



SAN FRANCISCO PLANNING DEPARTMENT

Subject to: (Select only if applicable)

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

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Planning Commission Motion No. 18989

HEARING DATE: OCTOBER 3, 2013

Date: October 3, 2013
Case No.: **2012.0799ABX**
Project Address: **270 BRANNAN STREET**
Zoning: MUO (Mixed Use Office) Zoning District
South End Landmark District
65-X Height and Bulk District
Block/Lot: 3774/026
Project Sponsor: Steve Shanks, SKS Investments, Inc.
601 California Street, Ste. 1310
San Francisco, CA 94108
Staff Contact: Richard Sucre – (415) 575-9108
richard.sucre@sfgov.org

ADOPTING FINDINGS RELATING TO A LARGE PROJECT AUTHORIZATION PURSUANT TO PLANNING CODE SECTION 329, TO ALLOW EXCEPTIONS TO 1) THE MEASUREMENT OF HEIGHT PURSUANT TO PLANNING CODE SECTIONS 102.12(C) AND 260, AND 2) GROUND FLOOR CEILING HEIGHT PURSUANT TO PLANNING CODE SECTION 145.1(C)(4), TO ALLOW CONSTRUCTION OF A NEW SEVEN-STORY OFFICE BUILDING OF 189,000 GSF, LOCATED AT 270 BRANNAN STREET, LOT 026 IN ASSESSOR'S BLOCK 3774, WITHIN THE MUO (MIXED USE OFFICE) ZONING DISTRICT, SOUTH END LANDMARK DISTRICT, AND A 65-X HEIGHT AND BULK DISTRICT, AND ADOPTING FINDINGS UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.

PREAMBLE

On December 12, 2012, Steve Shanks of SKS Investments, Inc. (hereinafter "Project Sponsor") filed Application No. 2012.0799X (hereinafter "Application") with the Planning Department (hereinafter "Department") for a Large Project Authorization to construct a new seven-story office building containing approximately 189,000 sq ft of office space at 270 Brannan Street (Block 3774 Lot 026) 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 August 22, 2013, 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 October 3, 2013, the Planning Commission ("Commission") conducted a duly noticed public hearing at a regularly scheduled meeting on Large Project Authorization Application No. 2012.0799X.

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. 2012.0799X, 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 proposed project is located on a rectangular lot (measuring approximately 137.5-ft by 275 ft for a lot area of 37,800± sq ft) on the north side of Brannan Street between 2nd and Delancey Streets. Currently, the subject lot contains a surface parking lot and a two-story office building.
3. **Surrounding Properties and Neighborhood.** The project site is located in the MUO Zoning District along a largely commercial corridor within the East SoMA Area Plan. The immediate neighborhood consists of three-to-six story tall, older brick warehouses (converted into office or commercial space) to the west and south, and new mixed use (residential over commercial) buildings to the north and east. Across from the project site is a large-scale residential complex. On either side of the subject lot is a six-story former warehouse (274 Brannan Street) and a three-story tall brick warehouse/office (250 Brannan Street). The project site is located within the South End Landmark District, which is significant for the high concentration of late-nineteenth century brick and early twentieth-century reinforced concrete warehouses and light industrial buildings. Other zoning districts in the vicinity of the project site include: SB-DTR (South Beach Downtown Residential); SLI (Service-Light Industrial); and, SPD (South Park District).
4. **Project Description.** The proposed project includes demolition of the surface parking lot (containing approximately eighty-four (84) off-street parking spaces) and two-story office building (approximately 17,350 sq ft) on the subject lot, and the new construction of a seven-story tall, office building. The proposed project would construct approximately 189,000 gsf of office space with twelve (12) off-street parking spaces, four (4) off-street service loading parking spaces, forty-eight (48) Class 1 bicycle parking spaces, six (6) Class 2 bicycle parking spaces, and an internal atrium (measuring approximately 4,940 sq ft). The proposed project would have street frontage onto Brannan Street and access from De Boom Street via a private alley. The vehicular entry would be located off of Brannan Street.

5. **Public Comment.** To date, the Department has received five public inquiries about the proposed project. The public correspondence expressed concern over the lack of parking, the elimination of the parking lot, and the need for underground electrical services. Copies of this correspondence have been included within the Commissioner packets.
6. **Planning Code Compliance:** The Commission finds that the Project is consistent with the relevant provisions of the Planning Code in the following manner:

- A. **Floor Area Ratio.** Planning Code Section 124 establishes a FAR (Floor Area Ratio) of 5:1 for properties within the MUO Zoning District and a 65-X Height and Bulk District.

The subject lot is 37,813 sq ft, thus resulting in a maximum allowable floor area of 189,065 sq ft. The proposed project would construct approximately 189,000 sq ft of non-residential space, and would comply with Planning Code Section 124.

