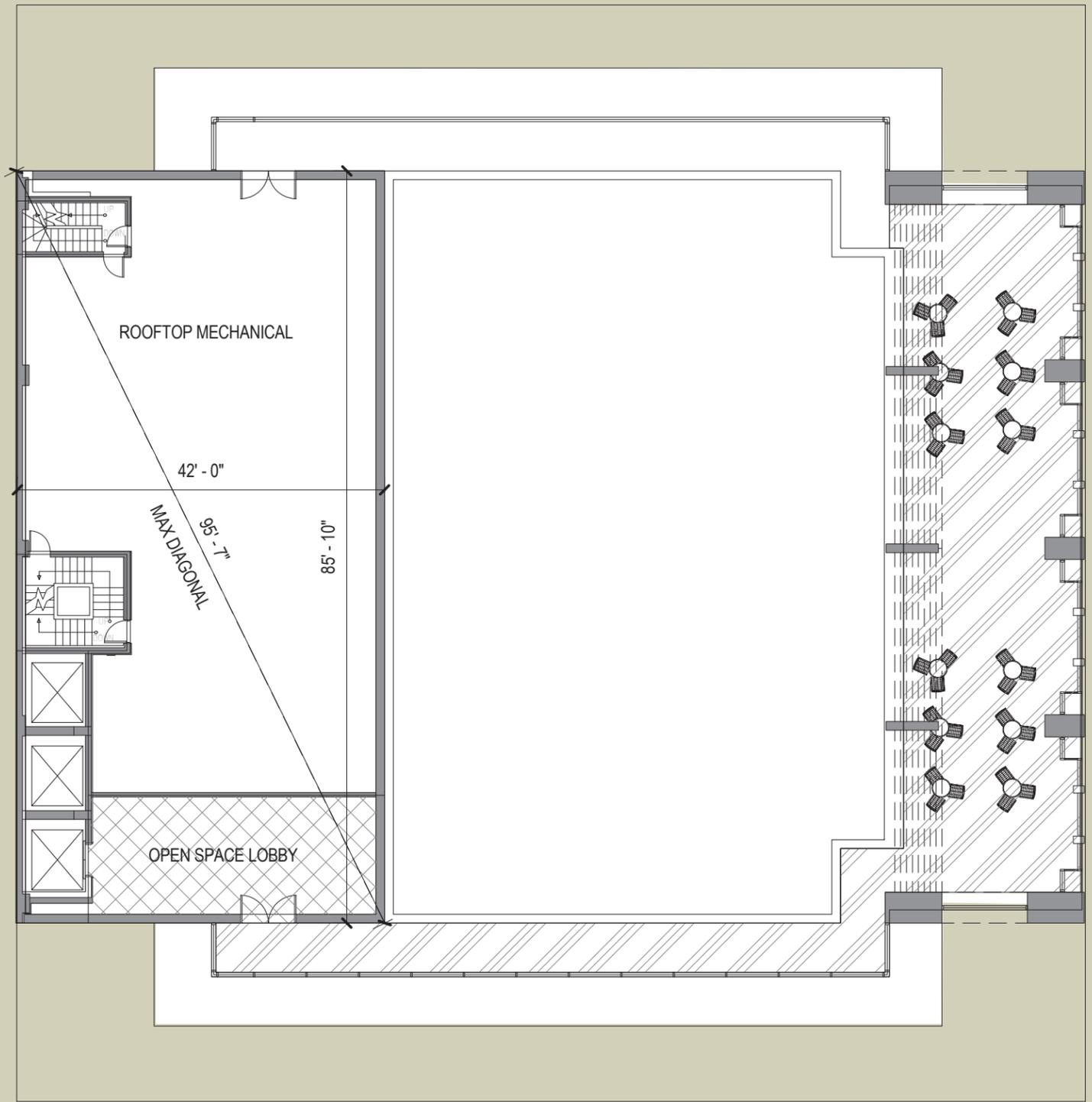
-  Gross Area
-  Occupied Area
-  Private Terrace

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Proposed
Roof Terrace



GROSS FLOOR AREA: 703 SF
OCCUPIED FLOOR AREA: 451 SF

0' 5' 10' 20' 50'
SCALE 1/16" = 1'-0"

- Exception Area
- Occupied Area
- Public Open Space

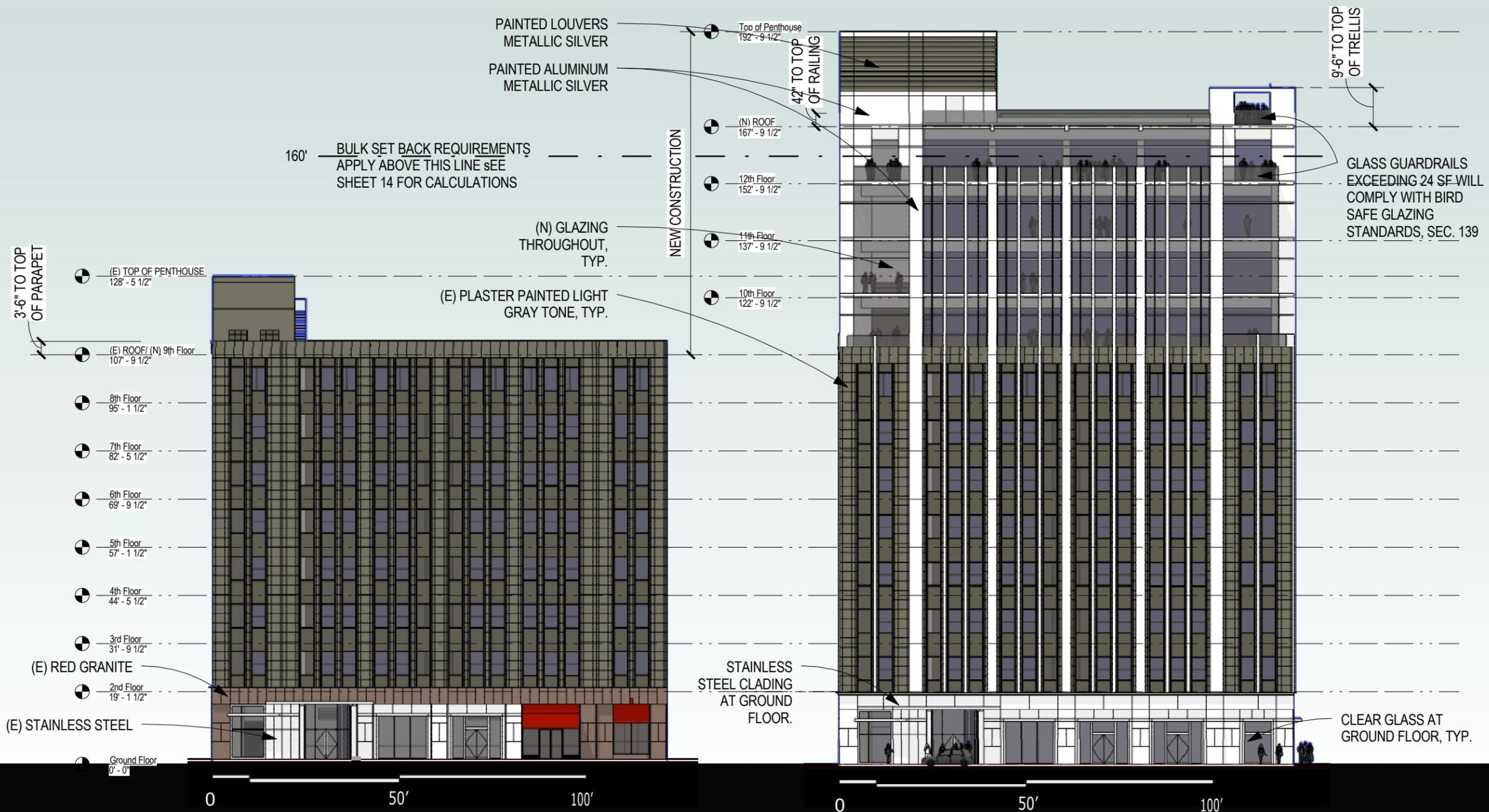
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California Street
 Before & After
 Elevations

