



# SAN FRANCISCO PLANNING DEPARTMENT

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## Notice of Availability of and Intent to Adopt a Mitigated Negative Declaration

*Date:* October 17, 2018  
*Case No.:* 2015-016326ENV  
*Project Title:* Seawall Lots 323 and 324 – Hotel and Theater Project  
*Zoning:* C-2 (Community Business) Use District  
Waterfront 3, Special Use District  
40-X Height and Bulk District  
*Block/Lot:* 0138/001  
0139/002  
*Project Sponsor:* Jay Wallace, TZK Broadway, LLC., (415) 955-1100 ext. 4007  
*Staff Contact:* Laura Lynch– (415) 575-9045  
[Laura.Lynch@sfgov.org](mailto:Laura.Lynch@sfgov.org)

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This notice is to inform you of the availability of the environmental review document concerning the proposed project as described below. The document is a preliminary mitigated negative declaration (PMND), containing information about the possible environmental effects of the proposed project. The PMND documents the determination of the Planning Department that the proposed project could not have a significant adverse effect on the environment. Preparation of a mitigated negative declaration does not indicate a decision by the City to carry out or not to carry out the proposed project.

### **Project Description:**

The project site includes two Port of San Francisco assessor's parcels, Assessor's Block 0138, Lot 001 and Assessor's Block 0139, Lot 002, and two Port right-of-way parcels. These parcels compose approximately 59,750 square feet of Port property, with primary frontages along The Embarcadero, Broadway, and Davis Street. The Port currently leases the project site to a parking operator.

The project sponsor, TZK Broadway LLC, proposes to demolish the existing 250 space parking lot and construct a mixed-use development consisting of three components: an approximately 29,570-gross-square-foot (gsf) entertainment venue that would house Teatro ZinZanni's historic spiegel tent and 285-seat dinner-theater-entertainment venue and program; an approximately 118,000-square-foot, four-story hotel with 192 rooms; and an approximately 14,000 gsf, privately financed and maintained public park, all built to conform with the 40-X height and bulk district.

The proposed project would remove 35 on-street parking spaces, and three on-street motorcycle parking spaces. No new on-or off-street parking is proposed. Parking for the proposed project would occur through offsite parking and valet services. Approximately 20 class I bicycle parking spaces and 28 class II bicycle parking spaces are proposed. A 142 ½-foot-long commercial loading zone would be constructed on Davis Street, with two spaces and a service area. The proposed project would widen the existing

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sidewalks around the site and add four new bulb-outs on these improved sidewalks. Construction on the 1.37-acre site is estimated to take up to approximately 22 months.

The proposed project would require a Conditional Use Authorization for the hotel use pursuant to Planning Code section 240.3(e). This approval, within the C-2 zoning district, constitutes the approval action for the proposed project, pursuant to section 31.04(h)(3) of the San Francisco Administrative Code. A General Plan referral for partial street vacation of a public right-of-way and approval of sidewalk widening and modifications to related infrastructure within the public right-of-way would also be required. In addition, issuance of a State Lands Commission consistency letter and approval of the long-term lease by the Port would be required.

The PMND is available to view or download from the Planning Department's Negative Declarations and EIRs web page

(<http://www.sf-planning.org/sfceqadocs>).

Paper copies are also available at the Planning Information Center (PIC) counter on the ground floor of 1660 Mission Street, San Francisco.

If you have questions concerning environmental review of the proposed project, contact the Planning Department staff contact listed above.

Within 30 calendar days following publication of the PMND (i.e., by 5:00 p.m. on **November 19, 2018** any person may:

- 1) Review the PMND as an informational item and take no action;
- 2) Make recommendations for amending the text of the document. The text of the PMND may be amended to clarify or correct statements and may be expanded to include additional relevant issues or to cover issues in greater depth. This may be done **without** the appeal described below; **OR**
- 3) Appeal the determination of no significant effect on the environment to the Planning Commission in a letter which specifies the grounds for such appeal, accompanied by a \$617 check payable to the San Francisco Planning Department.<sup>1</sup> An appeal requires the Planning Commission to determine whether or not an Environmental Impact Report must be prepared based upon whether or not the proposed project could cause a substantial adverse change in the environment. Send the appeal letter to the Planning Department, Attention: Lisa Gibson, 1650 Mission Street, Suite 400, San Francisco, CA 94103 or emailed to [lisa.gibson@sfgov.org](mailto:lisa.gibson@sfgov.org). **The letter must be accompanied by a check in the amount of \$617.00 payable to the San Francisco Planning Department, and must be received by November 19.** The appeal letter and check may also be presented in person at the PIC counter on the first floor of 1660 Mission Street, San Francisco.

In the absence of an appeal, the mitigated negative declaration shall be made final, subject to necessary modifications, after 30 days from the date of publication of the PMND. If the PMND is appealed, the Final Mitigated Negative Declaration (FMND) may be appealed to the Board of Supervisors. The first approval action, as identified in the Initial Study, would establish the start of the 30-day appeal period for the FMND pursuant to San Francisco Administrative Code Section 31.16(h).

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<sup>1</sup> Upon review by the Planning Department, the appeal fee may be reimbursed for neighborhood organizations that have been in existence for a minimum of 24 months.

Members of the public are not required to provide personal identifying information when they communicate with the Commission or the Department. All written or oral communications, including submitted personal contact information, may be made available to the public for inspection and copying upon request and may appear on the Department's website or in other public documents.