



SAN FRANCISCO PLANNING DEPARTMENT

Executive Summary

Large Project Authorization, Conditional Use Authorization, & Office Development Authorization

HEARING DATE: DECEMBER 11, 2014

Date: December 4, 2014
Case No.: **2012.1187 BCX**
Project Address: **501-505 Brannan Street**
Zoning: MUO (Mixed Use – Office) Zoning District
85-X Height and Bulk District
Block/Lot: 3786/038
Project Sponsor: Amy Neches
TMG Partners
100 Bush Street
San Francisco, CA 94104
Staff Contact: Brittany Bendix – (415) 575-9114
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Recommendation: **Approval with Conditions**

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PROJECT DESCRIPTION

The proposal is to eliminate the existing off-street parking lot and construct a six story, 85-foot tall, building of approximately 153,117 gross square feet (GSF) with an additional two floors of below grade parking. The new building will contain up to 137,446 GSF of office space, 14,939 GSF of non-accessory off-street commercial parking, 9,621 SF of accessory parking, and 732 GSF of retail space. The proposed off-street parking garage will be accessed from Bluxome Street, eliminating the site's vehicular access from Brannan Street. Additionally, the proposal accommodates 66 off-street parking spaces and results in a net decrease of off-street parking. The existing financial service use (d.b.a. Bank of America) will remain and will relocate its entrance for the existing accessory drive thru use to Bluxome Street.

SITE DESCRIPTION AND PRESENT USE

The project is located on the southern side of Brannan Street, on the southwest corner of the intersection of Brannan Street and Fourth Street, Block 3786, Lot 038. The property is located within the MUO (Mixed Use – Office) Zoning District with an 85-X Height and Bulk District. The site contains a single story financial service use (d.b.a. Bank of America) of approximately 8,500 gross square feet, as well as an accessory drive-thru and surface parking lot of 70 off-street parking spaces. The property includes 250-feet of frontage on Brannan Street, 35-feet of frontage on 4th Street, and 95-feet of frontage on Bluxome Street.

SURROUNDING PROPERTIES AND NEIGHBORHOOD

The project site is located at the southern edge of the East SoMa Area Plan, on a block zoned as WMUO (Western SoMa Mixed Use-Office) and MUO. The site is located on the southern corner of the intersection

of Fourth and Brannan Streets. Directly west of, and immediately adjacent to the subject property is Fire Department Station No. 8 and two four-story office buildings, followed by the Bay Club SF Tennis facility. North of the subject property and across Brannan Street is a collection of warehouse, residential and retail uses ranging from one to four stories. A financial service (d.b.a. Wells Fargo) occupies the corner opposite from the subject site. Directly east of, and immediately adjacent to the property is a two-story retail use (d.b.a. K & L Wines) and a single story limited restaurant (d.b.a. Latte Express). South of property and beyond Bluxome Street are a mix of live/work, industrial and office buildings ranging from two to six stories in height. A mix of residential, office, industrial and live/work uses also characterize the broader neighborhood, which is zoned as WMUO, RED (Residential Enclave), SALI (Service/Arts/Light Industrial), SLI (Service/Light Industrial) and WMUO.

The site is two blocks north of the Fourth and King Caltrain and Muni Stations. Upon completion of the Central Subway, there will be a new Muni Station at Fourth and Brannan. The project site is also situated within the proposed Central SoMa Area Plan which is currently undergoing environmental review. If approved, as currently proposed, the subject property would retain its current MUO Zoning and would change to an 85P/250T Height and Bulk district. Under the Central SoMa Area Plan the broader area would be rezoned to a MUO Zoning District.

ENVIRONMENTAL REVIEW

Pursuant to the Guidelines of the State Secretary of Resources for the implementation of the California Environmental Quality Act (CEQA), on November 20, 2014, the Planning Department of the City and County of San Francisco determined that the proposed application was exempt from further environmental review under Section 15183 of the CEQA Guidelines and California Public Resources Code Section 21083.3. The Project is consistent with the adopted zoning controls in the Eastern Neighborhoods Area Plan and was encompassed within the analysis contained in the Eastern Neighborhoods Area Plan Final EIR. Since the Final EIR was finalized, there have been no substantial changes to the Eastern Neighborhoods Area Plan and no substantial changes in circumstances that would require major revisions to the Final EIR due to the involvement of new significant environmental effects or an increase in the severity of previously identified significant impacts, and there is no new information of substantial importance that would change the conclusions set forth in the Final EIR.

HEARING NOTIFICATION

TYPE	REQUIRED PERIOD	REQUIRED NOTICE DATE	ACTUAL NOTICE DATE	ACTUAL PERIOD
Classified News Ad	20 days	November 21, 2014	November 19, 2014	22 days
Posted Notice	20 days	November 21, 2014	November 21, 2014	20 days
Mailed Notice	10 days	November 21, 2014	November 21, 2014	20 days

The proposal requires a Section 312-neighborhood notification, which was conducted in conjunction with the noticing for the Large Project Authorization, Office Development Authorization, and Conditional Use Authorization hearings.

PUBLIC COMMENT

- To date, the Department has not received any public comment on this project.

ISSUES AND OTHER CONSIDERATIONS

- The project site is also situated within the proposed Central SoMa Area Plan which is currently undergoing environmental review. If approved, as currently proposed, the subject block would be rezoned entirely to MUO and would allow a tower up to 250 feet.
- Large Project Modifications: The Project is not seeking any exemptions under the Large Project Authorization request, however the proposal requires authorization by the Planning Commission because the project consists of new construction of a building that is greater than 25,000 gross square feet and because the proposed height is greater than 75 feet.
- Conditional Use Authorization: The project is seeking Conditional Use Authorization to operate a commercial parking facility on one level of the proposed building's basement. The proposal results in 38 commercial parking spaces. The remaining 28 parking spaces are accessory to the site's office and retail uses, include required car share parking, and do not require Conditional Use Authorization.
- The project eliminates curb cuts and vehicular access onto Brannan Street which will improve transit, bicycle and pedestrian routes by eliminating congestion conflicts on a multi-modal thoroughfare. Instead, vehicular access will be on Bluxome Street which is a less active street and is proposed to be scaled down with traffic calming measures and pedestrian improvements as part of the Central SoMa Area Plan.
- The proposed non-accessory commercial parking garage does not diminish the quality and viability of existing or planned streetscape enhancements. The non-accessory parking garage makes use of the same entrances that serve the site's as-of-right accessory parking and required loading space. Further, the total number of parking spaces (both accessory and non-accessory) is less than the number of parking spaces currently provided by the existing surface parking lot.
- Office Development Authorization: The proposed project would construct approximately 137,446 gross square feet of office space. Within the MUO Zoning District, office use is permitted as of right pursuant to Planning Code Section 842.41. As of December 2014 there is 3.0 million square feet of "Large" Cap Office Development available under the Section 321 office allocation program.

- Development Impact Fees: The Project would be subject to the following development impact fees, which are estimated as follows:

FEE TYPE	PLANNING CODE SECTION/FEE	AMOUNT
Transit Impact Development Fee (137,446 sq ft - Office Development)	411 (@ \$13.21)	\$ 1,815,661.66
Jobs-Housing Linkage (137,446 sq ft - New Office Development)	413 (@ \$24.03)	\$3,302,827.38
Jobs-Housing Linkage (732 sq ft - Retail Development)	413 (@ \$22.42)	\$16,411.44
Child Care Development In-Lieu Fee (137,446 sq ft – New Office Development)	414 (@ \$1.16)	\$159,437.36
Eastern Neighborhoods Impact Fee (153,117 sq ft – Tier 3, New Non-Residential)	423 (@ \$16.18)	\$2,477,433.06
Public Art Fee (\$42,000,000 estimated cost of construction)	429 (@1%cost of construction)	\$420,000
	TOTAL	\$8,191,770.90

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

REQUIRED COMMISSION ACTION

In order for the project to proceed, the Commission must grant a Large Project Authorization pursuant to Planning Code Section 329 to allow construction of a new six-story, 85-foot tall, building containing approximately 153,117 gross square feet, within the MUO Zoning District and an 85-X Height and Bulk District.

In addition, the Commission must grant Conditional Use Authorization pursuant to Planning Code Sections 157.1, 303 and 842.41 to allow the establishment of a commercial parking facility of approximately 14,939 gross square feet.

Finally, the Commission must authorize an Office Development Allocation of approximately 137,446 gross square feet of new office space pursuant to Planning Code Sections 321 and 842.66.

BASIS FOR RECOMMENDATION

- The existing site is underdeveloped for current zoning limitations and is within an area that can accommodate growth under current zoning controls.
- The authorization of the office space will allow for new businesses in the area, which will contribute to the economic activity in the neighborhood.

- The Project is consistent with the intent of the MUO District, which is to encourage office uses, and does so at a location that is central to multiple transit options.
- The Project represents an allocation of approximately 4.5 percent of the large cap office space currently available for allocation.
- At current rates, the project will produce approximately \$8.19 Million in fees that will benefit both the community and City, and is thus in compliance with impact fee requirements.
- The Project complies with the applicable requirements of the Planning Code and is consistent with the objectives and policies of the General Plan.
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RECOMMENDATION: Approval with Conditions
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Attachments:

Draft Motion – Large Project Authorization
Draft Motion – Conditional Use Authorization
Draft Motion – Office Allocation
Mitigation Monitoring Reporting Program
Major Project Map
Block Book Map
Sanborn Map
Aerial Photographs
Zoning Map
Community Plan Exemption
Project Sponsor Brief
Architectural Drawings

Attachment Checklist

- | | |
|---|--|
| <input checked="" type="checkbox"/> Executive Summary | <input checked="" type="checkbox"/> Project sponsor submittal |
| <input checked="" type="checkbox"/> Draft Motion | Drawings: <u>Existing Conditions</u> |
| <input 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"/> Parcel 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 type="checkbox"/> Wireless Telecommunications Materials |
| <input checked="" type="checkbox"/> Context Photos | <input type="checkbox"/> Health Dept. review of RF levels |
| <input checked="" type="checkbox"/> Site Photos | <input type="checkbox"/> RF Report |
| | <input type="checkbox"/> Community Meeting Notice |
| | <input type="checkbox"/> Housing Documents |
| | <input type="checkbox"/> Inclusionary Affordable Housing Program: Affidavit for Compliance |

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

Planner's Initials

BB: G:\DOCUMENTS\Large Project Authorization\501-505 Brannan\ExecutiveSummary.doc



SAN FRANCISCO PLANNING DEPARTMENT

Subject to: (Select only if applicable)

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

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Planning Commission Draft Motion

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ADOPTING FINDINGS RELATING TO THE APPROVAL OF A LARGE PROJECT AUTHORIZATION PURSUANT TO PLANNING CODE SECTION 329 TO ALLOW THE CONSTRUCTION OF A SIX STORY, 85 FOOT TALL, BUILDING WITH AN ADDITIONAL TWO FLOORS OF BELOW GRADE PARKING AND CONTAINING 153,117 GROSS SQUARE FEET, INCLUDING 137,446 GROSS SQUARE FEET OF OFFICE SPACE, 14,939 GROSS SQUARE FEET OF COMMERCIAL OFF-STREET PARKING, AND 732 GROSS SQUARE FEET OF RETAIL SPACE, WITHIN AN MUO (MIXED USE - OFFICE) ZONING DISTRICT AND AN 85-X HEIGHT AND BULK DISTRICT, AND ADOPTING FINDINGS UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.

PREAMBLE

On March 7, 2014, Amy Neches of TMG Partners (hereinafter “Project Sponsor”) filed an application with the Planning Department (hereinafter “Department”) for a Large Project Authorization, a Conditional Use Authorization and an Office Development Authorization to construct a new six story building with an additional two floors of below grade parking, and containing 153,117 gross square feet including 137,446 gross square feet of office space, 14,939 gross square feet of commercial off-street parking, and 732 gross square feet of retail space, at 501-505 Brannan Street (Block 3786, Lot 038) in San Francisco, California.

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

The Eastern Neighborhoods EIR is a Program EIR. Pursuant to CEQA Guideline 15168(c)(2), if the lead agency finds that no new effects could occur or no new mitigation measures would be required of a proposed project, the agency may approve the project as being within the scope of the project covered by the program EIR, and no additional or new environmental review is required. In approving the Eastern Neighborhoods Plan, the Commission adopted CEQA Findings in its Motion No. 17661 and hereby incorporates such Findings by reference.

Additionally, State CEQA Guidelines Section 15183 provides a streamlined environmental review for projects that are consistent with the development density established by existing zoning, community plan or general plan policies for which an EIR was certified, except as might be necessary to examine whether there are project-specific effects which are peculiar to the project or its site. Section 15183 specifies that examination of environmental effects shall be limited to those effects that (a) are peculiar to the project or parcel on which the project would be located, (b) were not analyzed as significant effects in a prior EIR on the zoning action, general plan or community plan with which the project is consistent, (c) are potentially significant off-site and cumulative impacts which were not discussed in the underlying EIR, or (d) are previously identified in the EIR, but which are determined to have a more severe adverse impact than that discussed in the underlying EIR. Section 15183(c) specifies that if an impact is not peculiar to the parcel or to the proposed project, then an EIR need not be prepared for that project solely on the basis of that impact.

On **November 20, 2014**, the Department determined that the proposed application did not require further environmental review under Section 15183 of the CEQA Guidelines and Public Resources Code Section 21083.3. The Project is consistent with the adopted zoning controls in the Eastern Neighborhoods Area Plan and was encompassed within the analysis contained in the Eastern Neighborhoods Final EIR. Since the Eastern Neighborhoods Final EIR was finalized, there have been no substantial changes to the Eastern Neighborhoods Area Plan and no substantial changes in circumstances that would require major revisions to the Final EIR due to the involvement of new significant environmental effects or an increase in the severity of previously identified significant impacts, and there is no new information of substantial importance that would change the conclusions set forth in the Final EIR. The file for this project, including the Eastern Neighborhoods Final EIR and the Community Plan Exemption certificate, is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, San Francisco, California.

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

On December 11, 2014, the San Francisco Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting on Large Project Authorization Application No. 2012.1187X.

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

MOVED, that the Commission hereby authorizes the Large Project Authorization requested in Application No. 2012.1187X, subject to the conditions contained in "EXHIBIT A" of this motion, based on the following findings:

FINDINGS

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

1. The above recitals are accurate and constitute findings of this Commission.
2. **Site Description and Present Use.** The project is located on the southern side of Brannan Street, on the southwest corner of the intersection of Brannan Street and Fourth Street, Block 3786, Lot 038. The property is located within the MUO (Mixed Use – Office) Zoning District with an 85-X Height and Bulk District. The site contains a single story financial service use (d.b.a. Bank of America) of approximately 8,500 gross square feet, as well as an accessory drive-thru and surface parking lot of 70 off-street parking spaces. The property includes 250-feet of frontage on Brannan Street, 35-feet of frontage on 4th Street, and 95-feet of frontage on Bluxome Street.
3. **Surrounding Properties and Neighborhood.** The project site is located at the southern edge of the East SoMa Area Plan, on a block zoned as WMUO (Western SoMa Mixed Use-Office) and MUO. The site is located on the southern corner of the intersection of Fourth and Brannan Streets. Directly west of, and immediately adjacent to the subject property is Fire Department Station No. 8 and two four-story office buildings, followed by the Bay Club SF Tennis facility. North of the subject property and across Brannan Street is a collection of warehouse, residential and retail uses ranging from one to four stories. A financial service (d.b.a. Wells Fargo) occupies the corner opposite from the subject site. Directly east of, and immediately adjacent to the property is a two-story retail use (d.b.a. K & L Wines) and a single story limited restaurant (d.b.a. Latte Express). South of property and beyond Bluxome Street are a mix of live/work, industrial and office buildings ranging from two to six stories in height. A mix of residential, office, industrial and live/work uses also characterize the broader neighborhood, which is zoned as WMUO, RED

(Residential Enclave), SALI (Service/Arts/Light Industrial), SLI (Service/Light Industrial) and WMUO.

The site is two blocks north of the Fourth and King Caltrain and Muni Stations. Upon completion of the Central Subway, there will be a new Muni Station at Fourth and Brannan. The project site is also situated within the proposed Central SoMa Area Plan which is currently undergoing environmental review. If approved, as currently proposed, the subject property would retain its current MUO Zoning and would change to an 85P/250T Height and Bulk district. Under the Central SoMa Area Plan the broader area would be rezoned to a MUO Zoning District.

4. **Project Description.** The proposal is to eliminate the existing off-street parking lot and construct a six story, 85-foot tall, building of approximately 153,117 gross square feet (GSF) with an additional two floors of below grade parking. The new building will contain up to 137,446 GSF of office space, 14,939 GSF of non-accessory off-street commercial parking, 9,621 SF of accessory parking, and 732 GSF of retail space. The proposed off-street parking garage will be accessed from Bluxome Street, eliminating the site's vehicular access from Brannan Street. Additionally, the proposal accommodates 66 off-street parking spaces and results in a net decrease of off-street parking. The existing financial service use (d.b.a. Bank of America) will remain and will relocate its entrance for the existing accessory drive thru use to Bluxome Street.
5. **Public Comment.** The Department has not received any public comment at this time.
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. **Large Project Authorization for Eastern Neighborhood Projects.** Planning Code Section 329 requires that any project within an Eastern Neighborhoods Zoning District that includes construction of a new building greater than 75 feet in height, or involving new construction of more than 25,000 gross square-feet, request authorization from the Planning Commission.

The subject property is located within the MUO Zoning District, which per Planning Code Section 802.4 is considered an Eastern Neighborhood Mixed Use District. As proposed, the Project would result in the construction of an 85-foot tall building containing 153,117 GSF; therefore, the proposed project requires a Large Project Authorization per Planning Code Section 329. The required findings are listed below under subsection 7. The project is not seeking any exceptions through the Large Project Authorization process.

- B. **Office Use in MUO Zoning District.** Planning Code Section 842.66 states that an office use is permitted as of right within the Mixed Use-Office (MUO) Zoning District.

The Project would construct 137,446 GSF of new office space within the MUO Zoning District; therefore, the proposed project complies with Planning Code Section 842.66.

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

The proposed project has submitted an application for an Office Development Authorization and will seek authorization for up to 137,446 GSF of new office space from the Planning Commission. (See Case No. 2012.1187B).

- D. **Automobile Parking Garage in an MUO Zoning District.** Planning Code Section 842.41 states that a non-accessory commercial parking use within the MUO Zoning District requires Conditional Use Authorization from the Planning Commission pursuant to the findings set forth in Planning Code Sections 157.1 and 303.

The proposed project has submitted an application for a Conditional Use Authorization to establish a non-accessory parking garage of approximately 14,939 gross square feet from the Planning Commission. (See Case No. 2012.1187C).

- E. **Retail Use in MUO Zoning District.** Planning Code Section 842.45 states that retail uses up to 25,000 gross square feet are permitted as of right within the MUO Zoning District.

The Project would construct a new building within the MUO Zoning District containing 732 gross square feet of retail uses on the ground floor; therefore, the proposed project complies with Planning Code Section 842.45.

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

The proposal is located in the MUO Zoning District which is considered an Eastern Neighborhoods Mixed Use District pursuant to Planning Code Section 802.4. The project proposes converting the property's use from a non-accessory commercial parking lot to a combination of uses including office, retail, and non-accessory commercial parking. These changes of use require Neighborhood Notification per Planning Code Section 312. Accordingly, notification was conducted in conjunction with the noticing for the Large Project Authorization, Office Development Authorization, and Conditional Use Authorization hearings.

- G. **Useable Open Space.** Planning Code Section 135.3 requires that new office uses within the Eastern Neighborhoods Mixed Use Districts provide one square-foot of useable open space for every 50 square-feet of occupied floor area, and that new retail uses provide one square-foot of useable open space per every 250 square-feet of occupied floor area.

The project is located within the MUO Zoning District, which per Planning Code Section 802.4 is considered an Eastern Neighborhood Mixed Use District. The proposed development includes approximately 109,957 square feet of occupied floor area dedicated to office space and 600 square feet of

occupied floor area dedicated to retail space. Therefore, the Project requires approximately 1,201.5 square feet of useable open space. The project includes an open area at grade on Brannan Street that provides 2,137 square feet of useable open space for future tenants.

- H. **Streetscape Plan and Street Trees.** Planning Code Section 138.1 requires that new developments containing more than 250 feet of frontage must submit a streetscape plan and, at a minimum, provide one street tree for every 20 feet of frontage, as well as one tree for any remainder greater than 10 feet.

The project includes new construction on a lot with 250 feet of street frontage on Brannan, 95 feet of frontage on Bluxome Street, and 35 feet of frontage on Fourth Street. A total of 19 street trees are required and will be included in the project. Additionally, the proposal includes a streetscape plan that includes sidewalk surface treatments, landscaping, street furniture, and a voluntary pedestrian corridor linking Brannan and Bluxome Streets.

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

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

- J. **Street Frontage in Mixed Use Districts.** Planning Code Section 145.1 requires that any new development include the following: 1) no more than 20-feet of a street frontage dedicated to parking and loading ingress or egress, and placed to minimize interference with street-fronting active uses, as well as the movement of pedestrians, cyclists, public transit, and autos; 2) active uses on the ground floor; 3) a ground floor height of 14 feet if located within the MUO district; 3) street-facing, ground-level, principal entrances to the interior spaces of non-residential uses; and, 4) a minimum of 60 percent of the ground-floor street frontage as transparent for non-residential uses.

The project proposes ground floor, street facing frontages on both Brannan and Bluxome Streets that satisfy all of the aforementioned requirements. Office space is a principally permitted use in the MUO Zoning District and is thereby considered an active use on the ground floor. Further, the ground floor use faces the street, has a height of 14 feet, and is more than 60 percent transparent to the street. Additionally, the project results in eliminating all vehicular access to Brannan Street, which will improve pedestrian, cycling and transit activities, as access to the parking and loading for the new building is consolidated to 20-feet on Bluxome Street.

- K. **Off-Street Parking.** Planning Code Section 151.1 allows accessory off-street parking for office uses equal to seven percent of the total office gross floor area. In addition, up to one accessory off-street parking space is allowed for each 1,500 square feet of retail uses.

The project is a new development containing 137,446 gross square feet of office space and 732 gross square feet of retail space. Therefore the project may provide 9,621.22 square feet of accessory parking for the site's offices, plus one additional off-street parking space accessory to the retail use. The proposal includes 9,621 gross square feet of accessory parking at the first basement level for the office uses, and one accessory off-street parking space on the second basement level for the retail use. This proposed layout accommodates a total of 28 accessory off-street parking spaces, including two required car share spaces. The additional 38 off-street parking spaces on the second basement level will accommodate the non-accessory commercial parking that require Conditional Use Authorization sought under Case No. 2012.1187C.

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

The project is a new office development of 137,446 gross square feet within the MUO Zoning District. Therefore the project requires one off-street freight loading space. The proposal includes an off-street freight loading space accessible from Bluxome Street.

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

The project is to construct a new office building of 137,446 gross square feet. Accordingly, the project includes four shower facilities and 24 lockers.

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

The project includes approximately 109,956.8 square-feet of occupied floor area dedicated to office space. Therefore, the project requires 22 Class 1 bicycle parking spaces. Additionally, the project requires 14 Class 2 bicycle parking spaces to accommodate the proposed office, retail and commercial parking uses. The project is exceeding the required amount of bicycle parking by providing 132 Class 1 bicycle parking spaces and 16 Class 2 bicycle parking spaces.

- O. **Transportation Management Program.** Planning Code Section 163 requires the Project Sponsor to execute an agreement with the Planning Department for the provision of on-site transportation brokerage services and preparation of a transportation management program to be approved by the Director of Planning and implemented by the provider of transportation brokerage services for projects within the MUO District, where the gross

square feet of new, converted or added floor area for office use equals at least 25,000 square feet.

The proposed project includes 137,446 gross square feet of office use, thus the Project Sponsor must execute an agreement to provide on-site transportation brokerage services. The agreement will be reviewed by the Planning Department prior to the issuance of a temporary Certificate of Occupancy, in accordance with Planning Code Section 163.

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

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

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

The proposed project includes 137,446 gross square feet of office use. This use is subject to the Transit Impact Development Fee at the per gross square foot rate in place at the time of site permit issuance.

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

The proposed project includes 137,446 gross square feet of office use and 732 gross square feet of retail, and is thereby is subject to the Jobs-Housing Linkage Program, as outlined in Planning Code Section 413. The Project Sponsor may elect between the Housing Requirement option, the Payment to Housing Developer option, the In-Lieu Fee Payment option or compliance by combination payment to Housing Developer and payment of In-Lieu Fee at the time of site permit issuance.

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

The proposed project includes 137,446 gross square feet of office space and is subject to the Child Care Requirements for Office Development Projects Requirement. Prior to issuance of the first construction

document, the Project Sponsor will elect between compliance by providing an on-site child-care facility, compliance in conjunction with the sponsors of other development projects to provide an on-site child care facility at another project, compliance in conjunction with the sponsors of other development projects to provide a child-care facility within one mile of the development projects, compliance by payment of an in-lieu fee, compliance by combining payment of an in-lieu fee with construction of a child care facility or compliance by entering into an arrangement with a non-profit organization.

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

The proposed project includes 153,117 square feet of non-residential floor area and is subject to Eastern Neighborhood Infrastructure Impact Fees, as outlined in Planning Code Section 423. These fees are due at the issuance of the first construction document.

- U. **First Source Hiring.** The Project is subject to the requirements of the First Source Hiring Program as they apply to permits for residential development (Section 83.4(m) of the Administrative Code), and the Project Sponsor shall comply with the requirements of this Program as to all construction work and on-going employment required for the Project. Prior to the issuance of any building permit to construct or a First Addendum to the Site Permit, the Project Sponsor shall have a First Source Hiring Construction and Employment Program approved by the First Source Hiring Administrator, and evidenced in writing. In the event that both the Director of Planning and the First Source Hiring Administrator agree, the approval of the Employment Program may be delayed as needed.

The Project Sponsor submitted a First Source Hiring Affidavit and prior to issuance of a building permit will execute a First Source Hiring Memorandum of Understanding and a First Source Hiring Agreement with the City's First Source Hiring Administration.

- V. **Public Art Requirement.** Planning Code Section 429 requires that new construction projects within an MUO Zoning District north of Division/Duboce/13th Streets and resulting in a building greater than 25,000 gross square feet must pay a fee equal to one percent the cost of construction.

The proposal is to construct a 153,117 gross square foot building and is therefore, subject to the Public Art Fee Requirement, as outlined in Planning Code Section 429. This fee is due at the issuance of the first construction document.

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

- A. Overall building mass and scale.

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

B. Architectural treatments, facade design and building materials:

As applied in the proposal, the architectural treatments and building materials are simple and used to create strong, clean lines that are reflective of the surrounding context. As a result, the project's architectural treatments, facade design and building materials are compatible with both the aesthetic of the neighborhood's older industrial buildings and more contemporary developments.

C. The design of lower floors, including building setback areas, commercial space, townhouses, entries, utilities, and the design and siting of rear yards, parking and loading access;

The proposal features a predominately glazed ground floor which encourages interaction between the tenant space and the public realm. Additionally, the building's vehicular access is reduced to 20-feet and limited to Bluxome Street so to eliminate vehicular access onto Brannan Street. Further, the building mass is setback from northeast property line so that a portion of the pathway remains open to the sky and natural light is available along the building's northeast side.

D. The provision of required open space, both on- and off-site. In the case of off-site publicly accessible open space, the design, location, access, size, and equivalence in quality with that otherwise required on-site;

The project provides 2,137 square-feet of useable open space on the ground floor that is accessible by tenants within the building and the public. The open area is incorporated into the project's streetscape plan and will create outdoor spaces with seating and landscaping. This open area also exceeds the 1,201.5 square feet of useable open space required per Planning Code Section 135.3.

E. The provision of mid-block alleys and pathways on frontages between 200 and 300 linear feet per the criteria of Section 270, and the design of mid-block alleys and pathways as required by and pursuant to the criteria set forth in Section 270.2;

The project is not required to provide any mid-block alleys or pathways, as defined in Planning Code Section 270.2, but has done so voluntarily.

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

In compliance with Planning Code Sections 138.1 and 155.2, the proposed project would provide 16 Class 2 bicycle spaces along Brannan Street and 19 new street trees along the property's street frontages.

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

The Brannan Street façade is the focal point for pedestrian access, which is facilitated via the main entry lobby. However, the Bluxome Street façade also features an entrance to the building and a mid-block pedestrian path that serves to encourage circulation along the northeast side of the building. The project results in a reduction of vehicular access to the property and generally improves the pedestrian and bicycling corridors along both Brannan and Bluxome Streets.

H. Bulk limits;

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

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

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

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

COMMERCE AND INDUSTRY ELEMENT

Objectives and Policies

OBJECTIVE 1:

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

Policy 1.1:

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

Policy 1.2:

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

Policy 1.3:

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

The proposed development will provide net benefits to the City and the community in the form of new office space, retail and commercial parking through the redevelopment of an underutilized lot in a zoning district with the stated intent of encouraging the growth of a mix of uses, including office. The nature of the office use has few physical consequences that are undesirable and the standard Conditions of Approval (Exhibit A) will help ensure that the operations will not generate any unforeseen problems. Further the total number of parking spaces to be provided as both accessory parking and commercial parking is less than the amount of off-street parking currently available as an existing parking lot.

OBJECTIVE 2:

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

Policy 2.1:

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

Policy 2.3:

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

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

TRANSPORTATION ELEMENT

Objectives and Policies

OBJECTIVE 11:

ESTABLISH PUBLIC TRANSIT AS THE PRIMARY MODE OF TRANSPORTATION IN SAN FRANCISCO AND AS A MEANS THROUGH WHICH TO GUIDE FUTURE DEVELOPMENT AND IMPROVE REGIONAL MOBILITY AND AIR QUALITY.

Policy 11.1:

Maintain and improve the Transit Preferential Streets program to make transit more attractive and viable as a primary means of travel.

Policy 11.3:

Encourage development that efficiently coordinates land use with transit service, requiring that developers address transit concerns as well as mitigate traffic problems.

The project eliminates curb cuts and vehicular access onto Brannan which will improve transit, bicycle and pedestrian routes by eliminating congestion conflicts on a multi-modal thoroughfare. Instead, vehicular access will be on Bluxome Street which is a less active street and is proposed to be scaled down with traffic

calming measures and pedestrian improvements as part of the Central SoMa Area Plan. Overall, the project also locates employment opportunities near multiple public transit options.

OBJECTIVE 16:

DEVELOP AND IMPLEMENT PROGRAMS THAT WILL EFFICIENTLY MANAGE THE SUPPLY OF PARKING AT EMPLOYMENT CENTERS THROUGHOUT THE CITY SO AS TO DISCOURAGE SINGLE-OCCUPANT RIDERSHIP AND ENCOURAGE RIDESHARING, TRANSIT AND OTHER ALTERNATIVES TO THE SINGLE-OCCUPANT AUTOMOBILE.

Policy 16.1:

Reduce parking demand through the provision of comprehensive information that encourages the use of alternative modes of transportation.

Policy 16.2:

Reduce parking demand where parking is subsidized by employers with “cash-out” programs in which the equivalency of the cost of subsidized parking is offered to those employees who do not use the parking facilities.

Policy 16.3:

Reduce parking demand through the provision of incentives for the use of carpools and vanpools at new and existing parking facilities throughout the City.

Policy 16.4:

Manage parking demand through appropriate pricing policies including the use of premium rates near employment centers well-served by transit, walking and bicycling, and progressive rate structures to encourage turnover and the efficient use of parking.

Policy 16.5:

Reduce parking demand through limiting the absolute amount of spaces and prioritizing the spaces for short-term and ride-share uses.

Policy 16.6:

Encourage alternatives to the private automobile by locating public transit access and ride-share vehicle and bicycle parking at more close-in and convenient locations on-site, and by locating parking facilities for single-occupant vehicles more remotely.

The proposal will result in a decrease in the number of off-street parking spaces as provided on the existing parking lot. However, the project will improve the overall effectiveness of vehicular circulation by eliminating all vehicular access on Bryant Street and consolidating vehicular access to a single 20-foot wide point of entry on Bluxome Street. Further, the project is required by the Planning Code to provide car share parking spaces, a specific rate structure for commercial parking, and a Transit Management Plan for all vehicular uses as a means to diminish automobile dependency and optimize transit alternatives. Finally, bicycle parking is provided on the Brannan Street frontage, increasing the convenience for cyclists using the proposed Brannan Street bicycle corridor. Collectively, the varied transit options and improvements to site circulation are appropriately matched to the increase in employment opportunities resulting from the project.

OBJECTIVE 24:

IMPROVE THE AMBIENCE OF THE PEDESTRIAN ENVIRONMENT.

Policy 24.2:

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

The Project will install street trees at regular intervals along Bluxome Street and Brannan Street and will provide sixteen Class 2 bicycle parking spaces. The Project will also enhance the public realm by creating a mid-block pedestrian passage that will be integrated into the proposed streetscape plan.

OBJECTIVE 28:

PROVIDE SECURE AND CONVENIENT PARKING FACILITIES FOR BICYCLES.

Policy 28.1:

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

Policy 28.3:

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

The project includes 132 Class 1 bicycle parking spaces in a secure, convenient location at grade on the Brannan Street façade, along with required shower and locker facilities, as well as 16 Class 2 bicycle parking spaces.

URBAN DESIGN ELEMENT

Objectives and Policies

OBJECTIVE 1:

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

Policy 1.3:

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

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

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 3.4:

Promote building forms that will respect and improve the integrity of open spaces and other public areas.

The proposed development successfully melds a new building into an area with a mix of established 19th and early 20th century light industrial buildings and more recently developed buildings. The proposed development does not clash with the existing context as the selected building materials, massing and scale are typical of the buildings found along both Brannan and Bluxome Streets. Furthermore, the massing of the proposal is sensitive to a new publicly accessible mid-block pedestrian corridor and the reduction of vehicular access on the site facilitates an improved public realm.

EAST SOMA (SOUTH OF MARKET) AREA PLAN

Objectives and Policies

OBJECTIVE 3.1:

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

Policy 3.1.6:

New buildings should epitomize the best in contemporary architecture, but should do so with full awareness of, and respect for, the height, mass, articulation and materials of the best of the older buildings that surrounds them.

The proposed design uses an articulation of simplified solid and glazed materials to evoke a contemporary design aesthetic while still respecting the older buildings in the immediate vicinity.

OBJECTIVE 3.2:

PROMOTE AN URBAN FORM AND ARCHITECTURAL CHARACTER THAT SUPPORTS WALKING AND SUSTAINS A DIVERSE ACTIVE AND SAFE PUBLIC REALM.

Policy 3.2.1:

Require high quality design of street-facing building exteriors.

Policy 3.2.3:

Minimize the visual impact of parking.

Policy 3.2.4:

Strengthen the relationship between a building and its fronting sidewalk.

Policy 3.2.5:

Building form should celebrate corner locations.

Policy 3.2.7:

Strengthen the pedestrian network by extending alleyways to adjacent streets or alleyways wherever possible, or by providing new publicly accessible mid-block rights of way.

The project is designed to generate interest at the pedestrian level. The Bluxome and Brannan Street facades feature tall ground floors and active uses that open onto the site's privately owned public open space. Additionally, the northeast façade, although may one day be obscured, is designed to attract interest from and promote interaction with the future transit activities along the Fourth Street corridor.

OBJECTIVE 5.2:

ENSURE THAT NEW DEVELOPMENT INCLUDES HIGH QUALITY PRIVATE OPEN SPACE.

Policy 5.2.4:

Encourage publicly accessible open space as part of new residential and commercial development.

The project's required open space is provided at grade and is designed in a manner to facilitate public use through a mid-block passage, lighting, landscaping, and seating.

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

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

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

The proposal retains the financial services and commercial parking component of the existing site while expanding the available employment opportunities for residents. The project also includes the establishment of a neighborhood-serving retail space. Further, the office development will introduce more employees and potential patrons to the neighboring retail uses.

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

The existing neighborhood character will be preserved as the design of the proposal is in harmony with the building scale, massing and form found along the subject block. The Project is located in the East

SoMa Area Plan and is located within a zoning district that allows office use. Other nearby properties function as commercial, residential or light industrial spaces.

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

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

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

The Project relocates the site's vehicular access from Brannan Street to Bluxome Street and improves the overall flow of multi-modal traffic within the district. Further, the Project locates employment opportunities in a transit-rich environment that is consistent with the General Plan and Planning Code.

- E. That a diverse economic base be maintained by protecting our industrial and service sectors from displacement due to commercial office development, and that future opportunities for resident employment and ownership in these sectors be enhanced.

The proposed project does not displace any industrial or service use. Furthermore, the proposed new office space is a principally permitted use within the subject zoning district and is at a scale that maximizes the current development potential of the site. The project will provide quality flexible office space that is suitable for a variety of office uses and sizes and that is compatible with the mix of industrial and commercial activities that participate in East SoMa's knowledge sector. This office space will help maintain local resident employment opportunities and enhance demand for neighborhood-serving businesses in the area.

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

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

- G. That landmarks and historic buildings be preserved.

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

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

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

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 Large Project Authorization Use authorization would promote the health, safety and welfare of the City.

DECISION

That based upon the Record, the submissions by the Applicant, the staff of the Department and other interested parties, the oral testimony presented to this Commission at the public hearings, and all other written materials submitted by all parties, the Commission hereby **APPROVES Large Project Application No. 2012.1187X** subject to the following conditions attached hereto as "EXHIBIT A" in general conformance with plans on file, dated November 18, 2014, and stamped "EXHIBIT B", which is incorporated herein by reference as though fully set forth.

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

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

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

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

I hereby certify that the Planning Commission **ADOPTED** the foregoing Motion on December 11, 2014.

Jonas P. Ionin
Commission Secretary

AYES:

**Draft Motion
December 4, 2014**

**CASE NO. 2012.1187 BCX
501-505 Brannan Street**

NAYS:

ABSENT:

ADOPTED: December 11, 2014

EXHIBIT A

AUTHORIZATION

This authorization is for a Large Project Authorization to construct a new six story, 85-foot tall, building with an additional two floors of below grade parking, and containing 153,117 gross square feet including 137,446 gross square feet of office space, 14,939 gross square feet of non-accessory commercial off-street parking, and 732 gross square feet of retail space, located at 501-505 Brannan Street (Block 3786, Lot 038) pursuant to Planning Code Section(s) 157.1, 303, 321, 329, 842.41, and 842.66 within the Mixed Use-Office Zoning District and an 85-X Height and Bulk District; in general conformance with plans, dated November 11, 2014, and stamped "EXHIBIT B" included in the docket for Case No. 2012.1187X and subject to conditions of approval reviewed and approved by the Commission on December 11, 2014, under Motion No. XXXXXX. This authorization and the conditions contained herein run with the property and not with a particular Project Sponsor, business, or operator.

COMPLIANCE WITH OTHER REQUIREMENTS

The Conditions of Approval set forth in Exhibit B of Motion No. XXXXX, Case No. 2012.1187C (Conditional Use Authorization under Planning Code Sections 157.1 and 303) and the Conditions of Approval set forth in Exhibit B of Motion No. XXXXX, Case No. 2012.1187B (Office Development Authorization under Planning Code Section 321) apply to this approval, and are incorporated herein as though fully set forth, except as modified herein.

RECORDATION OF CONDITIONS OF APPROVAL

Prior to the issuance of the building permit or commencement of use for the Project the Zoning Administrator shall approve and order the recordation of a Notice in the Official Records of the Recorder of the City and County of San Francisco for the subject property. This Notice shall state that the project is subject to the conditions of approval contained herein and reviewed and approved by the Planning Commission on XXXXXX under Motion No XXXXXX.