12



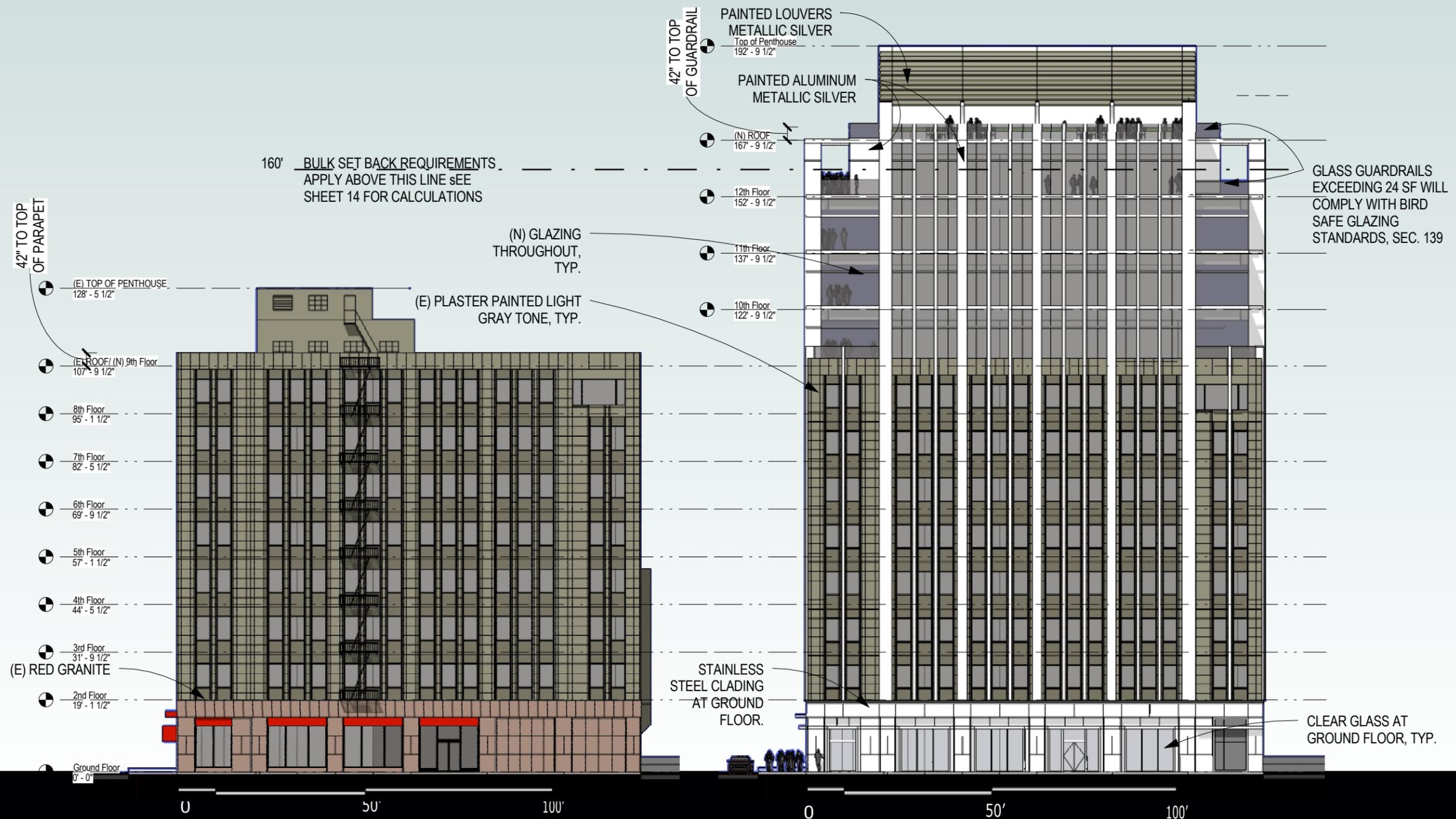
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Battery Street
Before & After
Elevations