- B. **Useable Open Space.** Planning Code Section 135.3 requires one square foot of useable open space for every fifty (50) square feet of occupied floor area of new office use within the MUO Zoning District.

For the proposed 189,000 sq ft of office space, the proposed project is required to provide approximately 3,780 square feet of useable open space. The project would construct approximately 4,940 sq ft of useable open space via an internal atrium (52-ft by 95-ft); therefore, the project complies with Planning Code Section 135.3.

The proposed project also includes an optional roof deck (approximately 4,940 sq ft); however, the Project Sponsor is not using the roof deck to meet open space requirements.

- C. **Streetscape and Pedestrian Improvements.** Planning Code Section 138.1 requires one new street tree for every 20 feet of street frontage for projects proposing new construction.

The proposed project includes the new construction of a seven-story office building on a lot with 137.5 feet of frontage along Brannan Street.

Per Planning Code Section 138.1(c)(1), a total of seven street trees would be required along Brannan Street. The project is providing four new street trees along Brannan Street and would pay the in-lieu fee for the other three required street trees.

Therefore, the proposed project complies with Planning Code Section 138.1.

- D. **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. The proposed project meets the requirements of feature-related standards and does not include any unbroken glazed segments 24-sq ft and larger in size; therefore, the proposed project complies with Planning Code Section 139.

- E. **Street Frontage in Mixed Use Districts.** Planning Code Section 145.1 requires off-street parking at street grade on a development lot to be set back at least 25 feet on the ground floor; that no more than one-third of the width or 20 feet, whichever is less, of any given street frontage of a new structure parallel to and facing a street shall be devoted to parking and loading ingress or egress; that space for active uses be provided within the first 25 feet of building depth on the ground floor; that non-residential uses have a minimum floor-to-floor height of 14 feet; that the floors of street-fronting interior spaces housing non-residential active uses and lobbies be as close as possible to the level of the adjacent sidewalk at the principal entrance to these spaces; and that frontages with active uses that are not residential or PDR be fenestrated with transparent windows and doorways for no less than 60 percent of the street frontage at the ground level

The proposed project is generally in conformance with Planning Code Section 145.1, and addresses the street frontage requirements by: providing active uses at the ground floor level via at-grade office space and a lobby along Brannan Street; providing below-grade parking; a garage entry (measuring approximately 13-ft wide) which is less than 20-ft wide; a ground floor ceiling height of approximately 24-ft 2-in for the first structural bay (approximately 23-ft); and, by providing the necessary transparency and fenestration at the ground floor level.

However, the proposed project includes a ground floor ceiling height of 12-ft 6-in. Planning Code Section 145.1 requires a ground floor ceiling height of 14-ft within the MUO Zoning District; therefore, the proposed project is seeking an exception pursuant to Planning Code Section 329 Large Project Authorization from this requirement (See Below).

- F. **Off-Street Parking.** Planning Section 151.1 of the Planning Code allows up to seven percent of the gross floor area of office use to be dedicated to off-street parking. The off-street parking area is subject to the pricing conditions of Section 155(g).

The proposed project includes 189,000 square feet of office use, thus allowing up to 13,230 square feet of off-street parking use. The proposed project would provide a total of twelve off-street parking spaces, two accessible parking spaces, and four freight loading (service loading) parking spaces. The proposed project includes approximately 10,000 square feet of off-street parking use; therefore, the proposed project complies with Planning Code Section 151.1.

- G. **Off-Street Freight Loading.** Planning Section 152.1 of the Planning Code requires 0.1 off-street freight loading spaces for every 10,000 square feet of gross floor area of office use.

The proposed project includes 189,000 square feet of office use, thus at least two off-street freight loading spaces are required. The project is proposing four off-street freight loading spaces; therefore, the proposed project complies with Planning Code Section 152.1.

- H. **Bicycle Parking Requirement in new buildings.** Planning Section 155.2 of the Planning Code requires at least one Class 1 bicycle parking space for every 5,000 occupied square feet of office space and a minimum of two Class 2 bicycle parking spaces for any office uses greater than 5,000 gross square feet plus one Class 2 bicycle parking space for each additional 50,000 occupied square feet.

The proposed project includes 189,000 square feet of office use, thus requiring at least thirty-eight (38) Class 1 bicycle parking spaces, and six (6) Class 2 bicycle parking spaces. The proposed project includes forty-eight (48) Class 1 bicycle parking spaces at the basement level and six (6) Class 2 bicycle parking spaces; therefore, the proposed project complies with Planning Code Section 155.2.

- I. **Shower Facility and Clothes Locker Requirement in New Buildings.** Planning Section 155.3 of the Planning Code requires at least four showers and eight clothes lockers when gross square footage exceeds 50,000 square feet of the office use floor area.