PRINTING OF CONDITIONS OF APPROVAL ON PLANS

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

SEVERABILITY

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

CHANGES AND MODIFICATIONS

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

Conditions of Approval, Compliance, Monitoring, and Reporting

PERFORMANCE

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

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

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

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

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

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

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

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

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

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

6. **Mitigation Measures.** Mitigation measures described in the MMRP for the Eastern Neighborhoods Plan EIR (Case No. 2004.0160E) attached as Exhibit C are necessary to avoid potential significant effects of the proposed project and have been agreed to by the project sponsor.

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

8. **Additional Project Authorization.** The Project Sponsor must obtain an Office Development Authorization under Section 321 to allocate office square footage and a Conditional Use Authorization under Sections 157.1, 303 and 842.41 to operate a non-accessory commercial parking garage, 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

9. **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

10. **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

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

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

PARKING AND TRAFFIC

12. **Car Share.** Pursuant to Planning Code Section 166, no fewer **than two (2)** car share space shall be made available, at no cost, to a certified car share organization for the purposes of providing car share services for its service subscribers.
For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org
13. **Bicycle Parking.** Pursuant to Planning Code Sections 155.1 and 155.4., the Project shall provide no fewer than 22 Class 1 and 14 Class 2 bicycle parking spaces.
For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org
14. **Showers and Clothes Lockers.** Pursuant to Planning Code Section 155.3, the Project shall provide no fewer than 4 showers and 24 clothes lockers.
For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org .
15. **Parking Maximum.** Pursuant to Planning Code Section 151.1, the Project shall dedicate no more than 9,621.22 square feet to accessory off-street parking spaces.
For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org .
16. **Off-street Loading.** Pursuant to Planning Code Section 152, the Project will provide 1 off-street loading space.
For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

PROVISIONS

17. **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
18. **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

19. **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 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
20. **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
21. **Eastern Neighborhoods Infrastructure Impact Fee.** Pursuant to Planning Code Section 423, the Project Sponsor shall comply with the Eastern Neighborhoods Public Benefit Fund provisions through payment of an Impact Fee pursuant to Article 4.
For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org
22. **Art.** 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

MONITORING

23. **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
24. **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

25. **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>

26. **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>

27. **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

Subject to: (Select only if applicable)

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

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Planning Commission Draft Motion

HEARING DATE: DECEMBER 11, 2014

Date: December 4, 2014
Case No.: **2012.1187 BCX**
Project Address: **501-505 Brannan Street**
Zoning: MUO (Mixed Use – Office) Zoning District
 85-X Height and Bulk District
Block/Lot: 3786/038
Project Sponsor: Amy Neches
 TMG Partners
 100 Bush Street
 San Francisco, CA 94104
Staff Contact: Brittany Bendix – (415) 575-9114
 brittany.bendix@sfgov.org

ADOPTING FINDINGS RELATING TO THE APPROVAL OF CONDITIONAL USE AUTHORIZATION PURSUANT TO SECTIONS 157.1, 303, AND 842.41 OF THE PLANNING CODE TO ALLOW A NON-ACCESSORY BELOW-GRADE COMMERCIAL PARKING GARAGE OF APPROXIMATELY 14,939 GROSS SQUARE FEET, AS PART OF THE NEW CONSTRUCTION OF A SIX STORY, 85 FOOT TALL, 153,117 GROSS SQUARE FOOT BUILDING CONTAINING 137,446 GROSS SQUARE FEET OF OFFICE SPACE AND 732 GROSS SQUARE FEET OF RETAIL SPACE, WITHIN AN MUO (MIXED USE - OFFICE) ZONING DISTRICT AND AN 85-X HEIGHT AND BULK DISTRICT, AND ADOPTING FINDINGS UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.

PREAMBLE

On March 7, 2014, Amy Neches of TMG Partners (hereinafter “Project Sponsor”) filed an application with the Planning Department (hereinafter “Department”) for a Large Project Authorization, a Conditional Use Authorization and an Office Development Authorization to construct a new six story building with an additional two floors of below grade parking, and containing 153,117 gross square feet including 137,446 gross square feet of office space, 14,939 gross square feet of commercial off-street parking, and 732 gross square feet of retail space, at 501-505 Brannan Street (Block 3786, Lot 038) in San Francisco, California.

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

The Eastern Neighborhoods EIR is a Program EIR. Pursuant to CEQA Guideline 15168(c)(2), if the lead agency finds that no new effects could occur or no new mitigation measures would be required of a proposed project, the agency may approve the project as being within the scope of the project covered by the program EIR, and no additional or new environmental review is required. In approving the Eastern Neighborhoods Plan, the Commission adopted CEQA Findings in its Motion No. 17661 and hereby incorporates such Findings by reference.

Additionally, State CEQA Guidelines Section 15183 provides a streamlined environmental review for projects that are consistent with the development density established by existing zoning, community plan or general plan policies for which an EIR was certified, except as might be necessary to examine whether there are project-specific effects which are peculiar to the project or its site. Section 15183 specifies that examination of environmental effects shall be limited to those effects that (a) are peculiar to the project or parcel on which the project would be located, (b) were not analyzed as significant effects in a prior EIR on the zoning action, general plan or community plan with which the project is consistent, (c) are potentially significant off-site and cumulative impacts which were not discussed in the underlying EIR, or (d) are previously identified in the EIR, but which are determined to have a more severe adverse impact than that discussed in the underlying EIR. Section 15183(c) specifies that if an impact is not peculiar to the parcel or to the proposed project, then an EIR need not be prepared for that project solely on the basis of that impact.

On **November 20, 2014**, the Department determined that the proposed application did not require further environmental review under Section 15183 of the CEQA Guidelines and Public Resources Code Section 21083.3. The Project is consistent with the adopted zoning controls in the Eastern Neighborhoods Area Plan and was encompassed within the analysis contained in the Eastern Neighborhoods Final EIR. Since the Eastern Neighborhoods Final EIR was finalized, there have been no substantial changes to the Eastern Neighborhoods Area Plan and no substantial changes in circumstances that would require major revisions to the Final EIR due to the involvement of new significant environmental effects or an increase in the severity of previously identified significant impacts, and there is no new information of substantial importance that would change the conclusions set forth in the Final EIR. The file for this project, including the Eastern Neighborhoods Final EIR and the Community Plan Exemption certificate, is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, San Francisco, California.

Planning Department staff prepared a Mitigation Monitoring and Reporting Program (MMRP) setting forth mitigation measures that were identified in the Eastern Neighborhoods Plan EIR that are applicable

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

On December 11, 2014, the San Francisco Planning Commission (hereinafter "Commission") adopted Motion No. **XXXXX**, approving a Large Project Authorization for the Proposed Project (Large Project Authorization Application No. 2012.1187X), including a Mitigation, Monitoring, and Reporting Program for the Project, attached as Exhibit C to Motion No. **XXXXX**, which are incorporated herein by this reference thereto as if fully set forth in this Motion.

On December 11, 2014, the San Francisco Planning Commission (hereinafter "Commission") adopted Motion No. **XXXXX**, approving an Office Development Authorization for the Proposed Project (Office Development Authorization Application No. 2012.1187B), including a Mitigation, Monitoring, and Reporting Program for the Project, attached as Exhibit C to Motion No. **XXXXX**, which are incorporated herein by this reference thereto as if fully set forth in this Motion.

On December 11, 2014, the San Francisco Planning Commission conducted a duly noticed public hearing at a regularly scheduled meeting on Conditional Use Application No. 2012.1187C.

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 Conditional Use requested in Application No. 2012.1187BCX, subject to the conditions contained in "EXHIBIT A" of this motion, based on the following findings:

FINDINGS

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

1. The above recitals are accurate and constitute findings of this Commission.
2. **Site Description and Present Use.** The project is located on the southern side of Brannan Street, on the southwest corner of the intersection of Brannan Street and Fourth Street, Block 3786, Lot 038. The property is located within the MUO (Mixed Use – Office) Zoning District with an 85-X Height and Bulk District. The site contains a single story financial service use (d.b.a. Bank of America) of approximately 8,500 gross square feet, as well as an accessory drive-thru and surface parking lot of 70 off-street parking spaces. The property includes 250-feet of frontage on Brannan Street, 35-feet of frontage on 4th Street, and 95-feet of frontage on Bluxome Street.
3. **Surrounding Properties and Neighborhood.** The project site is located at the southern edge of the East SoMa Area Plan, on a block zoned as WMUO (Western SoMa Mixed Use-Office) and MUO. The site is located on the southern corner of the intersection of Fourth and Brannan Streets. Directly west of, and immediately adjacent to the subject property is Fire Department Station No.

8 and two four-story office buildings, followed by the Bay Club SF Tennis facility. North of the subject property and across Brannan Street is a collection of warehouse, residential and retail uses ranging from one to four stories. A financial service (d.b.a. Wells Fargo) occupies the corner opposite from the subject site. Directly east of, and immediately adjacent to the property is a two-story retail use (d.b.a. K & L Wines) and a single story limited restaurant (d.b.a. Latte Express). South of property and beyond Bluxome Street are a mix of live/work, industrial and office buildings ranging from two to six stories in height. A mix of residential, office, industrial and live/work uses also characterize the broader neighborhood, which is zoned as WMUO, RED (Residential Enclave), SALI (Service/Arts/Light Industrial), SLI (Service/Light Industrial) and WMUO.

The site is two blocks north of the Fourth and King Caltrain and Muni Stations. Upon completion of the Central Subway, there will be a new Muni Station at Fourth and Brannan. The project site is also situated within the proposed Central SoMa Area Plan which is currently undergoing environmental review. If approved, as currently proposed, the subject property would retain its current MUO Zoning and would change to an 85P/250T Height and Bulk district. Under the Central SoMa Area Plan the broader area would be rezoned to a MUO Zoning District.

4. **Project Description.** The proposal is to eliminate the existing off-street parking lot and construct a six story, 85-foot tall, building of approximately 153,117 gross square feet (GSF) with an additional two floors of below grade parking. The new building will contain up to 137,446 GSF of office space, 14,939 GSF of non-accessory off-street commercial parking, 9,621 SF of accessory parking, and 732 GSF of retail space. The proposed off-street parking garage will be accessed from Bluxome Street, eliminating the site's vehicular access from Brannan Street. Additionally, the proposal accommodates 66 off-street parking spaces and results in a net decrease of off-street parking. The existing financial service use (d.b.a. Bank of America) will remain and will relocate its entrance for the existing accessory drive thru use to Bluxome Street.
5. **Public Comment.** The Department has not received any public comment at this time.
6. **Planning Code Compliance:** The Planning Code Compliance Findings set forth in Motion No. XXXXX, Case No. 2012.1187X (Large Project Authorization, pursuant to Planning Code Section 329) apply to this Motion, and are incorporated herein as though fully set forth.
7. **Planning Code Section 157.1** establishes criteria for the Planning Commission to consider when reviewing Conditional Use applications for non-accessory parking garages in Eastern Neighborhoods Mixed Use Districts. The Commission shall affirmatively find that such facility meets all the criteria and standards of this Section, as well as any other requirement of this Code as applicable.
 - A. Such facility shall meet all the design requirements for setbacks from facades and wrapping with active uses at all levels per the requirements of Section 145.1.

The subject non-accessory parking garage is located below grade and thereby satisfies the parking setbacks required by Planning Code Section 145.1. Additionally, the ground floor is occupied by principally permitted retail and office uses which are considered active uses. The project as proposed complies with all applicable requirements of Planning Code Section 145.1.

- B. Such parking shall not be accessed from any protected Transit or Pedestrian Street described in Section 155(r).

The site's vehicular access has been removed from Brannan Street and relocated to Bluxome Street as part of the proposed project. Bluxome Street is not a protected Transit or Pedestrian Street per Planning Code Section 155(r).

- C. Such parking garage shall be located in a building where the ratio of gross square footage of parking uses to other uses that are permitted or conditionally permitted in that district is not more than 1 to 1.

The Project proposes a total of 24,560 square feet of accessory and non-accessory parking and a total of 138,178 square feet of office and retail uses. Therefore, the project is substantially below the 1:1 "parking" use to "other" use ratio.

- D. Such parking shall be available for use by the general public on equal terms and shall not be deeded or made available exclusively to tenants, residents, owners or users of any particular use or building except in cases that such parking meets the criteria of pertaining to fleet vehicles or pooled residential parking in Planning Code Section 157.1(d) and (e).

The proposed non-accessory parking garage will be available to the general public on equal terms and will not be deeded exclusively.

- E. Such facility shall provide spaces for car sharing vehicles per the requirements of Section 166 and bicycle parking per the requirements of Sections 155.1 and 155.2.

The Project provides two car share parking spaces, as well as 132 Class 1 bicycle spaces, all of which are conveniently accessible. Therefore, the project complies with the requirements of Planning Code Section 155.1, 155.2, and 166.

- F. Such facility, to the extent open to the public per subsection (4) above, shall meet the pricing requirements of Section 155(g) and shall generally limit the proposed parking to short-term occupancy rather than long-term occupancy.

The non-accessory commercial parking will be required to comply with the pricing requirements of Section 155(g).

- G. Vehicle movement on or around the facility does not unduly impact pedestrian spaces or movement, transit service, bicycle movement, or the overall traffic movement in the district.

The Project will relocate the site's vehicular access from Brannan Street to Bluxome Street, improving the overall flow of multi-modal traffic within the district. To further accommodate pedestrian flow the Project also includes a mid-block passage way.

- H. Such facility and its access does not diminish the quality and viability of existing or planned streetscape enhancements.

The proposed non-accessory commercial parking garage does not diminish the quality and viability of existing or planned streetscape enhancements. The non-accessory parking garage makes use of the same entrances that serve the site's as-of-right accessory parking and required loading space. Further, the total number of parking spaces (both accessory and non-accessory) is less than to the number of parking spaces currently provided by the existing surface parking lot.

8. **Planning Code Section 303** establishes criteria for the Planning Commission to consider when reviewing applications for Conditional Use approval. On balance, the project does comply with said criteria in that:

- A. The proposed new uses and building, at the size and intensity contemplated and at the proposed location, will provide a development that is necessary or desirable, and compatible with, the neighborhood or the community.

The size of the proposed off-street parking use represents a reduction in the site's existing commercial parking capacity. Further, by retaining a commercial parking component in the proposed project, the neighborhood retains a necessary and desirable use at a less intense scale.

- B. The proposed project will not be detrimental to the health, safety, convenience or general welfare of persons residing or working in the vicinity. There are no features of the project that could be detrimental to the health, safety or convenience of those residing or working the area, in that:

- i. Nature of proposed site, including its size and shape, and the proposed size, shape and arrangement of structures;

The proposed non-accessory commercial parking garage is a reduction of the existing non-accessory commercial parking activities at the site. This reduction is appropriate given the growing number of transit options in the immediate vicinity. Upon approval of the Conditional Use Authorization, the commercial parking will also be required to apply a specific rate structure that discourages long-term parking. This requirement is not applicable to the existing parking lot. Finally, the parking is not visible from the street as it will be provided below grade.

- ii. The accessibility and traffic patterns for persons and vehicles, the type and volume of such traffic, and the adequacy of proposed off-street parking and loading;

The relocation of vehicular access from Brannan Street to Bluxome Street improves traffic patterns for the immediate vicinity and is generally consistent with the Policy and Objectives in the East SoMa Area Plan.

- iii. The safeguards afforded to prevent noxious or offensive emissions such as noise, glare, dust and odor;

The proposed parking facility is located below grade and will meet all applicable requirements to prevent noxious or offensive emissions.

- iv. Treatment given, as appropriate, to such aspects as landscaping, screening, open spaces, parking and loading areas, service areas, lighting and signs;

The subject parking facility will be located below grade. Lighting and signage will be appropriate to promote pedestrian safety along the Bluxome Street frontage, as well as the mid-block passageway along the northeast façade.

- C. That the use as proposed will comply with the applicable provisions of the Planning Code and will not adversely affect the General Plan.

The Project complies with all relevant requirements and standards of the Planning Code and is consistent with objectives and policies of the General Plan as detailed below.

- 9. **General Plan Compliance.** The General Plan Consistency Findings set forth in Motion No. **XXXXX**, Case No. 2012.1187X (Large Project Authorization, pursuant to Planning Code Section 329) apply to this Motion, and are incorporated herein as though fully set forth.
- 10. **Section 101.1 Priority Policy Findings.** Section 101.1(b)(1-8) establishes eight priority planning Policies and requires review of permits for consistency with said policies.

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

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

The proposal retains the financial services and commercial parking component of the existing site while expanding the available employment opportunities for residents. The project also includes the establishment of a neighborhood-serving retail space. Further, the office development will introduce more employees and potential patrons to the neighboring retail uses.

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

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

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

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

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

The Project relocates the site's vehicular access from Brannan Street to Bluxome Street and improves the overall flow of multi-modal traffic within the district. Further, the Project locates employment opportunities in a transit-rich environment that is consistent with the General Plan and Planning Code.

- E. That a diverse economic base be maintained by protecting our industrial and service sectors from displacement due to commercial office development, and that future opportunities for resident employment and ownership in these sectors be enhanced.

The proposed project does not displace any industrial or service use. Furthermore, the proposed new office space is a principally permitted use within the subject zoning district and is at a scale that maximizes the current development potential of the site. The project will provide quality flexible office space that is suitable for a variety of office uses and sizes and that is compatible with the mix of industrial and commercial activities that participate in East SoMa's knowledge sector. This office space will help maintain local resident employment opportunities and enhance demand for neighborhood-serving businesses in the area.

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

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

- G. That landmarks and historic buildings be preserved.

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

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

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

11. The Project is consistent with and would promote the general and specific purposes of the Code provided under Section 101.1(b) in that, as designed, the Project would contribute to the character and stability of the neighborhood and would constitute a beneficial development.
12. The Commission hereby finds that approval of the Conditional Use 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 Conditional Use Application No. 2012.1187C** under Planning Code Section 157.1, 303 and 842.41 to allow a below-grade non-accessory parking garage of approximately 14,939 gross square feet, as part of the new construction of a six story 153,117 gross square foot building containing 137,446 gross square of office space and 732 gross square feet of retail space, within the MUO (Mixed Use-Office) Zoning District and an 85-X Height and Bulk District. The project is subject to the following conditions attached hereto as "Exhibit A" in general conformance with plans on file, dated November 18, 2014, and stamped "EXHIBIT B", which is incorporated herein by reference as though fully set forth.

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

APPEAL AND EFFECTIVE DATE OF MOTION: Any aggrieved person may appeal this Conditional Use Authorization to the Board of Supervisors within thirty (30) days after the date of this Motion No. XXXXX. The effective date of this Motion shall be the date of this Motion if not appealed (After the 30-day period has expired) OR the date of the decision of the Board of Supervisors if appealed to the Board of Supervisors. For further information, please contact the Board of Supervisors at (415) 554-5184, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102.

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

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

I hereby certify that the Planning Commission ADOPTED the foregoing Motion on December 11, 2014.

Jonas P. Ionin
Commission Secretary

AYES:

NAYS:

ABSENT:

ADOPTED: December 11, 2014

EXHIBIT A

AUTHORIZATION

This authorization is for a Conditional Use Authorization to allow a below-grade non-accessory parking garage of approximately 14,939 gross square feet, as part of the new construction of a six story 153,117 gross square foot building containing 137,446 gross square feet of office space and 732 gross square feet of retail space, within the MUO (Mixed Use-Office) Zoning District and an 85-X Height and Bulk District. The project is subject to the following conditions attached hereto as "Exhibit A" in general conformance with plans on file, dated October 27, 2014, and stamped "EXHIBIT B" included in the docket for Case No. 2012.1187C and subject to conditions of approval reviewed and approved by the Commission on November 18, 2014, under Motion No XXXXXX. This authorization and the conditions contained herein run with the property and not with a particular Project Sponsor, business, or operator.

COMPLIANCE WITH OTHER REQUIREMENTS

The Conditions of Approval set forth in Exhibit B of Motion No. XXXXX, Case No. 2012.1187X (Large Project Authorization under Planning Code Section 329) and the Conditions of Approval set forth in Exhibit B of Motion No. XXXXX, Case No. 2012.1187B (Office Development Authorization under Planning Code Section 321) apply to this approval, and are incorporated herein as though fully set forth, except as modified herein.

RECORDATION OF CONDITIONS OF APPROVAL

Prior to the issuance of the building permit or commencement of use for the Project the Zoning Administrator shall approve and order the recordation of a Notice in the Official Records of the Recorder of the City and County of San Francisco for the subject property. This Notice shall state that the project is subject to the conditions of approval contained herein and reviewed and approved by the Planning Commission on XXXXXX under Motion No XXXXXX.

PRINTING OF CONDITIONS OF APPROVAL ON PLANS

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

SEVERABILITY

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

CHANGES AND MODIFICATIONS

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

Conditions of Approval, Compliance, Monitoring, and Reporting

PERFORMANCE

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

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

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

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

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

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

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

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

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

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

6. **Mitigation Measures.** Mitigation measures described in the MMRP for the Eastern Neighborhoods Plan EIR (Case No. 2004.0160E) attached as Exhibit C are necessary to avoid potential significant effects of the proposed project and have been agreed to by the project sponsor.

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

7. **Additional Project Authorization.** The Project Sponsor must obtain a Large Project Authorization under Sections 329 and satisfy all the conditions thereof. The conditions set forth therein 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

MONITORING

8. **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

9. **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



SAN FRANCISCO PLANNING DEPARTMENT

Subject to: (Select only if applicable)

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

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Planning Commission Draft Motion

HEARING DATE: DECEMBER 11, 2014

Date: December 4, 2014
Case No.: **2012.1187 BCX**
Project Address: **501-505 Brannan Street**
Zoning: MUO (Mixed Use – Office) Zoning District
 85-X Height and Bulk District
Block/Lot: 3786/038
Project Sponsor: Amy Neches
 TMG Partners
 100 Bush Street
 San Francisco, CA 94104
Staff Contact: Brittany Bendix – (415) 575-9114
 brittany.bendix@sfgov.org

ADOPTING FINDINGS RELATING TO AN ALLOCATION OF OFFICE SQUARE FOOTAGE UNDER THE 2014-2015 ANNUAL OFFICE DEVELOPMENT LIMITATION PROGRAM PURSUANT TO PLANNING CODE SECTION 321 THAT WOULD AUTHORIZE THE NEW CONSTRUCTION OF 137,446 GROSS SQUARE FEET OF OFFICE USE FOR A PROPOSED PROJECT LOCATED AT 501-505 BRANNAN STREET, LOT 038 IN ASSESSOR'S BLOCK 3786, WITHIN THE MUO (MIXED USE-OFFICE) ZONING DISTRICT AND AN 85-X HEIGHT AND BULK DISTRICT, AND ADOPTING FINDINGS UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.

PREAMBLE

On March 7, 2014, Amy Neches of TMG Partners (hereinafter "Project Sponsor") filed an application with the Planning Department (hereinafter "Department") for a Large Project Authorization, a Conditional Use Authorization and an Office Development Authorization to construct a new six story, 85-foot tall, building with an additional two floors of below grade parking, and containing 153,117 gross square feet including 137,446 gross square feet of office space, 14,939 gross square feet of commercial off-street parking, and 732 gross square feet of retail space, at 501-505 Brannan Street (Block 3786, Lot 038) in San Francisco, California.

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

The Eastern Neighborhoods EIR is a Program EIR. Pursuant to CEQA Guideline 15168(c)(2), if the lead agency finds that no new effects could occur or no new mitigation measures would be required of a proposed project, the agency may approve the project as being within the scope of the project covered by the program EIR, and no additional or new environmental review is required. In approving the Eastern Neighborhoods Plan, the Commission adopted CEQA Findings in its Motion No. 17661 and hereby incorporates such Findings by reference.

Additionally, State CEQA Guidelines Section 15183 provides a streamlined environmental review for projects that are consistent with the development density established by existing zoning, community plan or general plan policies for which an EIR was certified, except as might be necessary to examine whether there are project-specific effects which are peculiar to the project or its site. Section 15183 specifies that examination of environmental effects shall be limited to those effects that (a) are peculiar to the project or parcel on which the project would be located, (b) were not analyzed as significant effects in a prior EIR on the zoning action, general plan or community plan with which the project is consistent, (c) are potentially significant off-site and cumulative impacts which were not discussed in the underlying EIR, or (d) are previously identified in the EIR, but which are determined to have a more severe adverse impact than that discussed in the underlying EIR. Section 15183(c) specifies that if an impact is not peculiar to the parcel or to the proposed project, then an EIR need not be prepared for that project solely on the basis of that impact.

On **November 20, 2014**, the Department determined that the proposed application did not require further environmental review under Section 15183 of the CEQA Guidelines and Public Resources Code Section 21083.3. The Project is consistent with the adopted zoning controls in the Eastern Neighborhoods Area Plan and was encompassed within the analysis contained in the Eastern Neighborhoods Final EIR. Since the Eastern Neighborhoods Final EIR was finalized, there have been no substantial changes to the Eastern Neighborhoods Area Plan and no substantial changes in circumstances that would require major revisions to the Final EIR due to the involvement of new significant environmental effects or an increase in the severity of previously identified significant impacts, and there is no new information of substantial importance that would change the conclusions set forth in the Final EIR. The file for this project, including the Eastern Neighborhoods Final EIR and the Community Plan Exemption certificate, is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, San Francisco, California.

Planning Department staff prepared a Mitigation Monitoring and Reporting Program (MMRP) setting forth mitigation measures that were identified in the Eastern Neighborhoods Plan EIR that are applicable

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

On December 11, 2014, the San Francisco Planning Commission (hereinafter "Commission") adopted Motion No. **XXXXX**, approving a Large Project Authorization for the Proposed Project (Large Project Authorization Application No. 2012.1187X), including a Mitigation, Monitoring, and Reporting Program for the Project, attached as Exhibit C to Motion No. **XXXXX**, which are incorporated herein by this reference thereto as if fully set forth in this Motion.

On December 11, 2014, the San Francisco Planning Commission (hereinafter "Commission") adopted Motion No. **XXXXX**, approving a Conditional Use Authorization for the Proposed Project (Conditional Use Authorization Application No. 2012.1187C), including a Mitigation, Monitoring, and Reporting Program for the Project, attached as Exhibit C to Motion No. **XXXXX**, which are incorporated herein by this reference thereto as if fully set forth in this Motion.

On December 11, 2014, the San Francisco Planning Commission conducted a duly noticed public hearing at a regularly scheduled meeting on Conditional Use Application No. 2012.1187B.

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 Conditional Use requested in Application No. 2012.1187BCX, subject to the conditions contained in "EXHIBIT A" of this motion, based on the following findings:

FINDINGS

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

1. The above recitals are accurate and constitute findings of this Commission.
2. **Site Description and Present Use.** The project is located on the southern side of Brannan Street, on the southwest corner of the intersection of Brannan Street and Fourth Street, Block 3786, Lot 038. The property is located within the MUO (Mixed Use – Office) Zoning District with an 85-X Height and Bulk District. The site contains a single story financial service use (d.b.a. Bank of America) of approximately 8,500 gross square feet, as well as an accessory drive-thru and surface parking lot of 70 off-street parking spaces. The property includes 250-feet of frontage on Brannan Street, 35-feet of frontage on 4th Street, and 95-feet of frontage on Bluxome Street.
3. **Surrounding Properties and Neighborhood.** The project site is located at the southern edge of the East SoMa Area Plan, on a block zoned as WMUO (Western SoMa Mixed Use-Office) and MUO. The site is located on the southern corner of the intersection of Fourth and Brannan Streets. Directly west of, and immediately adjacent to the subject property is Fire Department Station No.

8 and two four-story office buildings, followed by the Bay Club SF Tennis facility. North of the subject property and across Brannan Street is a collection of warehouse, residential and retail uses ranging from one to four stories. A financial service (d.b.a. Wells Fargo) occupies the corner opposite from the subject site. Directly east of, and immediately adjacent to the property is a two-story retail use (d.b.a. K & L Wines) and a single story limited restaurant (d.b.a. Latte Express). South of property and beyond Bluxome Street are a mix of live/work, industrial and office buildings ranging from two to six stories in height. A mix of residential, office, industrial and live/work uses also characterize the broader neighborhood, which is zoned as WMUO, RED (Residential Enclave), SALI (Service/Arts/Light Industrial), SLI (Service/Light Industrial) and WMUO.

The site is two blocks north of the Fourth and King Caltrain and Muni Stations. Upon completion of the Central Subway, there will be a new Muni Station at Fourth and Brannan. The project site is also situated within the proposed Central SoMa Area Plan which is currently undergoing environmental review. If approved, as currently proposed, the subject property would retain its current MUO Zoning and would change to an 85P/250T Height and Bulk district. Under the Central SoMa Area Plan the broader area would be rezoned to a MUO Zoning District.

4. **Project Description.** The proposal is to eliminate the existing off-street parking lot and construct a six story, 85-foot tall, building of approximately 153,117 gross square feet (GSF) with an additional two floors of below grade parking. The new building will contain up to 137,446 GSF of office space, 14,939 GSF of non-accessory off-street commercial parking, 9,621 SF of accessory parking, and 732 GSF of retail space. The proposed off-street parking garage will be accessed from Bluxome Street, eliminating the site's vehicular access from Brannan Street. Additionally, the proposal accommodates 66 off-street parking spaces and results in a net decrease of off-street parking. The existing financial service use (d.b.a. Bank of America) will remain and will relocate its entrance for the existing accessory drive thru use to Bluxome Street.
5. **Public Comment.** The Department has not received any public comment at this time.
6. **Planning Code Compliance:** The Planning Code Compliance Findings set forth in Motion No. XXXXX, Case No. 2012.1187X (Large Project Authorization, pursuant to Planning Code Section 329) apply to this Motion, and are incorporated herein as though fully set forth.
7. **Office Development Authorization.** Planning Code 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.

Currently, there is more than 3.0 million gross square feet of available "Large Cap" office space in the City. Additionally, the proposed project is subject to various development fees that will benefit the surrounding community and the city. The Project is located in close proximity to many public transportation options, including stops for both Muni and Caltrain. Therefore, the Project will help maintain the balance between economic growth, 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 proposed project is consistent with the General Plan, as outlined in Section 8 below.

III. THE QUALITY OF THE DESIGN OF THE PROPOSED OFFICE DEVELOPMENT.

The proposed project offers high quality design for the proposed office development, which is consistent and compatible with the neighborhood's overall massing and form. In particular, the proposed project addresses the architectural vocabulary and composition found among many of the older warehouses within the immediate vicinity, as well as the more contemporary office, live/work and residential buildings. The design features an industrial, yet contemporary aesthetic, with a grid fenestration pattern and incorporation of simple high-quality materials.

IV. THE SUITABILITY OF THE PROPOSED OFFICE DEVELOPMENT FOR ITS LOCATION, AND ANY EFFECTS OF THE PROPOSED OFFICE DEVELOPMENT SPECIFIC TO THAT LOCATION.

- a) Use. *The proposed project is located within the MUO (Mixed Use-Office) Zoning District, which permits office use pursuant to Planning Code Sections 842.66. The subject lot is located in an area primarily characterized by commercial, residential, live/work and light industrial development. There are several office use buildings on the subject block, and within the immediate area.*
- b) Transit Accessibility. *The area is served by a variety of transit options. The project site is within a quarter-mile of various Muni routes, including the 8X-Bayshore Express, 10-Townsend, 30-Stockton, 45-Union/Stockton, 47-Van Ness, and 76X-Marin Headlands Express, as well as the N-Judah and KT-Ingleside/Third Street Rail Lines. Further, the project site is located within two blocks of the Caltrain Station on King and 4th Streets, and a future Muni station will be constructed at the intersection of Brannan and Fourth Streets.*
- c) Open Space Accessibility. *The proposal provides a ground floor open area that is publicly accessible to comply with the non-residential open space requirements and is located within four blocks of open space at South Park.*
- d) Urban Design. *The proposed project reinforces the surrounding neighborhood character by providing a new project that is consistent and compatible with the surrounding area's mass, scale, size and architectural details.*

- e) Seismic Safety. *The proposed project would be designed in conformance with current seismic and life safety codes as mandated by the Department of Building Inspection.*

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.

- a) Anticipated Employment Opportunities. *The Project includes a total of 137,446 gross square feet of office space. The additional office square footage will create new opportunities for employment, especially in the City's Knowledge Sector which is an objective of the East SoMa Area Plan.*
- b) Needs of Existing Businesses. *The Project will supply office space in the Eastern SoMa area, which allows office uses within the MUO Zoning District. The Project will provide office space with high ceilings and large floor plates, which are characteristics desired by emerging technology businesses. This building type offers flexibility for new businesses to further grow in the future.*
- c) Availability of Space Suitable for Anticipated Uses. *The Project will provide large open floor plates, which will allow for quality office space that is suitable for a variety of office uses and sizes.*

VI. THE EXTENT TO WHICH THE PROPOSED DEVELOPMENT WILL BE OWNED OR OCCUPIED BY A SINGLE ENTITY.

The Project Sponsor has not determined the anticipated tenants.

VII. THE USE, IF ANY, OF TRANSFERABLE DEVELOPMENT RIGHTS ("TDR's") BY THE PROJECT SPONSOR.

The Project does not include any Transfer of Development Rights.

8. **General Plan Compliance.** The General Plan Consistency Findings set forth in Motion No. **XXXXX**, Case No. 2012.1187X (Large Project Authorization, pursuant to Planning Code Section 329) apply to this Motion, and are incorporated herein as though fully set forth.
9. **Section 101.1 Priority Policy Findings.** Section 101.1(b)(1-8) establishes eight priority planning Policies and requires review of permits for consistency with said policies.

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

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

The proposal retains the financial services and commercial parking component of the existing site while expanding the available employment opportunities for residents. The project also includes the

establishment of a neighborhood-serving retail space. Further, the office development will introduce more employees and potential patrons to the neighboring retail uses.

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

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

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

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

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

The Project relocates the site's vehicular access from Brannan Street to Bluxome Street and improves the overall flow of multi-modal traffic within the district. Further, the Project locates employment opportunities in a transit-rich environment that is consistent with the General Plan and Planning Code.

- E. That a diverse economic base be maintained by protecting our industrial and service sectors from displacement due to commercial office development, and that future opportunities for resident employment and ownership in these sectors be enhanced.

The proposed project does not displace any industrial or service use. Furthermore, the proposed new office space is a principally permitted use within the subject zoning district and is at a scale that maximizes the current development potential of the site. The project will provide quality flexible office space that is suitable for a variety of office uses and sizes and that is compatible with the mix of industrial and commercial activities that participate in East SoMa's knowledge sector. This office space will help maintain local resident employment opportunities and enhance demand for neighborhood-serving businesses in the area.

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

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

- G. That landmarks and historic buildings be preserved.

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

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

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

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 Office Development 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 Office Development Application No. 2012.1187B** subject to the following conditions attached hereto as "EXHIBIT A" in general conformance with plans on file, dated November 18, 2014, 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 321 Office-Space 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 adoption of this Motion if not appealed (after the 15-day period has expired) OR the date of the decision of the Board of Appeals if appealed to the Board of Appeals. For further information, please contact the Board of Appeals at (415) 575-6880, 1660 Mission, Room 3036, San Francisco, CA 94103.

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

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

I hereby certify that the Planning Commission **ADOPTED** the foregoing Motion on December 11, 2014.

Jonas P. Ionin
Commission Secretary

AYES:

NAYS:

ABSENT:

**Draft Motion
December 4, 2014**

**CASE NO. 2012.1187 BCX
501-505 Brannan Street**

ADOPTED: December 11, 2014

EXHIBIT A

AUTHORIZATION

This authorization is for an Office Development Authorization to authorize 137,446 gross square feet of office use located at 501-505 Brannan Street, Lot 038 in Assessor's Block 3786 pursuant to Planning Code Section 321 within the MUO (Mixed Use – Office) Zoning District and a 85-X Height and Bulk District; in general conformance with plans, dated XXXXXX, and stamped "EXHIBIT B" included in the docket for Case No. 2012.1187B and subject to conditions of approval reviewed and approved by the Commission on December 11, 2014, under Motion No XXXXXX. This authorization and the conditions contained herein run with the property and not with a particular Project Sponsor, business, or operator.

COMPLIANCE WITH OTHER REQUIREMENTS

The Conditions of Approval set forth in Exhibit B of Motion No. XXXXX, Case No. 2012.1187X (Large Project Authorization under Planning Code Section 329) and the Conditions of Approval set forth in Exhibit B of Motion No. XXXXX, Case No. 2012.1187C (Office Development Authorization under Planning Code Sections 157.1 and 303) apply to this approval, and are incorporated herein as though fully set forth, except as modified herein.

RECORDATION OF CONDITIONS OF APPROVAL

Prior to the issuance of the building permit or commencement of use for the Project the Zoning Administrator shall approve and order the recordation of a Notice in the Official Records of the Recorder of the City and County of San Francisco for the subject property. This Notice shall state that the project is subject to the conditions of approval contained herein and reviewed and approved by the Planning Commission on XXXXXX under Motion No XXXXXX.

PRINTING OF CONDITIONS OF APPROVAL ON PLANS

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

SEVERABILITY

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

CHANGES AND MODIFICATIONS

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

Conditions of Approval, Compliance, Monitoring, and Reporting

PERFORMANCE

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

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

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

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

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

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

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

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

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

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

6. **Mitigation Measures.** Mitigation measures described in the MMRP for the Eastern Neighborhoods Plan EIR (Case No. 2004.0160E) attached as Exhibit C are necessary to avoid potential significant effects of the proposed project and have been agreed to by the project sponsor.