13



BULK CALCULATION FOR 400-S AREA

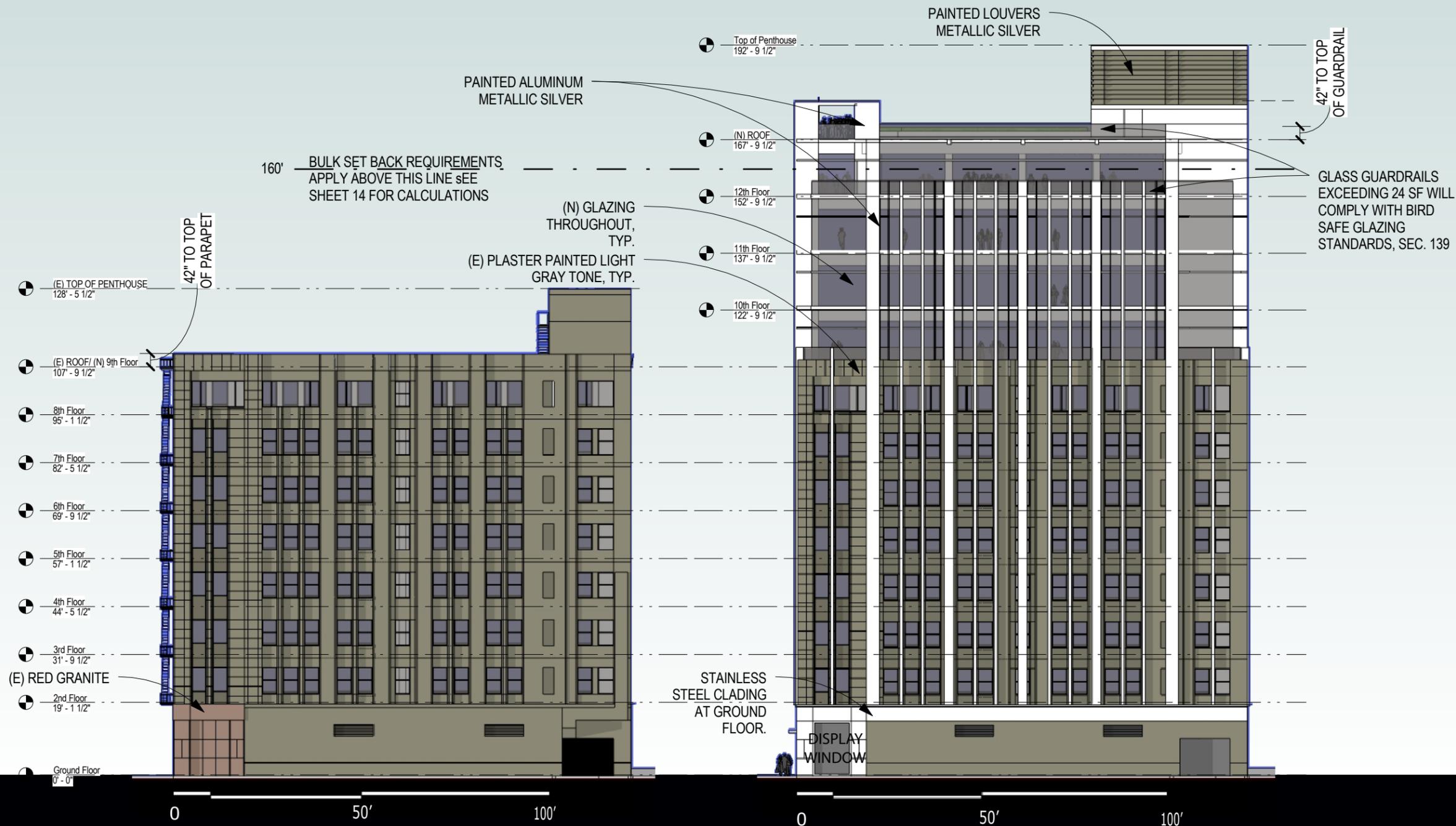
STREET WIDTH AT CALIFORNIA - 82'-6"

BASE HEIGHT = 82.5' x 1.25 = 103'

LOWER TOWER = 103' TO 160'

UPPER TOWER > 160'

	BASE LIMITS	PROPOSED BASE	LOWER TOWER LIMITS	PROPOSED LOWER TOWER	UPPER TOWER LIMITS	PROPOSED UPPER TOWER
MAX. LENGTH	N/A	123' 10"	160 FT	123' 10"	130 FT	112' 11 3/8"
MAX. AVG. DIAGONAL	N/A	172'-9"	190 FT	165' 6"	160 FT	149' 2"
MAX. AVG. FLOOR SIZE	N/A	14,434 SF	17,000 SF	14,783 SF	12,000 SF	11,600 SF
MAX. FLOOR SIZE	N/A	14,884 SF	20,000 SF	14,783 SF	17,000 SF	11,600 SF
VOLUME REDUCTION	N/A		N/A		20% REDUCTION = 177,396 CF	174,000 CF



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Halleck Street
Before & After
Elevations



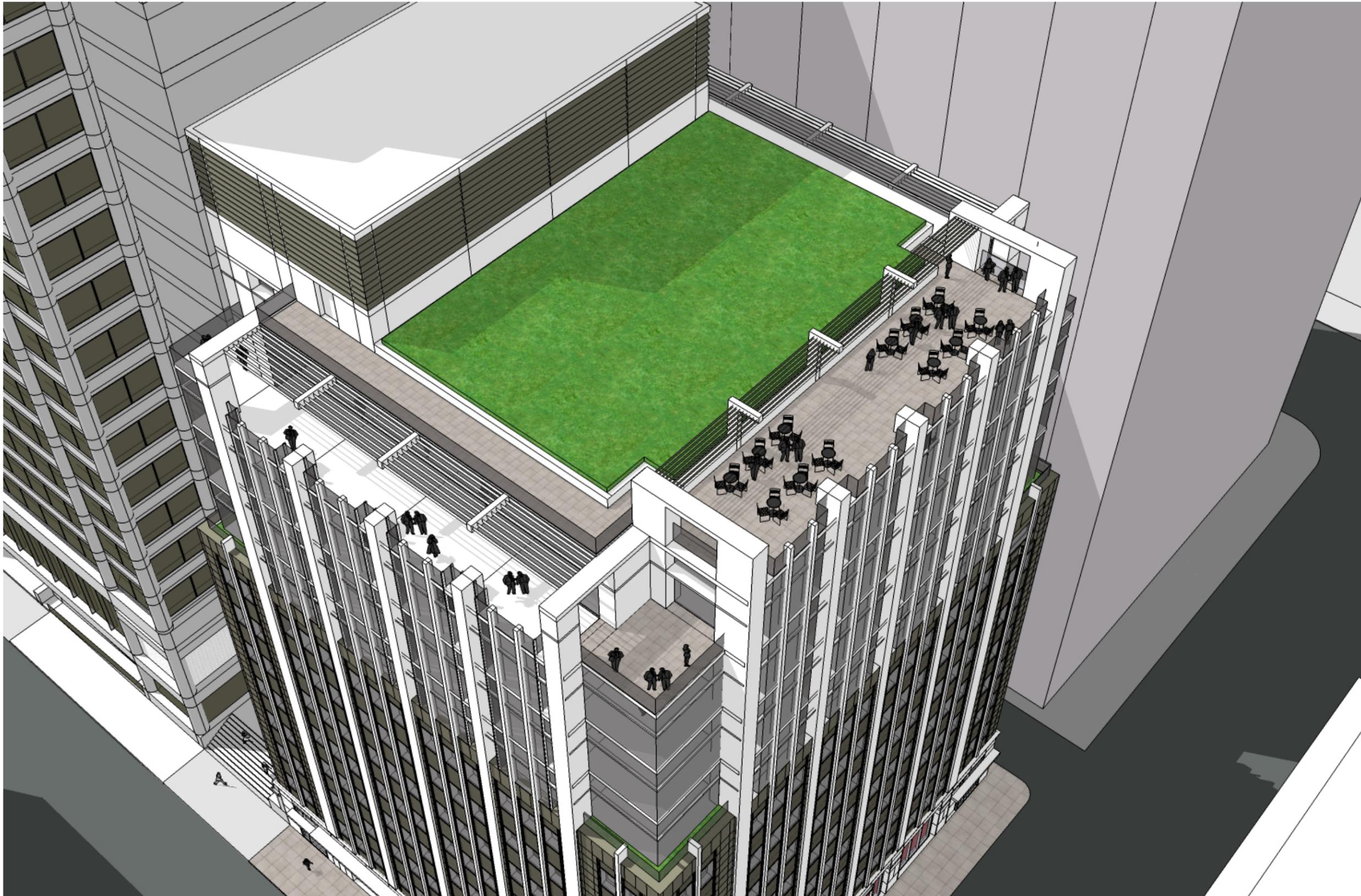
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3-D in context