The proposed project includes 189,000 square feet of office use, thus at least four showers and eight clothes lockers are required. The proposed project includes four showers and fifteen clothes lockers at the basement level; therefore, the proposed project would comply with Planning Code Section 155.3.

- J. **Transportation Management Program.** Planning 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 189,000 square feet of office use, thus the Project Sponsor must execute an agreement to provide on-site transportation brokerage services. The agreement will be reviewed by the Planning Department prior to the issuance of a temporary certificate of occupancy, in accordance with Planning Code Section 163.

- K. **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 detail shadow analysis, the proposed project does not cast any net new shadow upon property under the jurisdiction of the Recreation and Parks Commission.

- L. **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 gsf.

The proposed project has submitted an application for an Office Development Authorization. The proposed project will seek an office development authorization for approximately 189,000 sq ft of new office space from the Planning Commission. See Case No. 2012.0799B.

- M. **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 189,000 sq ft of office use. The office use is subject to the Transit Impact Development Fee at the per gross square foot rate in place at time of building permit issuance.

- N. **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 189,000 sq ft of office use and is subject to the Jobs-Housing Linkage Program, as outlined in Planning Code Section 413. The Project Sponsor may elect between the Housing Requirement option, the Payment to Housing Developer option, the In-Lieu Fee Payment option or compliance by combination payment to Housing Developer and payment of In-Lieu Fee at the time of building permit issuance. The Project Sponsor has elected to satisfy this requirement through payment of an in-lieu fee.

- O. **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 189,000 sq ft of office use 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. The Project Sponsor shall pay the in-lieu fee to comply with this requirement.

- P. **Eastern Neighborhood Infrastructure Impact Fees.** Planning Code Section 423 is applicable to any development project within the MUO (Mixed Use Office) Zoning District that results in the addition of gross square feet of non-residential space.

The proposed project includes 189,000 sq ft of office use. These uses are subject to Eastern Neighborhood Infrastructure Impact Fees, as outlined in Planning Code Section 423. These fees must be paid prior to the issuance of the building permit application.

- Q. **Office Use in MUO Zoning Districts.** Planning Code Section 842.66 states that office use is a permitted use within the MUO Zoning District.

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

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 characterized by larger, light industrial buildings that create strong street walls of multiple stories. In particular, the proposed project is consistent with the mass and scale of the South End Landmark District, which contains historic warehouses that range in height from three-to-six-stories tall. 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 landmark district.

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

The proposed project's architectural treatments, facade design and building materials include terracotta tile cladding, deeply-set aluminum-sash windows, and projecting sunshades. Along Brannan Street, the primary facade features a pattern of alternating aluminum-sash windows set and terracotta-tile clad piers, which rests upon a heavily glazed ground floor level. This regularized pattern is consistent with the surrounding neighborhood, which primarily features former light industrial property constructed of brick or reinforced-concrete. Along De Boom Street, the facade is more contemporary in nature with a strong horizontal brick articulation on the lower three floors and long ribbons of glazing on the upper floors. Overall, the proposed project offers a high quality architectural treatment, which is consistent and compatible with the surrounding landmark district.

- 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;

Along Brannan Street, the ground floor is setback from the property line and features a glazed storefront for the lobby and adjacent ground floor office space. A glazed ground floor area encourages

interaction between the tenant space and the public realm. Off-street parking and freight loading are situated below grade with the entrance off of Brannan Street. Along Brannan Street, the transformer room is screened by decorative metal doorways, thus providing for an attractive ground floor experience.

The Commission has expressed a preference for a ground floor retail space. The design of the lower floor shall be modified accordingly.

- 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 required useable open space for the office use is provided at the ground floor level via an internal atrium (measuring approximately 4,940 sq ft). This internal atrium measures approximately 52-ft by 95-ft, and provides a quality open space for the future tenants with ample access to light and air.

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

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

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

In compliance with Planning Code Section 138.1, the proposed project would provide the four new street trees along Brannan Street, and would pay an in-lieu fee for the other three required street trees. The Department finds that these improvements would improve the public realm.

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

As the primary façade, the Brannan Street façade is the focal point for pedestrian access, which is facilitated via the main entry lobby. Automobile access is provided exclusively through the Brannan Street façade. The automobile entry is located along the easternmost corner of the facade. This entry accommodates the limited amount of off-street parking spaces and freight loading parking spaces. The proposed project is also accessible off of De Boom Street via a private alley. A separate entryway would be constructed off of De Boom Street to accommodate multiple building tenants, as needed.

- H. Bulk limits;

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

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

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

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

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

The proposed project is seeking modifications of: 1) Planning Code Sections 102.12(c) and 260, which define the measurement of height; and, 2) Planning Code Section 145.1(c)(4), which define the requirements for ground floor ceiling height.