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

7. **Additional Project Authorization.** The Project Sponsor must obtain a Large Project Authorization under Sections 329 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

8. **Development Timeline - Office.** Pursuant to Planning Code Section 321(d) (2), construction of the office development project shall commence within 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

**EXHIBIT 1:
MITIGATION MONITORING AND REPORTING PROGRAM
(Including the Text of the Mitigation Measures Adopted as Conditions of Approval and Proposed Improvement Measures)**

1. MITIGATION MEASURES ADOPTED AS CONDITIONS OF APPROVAL	Responsibility for Implementation	Mitigation Schedule	Monitoring/Report Responsibility	Status/Date Completed
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MITIGATION MEASURES AGREED TO BY PROJECT SPONSOR				
F. Noise				
<p>Project Mitigation Measure 2- Construction Noise (Mitigation Measure F-1: Construction Noise of the Eastern Neighborhoods PEIR)</p> <p>For subsequent development projects within proximity to noise-sensitive uses that would include pile-driving, individual project sponsors shall ensure that piles be pre-drilled wherever feasible to reduce construction-related noise and vibration. No impact pile drivers shall be used unless absolutely necessary. Contractors would be required to use pile-driving equipment with state-of-the-art noise shielding and muffling devices. To reduce noise and vibration impacts, sonic or vibratory sheetpile drivers, rather than impact drivers, shall be used wherever sheetpiles are needed. Individual project sponsors shall also require that contractors schedule pile-driving activity for times of the day that would minimize disturbance to neighbors.</p>	<p>Project Sponsor along with Project Contractor of each subsequent development project undertaken pursuant to the Eastern Neighborhoods Rezoning and Area Plans Project.</p>	<p>During construction</p>	<p>Each Project Sponsor to provide Planning Department with monthly reports during construction period.</p>	<p>Considered complete upon receipt of final monitoring report at completion of construction.</p>
<p>Project Mitigation Measure 3- Construction Noise (Mitigation Measure F-2 of the Eastern Neighborhoods PEIR)</p> <p>Where environmental review of a development project undertaken subsequent to the adoption of the proposed zoning controls determines that construction noise controls are necessary due to the nature of planned construction practices and the sensitivity of proximate uses, the Planning Director shall require that the sponsors of the subsequent development project develop a set of site-specific noise attenuation measures under the supervision of a qualified acoustical consultant. Prior to commencing construction, a plan for such measures shall be submitted to the Department of Building Inspection to ensure that maximum feasible noise attenuation will be achieved. These attenuation measures shall include as many of the following control strategies as feasible:</p> <ul style="list-style-type: none"> • Erect temporary plywood noise barriers around a construction site, particularly where a site adjoins noise-sensitive uses; • Utilize noise control blankets on a building structure as the building is erected to reduce noise emission from the site; • Evaluate the feasibility of noise control at the receivers by temporarily 	<p>Project Sponsor along with Project Contractor of each subsequent development project undertaken pursuant to the Eastern Neighborhoods Rezoning and Area Plans Project.</p>	<p>During construction</p>	<p>Each Project Sponsor to provide Planning Department with monthly reports during construction period.</p>	<p>Considered complete upon receipt of final monitoring report at completion of construction.</p>

**EXHIBIT 1:
MITIGATION MONITORING AND REPORTING PROGRAM
(Including the Text of the Mitigation Measures Adopted as Conditions of Approval and Proposed Improvement Measures)**

1. MITIGATION MEASURES ADOPTED AS CONDITIONS OF APPROVAL	Responsibility for Implementation	Mitigation Schedule	Monitoring/Report Responsibility	Status/Date Completed
<p>improving the noise reduction capability of adjacent buildings housing sensitive uses:</p> <ul style="list-style-type: none"> • Monitor the effectiveness of noise attenuation measures by taking noise measurements; and • Post signs on-site pertaining to permitted construction days and hours and complaint procedures and who to notify in the event of a problem, with telephone numbers listed. 				
<p>Project Mitigation Measure 4 - Siting of Noise-Generating Uses (Mitigation Measure F-5: of the Eastern Neighborhoods PEIR)</p> <p>To reduce potential conflicts between existing sensitive receptors and new noise-generating uses, for new development including commercial, industrial or other uses that would be expected to generate noise levels in excess of ambient noise, either short-term, at nighttime, or as a 24-hour average, in the proposed project site vicinity, the Planning Department shall require the preparation of an analysis that includes, at a minimum, a site survey to identify potential noise-sensitive uses within 900 feet of, and that have a direct line-of-sight to, the project site, and including at least one 24-hour noise measurement (with maximum noise level readings taken at least every 15 minutes), prior to the first project approval action. The analysis shall be prepared by persons qualified in acoustical analysis and/or engineering and shall demonstrate with reasonable certainty that the proposed use would comply with the use compatibility requirements in the general plan and Police Code 2909, would not adversely affect nearby noise-sensitive uses, and that there are no particular circumstances about the proposed project site that appear to warrant heightened concern about noise levels that would be generated by the proposed use. Should such concerns be present, the Department may require the completion of a detailed noise assessment by person(s) qualified in acoustical analysis and/or engineering prior to the first project approval action. Pursuant to Mitigation Measure F-5, a site survey and noise measurements were conducted to demonstrate that the proposed project would comply with the General Plan and the Noise Ordinance.¹</p>	<p>Project Sponsor along with Project Contractor of each subsequent development project undertaken pursuant to the Eastern Neighborhoods Rezoning and Area Plans Project.</p>	<p>Design measures to be incorporated into project design and evaluated in environmental/building permit review, prior to issuance of a final building permit and certificate of occupancy</p>	<p>San Francisco Planning Department and the Department of Building Inspection</p>	<p>Considered complete upon approval of final construction drawing set.</p>

¹ Charles M. Salter Associates, Inc. 505 Brannan Street, San Francisco, CA – Environmental Noise Study, February 11, 2014. This document is on file and available for public review at the Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2012.1187E.

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(Including the Text of the Mitigation Measures Adopted as Conditions of Approval and Proposed Improvement Measures)**

1. MITIGATION MEASURES ADOPTED AS CONDITIONS OF APPROVAL	Responsibility for Implementation	Mitigation Schedule	Monitoring/Report Responsibility	Status/Date Completed
<p>G. Air Quality</p> <p>Project Mitigation Measure 5 - Construction Air Quality (Eastern Neighborhoods Mitigation Measure G-1)</p> <p>A. <i>Construction Emissions Minimization Plan.</i> Prior to issuance of a construction permit, the project sponsor shall submit a Construction Emissions Minimization Plan (Plan) to the Environmental Review Officer (ERO) for review and approval by an Environmental Planning Air Quality Specialist. The Plan shall detail project compliance with the following requirements:</p> <ol style="list-style-type: none"> 1. All off-road equipment greater than 25 horsepower (hp) and operating for more than 20 total hours over the entire duration of construction activities shall meet the following requirements: <ol style="list-style-type: none"> a) Where access to alternative sources of power are available, portable diesel engines shall be prohibited; b) All off-road equipment shall have: <ol style="list-style-type: none"> i. Engines that meet or exceed either United States Environmental Protection Agency or California Air Resources Board (ARB) Tier 2 off-road emission standards, <i>and</i> ii. Engines that are retrofitted with an ARB Level 3 Verified Diesel Emissions Control Strategy (VDECS).² c) Exceptions: <ol style="list-style-type: none"> i. Exceptions to A(1)(a) may be granted if the project sponsor has submitted information providing evidence to the satisfaction of the ERO that an alternative source of power is limited or infeasible at the project site and that the requirements of this exception provision apply. Under this circumstance, the sponsor shall submit documentation of compliance with A(1)(b) for onsite power generation. 	Project sponsor/ contractor(s).	Prior to issuance of a permit specified in Section 106A.3.2.6 of the Francisco Building Code. Submit a plan to Planning.	Project sponsor/ contractor(s) and the ERO.	Considered complete on findings by ERO that Plan is complete.

² Equipment with engines meeting Tier 4 Interim or Tier 4 Final emission standards automatically meet this requirement, therefore a VDECS would not be required.

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ADOPTED AS CONDITIONS OF APPROVAL	Responsibility for Implementation	Mitigation Schedule	Monitoring/Report Responsibility	Status/Date Completed												
<p>ii. Exceptions to A(1)(b)(ii) may be granted if the project sponsor has submitted information providing evidence to the satisfaction of the ERO that a particular piece of off-road equipment with an ARB Level 3 VDECS is: (1) technically not feasible, (2) would not produce desired emissions reductions due to expected operating modes, (3) installing the control device would create a safety hazard or impaired visibility for the operator, or (4) there is a compelling emergency need to use off-road equipment that are not retrofitted with an ARB Level 3 VDECS and the sponsor has submitted documentation to the ERO that the requirements of this exception provision apply. If granted an exception to A(1)(b)(ii), the project sponsor must comply with the requirements of A(1)(c)(iii).</p> <p>iii. If an exception is granted pursuant to A(1)(c)(ii), the project sponsor shall provide the next cleanest piece of off-road equipment as provided by the step down schedules in Table A1 below.</p> <p align="center">TABLE A1 OFF-ROAD EQUIPMENT COMPLIANCE STEP DOWN SCHEDULE*</p> <table border="1" data-bbox="1003 1276 1312 1885"> <thead> <tr> <th>Compliance Alternative</th> <th>Engine Emission Standard</th> <th>Emissions Control</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>Tier 2</td> <td>ARB Level 2 VDECS</td> </tr> <tr> <td>2</td> <td>Tier 2</td> <td>ARB Level 1 VDECS</td> </tr> <tr> <td>3</td> <td>Tier 2</td> <td>Alternative Fuel*</td> </tr> </tbody> </table> <p>*How to use the table. If the requirements of (A)(1)(b) cannot be met, then the project sponsor would need to meet Compliance Alternative 1. Should the project sponsor not be able to supply off-road equipment meeting Compliance Alternative 1, then Compliance</p>	Compliance Alternative	Engine Emission Standard	Emissions Control	1	Tier 2	ARB Level 2 VDECS	2	Tier 2	ARB Level 1 VDECS	3	Tier 2	Alternative Fuel*				
Compliance Alternative	Engine Emission Standard	Emissions Control														
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<p>Alternative 2 would need to be met. Should the project sponsor not be able to supply off-road equipment meeting Compliance Alternative 2, then Compliance Alternative 3 would need to be met. **Alternative fuels are not a VDECS</p> <p>2. The project sponsor shall require the idling time for off-road and on-road equipment be limited to no more than two minutes, except as provided in exceptions to the applicable state regulations regarding idling for off-road and on-road equipment. Legible and visible signs shall be posted in multiple languages (English, Spanish, Chinese) in designated queuing areas and at the construction site to remind operators of the two minute idling limit.</p> <p>3. The project sponsor shall require that construction operators properly maintain and tune equipment in accordance with manufacturer specifications.</p> <p>4. The Plan shall include estimates of the construction timeline by phase with a description of each piece of off-road equipment required for every construction phase. Off-road equipment descriptions and information may include, but is not limited to: equipment type, equipment manufacturer, equipment identification number, engine model year, engine certification (Tier rating), horsepower, engine serial number, and expected fuel usage and hours of operation. For VDECS installed: technology type, serial number, make, model, manufacturer, ARB verification number level, and installation date and hour meter reading on installation date. For off-road equipment using alternative fuels, reporting shall indicate the type of alternative fuel being used.</p> <p>5. The Plan shall be kept on-site and available for review by any persons requesting it and a legible sign shall be posted at the perimeter of the construction site indicating to the public the basic requirements of the Plan and a way to request a copy of the Plan. The project sponsor shall provide copies of Plan to members of the public as requested.</p>				
<p><i>B. Reporting.</i> Quarterly reports shall be submitted to the ERO indicating the construction phase and off-road equipment information used during each phase including the information</p>	Project sponsor/ contractor(s).	Submit monthly reports.	Project sponsor/ contractor(s) and the ERO	Considered complete on findings by ERO that Plan is being/was

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<p>required in A(4). In addition, for off-road equipment using alternative fuels, reporting shall include the actual amount of alternative fuel used.</p>				implemented
<p>Within six months of the completion of construction activities, the project sponsor shall submit to the ERO a final report summarizing construction activities. The final report shall indicate the start and end dates and duration of each construction phase. For each phase, the report shall include detailed information required in A(4). In addition, for off-road equipment using alternative fuels, reporting shall include the actual amount of alternative fuel used.</p>		<p>Within six months of completion of construction activities. Submit a final report of construction activities</p>		
<p>C. <i>Certification Statement and On-site Requirements.</i> Prior to the commencement of construction activities, the project sponsor must certify (1) compliance with the Plan, and (2) all applicable requirements of the Plan have been incorporated into contract specifications.</p>	<p>Project sponsor/ contractor(s).</p>	<p>Prior to construction activities requiring the use of off-road equipment. Submit certification statement.</p>	<p>Project sponsor / contractor(s) and the ERO.</p>	<p>Considered complete on submittal of certification statement.</p>
<p>Project Mitigation Measure 6 - Best Available Control Technology for Diesel Generators (Eastern Neighborhoods Mitigation Measure G-2 and G-3) All diesel generators shall have engines that (1) meet Tier 4 Final or Tier 4 Interim emission standards, or (2) meet Tier 2 emission standards and are equipped with a California Air Resources Board (ARB) Level 3 Verified Diesel Emissions Control Strategy (VDECS).</p>	<p>Project sponsor/ contractor(s).</p>	<p>Concurrent with DBI Plan Check Process/ Bay Area Air Quality Management District Permits and approved schedule</p>	<p>Project sponsor/ contractor(s).</p>	<p>Considered complete upon installation of the generators</p>
<p>J. Archeological Resources</p>				

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1. MITIGATION MEASURES ADOPTED AS CONDITIONS OF APPROVAL	Responsibility for Implementation	Mitigation Schedule	Monitoring/Report Responsibility	Status/Date Completed
<p><i>Project Mitigation Measure 1 – J-2: Archeological Mitigation Monitoring (Mitigation Measure J-2 of the Eastern Neighborhoods PEIR)</i></p> <p>Based on the reasonable potential that archeological resources may be present within the project site, the following measures shall be undertaken to avoid any potentially significant adverse effect from the proposed project on buried or submerged historical resources. The project sponsor shall retain the services of a qualified archeological consultant having expertise in California prehistoric and urban historical archeology. The archeological consultant shall undertake an archeological monitoring program. All plans and reports prepared by the consultant as specified herein shall be submitted first and directly to the ERO for review and comment, and shall be considered draft reports subject to revision until final approval by the ERO. Archeological monitoring and/or data recovery programs required by this measure could suspend construction of the project for up to a maximum of four weeks. At the direction of the ERO, the suspension of <i>construction</i> can be extended beyond four weeks only if such a suspension is the only feasible means to reduce to a less than significant level potential effects on a significant archeological resource as defined in CEQA Guidelines Sect. 15064.5 (a)(C).</p>	<p>The Project Sponsor</p>	<p>Prior to issuance of grading or building permits</p>	<p>Project Sponsor shall retain archeological consultant to undertake archeological monitoring program in consultation with ERO.</p>	<p>Complete when Project Sponsor retains qualified archeological consultant.</p>

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<p><i>Archeological monitoring program (AMP).</i> The archeological monitoring program shall minimally include the following provisions:</p> <ul style="list-style-type: none"> ▪ The archeological consultant, project sponsor, and ERO shall meet and consult on the scope of the AMP reasonably prior to any project-related soils disturbing activities commencing. The ERO in consultation with the project archeologist shall determine what project activities shall be archeologically monitored. In most cases, any soils disturbing activities, such as demolition, foundation removal, excavation, grading, utilities installation, foundation work, driving of piles (foundation, shoring, etc.), site remediation, etc., shall require archeological monitoring because of the potential risk these activities pose to archeological resources and to their depositional context; ▪ The archeological consultant shall advise all project contractors to be on the alert for evidence of the presence of the expected resource(s), of how to identify the evidence of the expected resource(s), and of the appropriate protocol in the event of apparent discovery of an archeological resource; ▪ The archeological monitor(s) shall be present on the project site according to a schedule agreed upon by the archeological consultant and the ERO until the ERO has, in consultation with the archeological consultant, determined that project construction activities could have no effects on significant archeological deposits; ▪ The archeological monitor shall record and be authorized to collect soil samples and artifactual/ecofactual material as warranted for analysis 	<p>The Project Sponsor and archeological consultant</p>	<p>Prior to any soils disturbance</p>	<p>Consultation with ERO on scope of AMP</p>	<p>After consultation with and approval by ERO of AMP.</p>
<p>If an intact archeological deposit is encountered, all soils disturbing activities in the vicinity of the deposit shall cease. The archeological monitor shall be empowered to temporarily redirect demolition/excavation/pile driving/construction crews and heavy equipment until the deposit is evaluated. If in the case of pile driving activity (foundation, shoring, etc.), the archeological monitor has cause to believe that the pile driving activity may affect an archeological resource, the pile driving activity shall be terminated until an appropriate evaluation of the resource has been made in consultation with the ERO. The archeological consultant shall immediately notify the ERO of the encountered archeological deposit. The archeological consultant shall, after making a reasonable effort to assess the identity, integrity, and significance of the encountered archeological deposit, present the findings of this assessment to the ERO.</p>	<p>The archeological consultant, Project Sponsor and project contractor.</p>	<p>Monitoring of soils disturbing activities.</p>	<p>Archeological consultant to monitor soils disturbing activities specified in AMP and immediately notify the ERO of any encountered archeological resource.</p>	<p>Considered complete upon completion of AMP.</p>

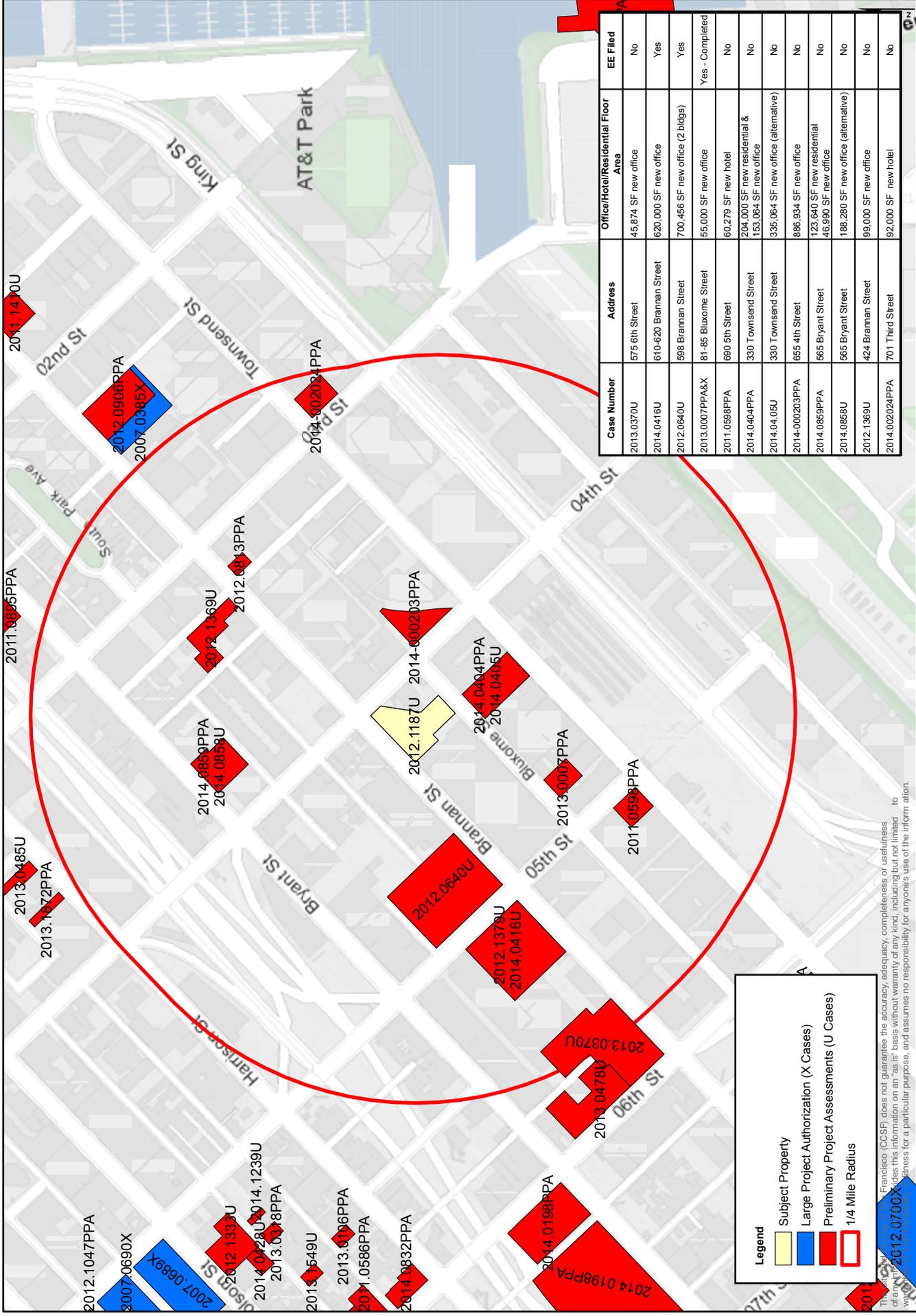
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<p>The scope of the scope of the ADRP shall include the following elements</p> <ul style="list-style-type: none"> ▪ Field Methods and Procedures. Descriptions of proposed field strategies, procedures, and operations. ▪ Cataloguing and Laboratory Analysis. Description of selected cataloguing system and artifact analysis procedures. ▪ Discard and Deaccession Policy. Description of and rationale for field and post-field discard and deaccession policies. ▪ Interpretive Program. Consideration of an on-site/off-site public interpretive program during the course of the archeological data recovery program. ▪ Security Measures. Recommended security measures to protect the archeological resource from vandalism, looting, and non-intentionally damaging activities. ▪ Final Report. Description of proposed report format and distribution of results. ▪ Curation. Description of the procedures and recommendations for the curation of any recovered data having potential research value, identification of appropriate curation facilities, and a summary of the accession policies of the curation facilities. 	<p>Archaeological consultant or medical examiner</p>	<p>Discovery of human remains</p>	<p>Notification of County/City Coroner and, as warranted, notification of NAHC.</p>	<p>Considered complete on finding by ERO that all State laws regarding human remains/burial objects have been adhered to, consultation with MLD is completed as warranted, and that sufficient opportunity has been provided to the archaeological consultant for scientific/historical analysis of remains/funerary objects.</p>
<p><i>Human Remains, Associated or Unassociated Funerary Objects.</i> The treatment of human remains and of associated or unassociated funerary objects discovered during any soils disturbing activity shall comply with applicable State and Federal Laws, including immediate notification of the Coroner of the City and County of San Francisco and in the event of the Coroner's determination that the human remains are Native American remains, notification of the California State Native American Heritage Commission (NAHC) who shall appoint a Most Likely Descendant (MLD) (Pub. Res. Code Sec. 5097.98). The archeological consultant, project sponsor, ERO, and MLD shall make all reasonable efforts to develop an agreement for the treatment of, with appropriate dignity, human remains and associated or unassociated funerary objects (CEQA Guidelines. Sec. 15064.5(d)). The agreement should take into consideration the appropriate excavation, removal, recordation, analysis, curation, possession, and final disposition of the human remains and associated or unassociated funerary objects.</p>	<p>Archaeological consultant</p>	<p>Following completion of cataloguing, analysis, and interpretation of recovered archaeological data.</p>	<p>Preparation of FARR</p>	<p>FARR is complete on review and approval of ERO</p>
<p><i>Final Archeological Resources Report.</i> The archeological consultant shall submit a Draft Final Archeological Resources Report (FARR) to the ERO that evaluates the historical of any discovered archeological resource and describes the archeological and historical research methods employed in the archeological testing/monitoring/data recovery program(s) undertaken. Information that may put at risk any archeological resource shall be provided in a separate removable file and submitted with the FARR.</p> <p align="center">MITIGATION MONITORING AND REPORTING PROGRAM</p>	<p>Exhibit 10</p>			<p>CASE NO. 2012.11187E October XX, 2014</p>

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1. MITIGATION MEASURES ADOPTED AS CONDITIONS OF APPROVAL	Responsibility for Implementation	Mitigation Schedule	Monitoring/Report Responsibility	Status/Date Completed
<p>Copies of the Draft FARR shall be sent to the ERO for review and approval. Once approved by the ERO copies of the FARR shall be distributed as follows: California Archaeological Site Survey Northwest Information Center (NWIC) shall receive one (1) copy and the ERO shall receive a copy of the transmittal of the FARR to the NWIC. The Major Environmental Analysis division of the Planning Department shall receive three copies of the FARR along with copies of any formal site recordation forms (CA DPR 523 series) and/or documentation for nomination to the National Register of Historic Places/California Register of Historical Resources. In instances of high public interest or interpretive value, the ERO may require a different final report content, format, and distribution than that presented above.</p>	<p>Archaeological consultant</p>	<p>Following completion and approval of FARR by ERO</p>	<p>Distribution of FARR after consultation with ERO</p>	<p>Complete on certification to ERO that copies of FARR have been distributed</p>

Major Projects within a 1/4 mile Radius of 501-505 Brannan St.



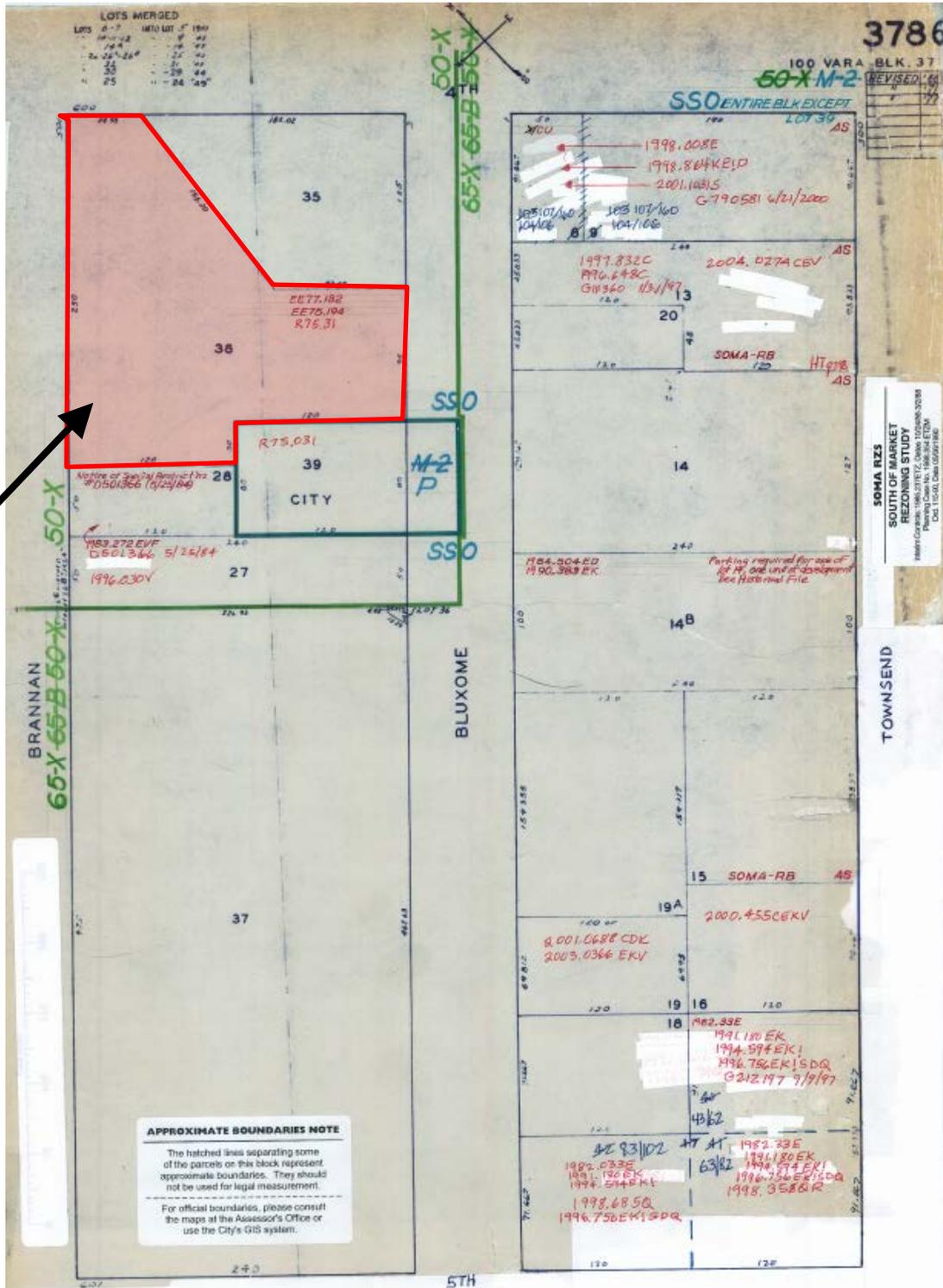
Legend

- Subject Property
- Large Project Authorization (X Cases)
- Preliminary Project Assessments (U Cases)
- 1/4 Mile Radius

The City and County of San Francisco (CCSF) does not guarantee the accuracy, completeness or usefulness of any information on an "as is" basis without warranty of any kind, including but not limited to fitness for a particular purpose, and assumes no responsibility for anyone's use of the information.



Parcel Map

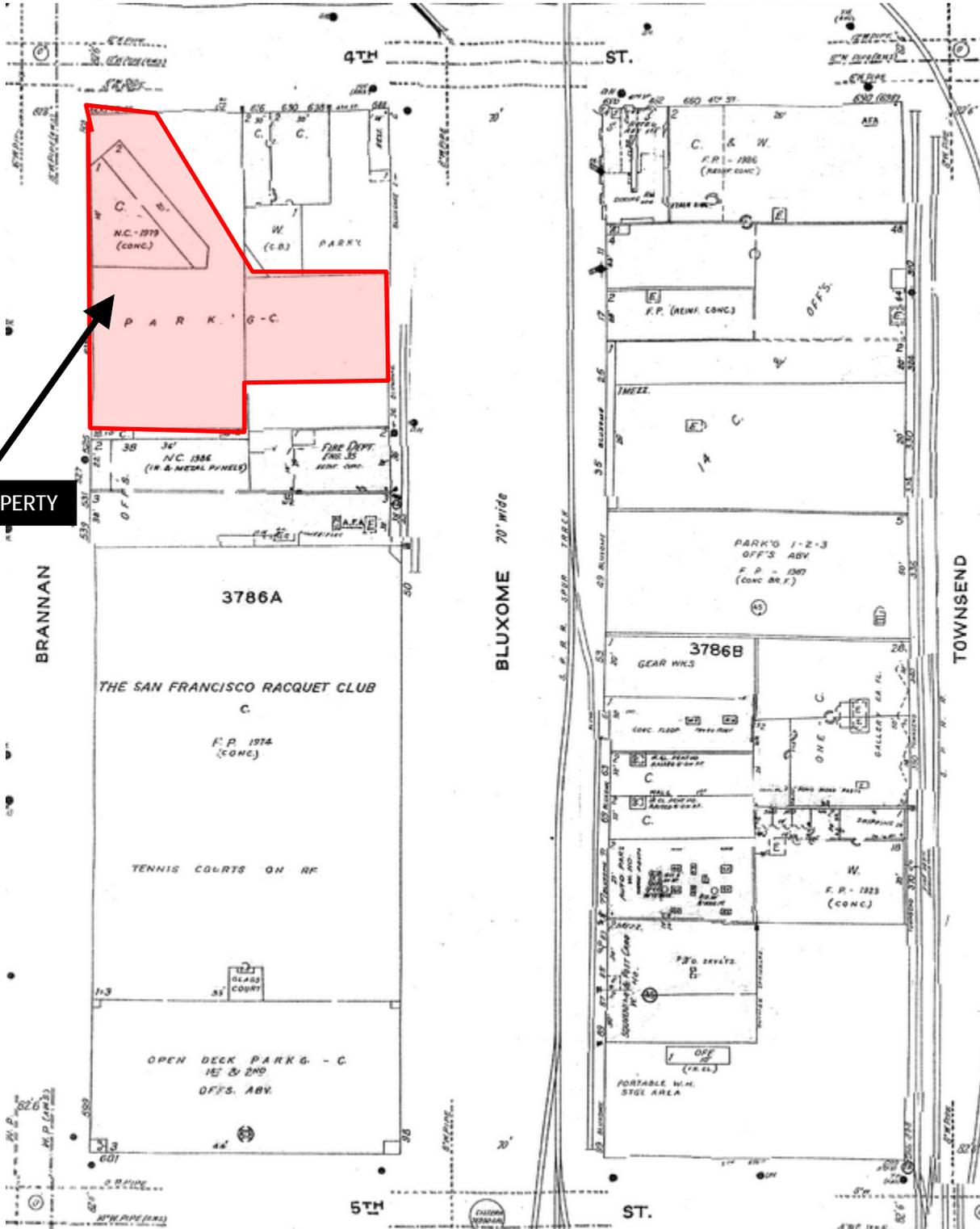


SUBJECT PROPERTY

Large Project Authorization, Conditional Use
Authorization Office Development Authorization
Case Number 2012.1187BCX
501-505 Brannan Street



Sanborn Map*

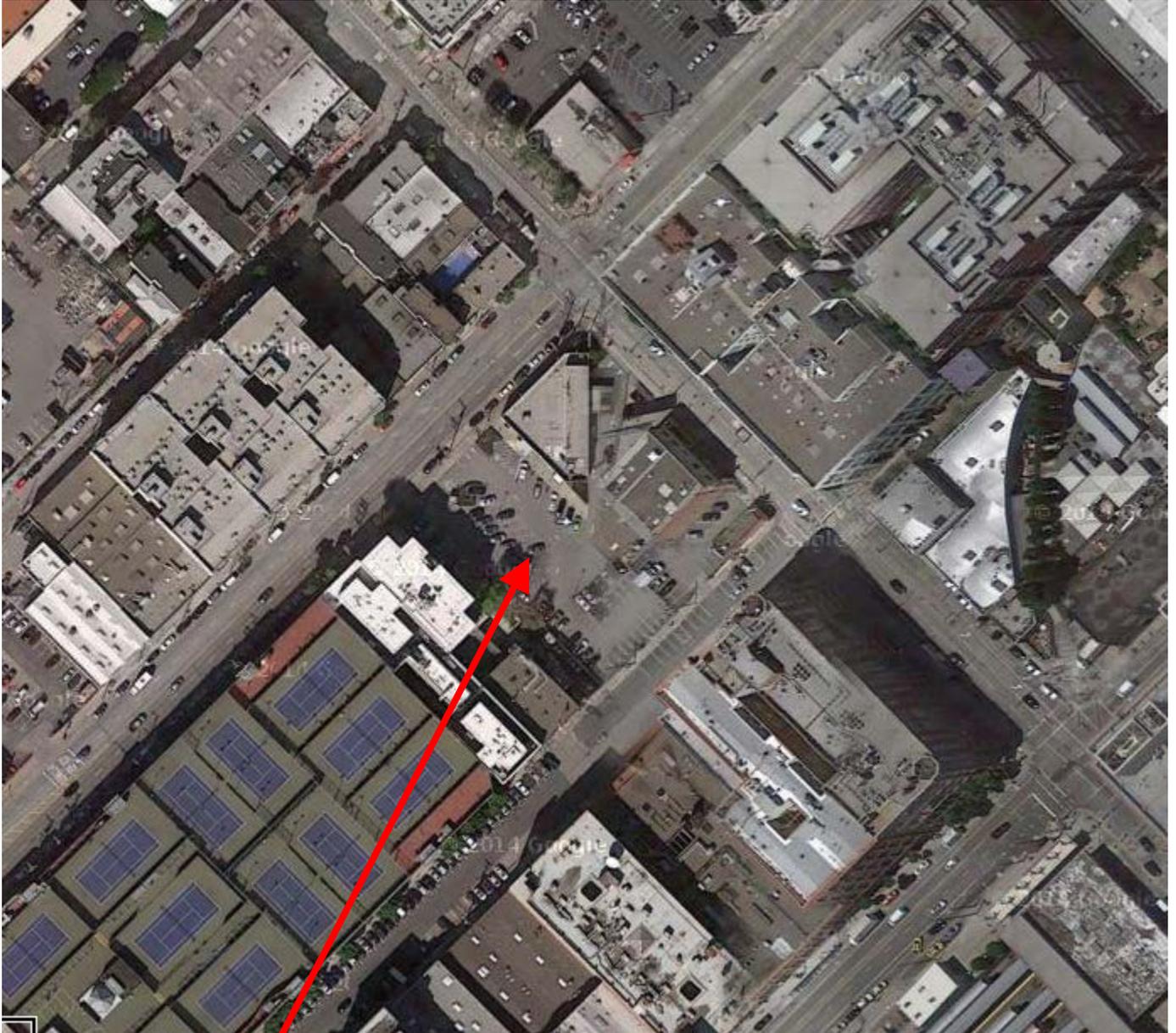


*The Sanborn Maps in San Francisco have not been updated since 1998, and this map may not accurately reflect existing conditions.



Large Project Authorization, Conditional Use
 Authorization Office Development Authorization
Case Number 2012.1187BCX
 501-505 Brannan Street

Aerial Photo

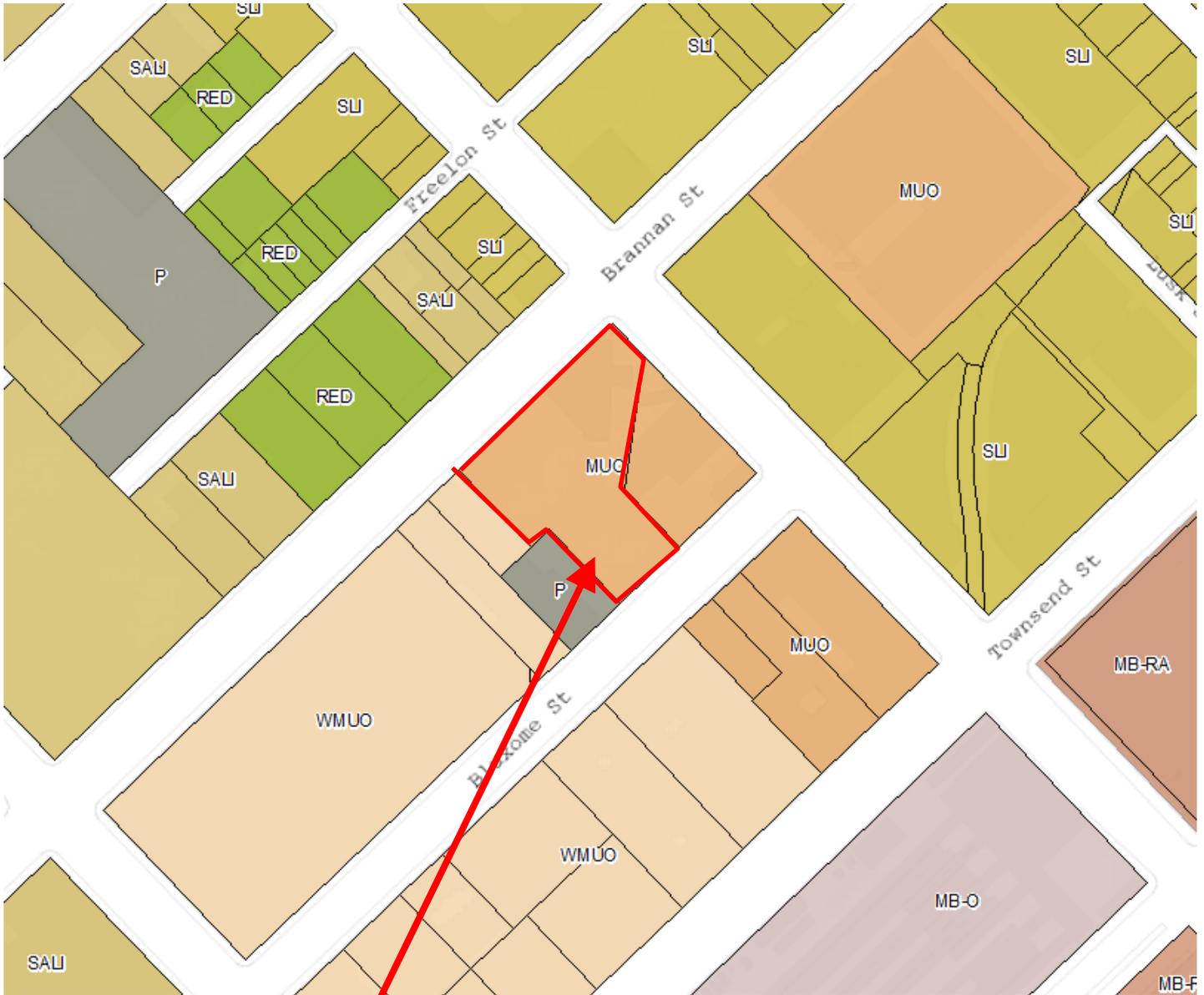


SUBJECT PROPERTY



Large Project Authorization, Conditional Use
Authorization Office Development Authorization
Case Number 2012.1187BCX
501-505 Brannan Street

Zoning Map



SUBJECT PROPERTY



Large Project Authorization, Conditional Use
Authorization Office Development Authorization
Case Number 2012.1187BCX
501-505 Brannan Street

Site Photo



Large Project Authorization, Conditional Use
Authorization Office Development Authorization
Case Number 2012.1187BCX
501-505 Brannan Street



SAN FRANCISCO PLANNING DEPARTMENT

Certificate of Determination EXEMPTION FROM ENVIRONMENTAL REVIEW

Case No.: 2012.1187E
 Project Address: 501- 505 Brannan Street
 Zoning: Mixed-Use Office (MUO) Use District
 85-X Height and Bulk District
 Block/Lot: 3786/038
 Lot Size: 39,035 square feet
 Plan Area: Eastern Neighborhoods Area Plan
 Project Sponsor: Amy Neches, TMG Partners
 (415) 400-2480
 Staff Contact: Chelsea Fordham – (415) 575-9071
 Chelsea.Fordham@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 involve construction of a 153,117 square-foot (sf), 6-story, 85-foot tall, office building on a 39,035-sf parcel that is bounded by Brannan Street to the west, 4th Street to the north, Bluxome Street to the east, and 5th Street to the south, in San Francisco’s East South of Market (East SoMa) neighborhood. The project site is currently occupied by an existing 73-space, 25,590-sf surface parking lot and a single-story 8,475 sf bank building and drive-up banking facility (dba Bank of America). The project would subdivide the existing lot into two lots of 25,590 sf and 13,445 sf, respectively.