15



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3-D in context

16

160 Pine Street SF, CA 94111

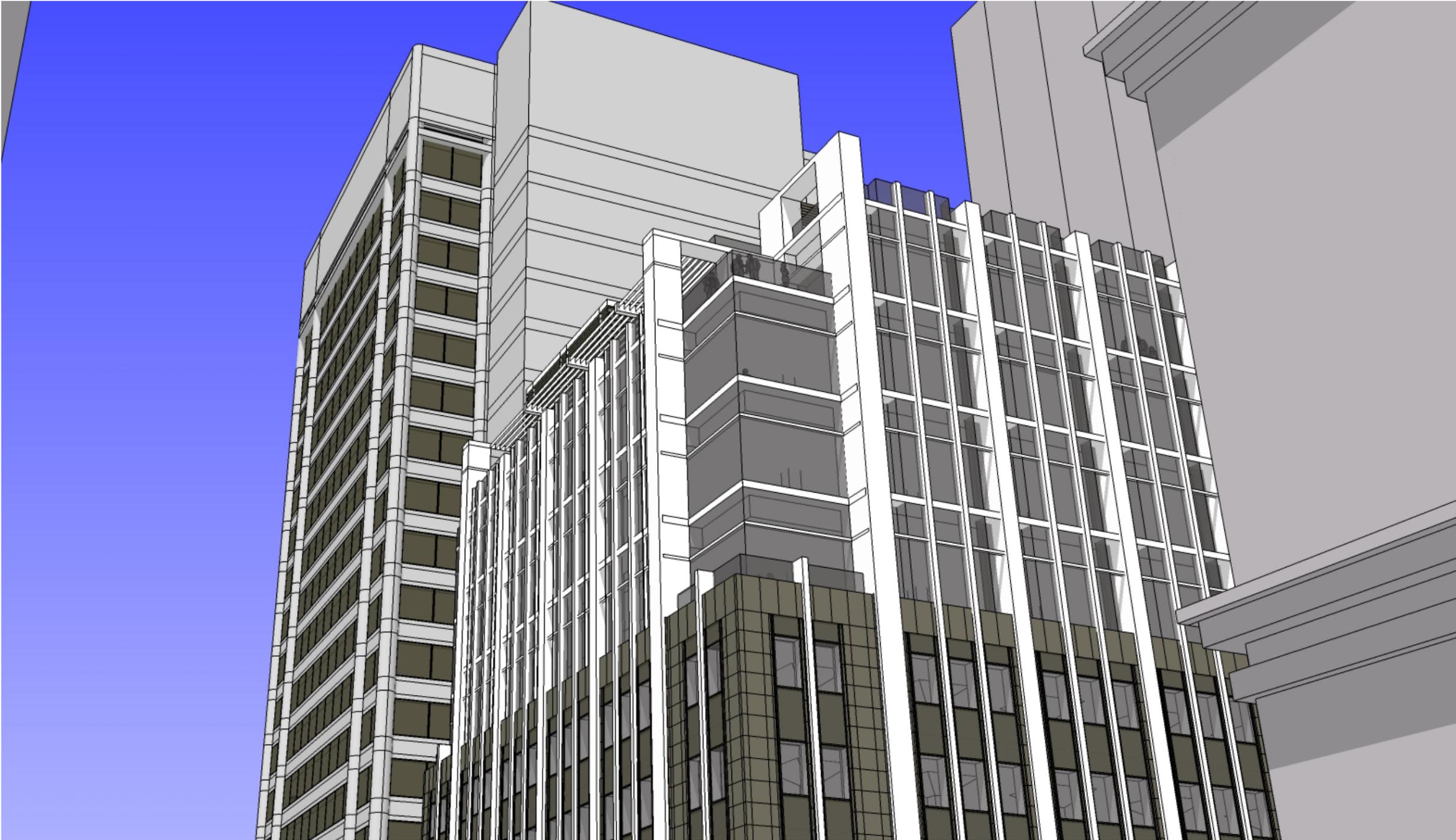
415 781-9800

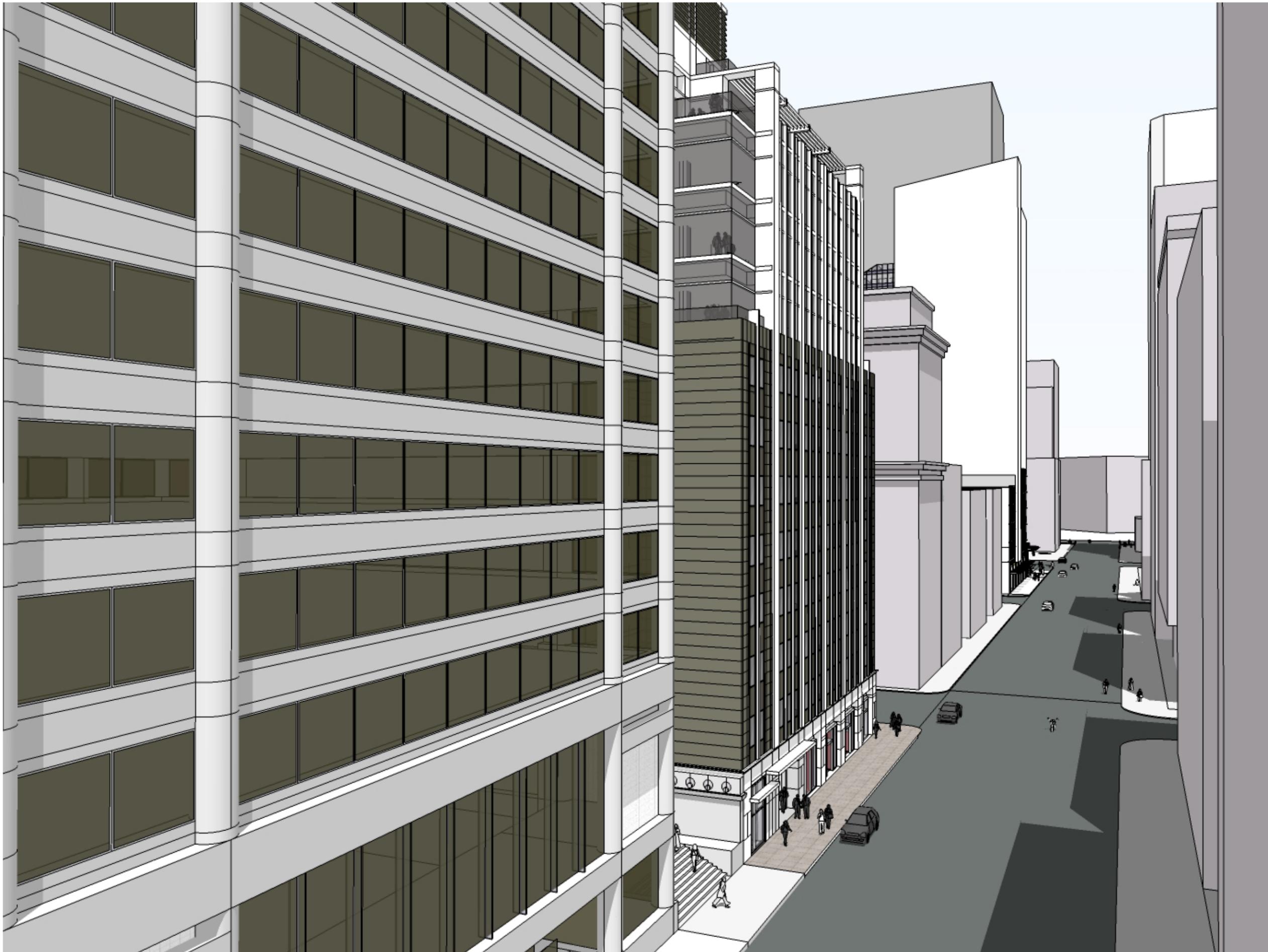
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Looking West on
California Street



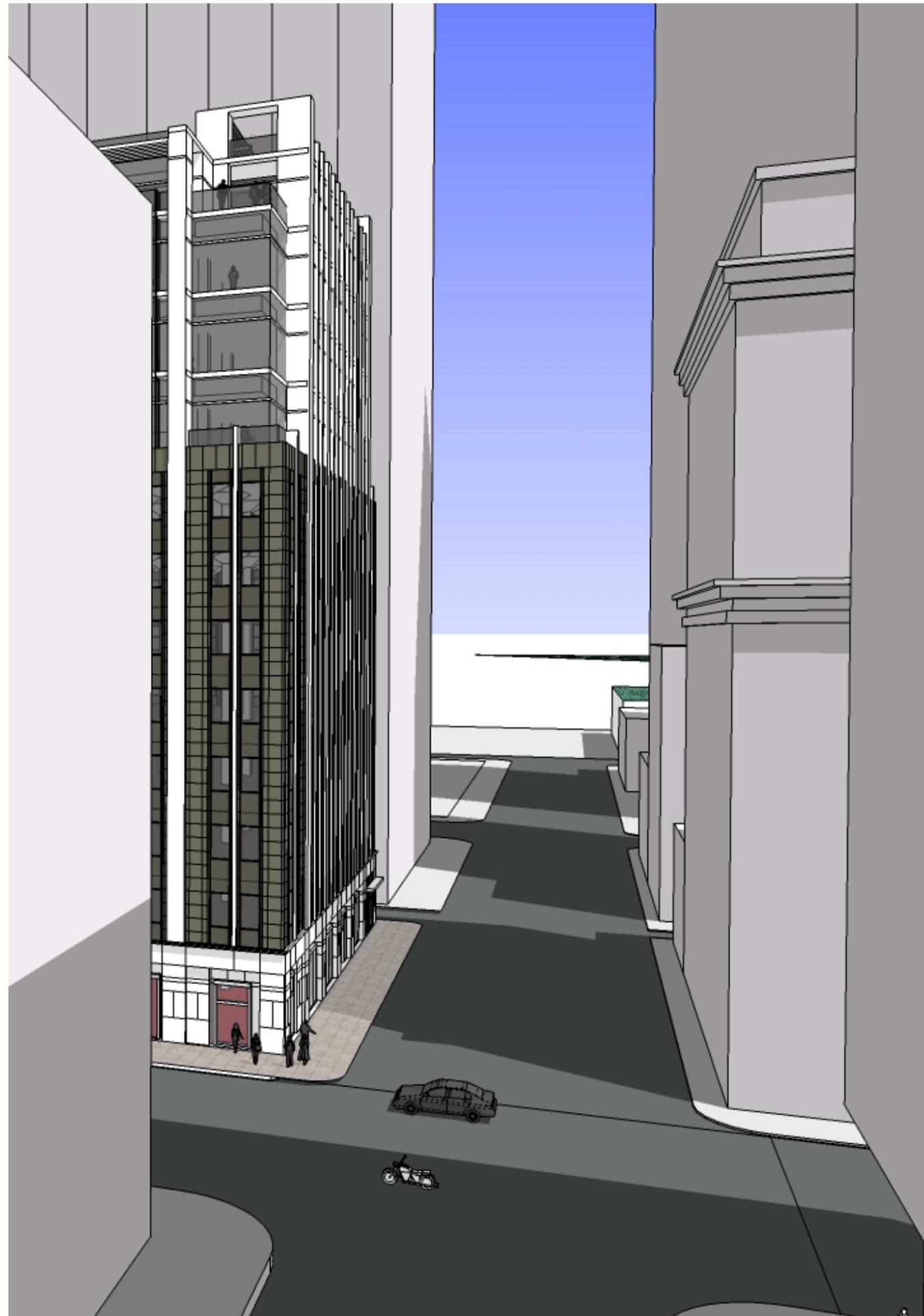
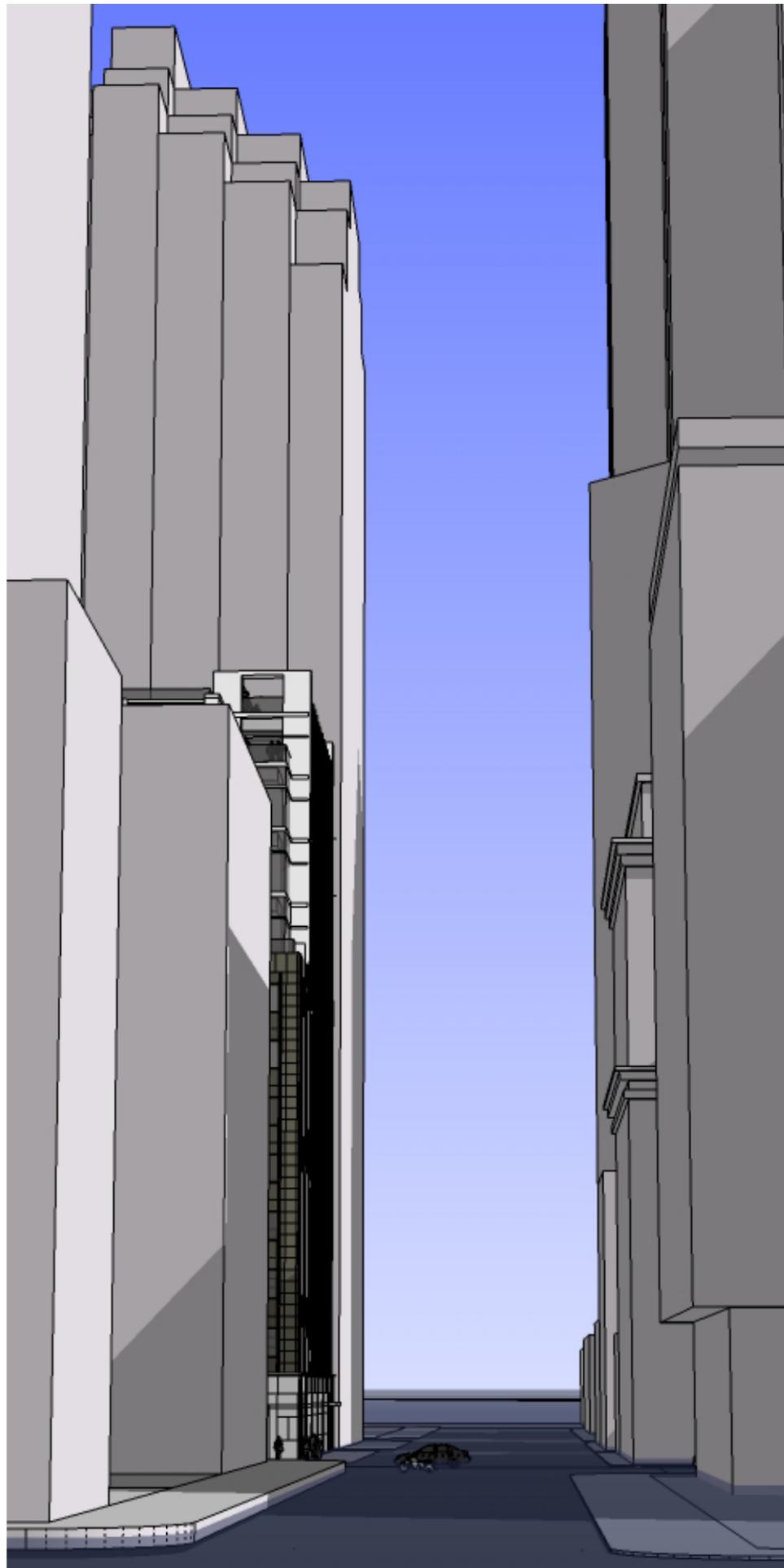