(Continued on next page.)

EXEMPT STATUS:

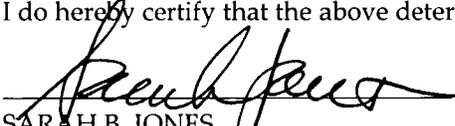
Exempt per Section 15183 of the California Environmental Quality Act (CEQA) Guidelines and California Public Resources Code Section 21083.3

REMARKS:

(See next page.)

DETERMINATION:

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


 SARAH B. JONES
 Environmental Review Officer

November 20, 2014
 Date

cc: Amy Neches, TMG Partners, Project Sponsor; Supervisor Jane Kim, District 6; Brittany Bendix, Current Planning Division; Virna Byrd, M.D.F.; Exemption/Exclusion File

PROJECT DESCRIPTION (continued):

The bank building would remain in its current configuration and the driveway access for the drive-up banking facility would be moved from Brannan Street to Bluxome Street under the proposed project. Additionally, the drive-up banking facility's driveway exit along Fourth Street would remain in its current configuration. The proposed office building would be constructed on the 25,590 sf, southern portion of the lot that contains the existing surface parking lot. The height of proposed 153,117 sf office building would be 6-stories, 85 feet tall (excluding two 16-foot mechanical penthouses above the roof), and would also include a two-level, 23-foot-deep, below-grade parking garage. The below-grade garage would require the excavation of 21,700 cubic yards of soil. The garage would contain 66 off-street parking spaces and one off-street loading space that would be accessed from a 20-foot curb cut off of Bluxome Street. Additionally, the ground floor would contain 132 Class 1 bicycle parking spaces that would be accessed from Brannan Street. There would also be six Class 2 bicycle parking spaces installed on the sidewalk along the project site's Brannan Street frontage. The project would include a 674-sf ground-floor retail space accessed from Brannan Street. To meet open space requirements, the building would have a 2,137-sf publically accessible open space located at street level. The project site is located in the East SoMa Area Plan and the proposed Central SoMa Plan Area.

Project Approval

The project would require a Large Project Authorization per Section 329 of the Planning Code. The project would require other approvals including an Office Space Allocation per Planning Code Section 321 and a Conditional Use Authorization per Planning Code Section 303. Approval of the Planning Code Section 329 application by the Planning Commission would constitute the Approval Action date. The Approval Action date establishes the start of the 30-day appeal period for this CEQA exemption determination pursuant to Section 31.04(h) of the San Francisco Administrative Code.

COMMUNITY PLAN EXEMPTION OVERVIEW

California Public Resources Code Section 21083.3 and CEQA Guidelines Section 15183 provide an exemption from environmental review for projects that are consistent with the development density established by existing zoning, community plan or general plan policies for which an Environmental Impact Report (EIR) was certified, except as might be necessary to examine whether there are project-specific significant effects which are peculiar to the project or its site. Section 15183 specifies that examination of environmental effects shall be limited to those effects that: a) are peculiar to the project or parcel on which the project would be located; b) were not analyzed as significant effects in a prior EIR on the zoning action, general plan or community plan with which the project is consistent; c) are potentially significant off-site and cumulative impacts that were not discussed in the underlying EIR; or d) are previously identified in the EIR, but which, as a result of substantial new information that was not known at the time that the EIR was certified, are determined to have a more severe adverse impact than that discussed in the underlying EIR. Section 15183(c) specifies that if an impact is not peculiar to the parcel or to the proposed project, then an EIR need not be prepared for the project solely on the basis of that impact.

This determination evaluates the potential project-specific environmental effects of the proposed 501-505 Brannan Street project described above, and incorporates by reference information contained in the Programmatic EIR for the Eastern Neighborhoods Rezoning and Area Plans (PEIR)¹. Project-specific

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

studies were prepared for the proposed 501-505 Brannan Street project to determine if the project would result in any significant environmental impacts that were not identified in the Eastern Neighborhoods PEIR.

After several years of analysis, community outreach, and public review, the Eastern Neighborhoods PEIR was adopted in December 2008. The Eastern Neighborhoods PEIR was adopted in part to support housing development in some areas previously zoned to allow industrial uses, while preserving an adequate supply of space for existing and future production, distribution, and repair (PDR) employment and businesses. The Eastern Neighborhoods PEIR also included changes to existing height and bulk districts in some areas, including the project site at 501-505 Brannan Street. The project related height and bulk increases on the project site are discussed further in the CPE Checklist.

The Planning Commission held public hearings to consider the various aspects of the proposed Eastern Neighborhoods Rezoning and Area Plans and related Planning Code and Zoning Map amendments. On August 7, 2008, the Planning Commission certified the Eastern Neighborhoods PEIR by Motion 17659 and adopted the Preferred Project for final recommendation to the Board of Supervisors.^{2,3}

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

The Eastern Neighborhoods PEIR is a comprehensive programmatic document that presents an analysis of the environmental effects of implementation of the Eastern Neighborhoods Rezoning and Area Plans, as well as the potential impacts under several proposed alternative scenarios. The Eastern Neighborhoods Draft EIR evaluated three rezoning alternatives, two community-proposed alternatives which focused largely on the Mission District, and a "No Project" alternative. The alternative selected, or the Preferred Project, represents a combination of Options B and C. The Planning Commission adopted the Preferred Project after fully considering the environmental effects of the Preferred Project and the various scenarios discussed in the PEIR.

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

As a result of the Eastern Neighborhoods rezoning process, the project site has been rezoned to Mixed-Use Office (MUO) District. The MUO District is designed to encourage office uses and housing, as well as small-scale light industrial (PDR) and arts activities.

The proposed 501-505 Brannan Street project and its relation to PDR land supply and cumulative land use effects is discussed further in the Community Plan Exemption (CPE) Checklist, under Land Use. The

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

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

501-505 Brannan Street site, which is located in the East SoMa Area Plan of the Eastern Neighborhoods, was designated as a site with building up to 85 feet in height.

Individual projects that could occur in the future under the Eastern Neighborhoods Rezoning and Area Plans will undergo project-level environmental evaluation to determine if they would result in further impacts specific to the development proposal, the site, and the time of development and to assess whether additional environmental review would be required. This determination concludes that the proposed project at 501-505 Brannan Street is consistent with and was encompassed within the analysis in the Eastern Neighborhoods PEIR. This determination also finds that the Eastern Neighborhoods PEIR adequately anticipated and described the impacts of the proposed 501-505 Brannan Street project, and identified the mitigation measures applicable to the 501-505 Brannan Street project. The proposed project is also consistent with the zoning controls and the provisions of the Planning Code applicable to the project site.^{4,5} Therefore, no further CEQA evaluation for the 501-505 Brannan Street project is required. In sum, the Eastern Neighborhoods PEIR and this Certificate of Exemption for the proposed project comprise the full and complete CEQA evaluation necessary for the proposed project.

PROJECT SETTING

The project site is located on a through lot that is bounded by Brannan Street to the west, 4th Street to the north, Bluxome Street to the east, and 5th Street to the south, in San Francisco's East South of Market (East SoMa) neighborhood. The immediate area around the project site is characterized by a mix of office, residential, and commercial uses. The surrounding area is characterized by buildings ranging in height from two to eight stories.

POTENTIAL ENVIRONMENTAL EFFECTS

The Eastern Neighborhoods PEIR included analyses of environmental issues including: land use; plans and policies; visual quality and urban design; population, housing, business activity, and employment (growth inducement); transportation; noise; air quality; parks, recreation and open space; shadow; archeological resources; historic architectural resources; hazards; and other issues not addressed in the previously issued initial study for the Eastern Neighborhoods Rezoning and Area Plans. The proposed 501-505 Brannan Street project is in conformance with the height, use and density for the project site described in the Eastern Neighborhoods PEIR and would represent a small part of the growth that was forecast for the Eastern Neighborhoods plan areas. Thus, the plan analyzed in the Eastern Neighborhoods PEIR considered the incremental impacts of the proposed 501-505 Brannan Street project. As a result, the proposed project would not result in any new or substantially more severe impacts than were identified in the Eastern Neighborhoods PEIR.

Significant and unavoidable impacts were identified in the Eastern Neighborhoods PEIR for the following topics: land use, historic architectural resources, transportation and circulation, and shadow. The proposed project would not contribute to the significant and unavoidable land use impacts from the

⁴ Adam Varat, San Francisco Planning Department, *Community Plan Exemption Eligibility Determination, Citywide Planning and Policy Analysis, 505 Brannan Street*, March 24, 2014. This document is on file and available for review at the Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2012.1187E.

⁵ Jeff Joslin, San Francisco Planning Department, *Community Plan Exemption Eligibility Determination, Current Planning, 505 Brannan Street*, November 7, 2014. This document is on file and available for review at the Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2012.1187E.

loss of PDR uses because the project would be developed on a surface parking lot, which is not a PDR use. In regards to significant and unavoidable transportation impacts related to traffic and transit, project-generated vehicle and transit trips would not contribute considerably to significant and unavoidable cumulative traffic and transit impacts identified in the EN EIR and would not result in a substantial portion of the overall additional traffic and transit volume anticipated to be generated by Plan Area projects. The proposed project would not contribute to significant and unavoidable historic architectural resources impacts since the proposed project would not involve the demolition of a historic resource and would not cause a significant adverse impact upon any nearby adjacent historic resources. The proposed project would not contribute to significant and unavoidable shadow impacts since the proposed project would not result in shadows on any nearby parks.

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

Table 1 – Eastern Neighborhoods PEIR Mitigation Measures

Mitigation Measure	Applicability
F. Noise	
F-1: Construction Noise (Pile Driving)	Applicable: pile driving required for construction of the proposed project.
F-2: Construction Noise	Applicable: temporary construction noise from use of heavy equipment.
F-3: Interior Noise Levels	Not Applicable: project does not include noise-sensitive uses.
F-4: Siting of Noise-Sensitive Uses	Not Applicable: project does not include noise-sensitive uses.
F-5: Siting of Noise-Generating Uses	Applicable: project involves siting of generating uses.
F-6: Open Space in Noisy Environments	Not Applicable: project does not include noise-sensitive uses.
G. Air Quality	
G-1: Construction Air Quality	Applicable: project located in identified Air Pollutant Exposure Zone.
G-2: Air Quality for Sensitive Land Uses	Not Applicable: project does not include sensitive uses.
G-3: Siting of Uses that Emit DPM	Applicable: project located in identified Air Pollutant Exposure Zone.
G-4: Siting of Uses that Emit other TACs	Applicable: project located in identified Air Pollutant Exposure Zone.

Mitigation Measure	Applicability
J. Archeological Resources	
J-1: Properties with Previous Studies	Not Applicable: project site is not located within this mitigation zone.
J-2: Properties with no Previous Studies	Applicable: project underwent a preliminary archeology review and subject to an archeological monitoring program (AMP) during construction of the project.
J-3: Mission Dolores Archeological District	Not Applicable: project site is not located within this mitigation zone
K. Historical Resources	
K-1: Interim Procedures for Permit Review in the Eastern Neighborhoods Plan Area	Not Applicable: plan-level mitigation completed by Planning Department
K-2: Amendments to Article 10 of the Planning Code Pertaining to Vertical Additions in the South End Historic District (East SoMa)	Not Applicable: plan-level mitigation completed by Planning Commission
K-3: Amendments to Article 10 of the Planning Code Pertaining to Alterations and Infill Development in the Dogpatch Historic District (Central Waterfront)	Not Applicable: plan-level mitigation completed by Planning Commission
L. Hazardous Materials	
L-1: Hazardous Building Materials	Not Applicable: project would not disturb hazardous building materials
E. Transportation	
E-1: Traffic Signal Installation	Not Applicable: plan level mitigation by SFMTA
E-2: Intelligent Traffic Management	Not Applicable: plan level mitigation by SFMTA
E-3: Enhanced Funding	Not Applicable: plan level mitigation by SFMTA & SFTA
E-4: Intelligent Traffic Management	Not Applicable: plan level mitigation by SFMTA & Planning Department
E-5: Enhanced Transit Funding	Not Applicable: plan level mitigation by SFMTA
E-6: Transit Corridor Improvements	Not Applicable: plan level mitigation by SFMTA
E-7: Transit Accessibility	Not Applicable: plan level mitigation by SFMTA

Mitigation Measure	Applicability
E-8: Muni Storage and Maintenance	Not Applicable: plan level mitigation by SFMTA
E-9: Rider Improvements	Not Applicable: plan level mitigation by SFMTA
E-10: Transit Enhancement	Not Applicable: plan level mitigation by SFMTA
E-11: Transportation Demand Management	Not Applicable: plan level mitigation by SFMTA

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

PUBLIC NOTICE AND COMMENT

A “Notification of Project Receiving Environmental Review” was mailed on March 11, 2014 to adjacent occupants and owners of properties within 300 feet of the project site. Overall, concerns and issues raised by the public in response to the notice were taken into consideration and incorporated in the environmental review as appropriate for CEQA analysis. Comments received included concerns regarding the following: length of construction; infrastructure requirements; and traffic and parking impacts. There were also non-CEQA related comments, some of which are addressed in other stages of project review such as consideration of project approvals or building permit review. They include the following: requests for increased retail space along 4th Street. The proposed project would not result in significant adverse environmental impacts associated with the issues identified by the public beyond those identified in the Eastern Neighborhoods PEIR.

CONCLUSION

As summarized above and further discussed in the CPE Checklist⁶:

1. The proposed project is consistent with the development density established for the project site in the Eastern Neighborhoods Rezoning and Area Plans;
2. The proposed project would not result in effects on the environment that are peculiar or specific to the proposed project or the project site that were not identified as significant effects in the Eastern Neighborhoods PEIR;
3. The proposed project would not result in potentially significant off-site or cumulative impacts that were not identified in the Eastern Neighborhoods PEIR;

⁶ The CPE Checklist is available for review at the Planning Department, 1650 Mission Street, Suite 400, San Francisco, in Case File No. 2012.1187E.

4. The proposed project would not result in significant effects, which, as a result of substantial new information that was not known at the time the Eastern Neighborhoods PEIR was certified, would be more severe than were already analyzed and disclosed in the PEIR; and
5. The project sponsor will undertake feasible mitigation measures specified in the Eastern Neighborhoods PEIR to mitigate project-related significant impacts.

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



SAN FRANCISCO PLANNING DEPARTMENT

Community Plan Exemption Checklist

Case No.: 2012.1187E
Project Address: **501-505 Brannan Street**
Zoning: Mixed-Use Office (MUO) Use District
85-X Height and Bulk District
Block/Lot: 3786/038
Lot Size: 39,035 square feet
Plan Area: Eastern Neighborhoods Area Plan
Project Sponsor: Amy Neches, TMG Partners
(415) 400-2480
Staff Contact: Chelsea Fordham – (415) 575-9071
Chelsea.Fordham@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 involve construction of a 153,117 square-foot (sf), 6-story, 85-foot tall office building on a 39,035-sf parcel that is bounded by Brannan Street to the west, 4th Street to the north, Bluxome Street to the east, and 5th Street to the south, in San Francisco's East South of Market (East SoMa) neighborhood. The project site is located in the East SoMa Area Plan and the proposed Central SoMa Plan Area. The project site is currently occupied by an existing 73-space, 25,590-sf, surface parking lot and a single story 8,475 sf bank building and drive-up banking facility (dba Bank of America). The project would subdivide the existing lot into two lots of 25,590 sf and 13,445 sf, respectively. The bank building would remain in its current configuration and the driveway exit would remain on 4th Street. The driveway access for the drive-up banking facility would be moved from Brannan Street to Bluxome Street under the proposed project. The proposed office building would be constructed on the 25,590-sf southern portion of the lot that contains the existing surface parking lot. The proposed office building would be 6-stories, 85 feet tall (excluding two 16-foot mechanical penthouses above the roof), and would also include a two-level, 23-foot-deep, below grade parking garage containing 66 off-street parking spaces and one off-street loading space that would be accessed from a 20-foot curb cut off of Bluxome Street. The below-grade garage would require the excavation of 21,700 cubic yards of soil. Additionally, the ground-floor would contain 132 Class 1 bicycle parking spaces that would be accessed from Brannan Street. There would also be six Class 2 bicycle parking spaces installed on the sidewalk along the project site's Brannan Street frontage. The project would include a 674 sf ground-floor retail space accessed from Brannan Street. To meet open space requirements, the building would have a 2,137-sf publically accessible open space located at street level.

The project would involve the removal of two existing curb cuts on Brannan Street between 4th and 5th Streets, the removal of two existing curb cut on Bluxome Street between 4th and 5th Streets, and the creation of two new curb cuts on Bluxome Street. One of the proposed new curb cuts along Bluxome Street is an existing 10 foot wide curb cut; however, it is currently not in use and is blocked by on-street parking spaces. The project sponsor is requesting the removal of the on-street parking spaces to allow for use of the existing curb cut for the driveway access to the drive-up banking facility. The second proposed curb cut on Bluxome Street would consist of the creation of a twenty foot wide curb for the proposed

office garage access. In total, the proposed changes to the curb cuts surrounding the project site would require the removal of approximately seven motorcycle parking spaces and one on-street automobile parking space on Bluxome Street between 4th and 5th Streets. The proposed project would also include the addition of approximately two automobile spaces on Brannan Street between 4th and 5th Streets.

The proposed 501-505 Brannan Street project would require the following approvals:

Actions by the Planning Commission

- Office Space Allocation per Planning Code Section 321 (Planning Commission)
- Conditional Use Authorization per Planning Code Section 303 (Planning Commission)
- Large Project Authorization per Planning Code Section 329 (Planning Commission). Approval of the Section 329 application by the Planning Commission would constitute the Approval Action date. The Approval Action date establishes the start of the 30-day appeal period for this CEQA exemption determination pursuant to Section 31.04(h) of the San Francisco Administrative Code.

Actions by other City Departments

- Building permits (San Francisco Department of Building Inspection)
- SFMTA approval for the reconfiguration/removal of existing on-street parking spaces and changes curb cuts.
- Lot subdivision approval to subdivide the existing lot.



CITY AND COUNTY OF SAN FRANCISCO
PLANNING DEPARTMENT

501-505 Brannan Street Project Site

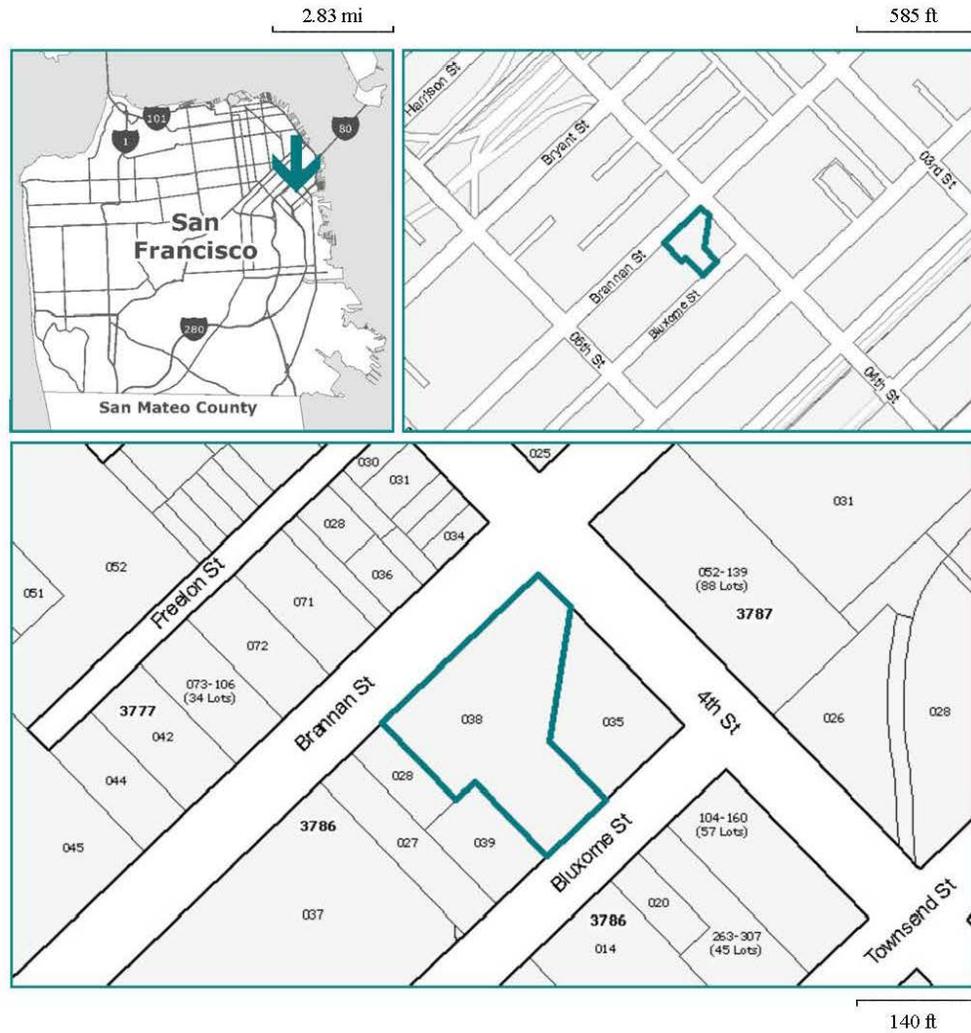
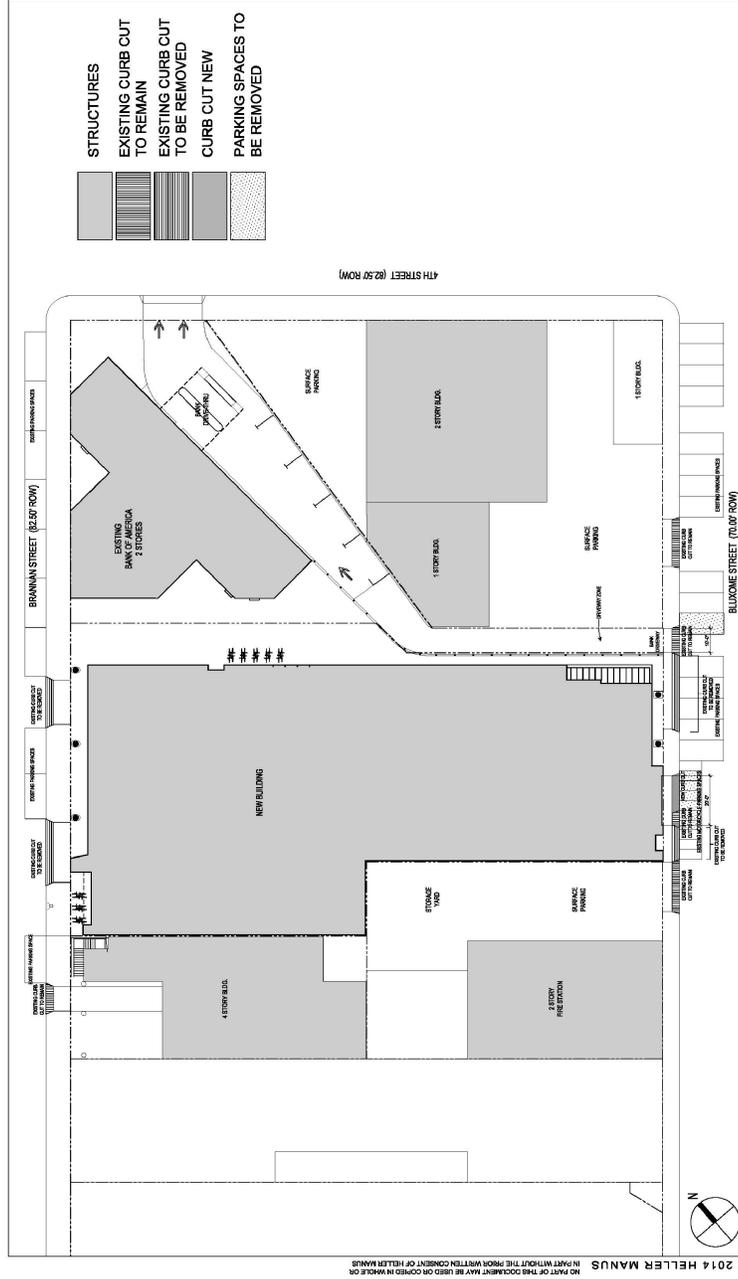


Figure 1 – Project Location Map

Community Plan Exemption Checklist

CASE NO. 2012.1187E
501-505 Brannan Street

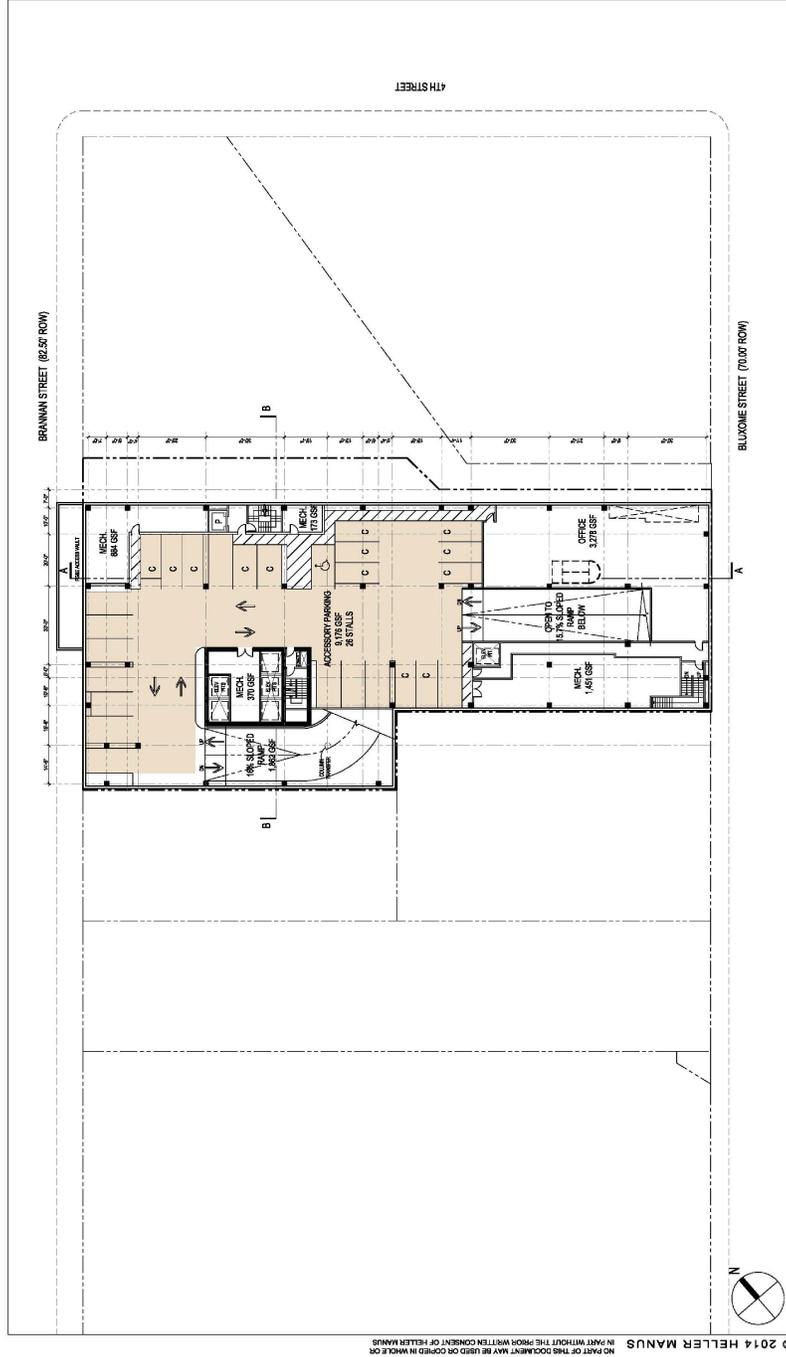


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 SCALE: 1/32" = 1'-0"
 TMG PARTNERS
 505 BRANNAN STREET
 SAN FRANCISCO, CA
 CURB CUT SITE DIAGRAM
 HELLER MANUS ARCHITECTS

Figure 2 - Project Site Plan
Source: Heller Manus Architects

Community Plan Exemption Checklist

CASE NO. 2012.1187E
501-505 Brannan Street



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505 BRANNAN STREET
SAN FRANCISCO, CA

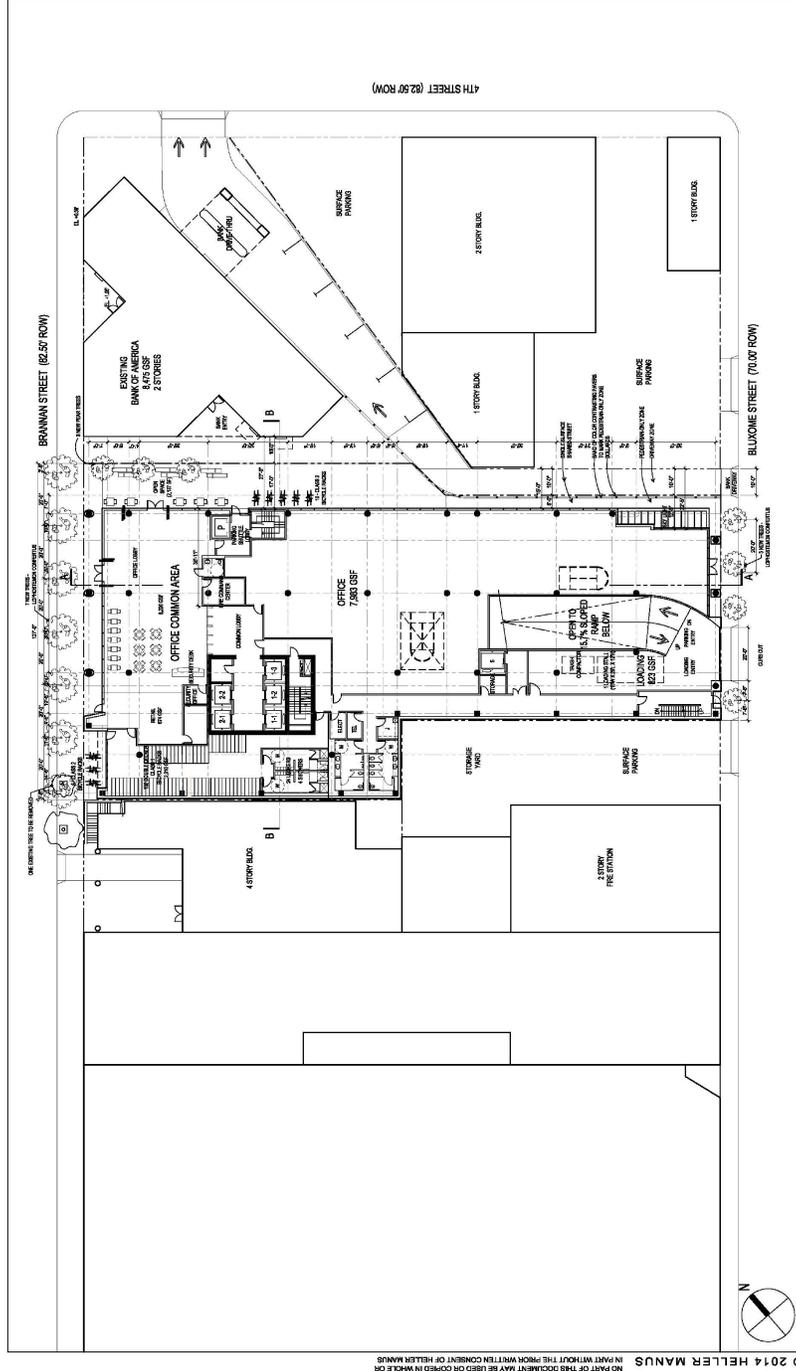
B1 LEVEL PLAN

HELLER MANUS
ARCHITECTS

Figure 3 - Proposed First Basement Level Plan
Source: Heller Manus Architects

Community Plan Exemption Checklist

CASE NO. 2012.1187E
501-505 Brannan Street



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 SAN FRANCISCO, CA
 505 BRANNAN STREET
 1ST LEVEL PLAN
 HELLER MANUS ARCHITECTS

Figure 5 - Proposed Ground Floor Plan
Source: Heller Manus Architects

Community Plan Exemption Checklist

CASE NO. 2012.1187E
501-505 Brannan Street

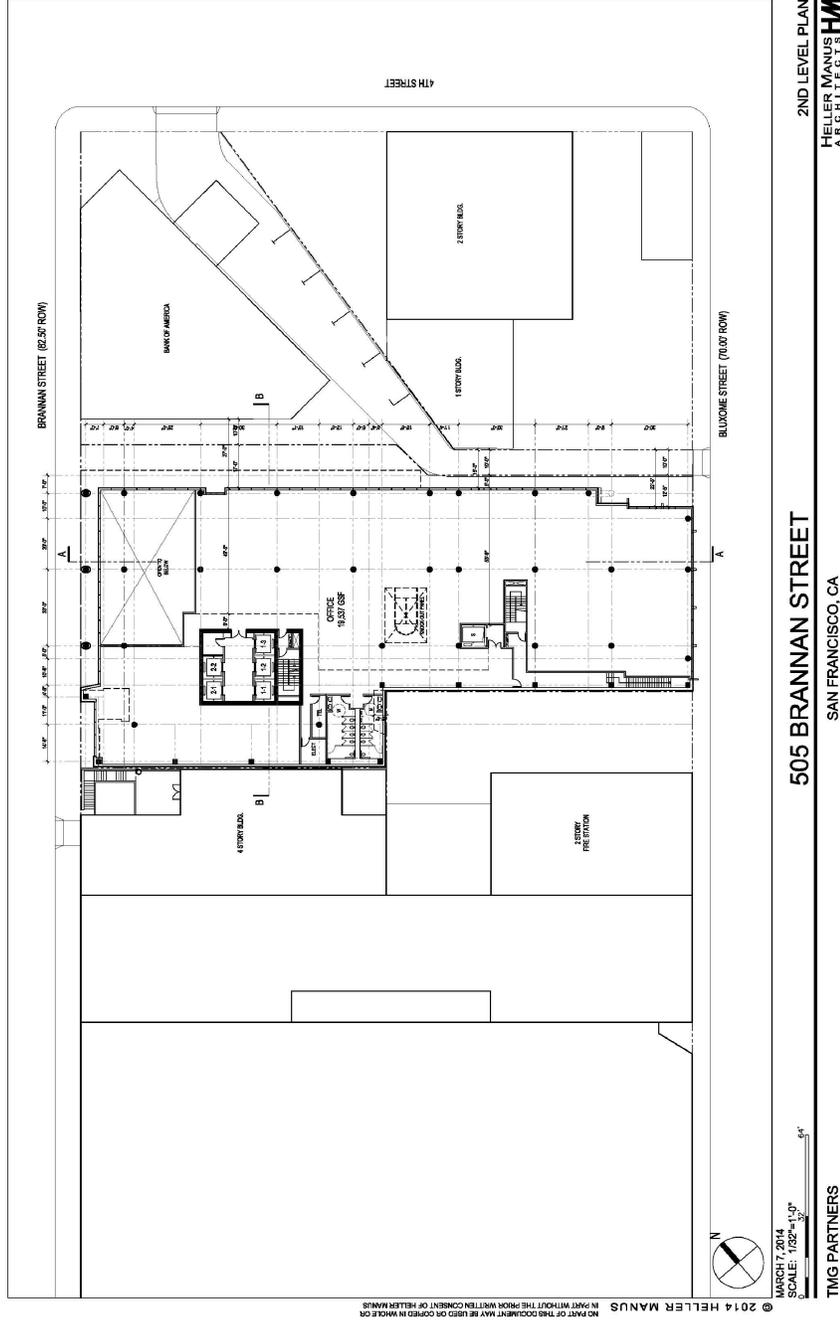
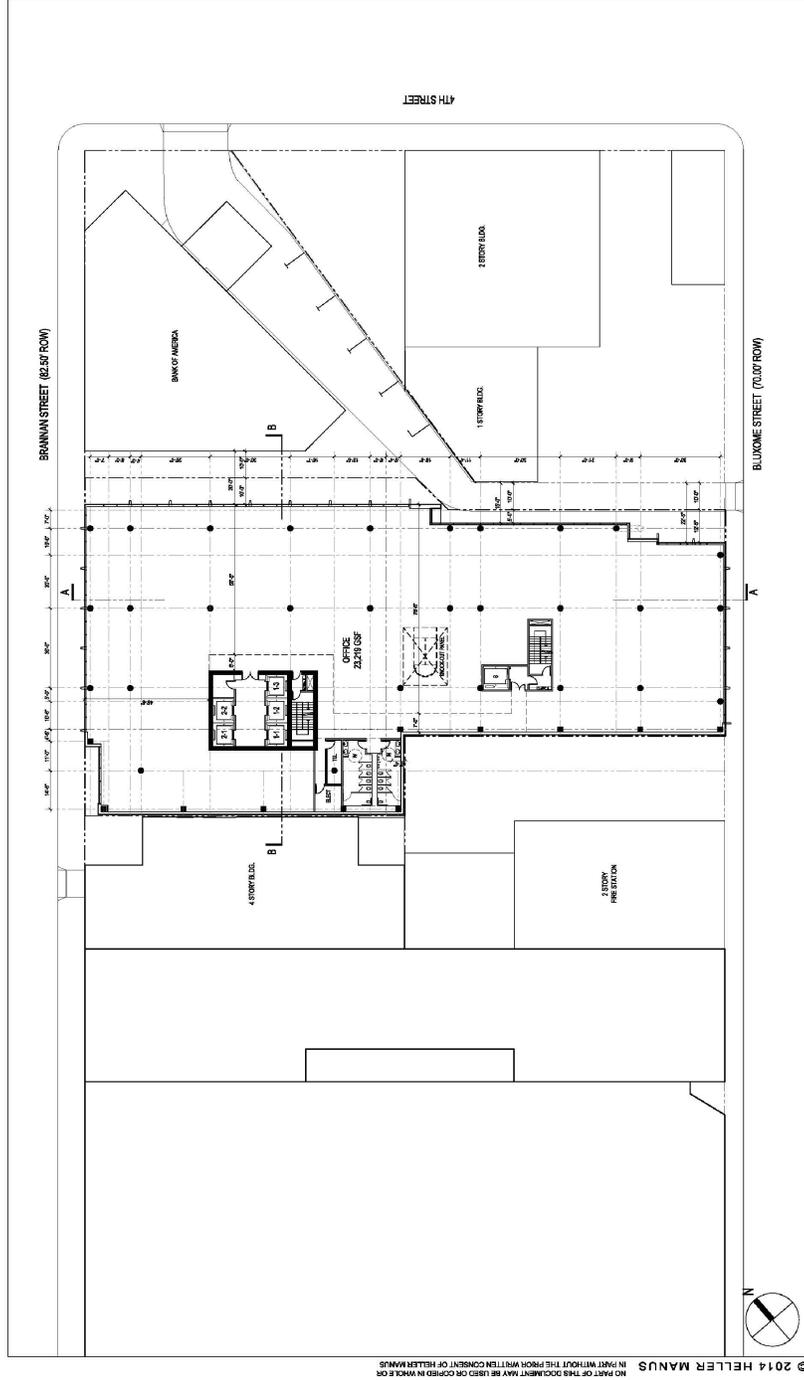