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Looking East on
California Street

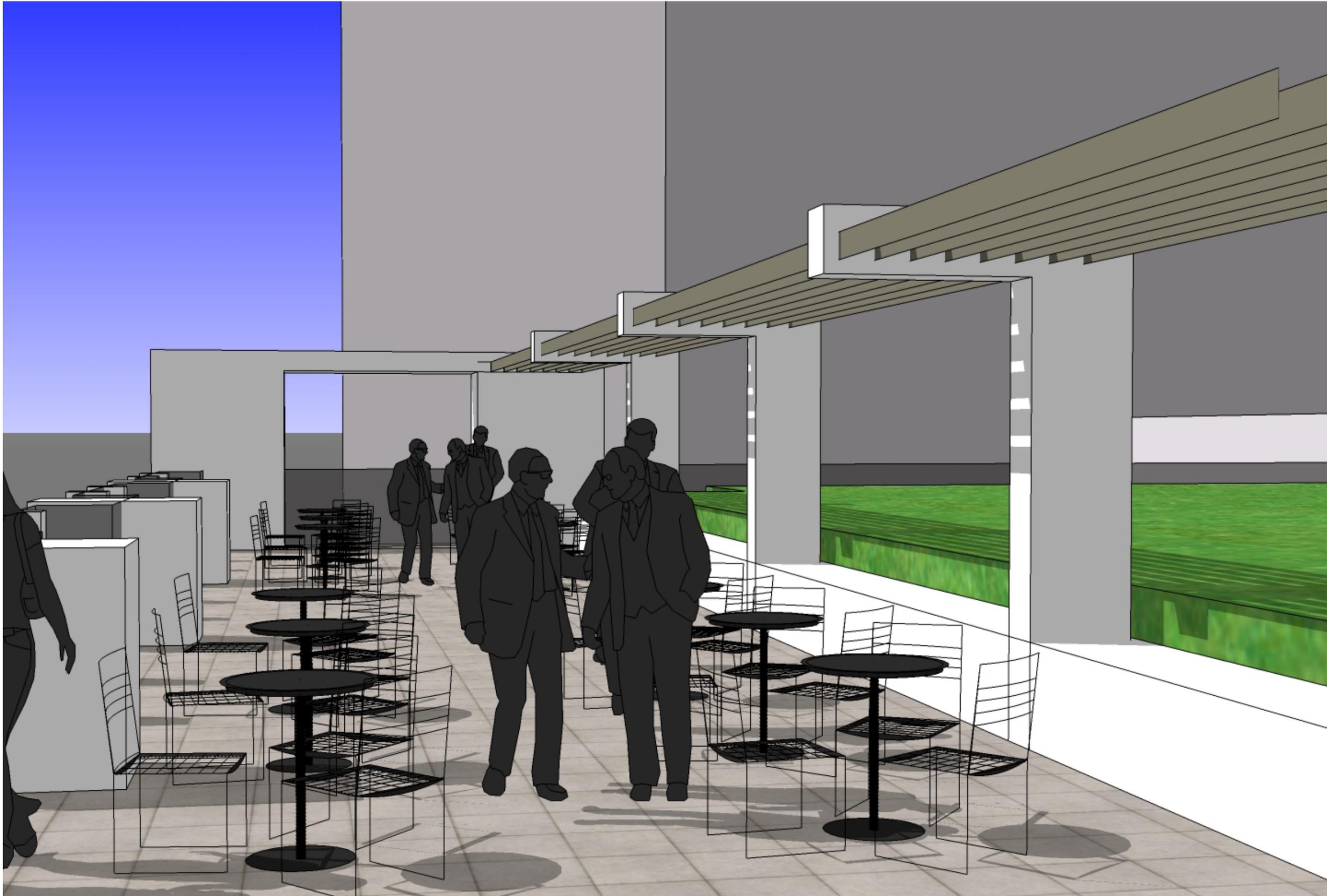


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Project

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Looking North on
Battery Street

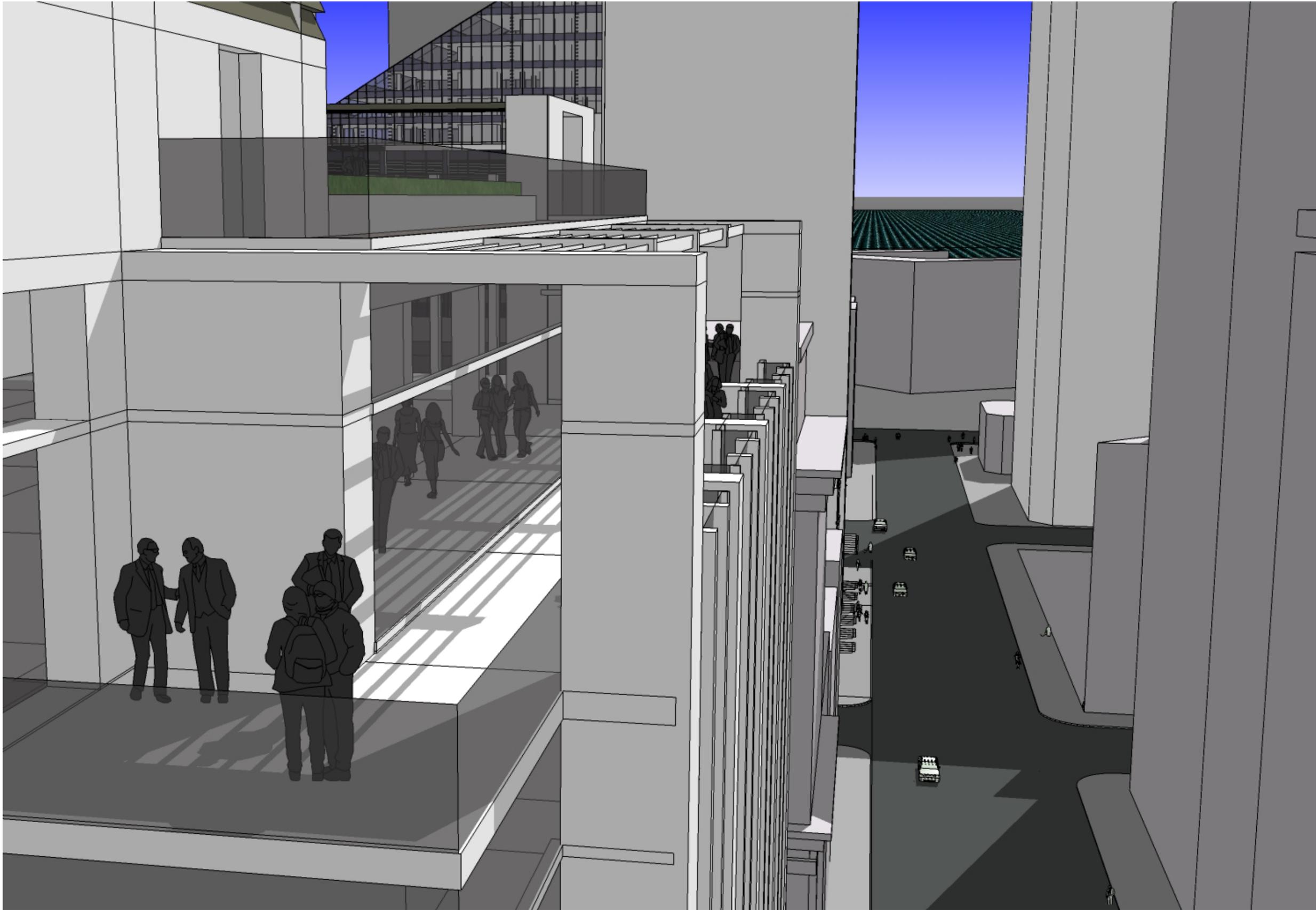


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Open Space
Looking South



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Level 12 Balcony View
Looking East



Existing



Proposed Stainless Steel detail to match existing Lobby renovation
 New Stainless Steel fascia and cornice detail to track around
 California and Battery Street facades

Aluminum column covers and vertical mullions painted metallic silver.