Figure 6 - Proposed Second Floor Plan
Source: Heller Manus Architects



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 SAN FRANCISCO, CA

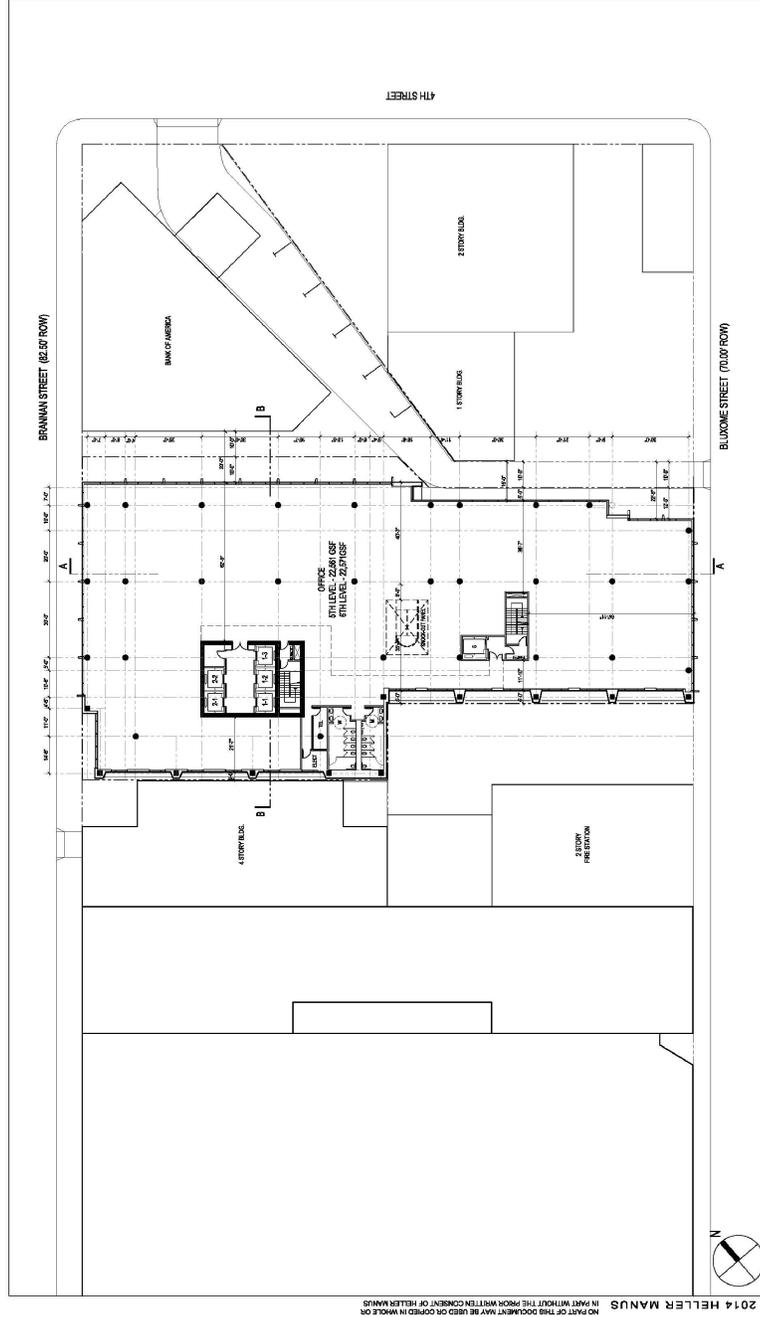
505 BRANNAN STREET
 SAN FRANCISCO, CA

3RD LEVEL PLAN
 HELLER MANUS ARCHITECTS

Figure 7- Proposed Third Floor Plan
 Source: Heller Manus Architects

Community Plan Exemption Checklist

CASE NO. 2012.1187E
501-505 Brannan Street



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MARCH 17, 2014
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TMG PARTNERS
SAN FRANCISCO, CA

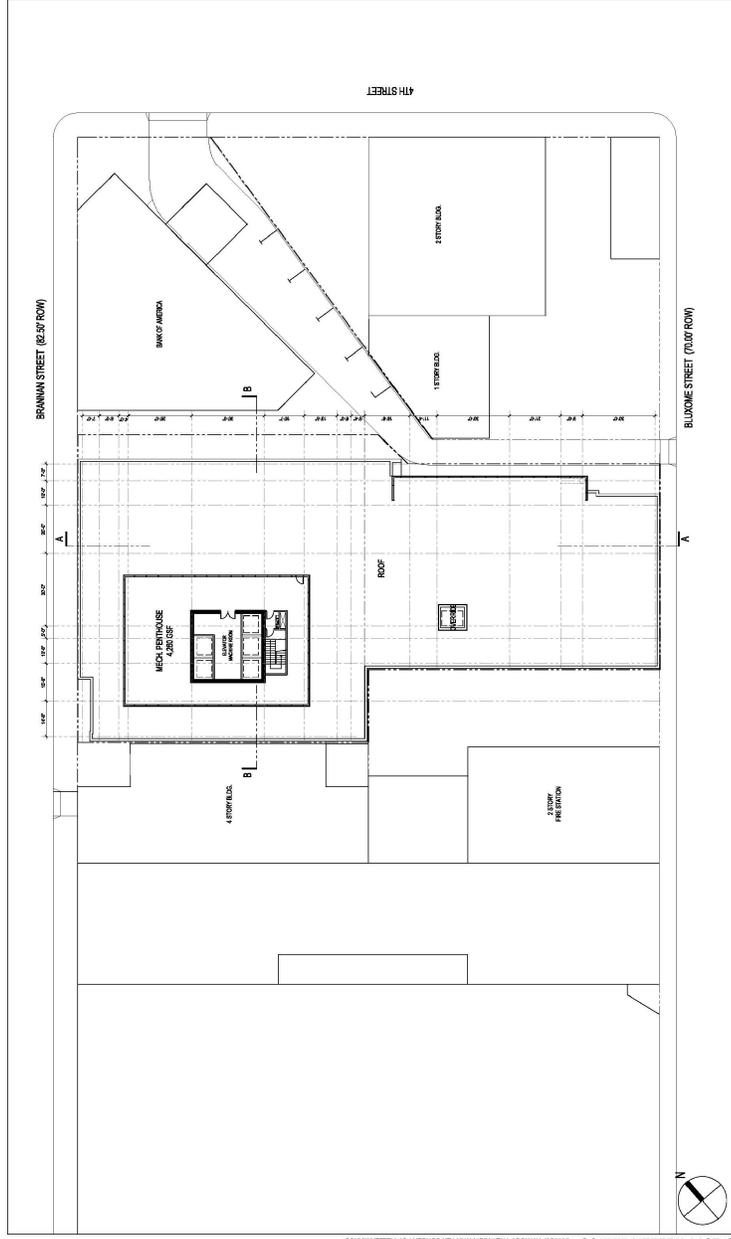
505 BRANNAN STREET

5TH-6TH LEVEL PLAN
HELLER MANUS ARCHITECTS

Figure 8 - Proposed Fourth - Six Floor Plan
Source: Heller Manus Architects

Community Plan Exemption Checklist

CASE NO. 2012.1187E
501-505 Brannan Street



MARCH 7, 2014
SCALE: 1/32" = 1'-0"
TMG PARTNERS
505 BRANNAN STREET
SAN FRANCISCO, CA
MECH. PENTHOUSE LEVEL PLAN
HELLER MANUS ARCHITECTS

Figure 9 - Proposed Roof Plan
Source: Heller Manus Architects

Community Plan Exemption Checklist

CASE NO. 2012.1187E
501-505 Brannan Street

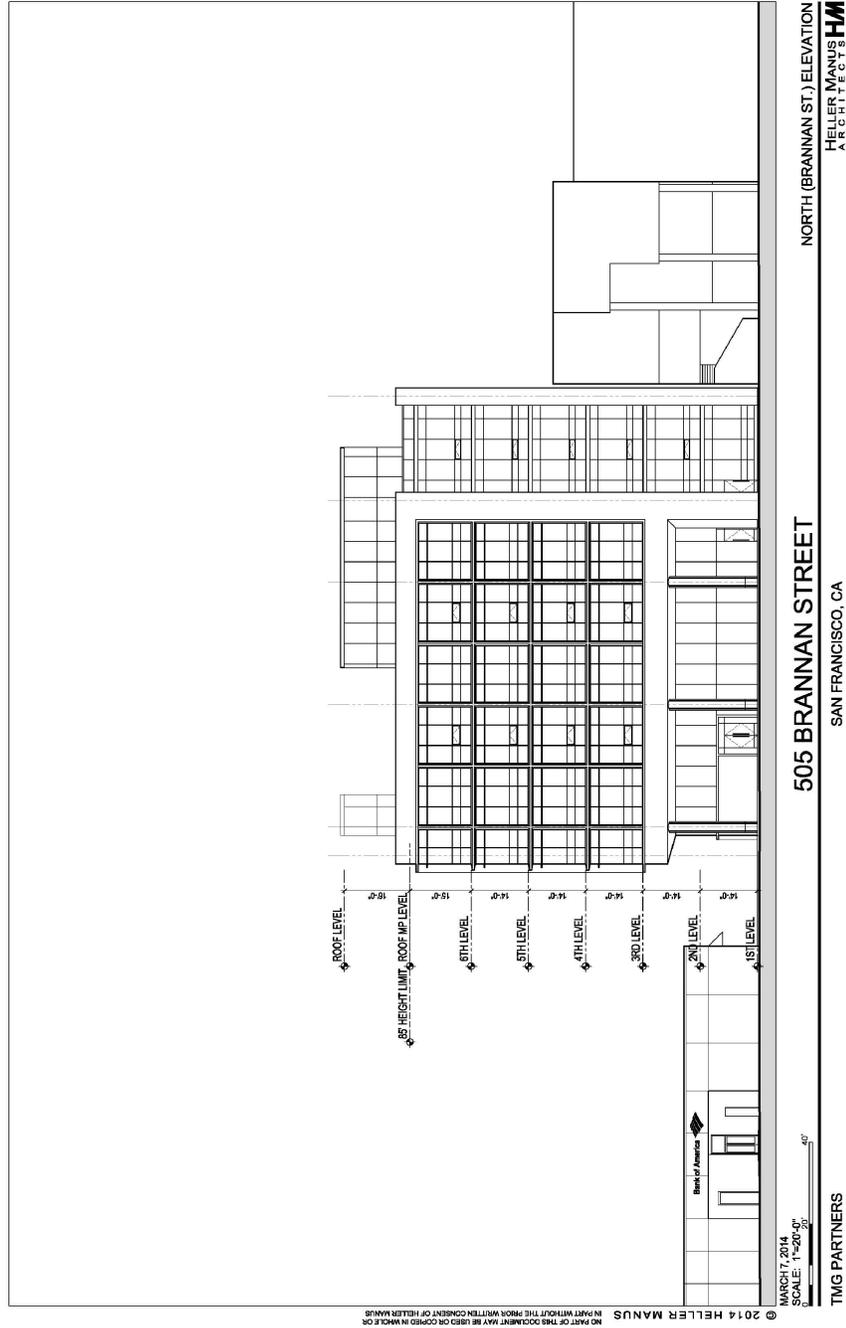


Figure 10 - Proposed North Elevation
Source: Heller Manus Architects

Community Plan Exemption Checklist

CASE NO. 2012.1187E
501-505 Brannan Street

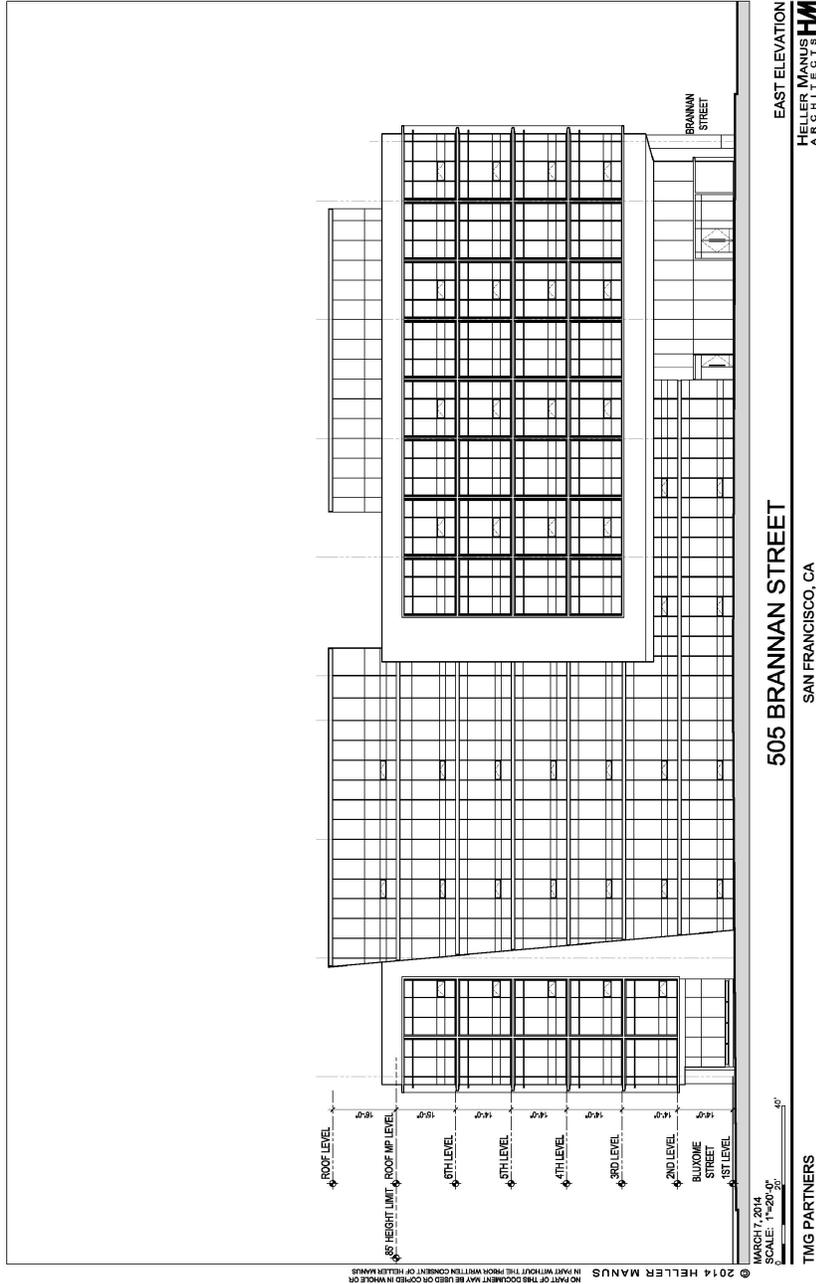
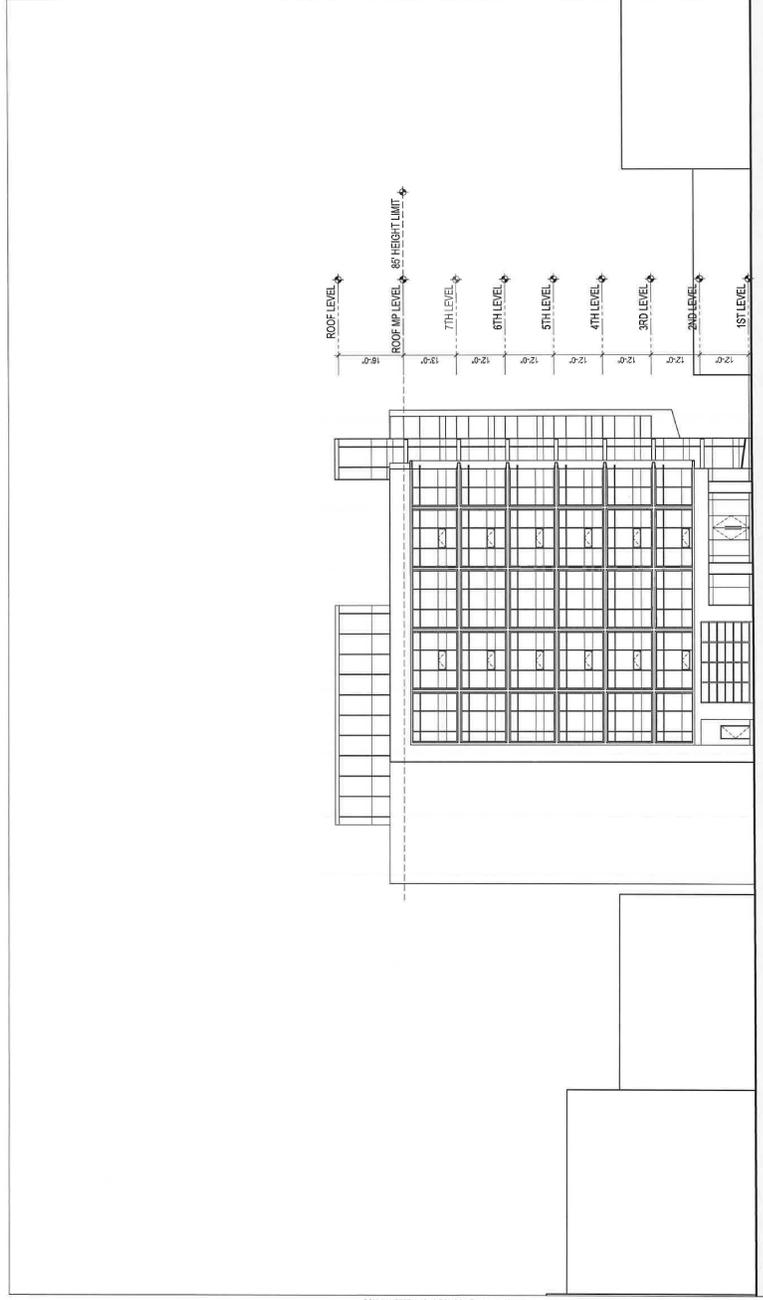


Figure 11 - Proposed East Elevation
Source: Heller Manus Architects



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JUNE 18, 2014
SCALE: 1"=20'-0"
50' 0"
505 BRANNAN STREET
SAN FRANCISCO, CA
SOUTH (BLUXOME ST.) ELEVATION
HELLER MANUS ARCHITECTS

Figure 12 - Proposed South Elevation
Source: Heller Manus Architects

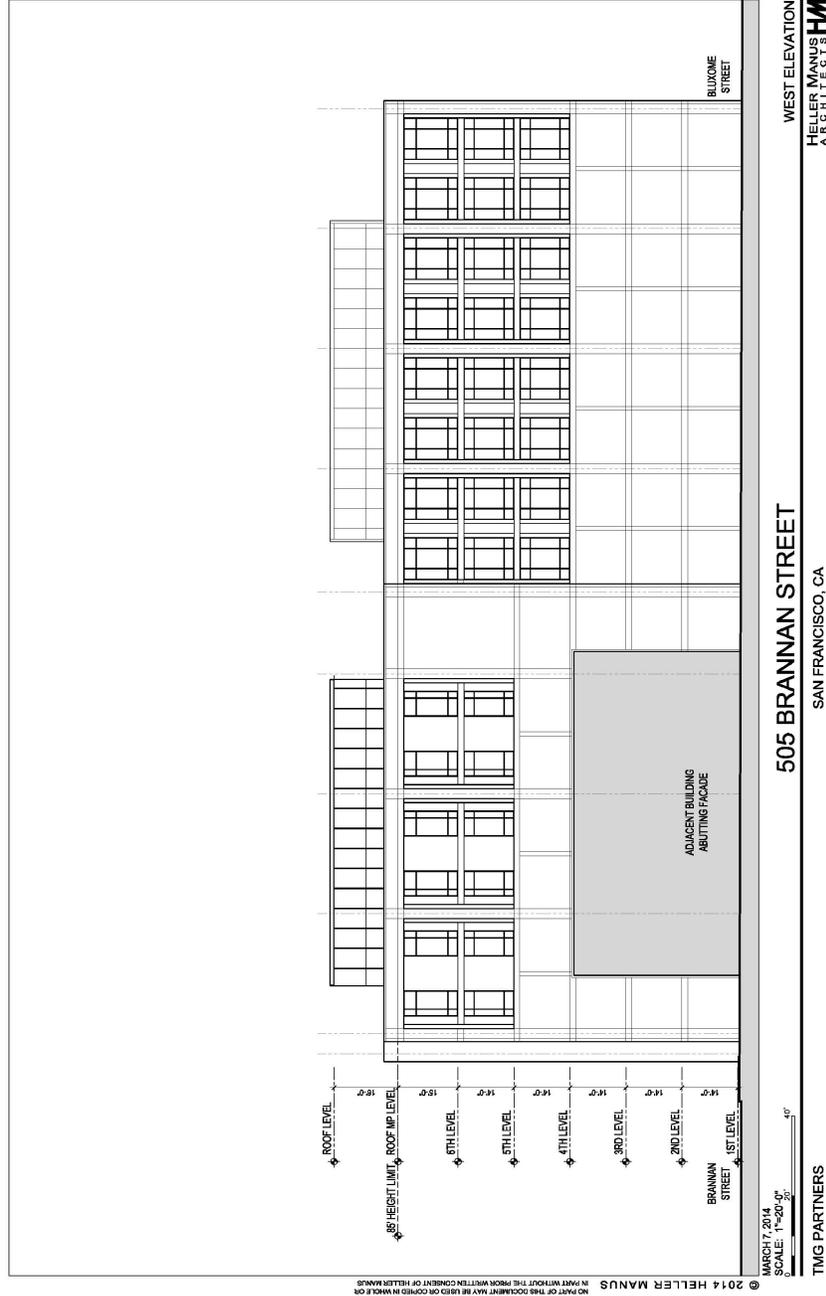


Figure 13 - Proposed West Elevation
Source: Heller Manus Architects

Community Plan Exemption Checklist

CASE NO. 2012.1187E
501-505 Brannan Street

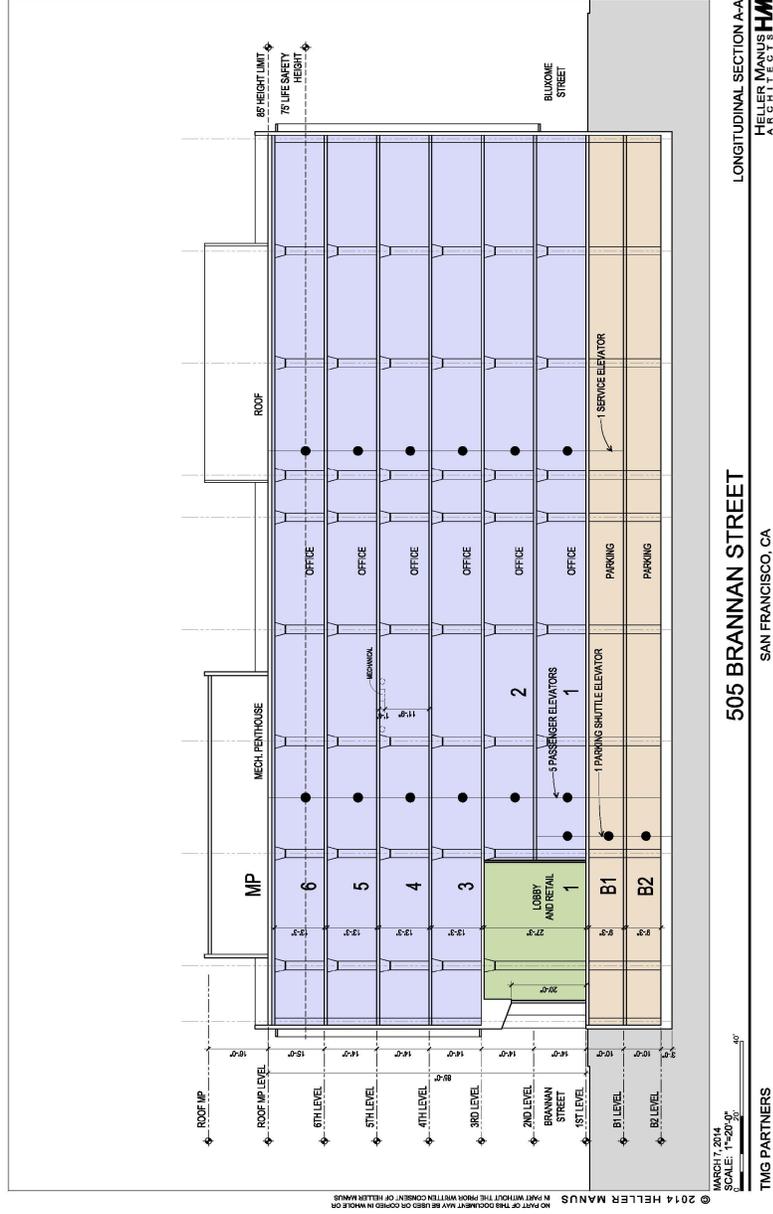


Figure 14 - Proposed Sections
Source: Heller Manus Architects

EVALUATION OF ENVIRONMENTAL EFFECTS:

This Community Plan Exemption (CPE) Checklist evaluates whether the environmental impacts of the proposed project are addressed in the Programmatic Environmental Impact Report for the Eastern Neighborhoods Rezoning and Area Plans (Eastern Neighborhoods PEIR).¹ The CPE Checklist indicates whether the proposed project would result in significant impacts that: (1) are peculiar to the project or project site; (2) were not identified as significant project-level, cumulative, or off-site effects in the PEIR; or (3) are previously identified significant effects, which as a result of substantial new information that was not known at the time that the Eastern Neighborhoods PEIR was certified, are determined to have a more severe adverse impact than discussed in the PEIR. Such impacts, if any, will be evaluated in a project-specific Mitigated Negative Declaration or Environmental Impact Report. If no such topics are identified, the proposed project is exempt from further environmental review in accordance with Public Resources Code Section 21083.3 and CEQA Guidelines Section 15183.

Mitigation measures identified in the PEIR are discussed under each topic area, and measures that are applicable to the proposed project are listed on pp. 31-38.

The Eastern Neighborhoods PEIR identified significant impacts related to land use, transportation, cultural resources, shadow, noise, air quality, and hazardous materials. Additionally, the PEIR identified significant cumulative impacts related to land use, transportation, and cultural resources. Mitigation measures were identified for the above impacts and reduced all impacts to less-than-significant except for those related to land use (cumulative impacts on PDR use), transportation (program-level and cumulative traffic impacts at nine intersections; program-level and cumulative transit impacts on seven Muni lines), cultural resources (cumulative impacts from demolition of historical resources), and shadow (program-level impacts on parks).

The proposed project involves construction of a 153,117 sf, 6-story, office building with a two-level below grade parking garage containing 66 off-street parking spaces that would be accessed from a garage entrance off of Bluxome Street. As discussed below in this checklist, the proposed project would not result in new, significant environmental effects, or effects of greater severity than were already analyzed and disclosed in the Eastern Neighborhoods PEIR.

AESTHETICS AND PARKING IMPACTS FOR TRANSIT PRIORITY INFILL DEVELOPMENT

Public Resources Code Section 21099(d), effective January 1, 2014, provides that, “aesthetics and parking impacts of a residential, mixed-use residential, or employment center project on an infill site located within a transit priority area shall not be considered significant impacts on the environment.” Accordingly, aesthetics and parking are no longer to be considered in determining if a project has the potential to result in significant environmental effects for projects that meet all of the following three criteria:

- a) The project is in a transit priority area;
- b) The project is on an infill site; and
- c) The project is residential, mixed-use residential, or an employment center.

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

The proposed project meets each of the above three criteria and thus, this checklist does not consider aesthetics or parking in determining the significance of project impacts under CEQA.² Project elevations are included in the project description, and an assessment of parking demand is included in the Transportation section for informational purposes.

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

The Eastern Neighborhoods PEIR determined that adoption of the Area Plans would result in an unavoidable significant impact on land use due to the cumulative loss of PDR. The project site is a surface parking lot and would not remove any existing PDR uses and it therefore not contribute to any impact related to loss of PDR uses that was identified in the Eastern Neighborhoods PEIR. Furthermore, the Citywide Planning and Current Planning Divisions of the Planning Department have determined that the proposed project is permitted in the Mixed Use Office (MUO) Zoning District and is consistent with the height, density, and land uses as specified in the East SoMa Subarea of the Eastern Neighborhoods Area Plan, maintaining the mixed character of the area by encouraging commercial and service-related development.^{3 4}

For these reasons, implementation of the proposed project would not result in significant impacts that were not identified in the Eastern Neighborhoods PEIR related to land use and land use planning, and no mitigation measures are necessary.

² San Francisco Planning Department. Transit-Oriented Infill Project Eligibility Checklist for 505 Brannan Street, 7/11/2014. This document is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400 as part of Case File No. 2012.01187E.

³Adam Varat, San Francisco Planning Department, *Community Plan Exemption Eligibility Determination, Citywide Planning and Policy Analysis, 505 Brannan Street*, March 24, 2014. This document is on file and available for review at the Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2012.1187E.

⁴ Jeff Joslin, San Francisco Planning Department, *Community Plan Exemption Eligibility Determination, Current Planning, 505 Brannan Street*, November 7, 2014. This document is on file and available for review at the Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2012.1187E.

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

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

The proposed project’s commercial use is expected to add approximately 526⁵ employees to the project site. These direct effects of the proposed project on population and housing are within the scope of the population growth anticipated under the Eastern Neighborhoods Rezoning and Area Plans, and evaluated in the Eastern Neighborhoods PEIR

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

⁵ The average of 276 gross square foot per employee for office uses and 350 gross square feet for retail uses is consistent with the Department’s *Transportation Impact Analysis Guidelines for Environmental Review*, October 2002.

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

Historic Architectural Resources

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

The Planning Department’s records indicate that the existing bank building at 505 Brannan Street was built in 1978. The 505 Brannan Street project site was surveyed by the City of San Francisco as part of the South of Market Area Historic Resource Survey, which was adopted in 2011. The project site was assigned a status code of “6Z”, which designates the property as “Found ineligible for National Register, California Register or Local designation through survey evaluation.” The project site was classified as 6Z because the building did not meet minimum age requirements to be assessed for the California or National Register. Additionally, the existing surface parking lot is not considered a historic resource because the subject parcel is vacant with no built resources. Therefore, for purposes of CEQA review procedures, the subject property is classified as Category C (properties determined not to be historical resources or properties for which the city has no information indicating that the property is an historical resource). The proposed project would subdivide the existing property and the existing building would remain on the project site. Furthermore, the project site is not located within an identified historic district, and the proposed project would not result in any adverse effects on off-site historical architectural resources. As such, no additional historic preservation review is required for the proposed project.

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

Archeological Resources

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

The construction of the foundation and below grade parking garage for the proposed project would involve excavation of approximately 23 feet below grade surface (bgs) for the entire site and pile driving of up to 400 steel piles to a depth of 40 feet. The project site is located in an area where no previous archeological studies have been prepared. Therefore the project would be subject to Mitigation Measure J-2. The Department conducted a Preliminary Archeological Review (PAR) of the project and determined the proposed project would have the potential to adversely affect archeological resources on the site. The Planning Department conducted an archeological assessment review⁶ of the project site and found that there are a number of recorded prehistoric and historic-period archeological sites in the vicinity of the project site. Therefore, the PAR states that an archeological monitoring program (AMP) shall be undertaken during constructions of the project. These requirements stated in the PAR fulfill Mitigation Measure J-2, and no additional review or project mitigation is required. Therefore, the proposed project would not result in any significant impacts on archeological resources that were not identified in the Eastern Neighborhoods FEIR.

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

<u>Topics:</u>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
4. TRANSPORTATION AND CIRCULATION— Would the project:				
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

⁶ Allison Vanderslice, EP archeologist, memorandum to Chelsea Fordham, EP planner, June 30, 2014. This memorandum is available for review at the Planning Department, 1650 Mission Street, Suite 400, in File No. 2012.1187E.

Topics:	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
b) Conflict with an applicable congestion management program, including but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a change in air traffic patterns, including either an increase in traffic levels, obstructions to flight, or a change in location, that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

However, the Eastern Neighborhoods PEIR anticipated that growth resulting from the zoning changes could result in significant impacts on traffic and transit ridership, and identified 11 transportation mitigation measures. Even with mitigation, however, it was anticipated that the significant adverse cumulative traffic impacts and the cumulative impacts on transit lines could not be fully mitigated. Thus, these impacts were found to be significant and unavoidable.

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

Trip Generation

The proposed project involves construction of a 153,117 sf, 6-story, office building with a two-level below grade parking garage containing 66 off-street parking spaces that would be accessed from a garage entrance and exit from a 20-foot curb cut located on Bluxome Street. The project would also include a 674-sf ground floor retail space that would be accessed from Brannan Street. Additionally, the ground-floor lobby of the proposed building would contain 132 Class 1 bicycle parking spaces that would be accessed from Brannan Street. There would also be six Class 2 bicycle parking spaces installed on the sidewalk along Brannan Street.

Trip generation of the proposed project was calculated using information in the 2002 *Transportation Impact Analysis Guidelines for Environmental Review* (SF Guidelines) developed by the San Francisco Planning Department. The proposed project would generate an estimated 232 p.m. peak-hour person-trips (inbound and outbound) on a weekday daily basis, consisting of 89 person-trips by auto, 107 transit trips,

28 walking trips and 8 trips by other modes (accounting for vehicle occupancy data for this Census Tract). Given the average vehicle occupancy of 2.3 persons per car, the project would generate 54 p.m. peak-hour vehicle trips.

Traffic

The proposed project's vehicle trips would travel through the intersections surrounding the project blocks. Intersection operating conditions are characterized by the concept of Level of Service (LOS), which ranges from A to F and provides a description of an intersection's performance based on traffic volumes, intersection capacity, and vehicle delays. LOS A represents free flow conditions, with little or no delay, while LOS F represents congested conditions, with extremely long delays; LOS D (moderately high delays) is considered the lowest acceptable level in San Francisco. The intersections near the project site (within approximately 800 feet) include the Bryant/3rd Street, Brannan/3rd Street, 3rd/Townsend, 3rd/King, and Bryant 4th Street intersections. Table 1 provides existing and cumulative LOS data (without project development) gathered for these intersections, per the *San Francisco Transit Center District Plan Final EIR* and the *345 Brannan Street Transportation Study*.⁷

Table 1: Existing and Cumulative Intersection Level of Service (PM Peak Hour)

<u>Intersection</u>	<u>Existing LOS (2008)</u>	<u>Cumulative LOS (2030)</u>
4th/Bryant /I-80 EB off-ramp	F	F
4th/Harrison/I-80 WB on-ramp	E	F
5 th /Bryant/I-80 EB on-ramp	E	F
5 th /Harrison/I-80 EB off-ramp	D	F
Bryant/3 rd Street	D	F
Bryant/4 th Street	F	F
Brannan/3 rd Street	D	F
3 rd /Townsend	E	F
3 rd /King	E	F

Sources: San Francisco Transit Center District Plan Final EIR, 345 Brannan Street Transportation Study.

The proposed project would generate an estimated 54 new p.m. peak hour vehicle trips that could travel through surrounding intersections. This amount of new p.m. peak hour vehicle trips would not substantially increase traffic volumes at the above noted, or other nearby intersections, would not substantially increase average delay that would cause intersections that currently operate at acceptable LOS to deteriorate to unacceptable LOS, or would not substantially increase average delay at intersections that currently operate at unacceptable LOS.

The proposed project would not contribute considerably to LOS delay conditions as its contribution of an estimated 54 new p.m. peak-hour vehicle trips would not be a substantial proportion of the overall traffic

⁷ The *San Francisco Transit Center District Plan Final EIR* (Case nos. 2007.0558E, 2008.0789E) and the *345 Brannan Street Transportation Study* (Case no. 2007.0385!) documents are available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of their respective case file numbers.

volume or the new vehicle trips generated by Eastern Neighborhoods' Plan projects. The proposed project would also not contribute considerably to 2025 cumulative conditions and thus, the proposed project would not have any significant cumulative traffic impacts.

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

Transit

The project site is located within a quarter mile of several local transit lines including Muni lines 8X, 10, 12, 14X, 27, 30, 47, 85, and 91. The proposed project would be expected to generate 931 daily transit trips, including 107 during the p.m. peak hour. Given the wide availability of nearby transit, the addition of 107 p.m. peak hour transit trips would be accommodated by existing capacity. As such, the proposed project would not result in unacceptable levels of transit service or cause a substantial increase in delays or operating costs such that significant adverse impacts in transit service could result.

Each of the rezoning options in the Eastern Neighborhoods PEIR identified significant and unavoidable cumulative impacts relating to increases in transit ridership on Muni lines, with the Preferred Project having significant impacts on seven lines. Of those lines, the project site is located within a quarter-mile of Muni lines 8X, 12, 27, 30, 47, 85, and 91. Mitigation Measures E-5, E-6, E-7, E-8, and E-9 would address these impacts for Muni lines in the Eastern Neighborhoods by pursuing enhanced transit funding; conducting transit corridor and service improvements; increasing transit accessibility; expanding storage/maintenance capabilities; and providing service information. Even with mitigation, however, cumulative impacts on the above lines were found to be significant and unavoidable and a Statement of Overriding Considerations related to the significant and unavoidable cumulative transit impacts was adopted as part of the PEIR Certification and project approval.

The proposed project would not contribute considerably to these conditions as its minor contribution of 107 p.m. peak hour transit trips would not be a substantial proportion of the overall additional transit volume generated by Eastern Neighborhood projects. The proposed project would also not contribute considerably to 2025 cumulative transit conditions and thus would not result in any significant cumulative transit impacts.

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

Loading

Based on the SF Guidelines, the proposed project would generate an average loading demand of 1.30 truck-trips per hour. Planning Code Section 152.1 requires 0.1 loading space per 10,000 sf of gross floor area (to closest whole number per Section 153), which would require the proposed project at 153,117 sf to require one off-street loading space. The project is proposing one on-street loading space and would therefore meet the Planning Code requirements. For the above reasons, the proposed project would not result in significant impacts that were not identified in the Eastern Neighborhoods PEIR related to loading.

Pedestrian and Bicycle Conditions

Based on the SF Guidelines, the proposed project would generate approximately 31 p.m. peak-hour pedestrian trips. The proposed project would not cause a substantial amount of pedestrian and vehicle conflict, as there are adequate sidewalk and crosswalk widths. Pedestrian activity would increase as a result of the proposed project, but not to a degree that could not be accommodated on local sidewalks or would result in safety concerns.