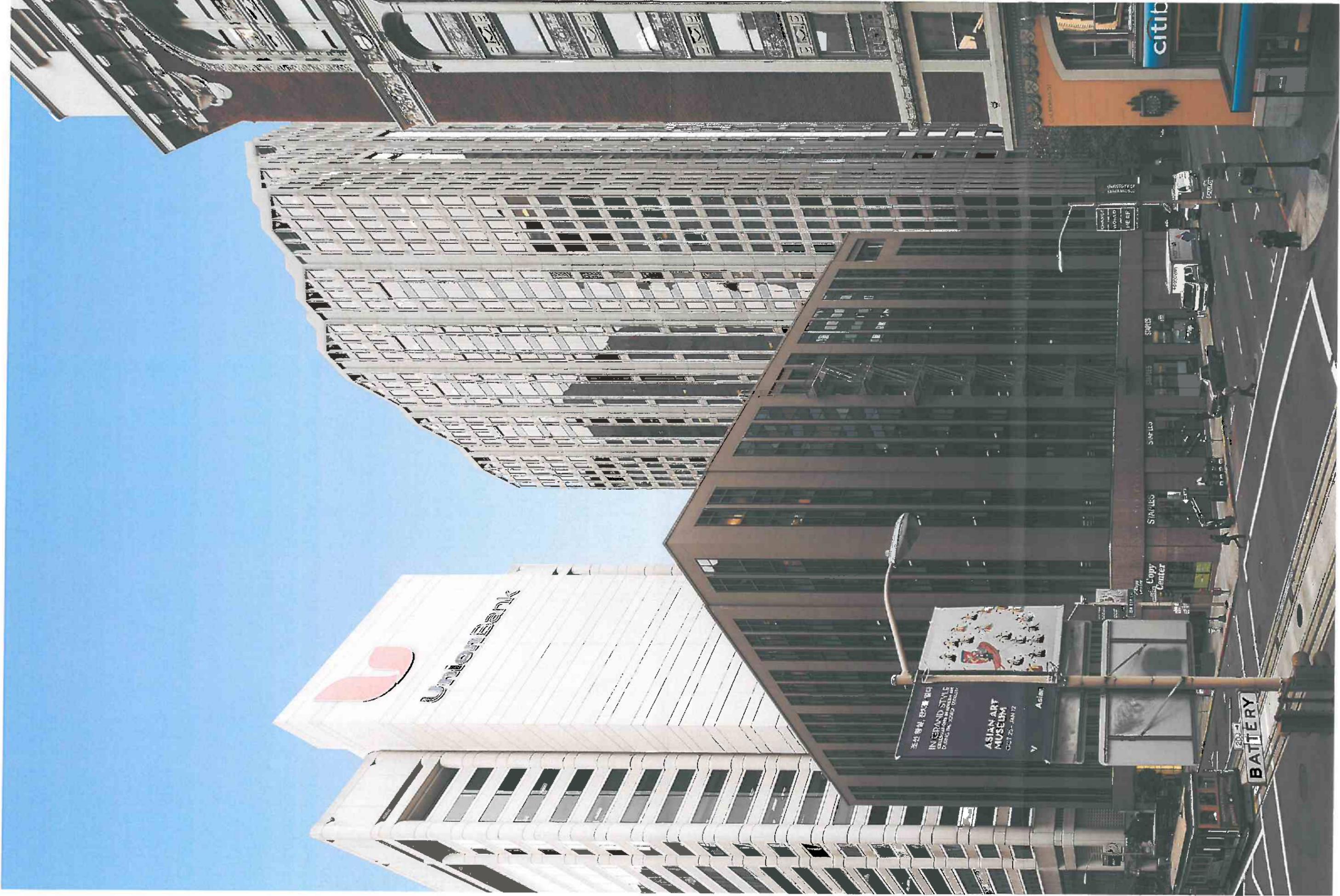


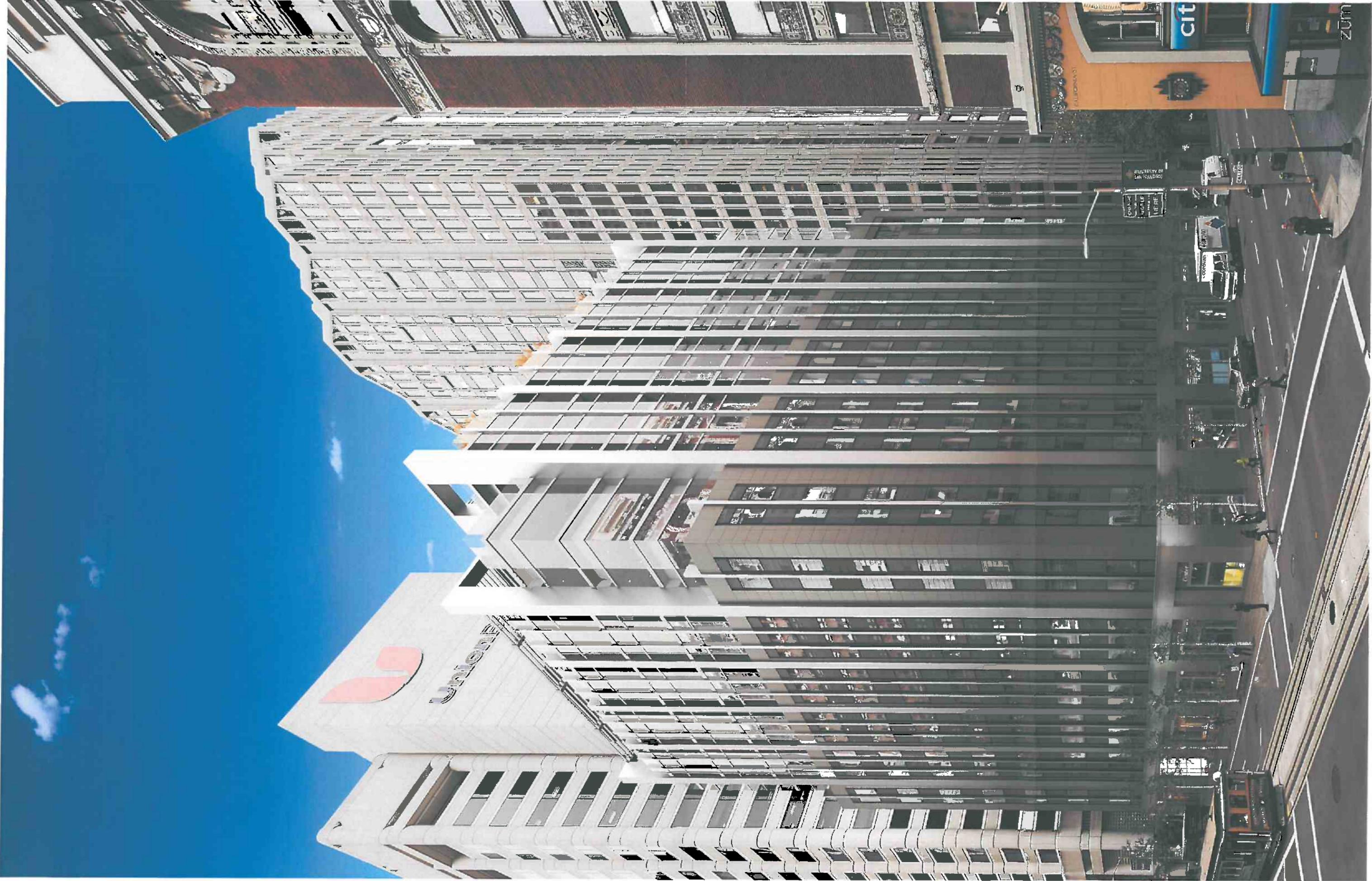
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Street Level View





UnionE

CITIBANK

ZUM

CAUTION
FACTORY OF
LAB. (L&S)

CAUTION

WARRANTY
CITIBANK

WARRANTY
CITIBANK

WARRANTY
CITIBANK

WARRANTY
CITIBANK

WARRANTY
CITIBANK