In the vicinity of the project site, there are two major Citywide Bicycle Routes. Fifth Street in the vicinity of the project site includes bicycle route #19 and Townsend Street includes a portion of bicycle route #36. The proposed project would place its garage entrance and a 20-foot-wide curb cut along Bluxome Street, which would not interfere with nearby bicycle routes. Therefore, vehicles entering and exiting the proposed garage and service entrance would not result in potential conflicts with bicycle traffic and vehicles. Therefore, the proposed project would not substantially increase bicycle conflicts from the existing conditions. Although the proposed project would result in an increase in the number of vehicles in the project vicinity, this increase would not substantially affect bicycle travel in the area. For the above reasons, the proposed project would not result in significant impacts that were not identified in the Eastern Neighborhoods PEIR related to pedestrian or bicycle conflicts.

Parking

Public Resources Code Section 21099(d), effective January 1, 2014, provides that, “aesthetics and parking impacts of a residential, mixed-use residential, or employment center project on an infill site located within a transit priority area shall not be considered significant impacts on the environment.” Accordingly, aesthetics and parking are no longer to be considered in determining if a project has the potential to result in significant environmental effects for projects that meet all of the following three criteria:

- a) The project is in a transit priority area;
- b) The project is on an infill site; and
- c) The project is residential, mixed-use residential, or an employment center.

The proposed project meets each of the above three criteria and thus, this determination does not consider the adequacy of parking in determining the significance of project impacts under CEQA.⁸ The Planning Department acknowledges that parking conditions may be of interest to the public and the decision makers. Therefore, this determination presents a parking demand analysis for informational purposes only.

The parking demand for the new commercial (office and retail) uses associated with the proposed project was determined based on the methodology presented in the Transportation Guidelines. On an average weekday, the demand for parking would be for 157 spaces. The proposed project would provide 66 off-street spaces. Thus, as proposed, the project would have an unmet parking demand of an estimated 91 spaces. 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. Additionally, the project site is well served by public transit and bicycle facilities. Therefore, any unmet parking demand associated

⁸ San Francisco Planning Department, Transit-Oriented Infill Project Eligibility Checklist for 482 Bryant Street, 3/3/2014. This document is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2013.0529E.

with the project would not materially affect the overall parking conditions in the project vicinity such that hazardous conditions or significant delays would be created.

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 Polices, 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.

<u>Topics:</u>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
5. NOISE—Would the project:				
a) Result in exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

The Eastern Neighborhoods PEIR identified potential conflicts related to residences and other noise-sensitive uses in proximity to noise-generating uses such as PDR, retail, entertainment, cultural/institutional/educational uses, and office uses. In addition, the Eastern Neighborhoods PEIR noted that implementation of the Area Plan would incrementally increase traffic-generated noise on some streets in the Plan Area and result in construction noise impacts from pile driving and other construction activities. The Eastern Neighborhoods PEIR therefore identified six noise mitigation measures that would reduce noise impacts to less-than-significant levels.

Eastern Neighborhoods PEIR Mitigation Measures F-1 and F-2 relate to construction noise. Mitigation Measure F-1 addresses individual projects that include pile-driving, and Mitigation Measure F-2 addresses individual projects that include particularly noisy construction procedures (including pile driving). The project would require excavation of up to 23 feet below grade to construct the two-basement level floor, and to construct the foundation up to approximately 400 driven steel piles would have to be driven to a depth of 40 feet to dense sand or bedrock. Therefore, Mitigation Measure F-1 (pile-driving) and F-2 (construction noise) would be applicable to the proposed project since the proposed projects construction would involve pile driving activities.

In addition, all construction activities for the proposed project (approximately sixteen months) would be subject to and would comply with the San Francisco Noise Ordinance (Article 29 of the San Francisco Police Code) (Noise Ordinance). Construction noise is regulated by the Noise Ordinance. The Noise Ordinance requires that construction work be conducted in the following manner: (1) noise levels of construction equipment, other than impact tools, must not exceed 80 dBA⁹ (L_{dn})¹⁰ at a distance of 100 feet

⁹ The dBA, or A-weighted decibel, refers to a scale of noise measurement that approximates the range of sensitivity of the human ear to sounds of different frequencies. On this scale, the normal range of human hearing extends from about 0 dBA to about 140 dBA. A 10-dBA increase in the level of a continuous noise represents a perceived doubling of loudness.

¹⁰ The L_{dn} is the L_{eq}, or Energy Equivalent Level, of the A-weighted noise level over a 24-hour period with a 10 dB penalty applied to noise levels between 10:00 p.m. to 7:00 a.m. The L_{eq} is the level of a steady noise which would have the same energy as the fluctuating noise level integrated over the time period of interest.

from the source (the equipment generating the noise); (2) impact tools must have intake and exhaust mufflers that are approved by the Director of the Department of Public Works (DPW) or the Director of the Department of Building Inspection (DBI) to best accomplish maximum noise reduction; and (3) if the noise from the construction work would exceed the ambient noise levels at the site property line by 5 dBA, the work must not be conducted between 8:00 p.m. and 7:00 a.m. unless the Director of DPW authorizes a special permit for conducting the work during that period.

DBI is responsible for enforcing the Noise Ordinance for private construction projects during normal business hours (8:00 a.m. to 5:00 p.m.). The Police Department is responsible for enforcing the Noise Ordinance during all other hours. Nonetheless, during the construction period for the proposed project of approximately sixteen months, occupants of the nearby properties could be disturbed by construction noise. Times may occur when noise could interfere with indoor activities in nearby residences and other businesses near the project site and may be considered an annoyance by occupants of nearby properties. The increase in noise in the project area during project construction would not be considered a significant impact of the proposed project, because the construction noise would be temporary, intermittent, and restricted in occurrence and level, as the contractor would be subject to and would comply with the Noise Ordinance.

Eastern Neighborhoods PEIR Noise Mitigation Measures F-3, F-4, F-5, and F-6 include additional measures for individual projects that include new noise-sensitive uses. Mitigation Measure F-3 and F-4 require that a detailed analysis of noise reduction requirements be conducted for new development that includes noise-sensitive uses located along streets with noise levels above 60 dBA (Ldn). Mitigation Measure F-6 addresses impacts from existing ambient noise levels on open space required under the Planning Code for new development that includes noise sensitive uses. As the project involves construction of a six-story office building, which is not a noise-sensitive use, Mitigation Measures F-3, F-4 and F-6 do not apply to the project.

Eastern Neighborhoods PEIR Mitigation Measure F-5 requires individual projects that include new noise-generating uses that would be expected to generate noise levels in excess of ambient noise in the proposed project site vicinity to submit an acoustical analysis that demonstrates the proposed use would comply with the General Plan and the Noise Ordinance. The Noise Ordinance does not allow for a noise level more than 8 dBA above the local ambient noise levels at any point outside of the property plane for commercial properties and states no fixed noise source may cause the noise level measured inside any sleeping or living room in any dwelling unit located on residential property to exceed 55 dBA between the hours of 7 AM and 10 PM with windows open. Typical residential building construction will generally provide exterior-to-interior noise level reduction performance of no less than 15 dB when exterior windows are open. The project site is located in the vicinity of residential uses and the proposed project would generate new sources of noise, primarily from mechanical equipment within the new building that could impact either nearby noise-sensitive receptors (i.e. nearby residential uses) or potentially exceed the local ambient noise levels by 8 dBA above from the property plane. Therefore, Mitigation Measure F-5 is applicable to the proposed project and a site survey and noise measurements

were conducted to demonstrate that the proposed project would comply with the General Plan and the Noise Ordinance.¹¹

The noise report identified several residential noise sensitive receptors located within 900 feet of the project site. The report notes that existing ambient noise levels at the project site along Brannan, Bluxome, and 4th Street is 66 to 75 DNL.¹²

The noise study determined that the closest adjacent property that would be affected by the proposed project's rooftop mechanical equipment is 525 Brannan Street, a commercial office building, which has an ambient daytime noise level of 59 dBA and a nighttime noise level of 46 dBA. Therefore, the proposed rooftop equipment cannot exceed the ambient noise levels by more than eight decibels (8dBA) above the existing ambient noise levels (resulting in maximum ambient noise levels of 67 dBA during daytime and 54 dBA during nighttime, respectively), when measured at the nearest property plane (i.e., 525 Brannan Street). Rooftop mechanical equipment has not been selected yet for the proposed project at 505 Brannan Street; however, typical buildings of this size and use have equipment that could include air handlers, chillers or cooling towers, exhaust fans, as well as emergency generators. This proposed rooftop equipment could result in a maximum noise levels from the rooftop equipment of 75 dBA at nighttime and 88 dBA at daytime at a distance of three-feet from the equipment. Ambient noise levels are assumed to be less at nighttime due to reduced usage of mechanical equipment during nighttime hours. The noise study recommended ways to reduce future equipment noise levels to meet City Noise Ordinance requirements including one or more of the following methods: selecting mechanical equipment with the lowest feasible sound power (PWL); locating rooftop equipment as far from property lines as is feasible; duct silencers, sound-isolating rooftop barriers, as well as situating equipment within an enclosed penthouse. An enclosed mechanical penthouse is indicated in the proposed project plans and the majority of mechanical equipment would be located within the penthouse, not directly on the roof. During the project design phase, an acoustical engineer would review mechanical equipment selections and locations, as well as the mechanical penthouse wall and roof assemblies, to confirm that the mechanical design meets Noise Ordinance standards. The noise study was prepared, as required, and the project sponsor would be required to adhere to its noise reduction recommendations during project operations, which would demonstrate compliance with PEIR Mitigation Measure F-5. Additionally, the proposed project would not contribute considerably to any cumulative noise impacts from mechanical equipment.

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

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

¹¹ Charles M. Salter Associates, Inc. *505 Brannan Street, San Francisco, CA – Environmental Noise Study*, February 11, 2014. This document is on file and available for public review at the Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2012.1187E.

¹² Day-Night Average Sound Level (DNL) – A descriptor established by the U.S. Environmental Protection Agency to describe the average day-night level with a penalty applied to noise occurring during the nighttime hours (10 pm - 7 am) to account for the increased sensitivity of people during sleeping hours. The DNL is calculated from 24, 1-hour A-weighted noise levels, and it is noted in dB (because dBA is inherent in the calculation of DNL).

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

The Eastern Neighborhoods PEIR identified potentially significant air quality impacts resulting from construction activities and impacts to sensitive land uses¹³ as a result of exposure to elevated levels of diesel particulate matter (DPM) and other toxic air contaminants (TACs). The Eastern Neighborhoods PEIR identified four mitigation measures that would reduce these air quality impacts to less-than-significant levels. All other air quality impacts were found to be less than significant.

Construction Dust Control

Eastern Neighborhoods PEIR Mitigation Measure G-1 Construction Air Quality requires individual projects involving construction activities to include dust control measures and to maintain and operate construction equipment so as to minimize exhaust emissions of particulates and other pollutants. The San Francisco Board of Supervisors subsequently approved a series of amendments to the San Francisco Building and Health Codes, generally referred to as the Construction Dust Control Ordinance (Ordinance 176-08, effective July 30, 2008). The intent of the Construction Dust Control Ordinance is to reduce the quantity of fugitive dust generated during site preparation, demolition, and construction work in order to protect the health of the general public and of on-site workers, minimize public nuisance complaints, and to avoid orders to stop work by DBI. Project-related construction activities would result in construction dust, primarily from ground-disturbing activities.

For projects over one half-acre, such as the proposed project, the Dust Control Ordinance requires that the project sponsor submit a Dust Control Plan for approval by the San Francisco Department of Public Health. DBI will not issue a building permit without written notification from the Director of Public Health that the applicant has a site-specific Dust Control Plan, unless the Director waives the requirement. The site-specific Dust Control Plan would require the project sponsor to implement additional dust control measures such as installation of dust curtains and windbreaks and to provide

¹³ The Bay Area Air Quality Management District (BAAQMD) considers sensitive receptors as: children, adults or seniors occupying or residing in: 1) residential dwellings, including apartments, houses, condominiums, 2) schools, colleges, and universities, 3) daycares, 4) hospitals, and 5) senior care facilities. BAAQMD, Recommended Methods for Screening and Modeling Local Risks and Hazards, May 2011, page 12.

independent third-party inspections and monitoring, provide a public complaint hotline, and suspend construction during high wind conditions. The project site is 0.9 acres in size and would therefore be required to submit a Dust Control Plan for approval by the San Francisco Department of Public Health.

The regulations and procedures set forth by the San Francisco Dust Control Ordinance would ensure that construction dust impacts would not be significant. These requirements supersede the dust control provisions of PEIR Mitigation Measure G-1. Therefore, the portion of PEIR Mitigation Measure G-1 Construction Air Quality that addresses dust control is not applicable to the proposed project.

Health Risk

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

Subsequent to certification of the PEIR, San Francisco (in partnership with the Bay Area Air Quality Management District (BAAQMD)) inventoried and assessed air pollution and exposures from mobile, stationary, and area sources within San Francisco and identified portions of the City that result in additional health risks for affected populations ("Air Pollutant Exposure Zone"). The Air Pollutant Exposure Zone was identified based on two health based criteria:

- (1) Areas where the excess cancer risk from all sources is greater than 100; or
- (2) Areas where $PM_{2.5}$ concentrations from all sources (including ambient concentrations) are greater than $10\mu g/m^3$.

The project site is located within an identified Air Pollutant Exposure Zone; therefore, the proposed project's ambient health risk to sensitive receptors from air pollutants is considered substantial. Construction of the proposed project would require heavy-duty off-road diesel vehicles and equipment during 6 months of the anticipated 16-month construction period. Thus, the remainder of Mitigation Measure G-1 that requires the minimization of construction exhaust emissions is applicable to the proposed project. The proposed project would include development of commercial uses and is not considered a sensitive land use for purposes of air quality evaluation and therefore, the Eastern Neighborhoods PEIR Mitigation Measure G-2 Air Quality for Sensitive Land Uses is not applicable to the proposed project.

Lastly, the proposed project could emit substantial levels TAC emissions from the installation of a backup generator as part of the mechanical equipment installed for the proposed project. Emergency generators are regulated by the BAAQMD through their New Source Review (Regulation 2, Rule 5) permitting process. The project applicant would be required to obtain applicable permits to operate an emergency generator from the BAAQMD. Although emergency generators are intended only to be used in periods of power outages, monthly testing of the generator would be required. The BAAQMD limit testing to no more than 50 hours per year. Additionally, as part of the permitting process, the BAAQMD would limit the excess cancer risk from any facility to no more than ten per one million population and requires any source that would result in an excess cancer risk greater than one per one million population to install Best Available Control Technology for Toxics (TBACT). However, because the project site is located in an area that already experiences poor air quality, the proposed emergency back-up generator has the potential to expose nearby sensitive receptors to substantial concentrations of diesel emissions, a known TAC. Therefore, this would be a significant air quality impact as a result of the proposed project.

The project would thus be subject to Eastern Neighborhoods Mitigation Measures G-3 and G-4 (Proposed uses that would emit DPM and other TACs), which would reduce the magnitude of this operational air quality impact to less-than-significant levels by reducing emissions by 89 to 94 percent compared to equipment with engines that do not meet any emission standards and without a VDECS. The full text of Mitigation Measure G-3 and G-4 are provided on page 31.

Criteria Air Pollutants

While the Eastern Neighborhoods PEIR determined that at a program-level the Eastern Neighborhoods Rezoning and Area Plans would not result in significant regional air quality impacts, the PEIR states that “Individual development projects undertaken in the future pursuant to the new zoning and area plans would be subject to a significance determination based on the BAAQMD’s quantitative thresholds for individual projects.”¹⁴ The BAAQMD’s *CEQA Air Quality Guidelines* (Air Quality Guidelines) provide screening criteria¹⁵ for determining whether a project’s criteria air pollutant emissions would violate an air quality standard, contribute to an existing or projected air quality violation, or result in a cumulatively considerable net increase in criteria air pollutants. Pursuant to the Air Quality Guidelines, projects that meet the screening criteria do not have a significant impact related to criteria air pollutants. For projects that do not meet the screening criteria, a detailed air quality assessment is required to further evaluate whether project-related criteria air pollutant emissions would exceed BAAQMD significance thresholds. Criteria air pollutant emissions during construction and operation of the proposed project would meet the Air Quality Guidelines screening criteria. Therefore, the project would not have a significant impact related to criteria air pollutants, and a detailed air quality assessment is not required. Additionally, the proposed project would not contribute considerably to any cumulative air quality impacts.

For the above reasons, the Eastern Neighborhoods PEIR air quality mitigation measures are applicable to the proposed project and the project would not result in significant air quality impacts that were not identified in the PEIR.

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

The Eastern Neighborhoods PEIR assessed the GHG emissions that could result from rezoning of the Area Plan under the three rezoning options. The Eastern Neighborhoods Rezoning Options A, B, and C

¹⁴ San Francisco Planning Department, Eastern Neighborhood’s Rezoning and Area Plans Final Environmental Impact Report. See page 346. Available online at: <http://www.sf-planning.org/Modules/ShowDocument.aspx?documentid=4003>. Accessed June 4, 2014.

¹⁵ Bay Area Air Quality Management District, CEQA Air Quality Guidelines, updated May 2011. See pp. 3-2 to 3-3.

are anticipated to result in GHG emissions on the order of 4.2, 4.3 and 4.5 metric tons of CO₂E¹⁶ per service population,¹⁷ respectively. The Eastern Neighborhoods PEIR concluded that the resulting GHG emissions from the three options analyzed in the Eastern Neighborhoods Area Plans would be less than significant. No mitigation measures were identified in the PEIR.

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

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

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

Wind

No significant impacts related to wind were anticipated to result from the implementation of the Eastern Neighborhoods Rezoning and Area Plans. Specific projects within Eastern Neighborhoods require analysis of wind impacts where deemed necessary. Thus, wind impacts were determined not to be significant in the Eastern Neighborhoods Initial Study and were not analyzed in the Eastern Neighborhoods PEIR. No mitigation measures relative to wind impacts were identified in the Eastern Neighborhoods PEIR.

Wind impacts are generally caused by large building masses extending substantially above their surroundings, and by buildings oriented such that a large wall catches a prevailing wind, particularly if such a wall includes little or no articulation. In general, projects less than approximately 80 to 100 feet in

¹⁶ CO₂E, defined as equivalent Carbon Dioxide, is a quantity that describes other greenhouse gases in terms of the amount of Carbon Dioxide that would have an equal global warming potential.

¹⁷ Memorandum from Jessica Range, MEA to MEA staff, Greenhouse Gas Analyses for Community Plan Exemptions in Eastern Neighborhoods, April 20, 2010. This memorandum provides an overview of the GHG analysis conducted for the Eastern Neighborhoods Rezoning EIR and provides an analysis of the emissions using a service population (equivalent of total number of residents and employees) metric.

height are unlikely to result in substantial adverse effects on ground-level winds such that pedestrians would be uncomfortable.

Based on the height and location of the proposed approximately 85 foot-tall building (excluding two 16-foot mechanical penthouses), a pedestrian level wind assessment (“Wind Assessment”) was prepared by a qualified wind consultant for the proposed project.¹⁸ The objective of the Wind Assessment was to provide a qualitative evaluation of the potential wind impacts of the proposed development, which provides a screening-level estimation of the potential wind impact.

The proposed site is on a block bounded by Brannan, 4th, Bluxome, and 5th Streets. Brannan and Bluxome Streets run along the southwest-to-northeast alignment, while 4th and 5th Streets run along a northwest-to-southeast alignment. None of these streets are aligned with the prevailing west wind direction. The project building would have its long axis aligned along a southeast to northwest direction, this means the long axis of the building is not aligned across prevailing winds, which would tend to minimize the amount of wind intercepted by the structure. For the prevailing wind directions (northwest through west), the project site is sheltered by the existing four story structures. Accordingly, only the upper two floors of the proposed building would rise above adjacent structures and be exposed to winds. Additionally, the northwest and southwest faces of the building have complex shapes and are not continuous. Due to these factors, any wind accelerations generated by the upper 2 floors of the proposed development would be light to moderate. These accelerations would be elevated well above pedestrian spaces around the project site due to the presence of the adjacent and upwind buildings.

In summary, the project's exposure to prevailing winds would be limited by the shelter from existing buildings, the orientation of the building with respect to prevailing winds, and the project's projects massing that would provide a complex building face where exposed to wind. Based on consideration of the exposure, massing and orientation of the proposed project, the building's design would not result in any significant wind impacts peculiar to the proposed project, or its location, that were not identified in the Eastern Neighborhoods PEIR.

Shadow

Planning Code Section 295 generally prohibits new structures above 40 feet in height that would cast additional shadows on open space that is under the jurisdiction of the San Francisco Recreation and Park Commission between one hour after sunrise and one hour before sunset, at any time of the year, unless that shadow would not result in a significant adverse effect on the use of the open space. Under the Eastern Neighborhoods Area Plan, sites surrounding parks could be redeveloped with taller buildings without triggering Section 295 of the Planning Code because certain parks are not subject to Section 295 of the Planning Code (i.e., under jurisdiction by departments other than the Recreation and Parks Department or privately owned). The Eastern Neighborhoods PEIR could not conclude that the rezoning and community plans under the Eastern Neighborhoods Plan would result in less-than-significant shadow impacts. This is because the feasibility of fully mitigating for potential new shadow impacts resulting from unknown proposed proposals in the Plan Area could not be determined at that time. Therefore, the PEIR determined shadow impacts to be significant and unavoidable. No mitigation measures were identified in the PEIR.

¹⁸ Donald Ballanti, Consulting Meteorologist, Wind and Comfort Analysis of the Proposed 505 Brannan Street Project, March 3, 2014. This document is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, San Francisco, as part of Case File No. 2012.1187E.

The proposed project would construct an approximately 85-foot-tall building; therefore, the Planning Department prepared a preliminary shadow fan analysis to determine whether the proposed project would have the potential to cast new shadow on nearby parks. The shadow fan analysis prepared by the Department found the project as proposed would not cast shadows on Recreation and Parks Department parks or other public parks.¹⁹

The proposed project would shade portions of nearby streets and sidewalks and private property (including private open spaces) at times within the project vicinity. Project related shadows upon streets, sidewalks, and privately operated open space would not exceed levels commonly expected in dense urban areas and would be considered a less-than-significant effect. Although occupants of nearby property may regard the increase in shadow as undesirable, the limited increase in shading of private properties as a result of the proposed project would not be considered a significant impact under CEQA.

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

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

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

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

¹⁹ San Francisco Planning Department, Shadow Fan Analysis for 505 Brannan Street, September 27, 2012. This document is on file and available for public review as part of Case File No. 2012.1187E.

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

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

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

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

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

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

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

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

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

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

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

The proposed project would involve construction of a 153,117 sf, 6-story, 85-foot tall, office building and would also include a two-level, 23-foot-deep, below-grade parking garage. The below-grade garage would require the excavation of 21,700 cubic yards of soil.

A geotechnical investigation was prepared for the proposed project.²⁰ The following discussion relies on the information provided in the geotechnical investigation.

Geotechnical soil borings were excavated at the project site to a maximum depth of approximately 70 feet below ground surface (bgs). Based on the soil analysis of the borings, the project site is underlain by artificial fill to a depth of 15 feet, compressible clay, known as Bay Mud between a depth of 20 to 25 feet, and medium dense to very dense sand to the maximum depth explored of 70 feet. The artificial fill consists of a heterogeneous mixture of concrete, brick, and wood fragments. Sandstone bedrock was encountered in the borings at and around the site at depths of about 23 to 68 feet bgs. The top of bedrock generally slopes down toward the south, west, and east. The bedrock surface is expected to vary substantially across the site. Groundwater was encountered at depths of 7 to 9 feet bgs. Additionally, groundwater would vary with time and seepage of groundwater may be encountered near the ground surface during rain or irrigation upslope of the project site.

The project site does not lie within an Alquist-Priolo Earthquake Fault Zone as defined by the California Division of Mines and Geology. No known active faults cross the project site. The closest mapped active fault in the vicinity of the project site is the San Andreas Fault, located approximately 12.5 miles west from the project site. The proximity would likely result in strong earthquake shaking at the project site.

The project site is located within a liquefaction potential zone as mapped by the California Division of Mines and Geology for the City and County of San Francisco. Based on project site conditions, a quantitative liquefaction analysis was performed. The results of the analysis show that there is loose to medium dense sand fill with varying silt and clay content, which was encountered below groundwater in the majority of the boring drilled. Additionally, medium dense native sands were encountered at the project site ranging from 2.5 feet to 24 feet bgs below the water table. These loose to medium dense granular layers could liquefy in a major earthquake. The geotechnical report states that the settlement as a result of liquefaction during an earthquake could result in settlement between 2 to 8.5 inches at the site. The impact of liquefaction on the proposed development could also result in lurch cracking or sand boils²¹ resulting at the project site.

The geotechnical investigation found that there is a potential for seismic densification of the fill materials at the project site during strong earthquake shaking. During earthquake shaking, loose granular soils above the groundwater may densify resulting in the settlement of the ground surface on site. Seismic

²⁰ Treadwell & Rollo, "Preliminary Geotechnical Investigation, 501 Brannan Street, San Francisco, California," May 14, 2012. This document is on file and available for public review at the Planning Department, 1650 Mission Street, Suite 400. This document is on file and available for public review as part of Case File No. 2012.1187E.

²¹ Lurch cracking is defined as a surface cracks due to horizontal vibration forces. Sand boils are defined as sand and water that come out onto the ground surface during an earthquake as a result of [liquefaction](#) at shallow depth.

densification from ground shaking may result in less than one half inch of settlement at the project site. The project site is also susceptible to settlement with the placement of additional building loads on the site under the proposed project.

The geotechnical investigation concluded the potential hazard associated with lateral spreading, tsunami inundation, seiches, landsliding, and corrosive soils would not be significant at the project site.

The geotechnical investigation also provided recommendations for the proposed project's site preparation, grading, seismic design, and foundation design. The proposed below-grade garage on-site would require the excavation of 23-foot bgs and 21,700 cubic yards of soil. Based upon the anticipated depth of the proposed two-level, 23-ft deep, below-grade garage and the depth to bedrock at the site of 23-69 feet bgs, it is recommended that the building foundation should be supported partly on a mat foundation bearing on bedrock, with the balance of the building supported on piles that extend to the bedrock.²² Based on bedrock depths at the site of 23 to 68 feet bgs, it is anticipated that the piles would extend up to 40 feet below the existing ground surface under the project site. Using a preliminary building weight from the project's structural engineer, it is anticipated that 400 piles would be needed for the proposed project.

Based on the above-noted recommendations and implementation, the geotechnical investigation concluded that the project would not cause significant geology and soil impacts if the project follows all the recommendation in the geotechnical investigation. The geotechnical report prepared for the proposed project provided detailed recommendations for addressing all the geotechnical and soils issues encountered on the project site. The project sponsor has agreed to follow the recommendations of the geotechnical investigation, and would incorporate these recommendations into the final proposed building design. This would include driving approximately 400 piles to support the proposed foundation to approximately 40 feet bgs on the site, subject to the building permit review process.²³

The project would be required to conform to the San Francisco Building Code, which ensures the safety of all new construction in the City. Overall, potential damage to structures from geologic hazards such as landslide hazards, settlement, and seismic stability of the project site would be addressed through the DBI requirement for a geotechnical or other subsurface report and review of the building permit application pursuant to implementation of the Building Code.

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

²² Langan Treadwell Rollo, "Preliminary Geotechnical Investigation Update, 501 Brannan Street, San Francisco, California," July 7, 2014. This document is on file and available for public review at the Planning Department, 1650 Mission Street, Suite 400. This document is on file and available for public review as part of Case File No. 2012.1187E.

²³ The project sponsor has agreed to comply with the recommendations in the Preliminary Geotechnical Investigation for 501 Brannan Street, San Francisco, California. Email communication, Amy Neches, TMG Partners, September 23, 2014.

<u>Topics:</u>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
14. HYDROLOGY AND WATER QUALITY—Would the project:				
a) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner that would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other authoritative flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Place within a 100-year flood hazard area structures that would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j) Expose people or structures to a significant risk of loss, injury or death involving inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

The existing site is entirely covered by impervious surfaces and the proposed office building would fully occupy the majority of project site. As a result, the proposed project would not result in an increase in the

amount of impervious surface area on the site. Which, in turn, would increase the amount of runoff and drainage.

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

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

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

Hazardous Building Materials

The Eastern Neighborhoods PEIR determined that future development in the Plan Area may involve demolition or renovation of existing structures containing hazardous building materials. Some building materials commonly used in older buildings could present a public health risk if disturbed during an accident or during demolition or renovation of an existing building. The Eastern Neighborhoods PEIR identified a significant impact associated with hazardous building materials including PCBs, DEHP, and mercury and determined that Mitigation Measure L-1: Hazardous Building Materials would reduce effects to a less-than-significant level. As the project does not involve demolition or renovation of any existing on-site buildings, Mitigation Measure L-1 does not apply to the project.

Soil and Groundwater Contamination

The proposed project would construct a six-story office building with a two level, 23-ft deep, below-grade garage on a site underlain by historic fill materials and is located within the Maher area. Therefore, the project is subject to Article 22A of the Health Code, also known as the Maher Ordinance, which is administered and overseen by the Department of Public Health (DPH). The Maher Ordinance requires the project sponsor to retain the services of a qualified professional to prepare a Phase I Environmental Site Assessment (ESA) that meets the requirements of Health Code Section 22.A.6.

A Phase I Environmental Site Assessment (ESA) was prepared for the project site.²⁴ An ESA describes current and prior uses of the property, reviews environmental agency databases and records, reports site reconnaissance observations, and summarizes potential soil and groundwater contamination issues. The Phase 1 ESA found no evidence of the presence or likely presence of any hazardous substances or petroleum products that indicate an existing release, a past release, or a material threat of a release into structures on the property or into the ground, ground water, or surface water. The project site is, however, located within the area of the City regulated by the Maher Ordinance. The ordinance requires that soils must be analyzed for hazardous wastes if more than 50 cubic yards of soil are to be disturbed.

In accordance with the Maher Ordinance, the project sponsor is required to conduct subsurface investigation of the soils on the project site.²⁵ Where such subsurface investigations reveals the presence of hazardous substances in excess of state or federal standards, the project sponsor is required to submit a site mitigation plan (SMP) to the DPH or other appropriate state or federal agency(ies), and to remediate any site contamination in accordance with an approved SMP prior to the issuance of any building permit.

In compliance with the Maher Ordinance, the project sponsor has submitted a Maher Application to DPH. As part of the Maher Application Requirements, a Phase I ESA and Work Plan for Site Investigation has been prepared to assess the potential for site contamination. The proposed project would be required to remediate potential soil and/or groundwater contamination described above in accordance with Article 22A of the Health Code.

²⁴ PES Environmental, Inc, Phase I Environmental Site Assessment, 501 Brannan Street, San Francisco, June, 2013. A copy of this document is available for review at the Planning Department, 1650 Mission Street, Suite 400, in File No. 2012.1187E.

²⁵ PES Environmental, Inc Work Plan for Site Investigation to Article 22A (Maher Ordinance), 505 Brannan Street, San Francisco, May, 2014. A copy of this document is available for review at the Planning Department, 1650 Mission Street, Suite 400, in File No. 2012.1187E.

Given the above requirements, proposed project overall would not result in significant impacts, either project specific or cumulative, related to hazards or hazardous materials that were not identified in the Eastern Neighborhoods PEIR.

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

The Eastern Neighborhoods PEIR determined that the Area Plan would facilitate the construction of both new residential units and commercial buildings. Development of these uses would not result in use of large amounts of fuel, water, or energy in a wasteful manner or in the context of energy use throughout the City and region. The energy demand for individual buildings would be typical for such projects and would meet, or exceed, current state and local codes and standards concerning energy consumption, including Title 24 of the California Code of Regulations enforced by DBI. The Plan Area does not include any natural resources routinely extracted and the rezoning does not result in any natural resource extraction programs. Therefore, the Eastern Neighborhoods PEIR concluded that implementation of the Area Plan would not result in a significant impact on mineral and energy resources. No mitigation measures were identified in the PEIR.

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

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

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

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

MITIGATION MEASURES

Project Mitigation Measure 1 – J-2: Archeological Mitigation Monitoring (Mitigation Measure J-2 of the Eastern Neighborhoods PEIR)

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

potential effects on a significant archeological resource as defined in CEQA Guidelines Sect. 15064.5 (a)(c).

Consultation with Descendant Communities: On discovery of an archeological site²⁶ associated with descendant Native Americans or the Overseas Chinese an appropriate representative²⁷ of the descendant group and the ERO shall be contacted. The representative of the descendant group shall be given the opportunity to monitor archeological field investigations of the site and to consult with ERO regarding appropriate archeological treatment of the site, of recovered data from the site, and, if applicable, any interpretative treatment of the associated archeological site. A copy of the Final Archaeological Resources Report shall be provided to the representative of the descendant group.

Archeological monitoring program (AMP). The archeological monitoring program shall minimally include the following provisions:

- The archeological consultant, project sponsor, and ERO shall meet and consult on the scope of the AMP reasonably prior to any project-related soils disturbing activities commencing. The ERO in consultation with the project archeologist shall determine what project activities shall be archeologically monitored. In most cases, any soils disturbing activities, such as demolition, foundation removal, excavation, grading, utilities installation, foundation work, driving of piles (foundation, shoring, etc.), site remediation, etc., shall require archeological monitoring because of the potential risk these activities pose to archaeological resources and to their depositional context;
- The archeological consultant shall advise all project contractors to be on the alert for evidence of the presence of the expected resource(s), of how to identify the evidence of the expected resource(s), and of the appropriate protocol in the event of apparent discovery of an archeological resource;
- The archaeological monitor(s) shall be present on the project site according to a schedule agreed upon by the archeological consultant and the ERO until the ERO has, in consultation with the archeological consultant, determined that project construction activities could have no effects on significant archeological deposits;
- The archeological monitor shall record and be authorized to collect soil samples and artifactual/ecofactual material as warranted for analysis;
- If an intact archeological deposit is encountered, all soils disturbing activities in the vicinity of the deposit shall cease. The archeological monitor shall be empowered to temporarily redirect demolition/excavation/pile driving/construction crews and heavy equipment until the deposit is evaluated. If in the case of pile driving activity (foundation, shoring, etc.), the archeological monitor has cause to believe that the pile driving activity may affect an archeological resource, the pile driving activity shall be terminated until an appropriate evaluation of the resource has been made in consultation with the ERO. The archeological consultant shall immediately notify the ERO of the

²⁶ By the term “archeological site” is intended here to minimally include any archeological deposit, feature, burial, or evidence of burial.

²⁷ An “appropriate representative” of the descendant group is here defined to mean, in the case of Native Americans, any individual listed in the current Native American Contact List for the City and County of San Francisco maintained by the California Native American Heritage Commission and in the case of the Overseas Chinese, the Chinese Historical Society of America.

encountered archeological deposit. The archeological consultant shall, after making a reasonable effort to assess the identity, integrity, and significance of the encountered archeological deposit, present the findings of this assessment to the ERO.

If the ERO in consultation with the archeological consultant determines that a significant archeological resource is present and that the resource could be adversely affected by the proposed project, at the discretion of the project sponsor either:

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

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

The scope of the ADRP shall include the following elements:

- *Field Methods and Procedures.* Descriptions of proposed field strategies, procedures, and operations.
- *Cataloguing and Laboratory Analysis.* Description of selected cataloguing system and artifact analysis procedures.
- *Discard and Deaccession Policy.* Description of and rationale for field and post-field discard and deaccession policies.
- *Interpretive Program.* Consideration of an on-site/off-site public interpretive program during the course of the archeological data recovery program.
- *Security Measures.* Recommended security measures to protect the archeological resource from vandalism, looting, and non-intentionally damaging activities.
- *Final Report.* Description of proposed report format and distribution of results.
- *Curation.* Description of the procedures and recommendations for the curation of any recovered data having potential research value, identification of appropriate curation facilities, and a summary of the accession policies of the curation facilities.

Human Remains, Associated or Unassociated Funerary Objects. The treatment of human remains and of associated or unassociated funerary objects discovered during any soils disturbing activity shall comply with applicable State and Federal Laws, including immediate notification of the Coroner of the City and

County of San Francisco and in the event of the Coroner's determination that the human remains are Native American remains, notification of the California State Native American Heritage Commission (NAHC) who shall appoint a Most Likely Descendant (MLD) (Pub. Res. Code Sec. 5097.98). The archeological consultant, project sponsor, ERO, and MLD shall make all reasonable efforts to develop an agreement for the treatment of, with appropriate dignity, human remains and associated or unassociated funerary objects (CEQA Guidelines, Sec. 15064.5(d)). The agreement should take into consideration the appropriate excavation, removal, recordation, analysis, curation, possession, and final disposition of the human remains and associated or unassociated funerary objects.

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

Copies of the Draft FARR shall be sent to the ERO for review and approval. Once approved by the ERO copies of the FARR shall be distributed as follows: California Archaeological Site Survey Northwest Information Center (NWIC) shall receive one (1) copy and the ERO shall receive a copy of the transmittal of the FARR to the NWIC. The Environmental Planning division of the Planning Department shall receive one bound, one unbound and one unlocked, searchable PDF copy on CD of the FARR along with copies of any formal site recordation forms (CA DPR 523 series) and/or documentation for nomination to the National Register of Historic Places/California Register of Historical Resources. In instances of high public interest or interpretive value, the ERO may require a different final report content, format, and distribution than that presented above.

Project Mitigation Measure 2 - Construction Noise (Mitigation Measure F-1 of the Eastern Neighborhoods PEIR)

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

Project Mitigation Measure 3- Construction Noise (Mitigation Measure F-2 of the Eastern Neighborhoods PEIR)

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

maximum feasible noise attenuation will be achieved. These attenuation measures shall include as many of the following control strategies as feasible:

- Erect temporary plywood noise barriers around a construction site, particularly where a site adjoins noise-sensitive uses;
- Utilize noise control blankets on a building structure as the building is erected to reduce noise emission from the site;
- Evaluate the feasibility of noise control at the receivers by temporarily improving the noise reduction capability of adjacent buildings housing sensitive uses; Monitor the effectiveness of noise attenuation measures by taking noise measurements; and
- Post signs on-site pertaining to permitted construction days and hours and complaint procedures and who to notify in the event of a problem, with telephone numbers listed.

Project Mitigation Measure 4 - Siting of Noise-Generating Uses (Mitigation Measure F-5: of the Eastern Neighborhoods PEIR)

To reduce potential conflicts between existing sensitive receptors and new noise-generating uses, for new development including commercial, industrial or other uses that would be expected to generate noise levels in excess of ambient noise, either short-term, at nighttime, or as a 24-hour average, in the proposed project site vicinity, the Planning Department shall require the preparation of an analysis that includes, at a minimum, a site survey to identify potential noise-sensitive uses within 900 feet of, and that have a direct line-of-sight to, the project site, and including at least one 24-hour noise measurement (with maximum noise level readings taken at least every 15 minutes), prior to the first project approval action. The analysis shall be prepared by persons qualified in acoustical analysis and/or engineering and shall demonstrate with reasonable certainty that the proposed use would comply with the use compatibility requirements in the general plan and Police Code 2909, would not adversely affect nearby noise-sensitive uses, and that there are no particular circumstances about the proposed project site that appear to warrant heightened concern about noise levels that would be generated by the proposed use. Should such concerns be present, the Department may require the completion of a detailed noise assessment by person(s) qualified in acoustical analysis and/or engineering prior to the first project approval action. Pursuant to Mitigation Measure F-5, a site survey and noise measurements were conducted to demonstrate that the proposed project would comply with the General Plan and the Noise Ordinance.²⁸

Project Mitigation Measure 5 - Construction Air Quality (Eastern Neighborhoods Mitigation Measure G-1)

- A. *Construction Emissions Minimization Plan.* Prior to issuance of a construction permit, the project sponsor shall submit a Construction Emissions Minimization Plan (Plan) to the Environmental Review Officer (ERO) for review and approval by an Environmental Planning Air Quality Specialist. The Plan shall detail project compliance with the following requirements:

²⁸ Charles M. Salter Associates, Inc. 505 Brannan Street, San Francisco, CA – *Environmental Noise Study*, February 11, 2014. This document is on file and available for public review at the Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2012.1187E.

1. All off-road equipment greater than 25 hp and operating for more than 20 total hours over the entire duration of construction activities shall meet the following requirements:
 - a) Where access to alternative sources of power are available, portable diesel engines shall be prohibited;
 - b) All off-road equipment shall have:
 - i. Engines that meet or exceed either U.S. Environmental Protection Agency (USEPA) or California Air Resources Board (ARB) Tier 2 off-road emission standards, and
 - ii. Engines that are retrofitted with an ARB Level 3 Verified Diesel Emissions Control Strategy (VDECS).²⁹
 - c) Exceptions:
 - i. Exceptions to A(1)(a) may be granted if the project sponsor has submitted information providing evidence to the satisfaction of the ERO that an alternative source of power is limited or infeasible at the project site and that the requirements of this exception provision apply. Under this circumstance, the sponsor shall submit documentation of compliance with A(1)(b) for onsite power generation.
 - ii. Exceptions to A(1)(b)(ii) *may* be granted if the project sponsor has submitted information providing evidence to the satisfaction of the ERO that a particular piece of off-road equipment with an ARB Level 3 VDECS is: (1) technically not feasible, (2) would not produce desired emissions reductions due to expected operating modes, (3) installing the control device would create a safety hazard or impaired visibility for the operator, or (4) there is a compelling emergency need to use off-road equipment that are not retrofitted with an ARB Level 3 VDECS and the sponsor has submitted documentation to the ERO that the requirements of this exception provision apply. If granted an exception to A(1)(b)(ii), the project sponsor must comply with the requirements of A(1)(c)(iii).

²⁹ Equipment with engines meeting Tier 4 Interim or Tier 4 Final emission standards automatically meet this requirement, therefore a VDECS would not be required.

- iii. If an exception is granted pursuant to A(1)(c)(ii), the project sponsor shall provide the next cleanest piece of off-road equipment as provided by the step down schedules in Table 2.

Table 2 – Off-Road Equipment Compliance Step-down Schedule

Compliance Alternative	Engine Emission Standard	Emissions Control
1	Tier 2	ARB Level 2 VDECS
2	Tier 2	ARB Level 1 VDECS
3	Tier 2	Alternative Fuel*

How to use the table: If the requirements of (A)(1)(b) cannot be met, then the project sponsor would need to meet Compliance Alternative 1. Should the project sponsor not be able to supply off-road equipment meeting Compliance Alternative 1, then Compliance Alternative 2 would need to be met. Should the project sponsor not be able to supply off-road equipment meeting Compliance Alternative 2, then Compliance Alternative 3 would need to be met.

* Alternative fuels are not a VDECS.

- 2. The project sponsor shall require the idling time for off-road and on-road equipment be limited to no more than two minutes, except as provided in exceptions to the applicable state regulations regarding idling for off-road and on-road equipment. Legible and visible signs shall be posted in multiple languages (English, Spanish, Chinese) in designated queuing areas and at the construction site to remind operators of the two minute idling limit.
- 3. The project sponsor shall require that construction operators properly maintain and tune equipment in accordance with manufacturer specifications.
- 4. The Plan shall include estimates of the construction timeline by phase with a description of each piece of off-road equipment required for every construction phase. Off-road equipment descriptions and information may include, but is not limited to: equipment type, equipment manufacturer, equipment identification number, engine model year, engine certification (Tier rating), horsepower, engine serial number, and expected fuel usage and hours of operation. For VDECS installed: technology type, serial number, make, model, manufacturer, ARB verification number level, and installation date and hour meter reading on installation date. For off-road equipment using alternative fuels, reporting shall indicate the type of alternative fuel being used.
- 5. The Plan shall be kept on-site and available for review by any persons requesting it and a legible sign shall be posted at the perimeter of the construction site indicating to the public the basic requirements of the Plan and a way to request a copy of the Plan. The

project sponsor shall provide copies of Plan to members of the public as requested.

- B. *Reporting.* Quarterly reports shall be submitted to the ERO indicating the construction phase and off-road equipment information used during each phase including the information required in A(4). In addition, for off-road equipment using alternative fuels, reporting shall include the actual amount of alternative fuel used.

Within six months of the completion of construction activities, the project sponsor shall submit to the ERO a final report summarizing construction activities. The final report shall indicate the start and end dates and duration of each construction phase. For each phase, the report shall include detailed information required in A(4). In addition, for off-road equipment using alternative fuels, reporting shall include the actual amount of alternative fuel used.

- C. *Certification Statement and On-site Requirements.* Prior to the commencement of construction activities, the project sponsor must certify (1) compliance with the Plan, and (2) all applicable requirements of the Plan have been incorporated into contract specifications.

Project Mitigation Measure 6 - Best Available Control Technology for Diesel Generators (Eastern Neighborhoods Mitigation Measure G-2 and G-3)

All diesel generators shall have engines that (1) meet Tier 4 Final or Tier 4 Interim emission standards, or (2) meet Tier 2 emission standards and are equipped with a California Air Resources Board (ARB) Level 3 Verified Diesel Emissions Control Strategy (VDECS).

REUBEN, JUNIUS & ROSE, LLP

November 21, 2014

Sent Via Hand Delivery

President Cindy Wu
San Francisco Planning Commission
1650 Mission Street, Suite 600
San Francisco, CA 94013

**Re: 505 Brannan Street
Project Sponsor's Brief in Support
Hearing Date: December 11, 2014
Case No.: 2012.1187BCX
Our File No.: 6730.08**

Dear President Wu and Commissioners:

Our office represents TMG Partners (the "Project Sponsor"), the sponsor of a proposed new office building (the "Project") at 505 Brannan Street (the "Property"). The Project proposes (1) the demolition of the existing surface parking lot and (2) the construction of a six-story, 137,446-square-foot office building with retail space along Brannan Street. A Bank of America branch is located at the northeast corner of the Property, which will remain in its existing condition.

The Property is located at the south side of Brannan Street between Fourth and Fifth Streets, in the East SoMa neighborhood. The Property is a through lot with frontage on Brannan, Bluxome and Fourth Streets. The Project is fully consistent with and fulfills the goals of the Eastern Neighborhoods Area Plan, and is located in an area specifically identified as an appropriate location for new "knowledge sector" space. It will provide state-of-the-art office space on generous floor plates with light provided from both Brannan and Bluxome Streets as well as from windows on the east facing façade. It also provides a comprehensive new public space: A tall, two-story lobby fronting on Brannan Street which will include a 732-square-foot retail space designed for a local, independent retailer, with seating in the common lobby area. **This will be adjacent to a new, privately-owned, public open space (also known as a POPO) that is part of a new through-block walkway allowing pedestrian access between Brannan and Bush Streets.** Together, this provides a new indoor/outdoor community space, served by retail, and expanding the pedestrian network in the vicinity.

A. Project Description

The Project would construct a six-story, 85-foot-tall office building with 137,446 square feet of office space and a 732-square-foot retail space on the ground floor along Brannan Street.

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

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

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A two-level, below-grade garage, with access from Bluxome Street, would provide 27 accessory off-street parking spaces, one car share space, and 38 non-accessory off-street parking spaces (including a second car share space) which will be open to the public. 132 Class 1 bicycle parking spaces will be provided on the first floor (well above the 27 spaces required by the Planning Code), and bike racks containing 16 Class 2 bicycle parking spaces will be provided on the Brannan Street sidewalk and on the through-block walkway.

The Project will create a new privately-owned, public open space on a through-block walkway, with landscaping and seating areas. There are few publicly-accessible open spaces in the fast-growing South of Market neighborhood, and the Project will provide a new outdoor space for area workers and residents to enjoy. The new mid-block connection between Brannan and Bluxome Streets will significantly improve pedestrian circulation in the area and will further the “placemaking” goals of the Eastern Neighborhoods and Central SoMa Area Plans.

The existing Bank of America branch at the southwest corner of Fourth and Brannan Streets will remain in its existing condition. The Bank’s existing drive-through will be re-routed to enter from Bluxome Street, and will continue to exit onto Fourth Street.

The Project is 100% compliant with current zoning and is requesting no Code exceptions through the Large Project Authorization process.

B. Summary of Project Benefits

The Project will provide significant benefits to the city, including the following:

- Transit-Oriented Development: The Project will provide a significant amount of new, Class A office space within a block of six MUNI bus lines, one block from the King Street Caltrain station, and less than a block from the future Brannan Street Central Subway Station at Fourth Street.
- Neighborhood-Building Development: The Project will replace a large, surface parking lot with a new, modern office building that will improve the pedestrian environment. Retail use and a tall lobby will line Brannan Street. A landscaped, public open space and mid-block walkway will connect Brannan and Bluxome Street, wrap around the corner of the building on Bluxome Street, and connect to the future Bluxome Street park.
- Development Impact Fees: The Project will generate significant development fees – over \$7 million – to be used to improve transportation, open space, streetscapes, and other public amenities in the neighborhood, as well as go towards the city’s Affordable Housing Fund.

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- Job Creation: The Project will create union jobs during construction and increase the City's workforce. Attractive to new technology and media companies, the Project provides large floor plates and significant natural light.
- Tax Revenue: New property tax and payroll tax revenues will be generated once the Project is complete. These revenues will be much larger than what the current surface parking lot generates, and would significantly contribute to the city's tax base.

C. Non-Accessory Parking Level

The Project does require conditional use authorization for the second basement level of the parking garage. The 26 parking spaces on the first basement level are permitted as accessory parking to the office space. The retail parking space on the second basement level is also principally permitted and the car share space on the second basement level is required. The 38 remaining parking spaces on the second basement level are permitted as non-accessory parking with conditional use authorization.

The Planning Code provides the following criteria when a conditional use for non-accessory parking is requested:

- (1) Such facility shall meet all the design requirements for setbacks from facades and wrapping with active uses at all levels per the requirements of Section 145.1;

The proposed non-accessory parking is located on a below-grade level, for which these street frontage controls do not apply. The street frontage of the Project has been designed to maximize the pedestrian experience while minimizing any activities that conflict with such experience. A large, two-story lobby is provided along the Brannan Street façade. The parking entry along Bluxome Street combines access for both the parking and loading operations. Ground floor transparency is maximized along both street frontages, as well as the mid-block walkway. The Project meets the requirements of Section 145.1.

- (2) Such parking shall not be accessed from any protected Transit or Pedestrian Street described in Section 155(r);

The non-accessory parking will be accessed from Bluxome Street, which is not a protected Transit or Pedestrian Street.

- (3) Such parking garage shall be located in a building where the ratio of gross square footage of parking uses to other uses that are permitted or Conditionally permitted in that district is not more than 1 to 1;

The Project proposes a total of 24,560 square feet of parking area and 138,178 square feet of office and retail uses, and therefore the parking does not exceed a ratio to other uses of 1:1.

- (4) Such parking shall be available for use by the general public on equal terms and shall not be deeded or made available exclusively to tenants, residents, owners or users of any particular use or building...;

The proposed non-accessory parking will be available to the general public.

- (5) Such facility shall provide spaces for car sharing vehicles per the requirements of Section 166 and bicycle parking per the requirements of Sections 155.1 and 155.2;

The Project provides the one Planning Code required car share space plus a second car share space and provides 132 Class 1 bicycle spaces, well above the 27-space requirement.

- (6) Such facility, to the extent open to the public per subsection (4) above, shall meet the pricing requirements of Section 155(g) and shall generally limit the proposed parking to short-term occupancy rather than long-term occupancy;

The non-accessory parking will comply with these pricing requirements, which generally discourage long-term parking.

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

The Project provides a single garage entry from Bluxome Street which will serve the accessory and non-accessory parking as well as the Project's required loading space. This garage entry would be provided regardless of whether non-accessory parking was to be provided at the Project. Bluxome Street is not a protected transit or pedestrian street, and in fact serves as the access to parking garages and loading docks for numerous buildings on this block. Locating the entry on Bluxome Street allows for Brannan Street to be the bicycle boulevard as is currently envisioned by the city, with dedicated bicycle lanes on both sides of the street.

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- (8) Such facility and its access does not diminish the quality and viability of existing or planned streetscape enhancements.

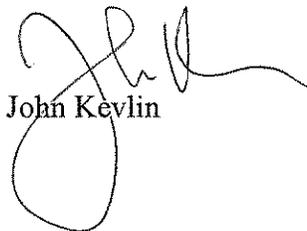
The second basement level providing non-accessory parking will have no impact on the quality or viability of the existing or planned streetscape enhancements along Bluxome Street. The proposed parking entry would be part of the Project regardless of whether the non-accessory parking is provided. The Project significantly improves the Property in relation to the proposed Bluxome Street park by replacing a large, surface parking lot with a new office building with an active ground floor and a mid-block walkway that connects Brannan Street to the new park.

D. Conclusion

The Project would replace an existing surface parking lot with a new, six-story office building with neighborhood-serving ground floor retail. The Project fulfills goals of transit-oriented development, would improve the neighborhood for residents and workers, and is 100% compliant with the Eastern Neighborhoods zoning. The Project will significantly further the “placemaking” goals of the neighborhood, by providing a new privately-owned public open space and a new mid-block connection improving pedestrian circulation in the area. We urge you to support the Project.

Very truly yours,

REUBEN, JUNIUS & ROSE, LLP



John Kevlin

cc: Vice-President Rodney Fong
Commissioner Michael Antonini
Commissioner Christine Johnson
Commissioner Rich Hillis
Commissioner Kathrin Moore
Commissioner Dennis Richards
Jonas P. Ionin – Acting Commission Secretary
John Rahaim – Planning Director
Brittany Bendix – Project Planner
TMG Partners – Project Sponsor

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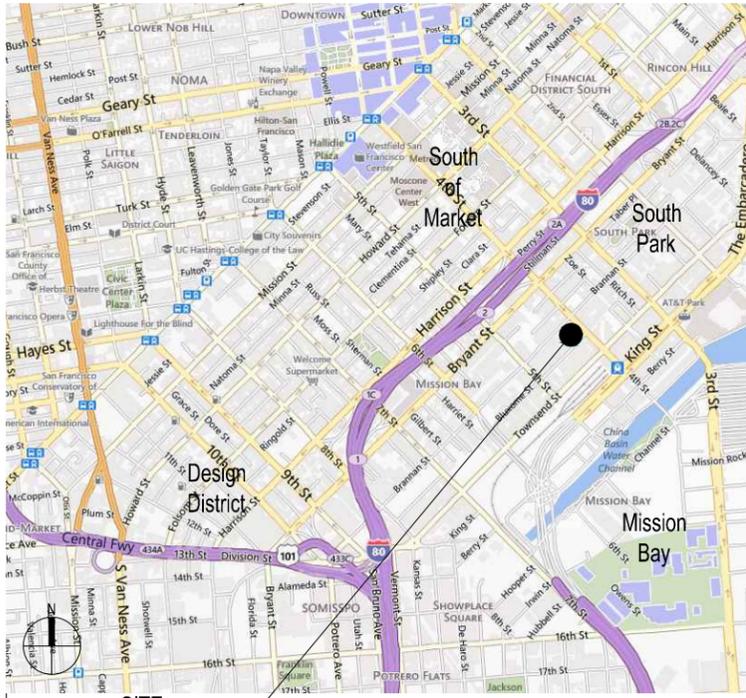
505 BRANNAN STREET
San Francisco, CA

November 18, 2014

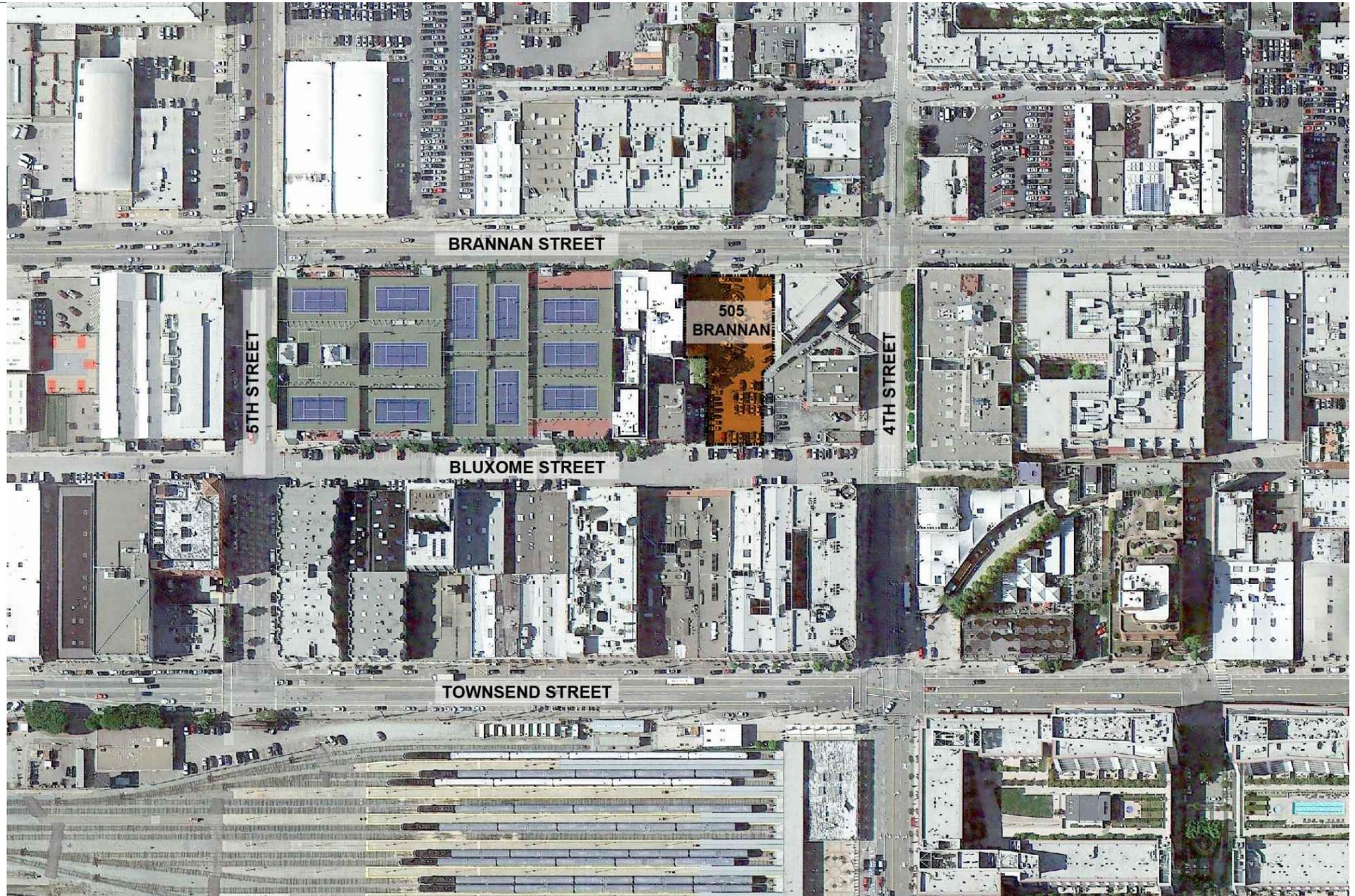
PLANNING SUBMISSION

TMG
PARTNERS

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SITE



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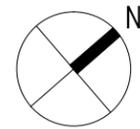
AERIAL VICINITY MAP

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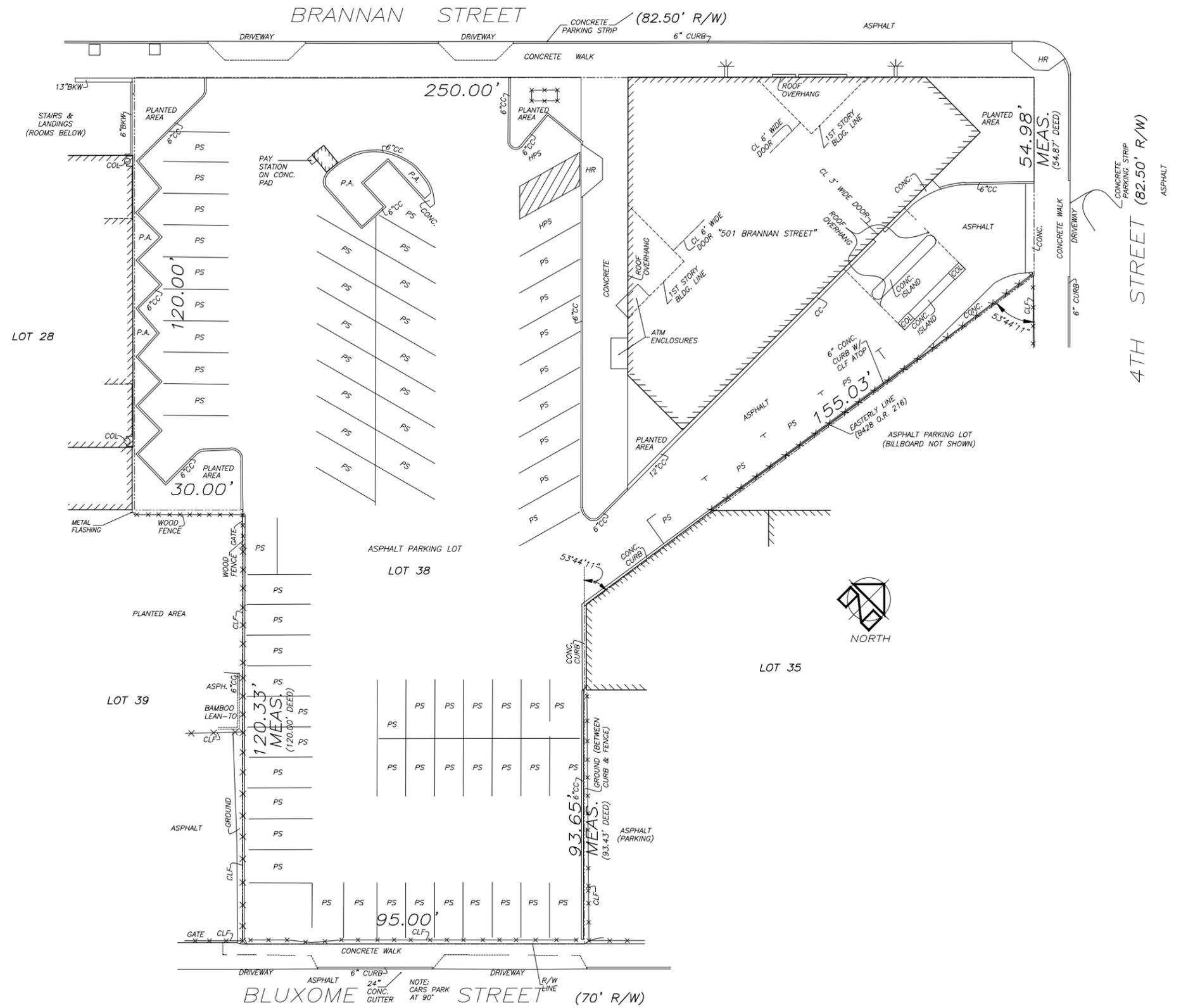
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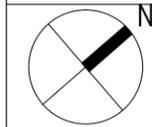
EXISTING SITE PLAN

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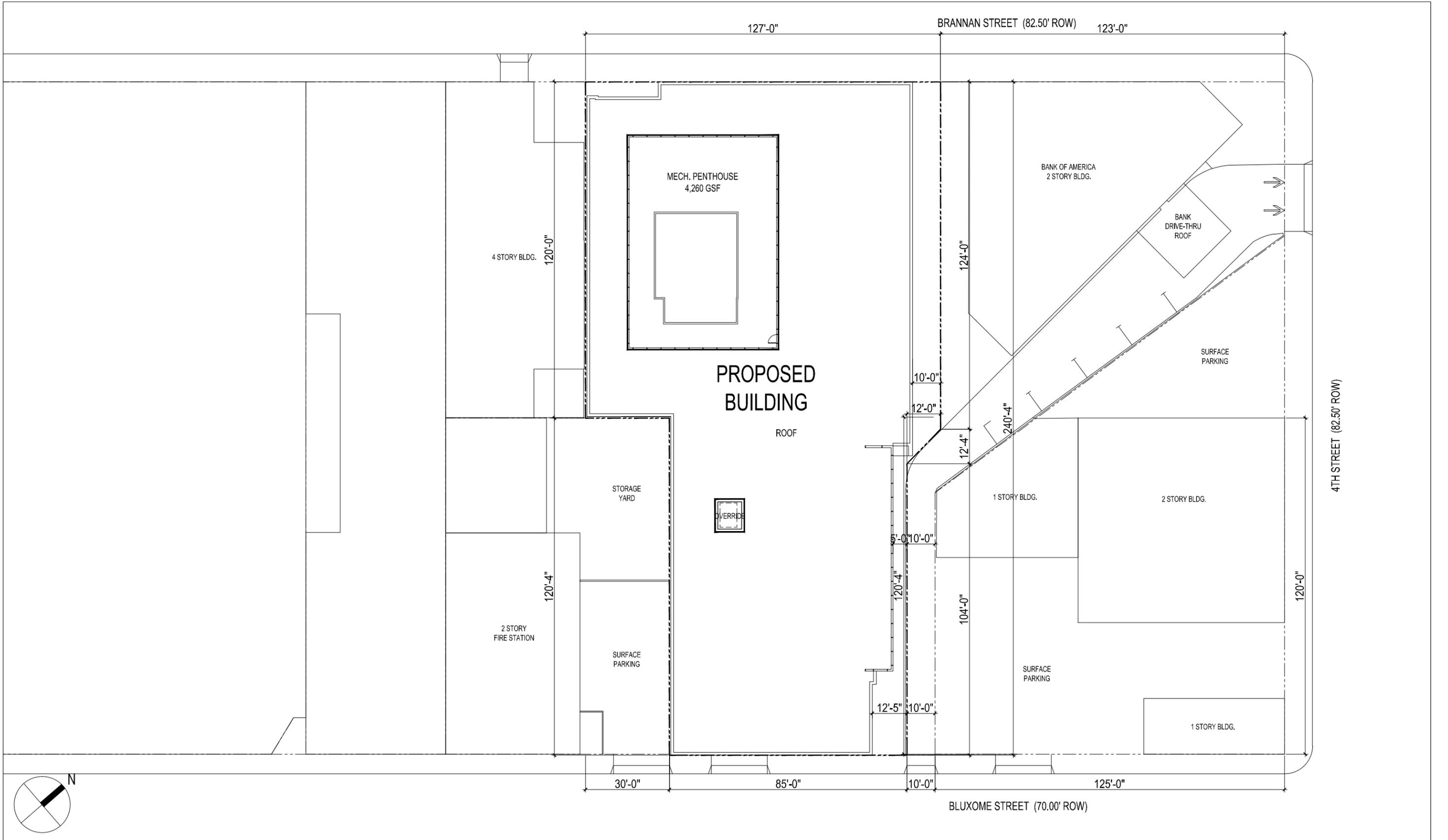
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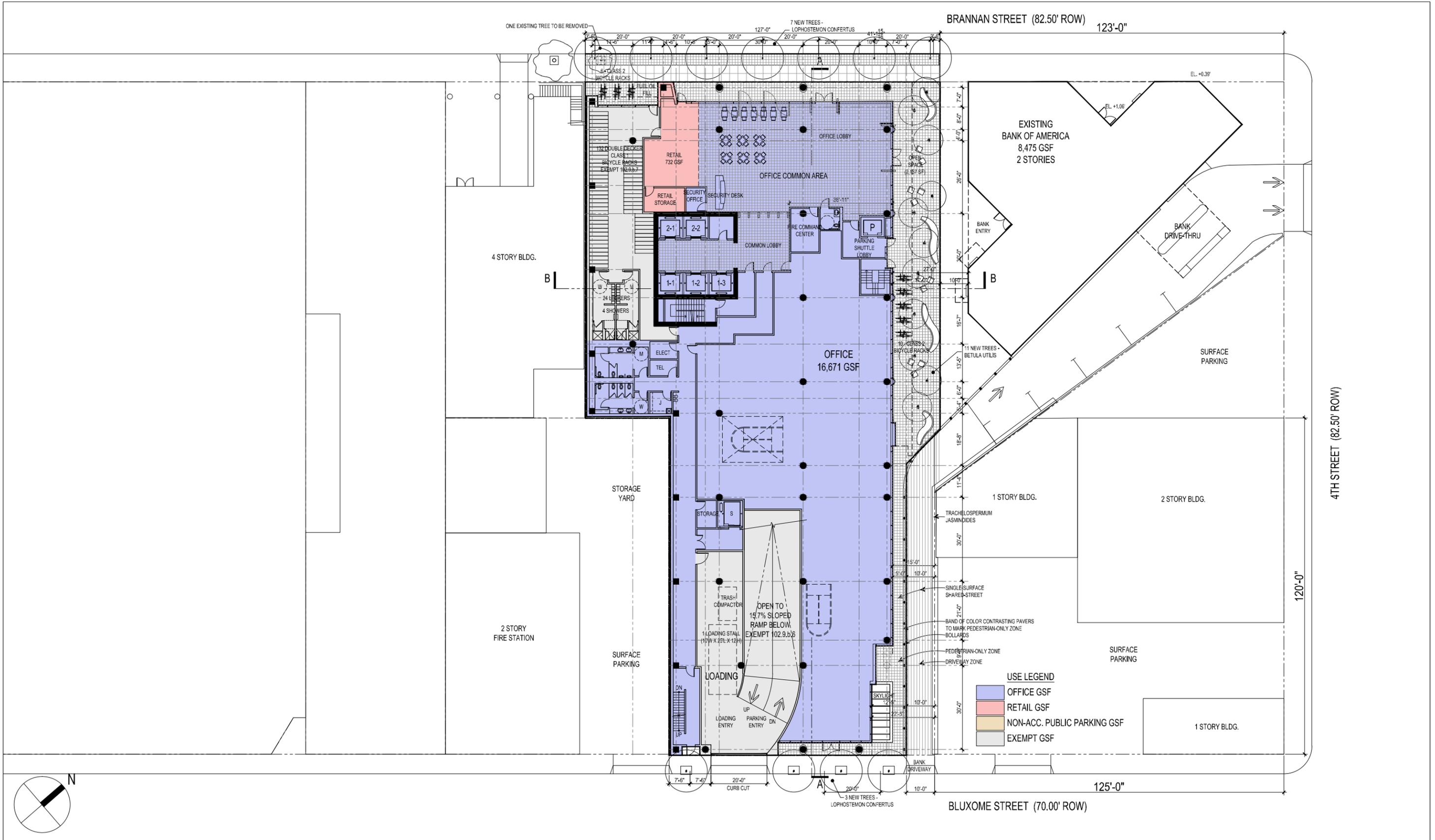
PLOT PLAN

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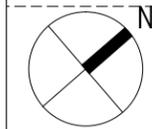
1ST LEVEL PLAN

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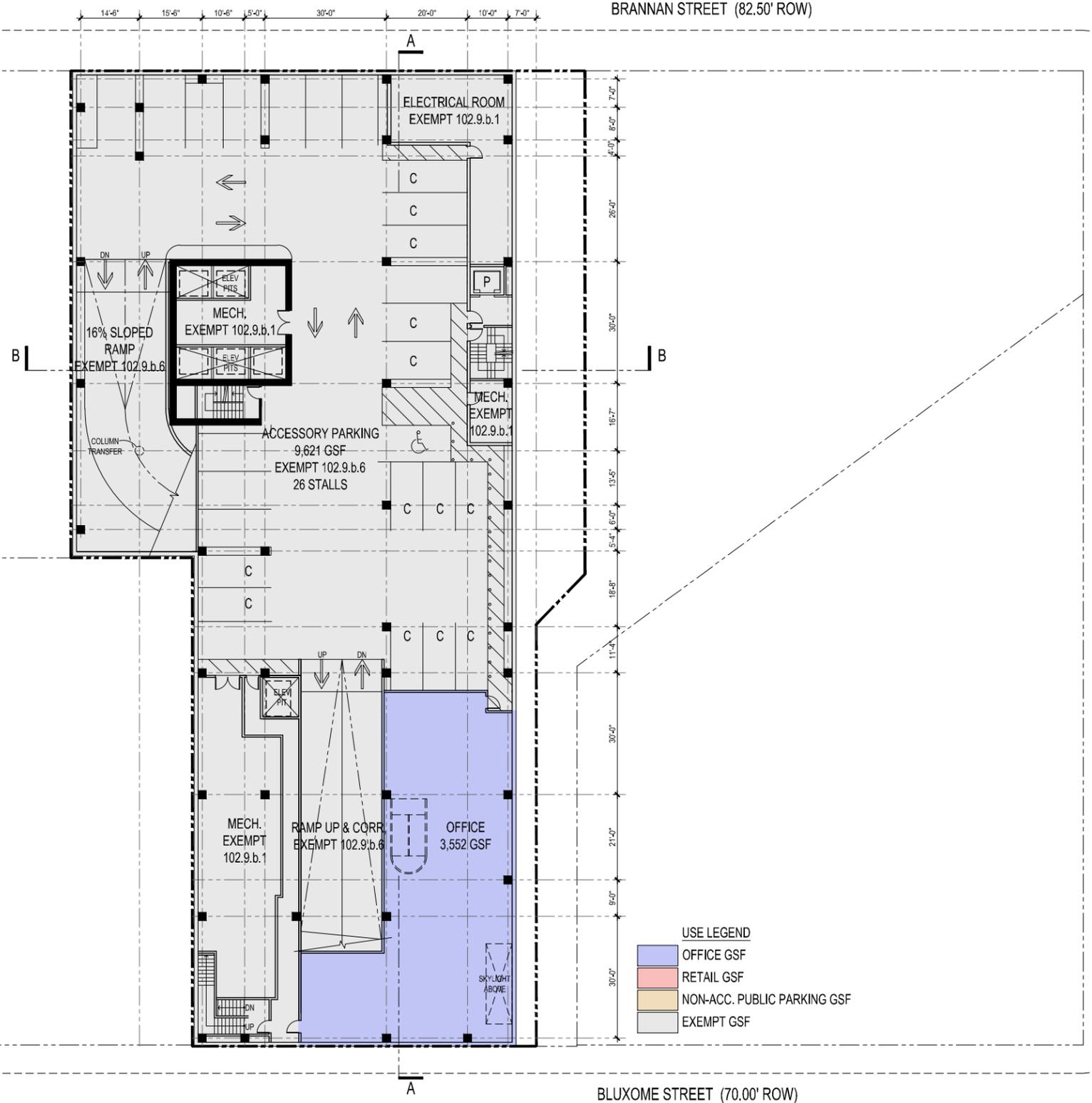
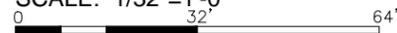
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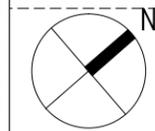
B1 LEVEL PLAN

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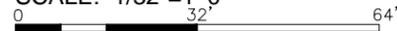
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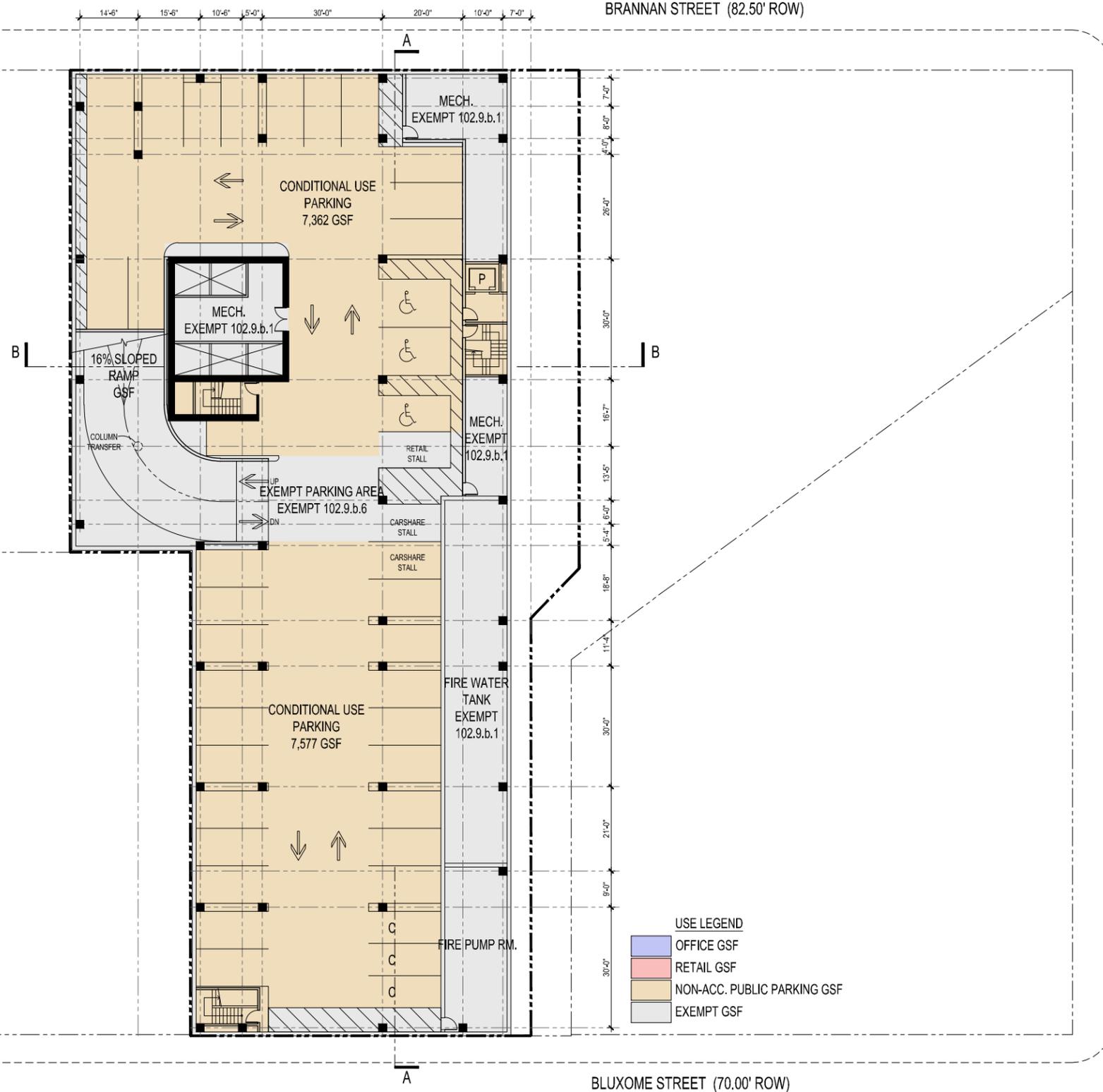


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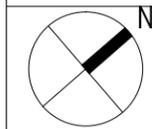
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B2 LEVEL PLAN

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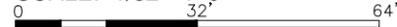
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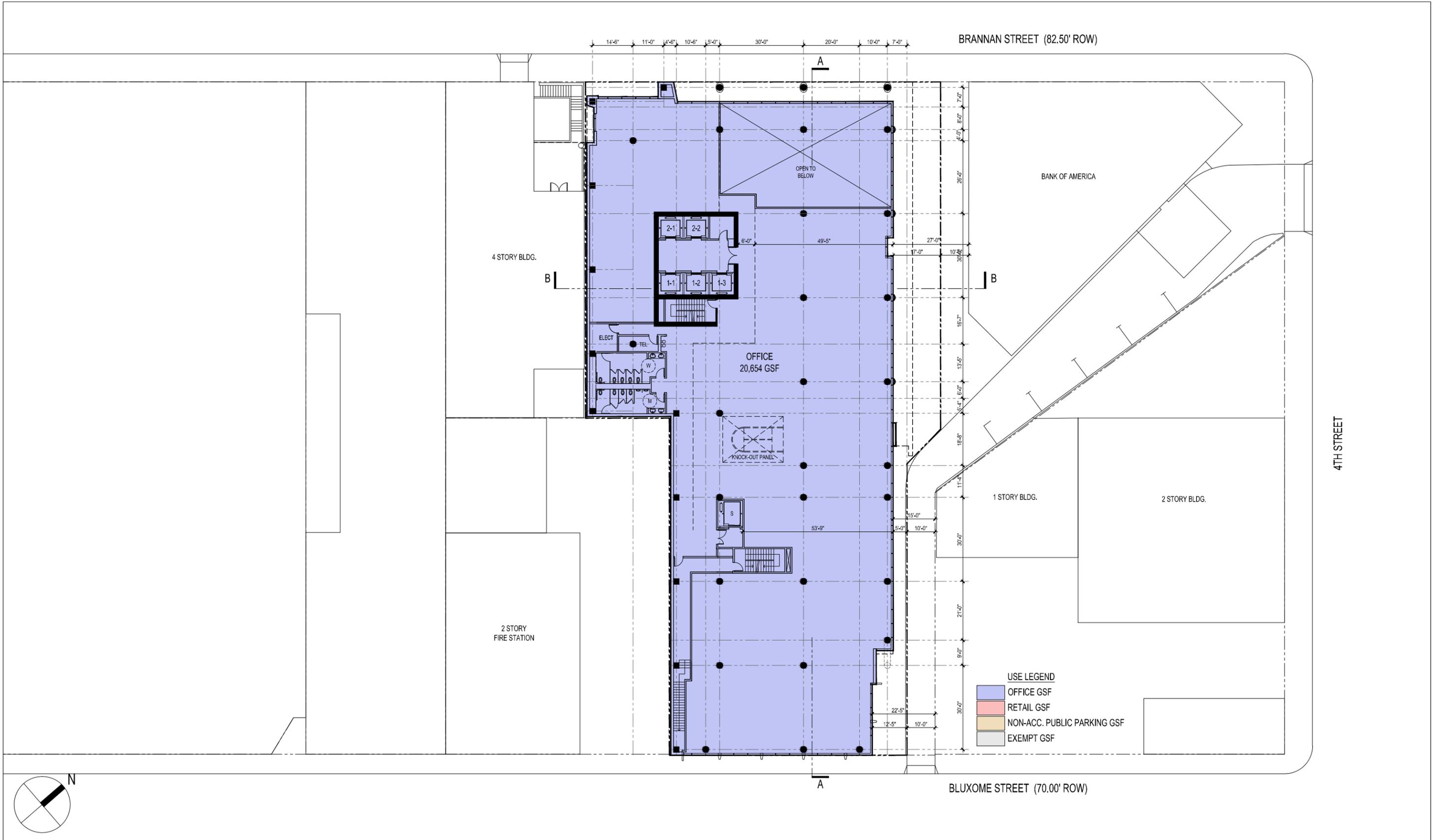
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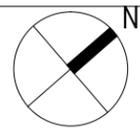
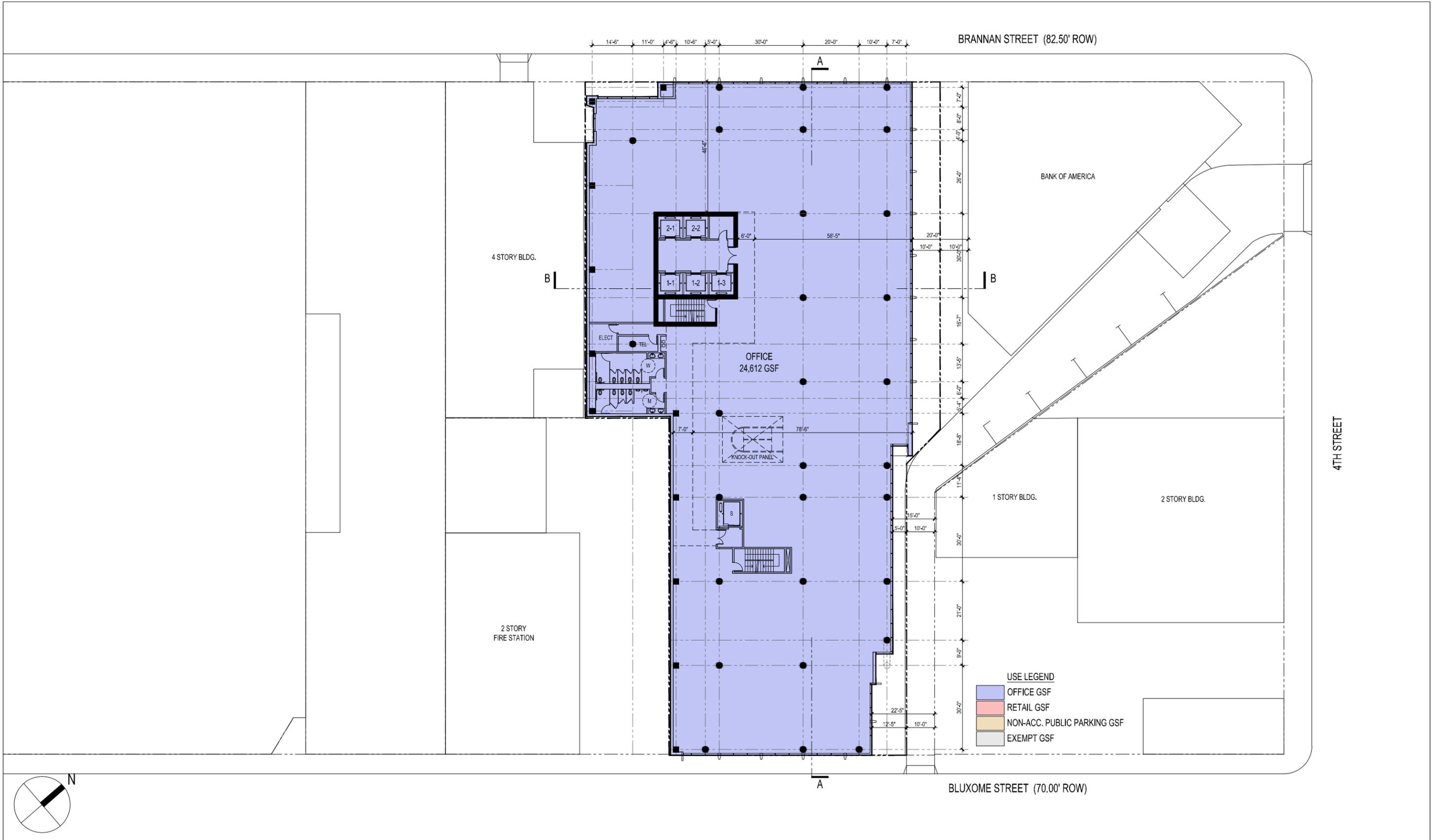
2ND LEVEL PLAN

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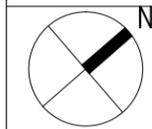
3RD LEVEL PLAN

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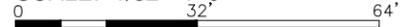
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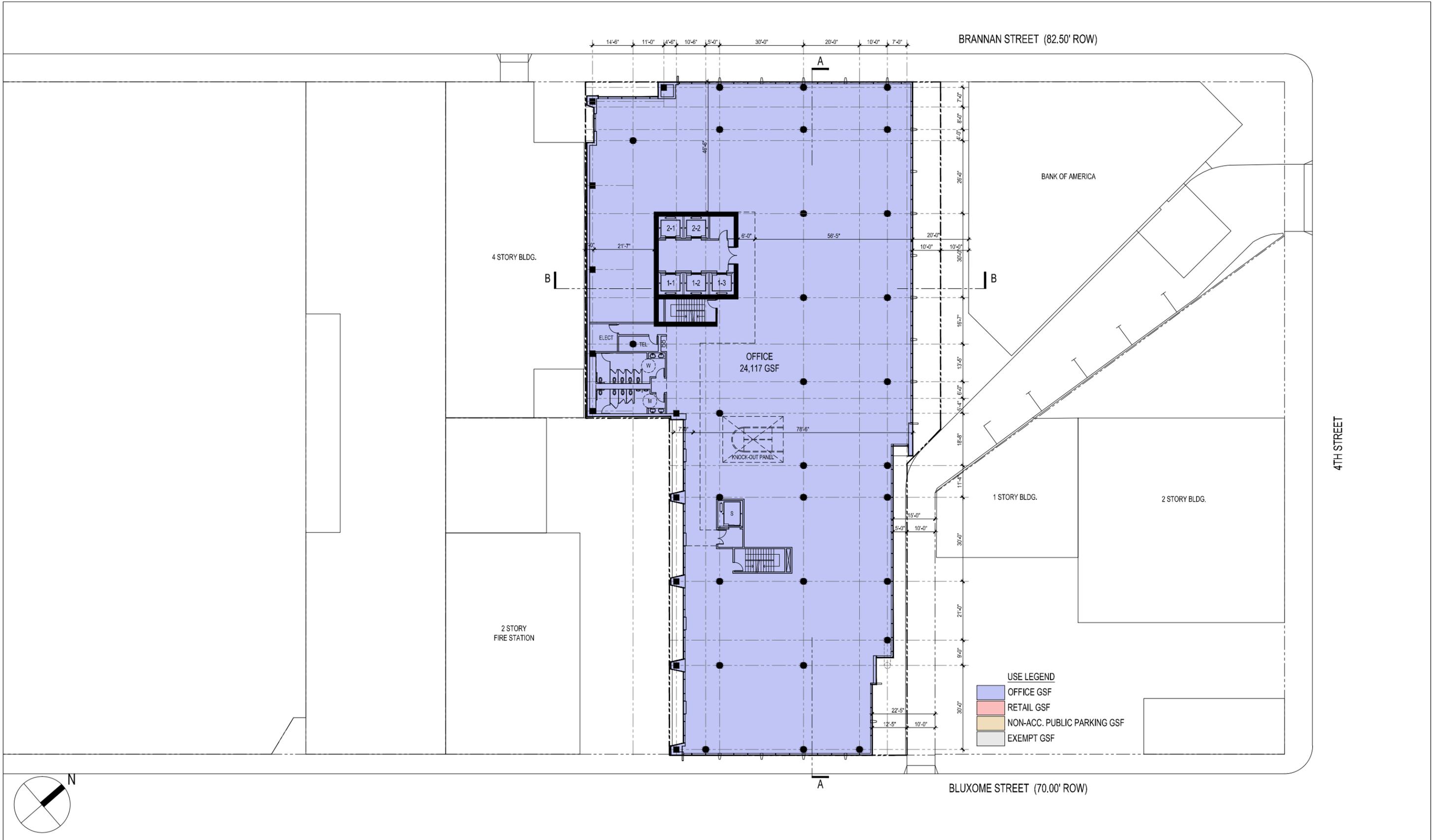
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4TH LEVEL PLAN

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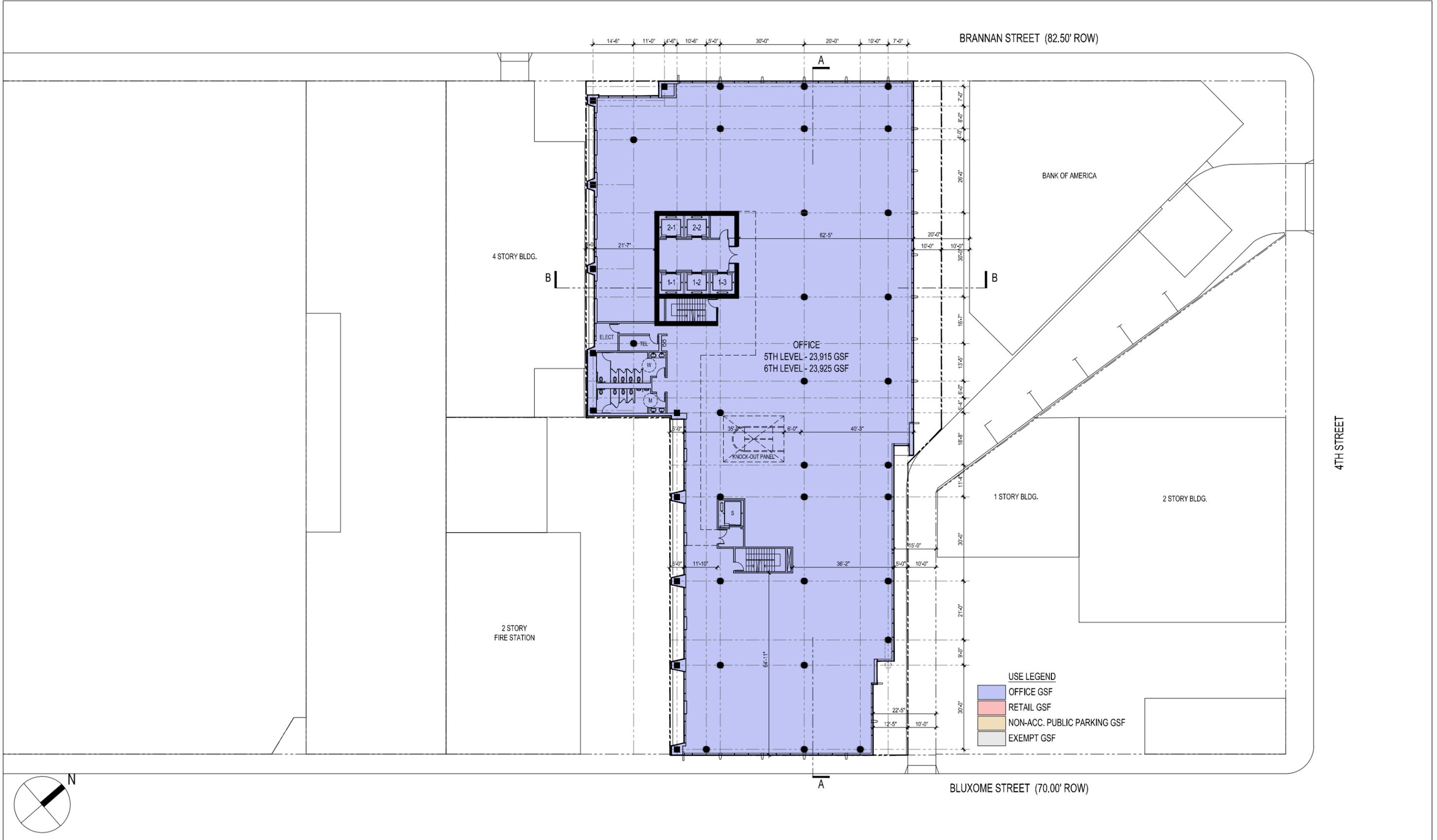


USE LEGEND

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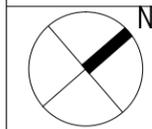
5TH-6TH LEVEL PLAN

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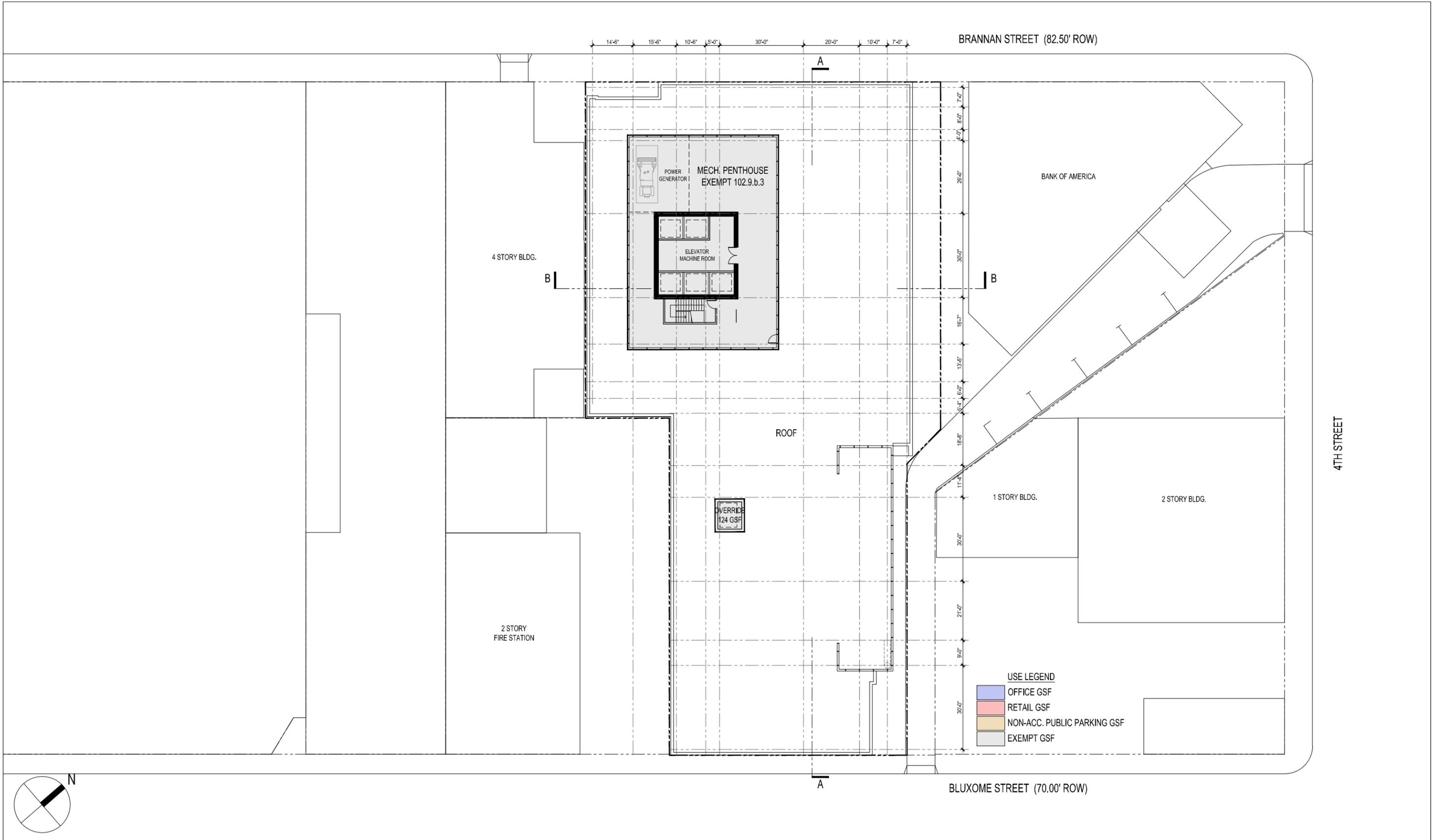
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MECH. PENTHOUSE LEVEL PLAN

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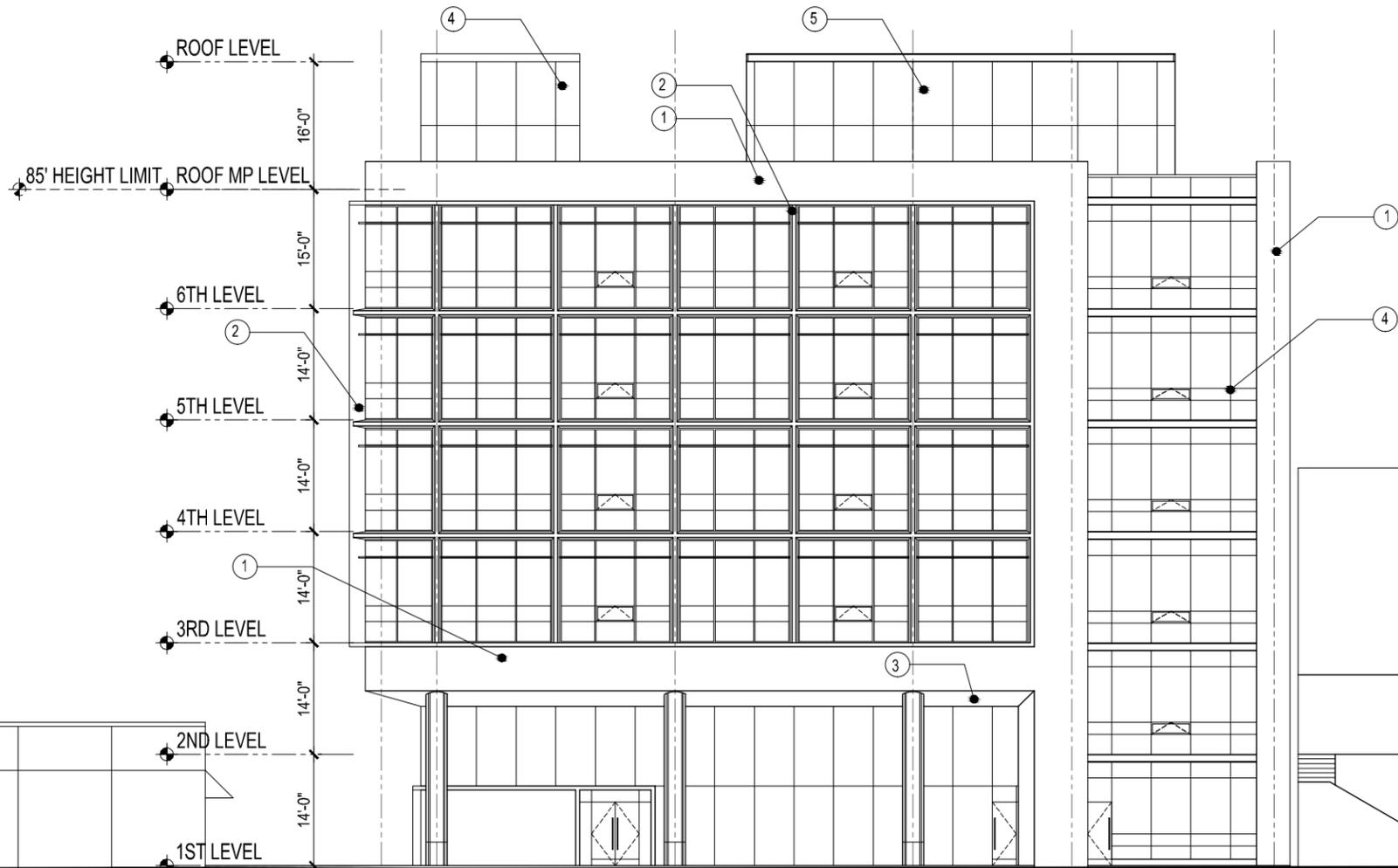


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 - RETAIL GSF
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- ⑤ METAL SCREEN PANEL
- ⑥ CEMENT PLASTER FINISH TO MATCH LIMESTONE COLOR



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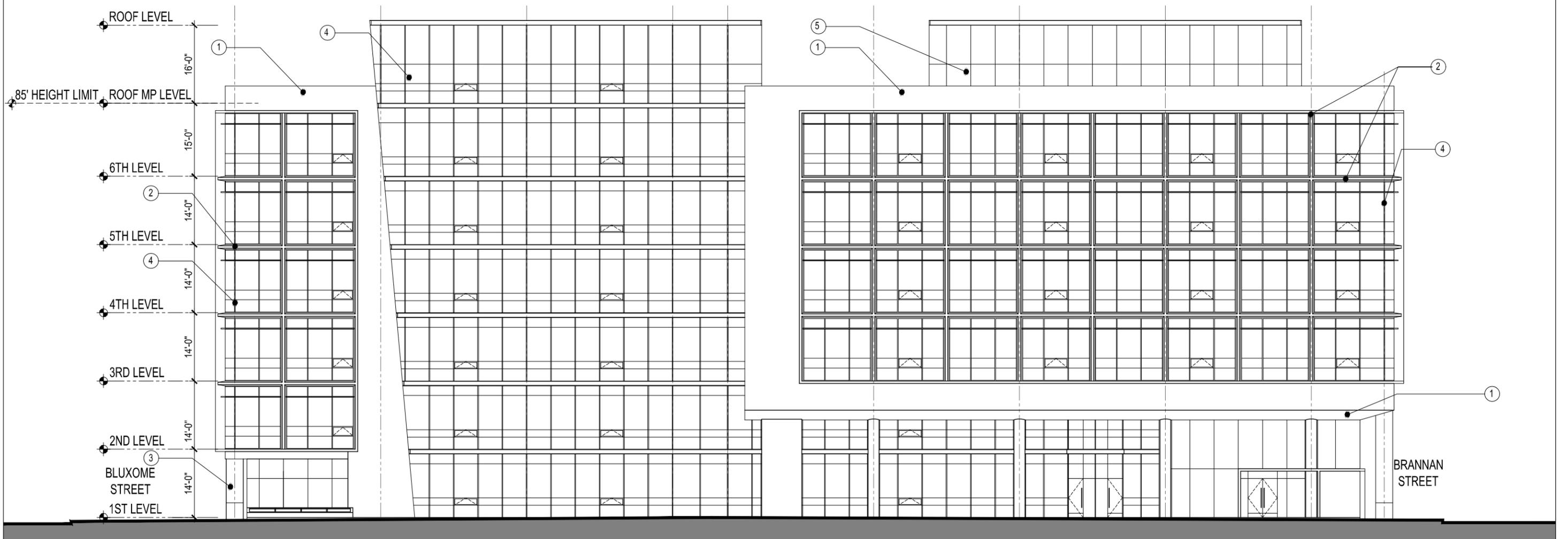
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NORTH (BRANNAN ST.) ELEVATION

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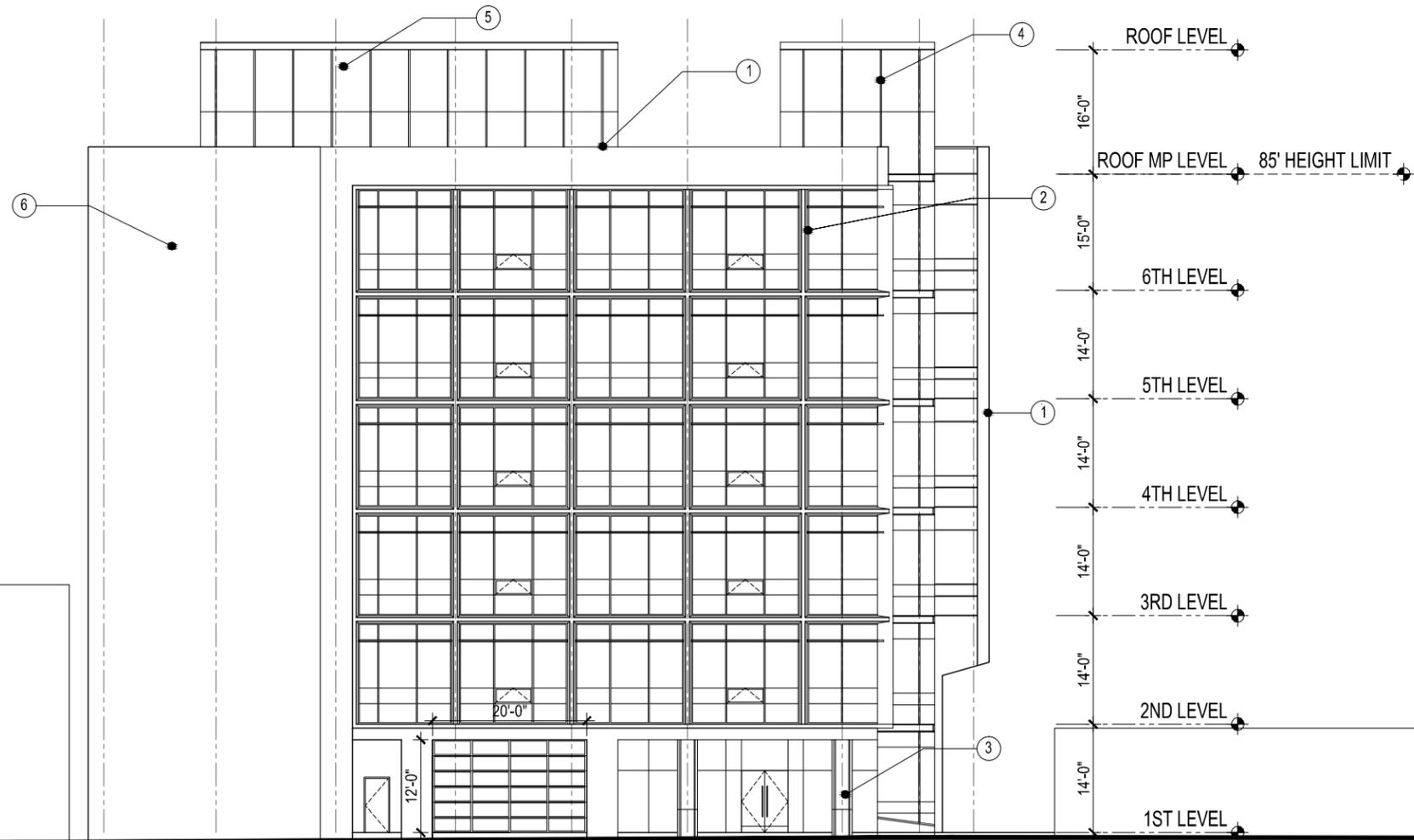
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EAST ELEVATION

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NOVEMBER 18, 2014

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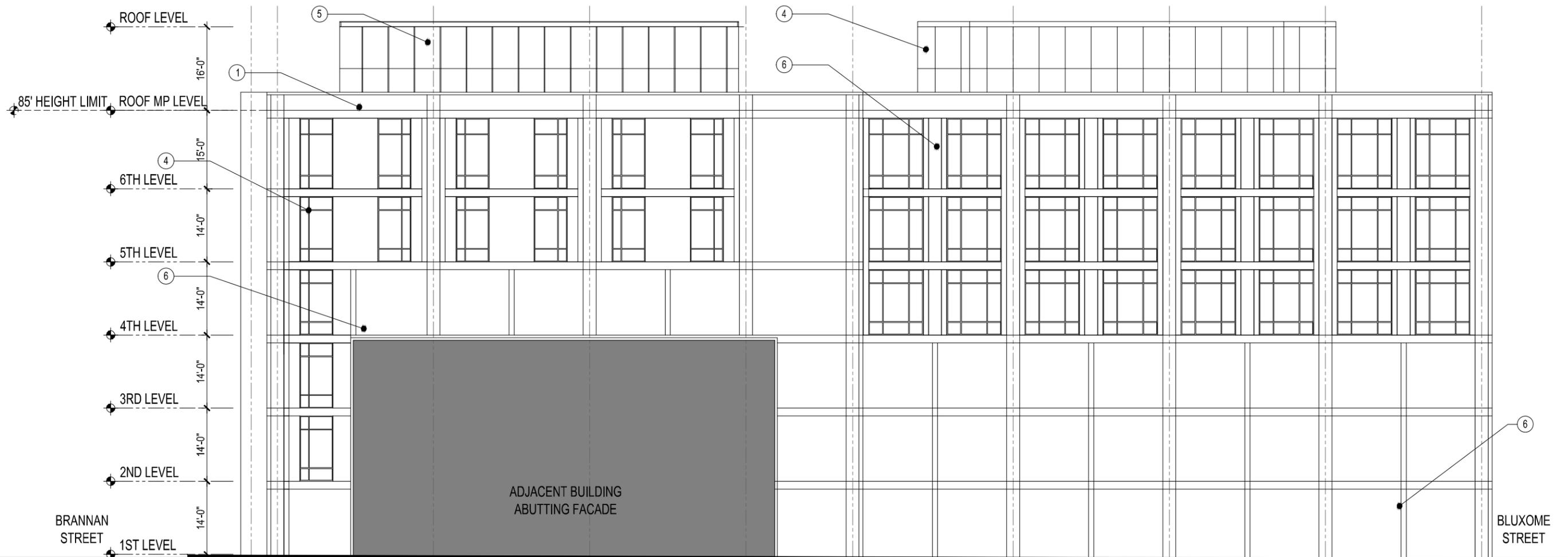
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SOUTH (BLUXOME ST.) ELEVATION

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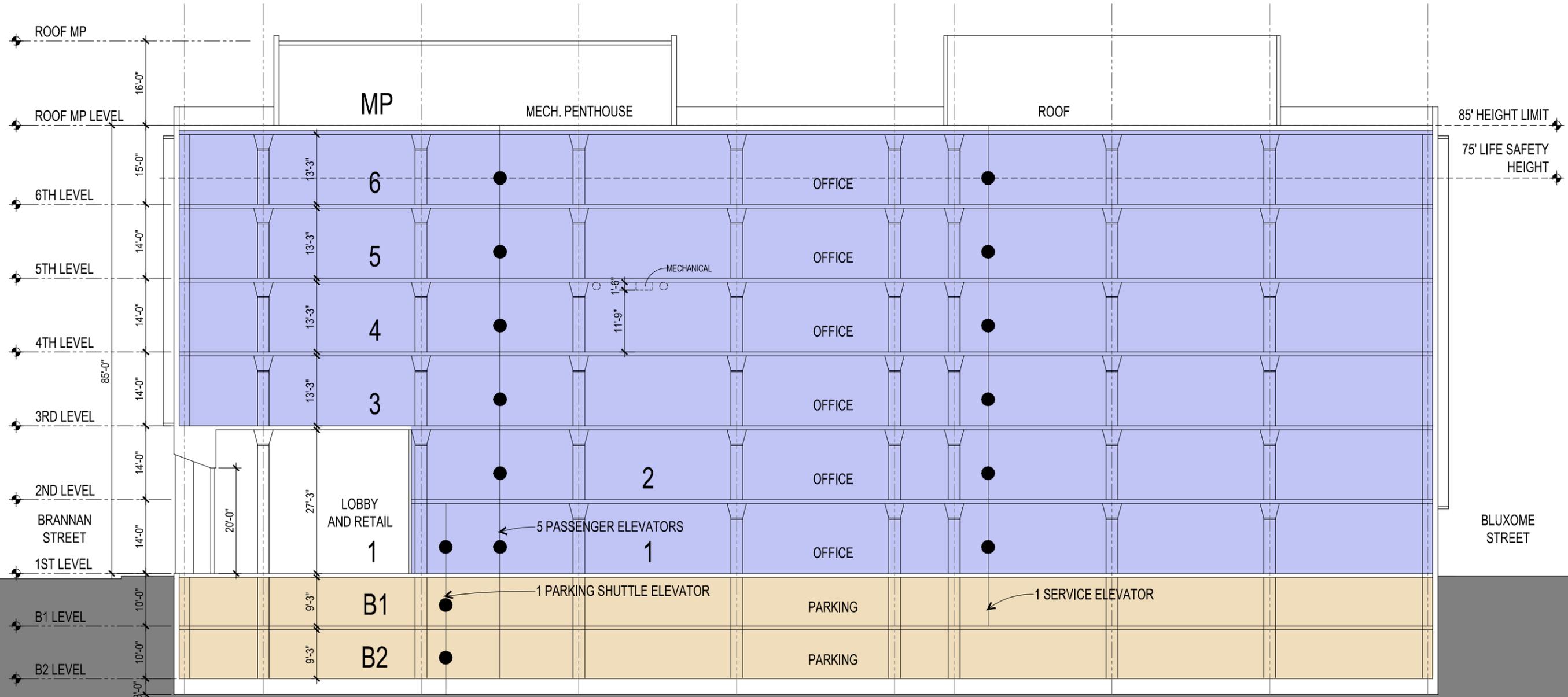
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WEST ELEVATION

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LONGITUDINAL SECTION A-A

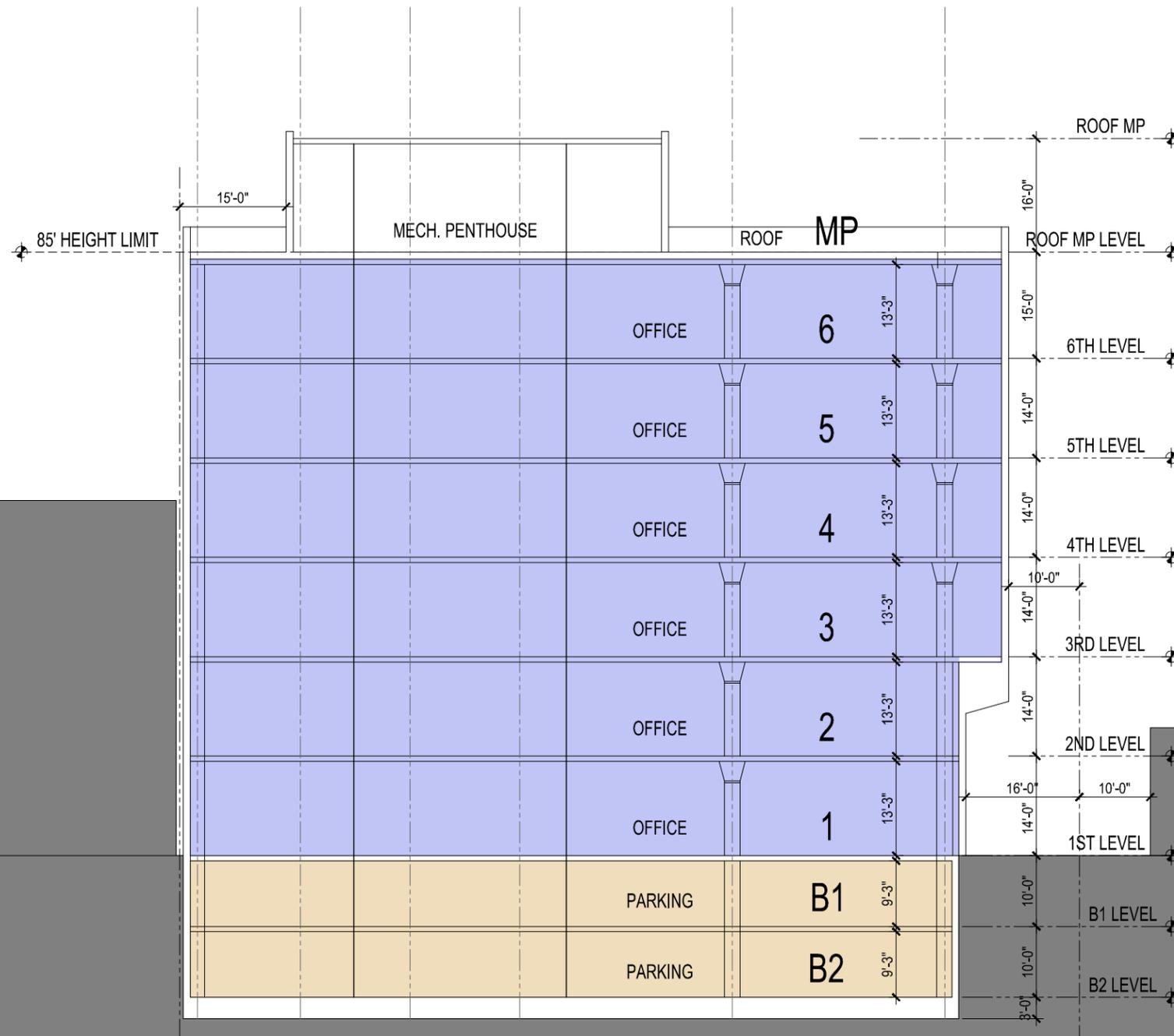
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TRANSVERSE SECTION B-B

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BRANNAN STREET LOOKING SOUTH

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