According to Planning Code Section 304(d)(6), minor deviations from the provisions for measurement of height, as defined in Planning Code Section 260 and 261, may be permitted. Under Planning Code Section 102.12(c), the height of a building is defined as the vertical distance by which a building or structure rises above a certain point of measurement. This point shall be taken at the centerline of the building or, where the building steps laterally in relation to a street that is the basis for height measurement. Under Planning Code Section 102.25, a street is defined as a right-of-way, 30-ft or more in width, permanently dedicated to common and general use by the public, including any avenue, drive, boulevard, or similar way, but not including any freeway or highway without a general right of access for abutting properties.

Currently, the proposed project has direct frontage onto Brannan Street and indirect street frontage onto De Boom Street via a private alley, which is part of the adjacent lot (APN 3774/073) at 274 Brannan Street. Per Planning Code Sections 102.12(c) and 260, height must be measured from a street. The proposed project is seeking a modification to allow the measurement of height from the private alley. The Project Sponsor has obtained an irrevocable easement from the adjacent property owner for this portion of the adjacent lot to allow for public and pedestrian access to 270 Brannan Street. This modification allows a height measurement from Brannan Street, as well as from the private alley adjacent to De Boom Street, thus allowing for the project's overall massing and height.

Planning Code Section 145.1(c)(4) requires a ground floor ceiling height of 14-ft for all non-residential uses in the MUO Zoning District. Currently, the project specifies a ground floor ceiling height of 24-ft 2-in for the first structural bay (approximately 23-ft) and 12-ft for the remainder of the ground floor. Along Brannan Street, the project anticipates new office use and a lobby on the ground floor. The project does provide a taller than normal floor-to-floor ceiling height along Brannan Street, thus achieving a sense of a taller ground floor.

Given the overall design and composition, the Department is in support of these modifications, due to the project's high quality of design, frontage along Brannan Street, and ability to activate De Boom Street.

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

COMMERCE AND INDUSTRY ELEMENT

Objectives and Policies

OBJECTIVE 1:

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

Policy 1.1:

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

Policy 1.2:

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

Policy 1.3:

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

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

OBJECTIVE 2:

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

Policy 2.1:

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

Policy 2.3:

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

The proposed office development will help attract new commercial activity to San Francisco as it provides a large quantity of vacant office space for use. It also contributes to San Francisco's attractiveness as a firm location as it is within short walking distance of South Park, the amenities encircling South Park and the emerging 3rd Street Corridor near AT&T Park.

TRANSPORTATION ELEMENT

Objectives and Policies

OBJECTIVE 24:

IMPROVE THE AMBIENCE OF THE PEDESTRIAN ENVIRONMENT.

Policy 24.2:

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

The Project will install street trees at regular intervals along Brannan Street.

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 48 Class 1 bicycle parking spaces in a secure, convenient location within the basement level along with required shower and locker facilities, as well as six Class 2 bicycle parking spaces.

URBAN DESIGN ELEMENT

Objectives and Policies

OBJECTIVE 1:

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

Policy 1.3:

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

The design of the proposed office development complements the existing character of the 200 block of Brannan Street as its scale, massing and choice of façade materials draws inspiration from the light industrial and masonry buildings along Brannan Street. The proposed development does not stand out, but rather contributes to a general sense of building type along the 200 block of Brannan Street. Further, the proposed project complements the surrounding South End Landmark District, which is recognized by the City of San Francisco for its unique and historic architectural character, as noted by the Historic Preservation Commission in Motion No. 0209.

OBJECTIVE 3:

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

Policy 3.1:

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

Policy 3.2:

Avoid extreme contrasts in color, shape and other characteristics which will cause new buildings to stand out in excess of their public importance.

The proposed development successfully melds a new building into an area with an established presence of 19th and 20th century light industrial 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 the 200 block of Brannan Street.

EAST SOMA PLAN AREA

Objectives and Policies

OBJECTIVE:

SUPPORT A ROLE FOR “KNOWLEDGE SECTOR” BUSINESSES IN EAST SOMA.

Policy 1.4.3:

Continue to allow larger research and development office-type uses that support the Knowledge Sector in the 2nd Street Corridor.

The proposed project will provide approximately 189,000 sq ft of new office space for new businesses located within the vicinity of the 2nd and 3rd Street corridors.

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 design of the proposed office development, a contemporary interpretation of the 19th Century brick warehouse, complements the existing character of the 200 block of Brannan Street as its scale, massing and choice of façade materials draws inspiration from the light industrial and masonry buildings that line the street.

OBJECTIVE 3.2:

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

Policy 3.2.3:

Minimize the visual impact of parking.

The off-street parking is located within an excavated basement level at the rear of the lot. The parking cannot be seen from the Brannan Street façade, which is the primary interface with the public realm.

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

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

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

The existing buildings do not contain any neighborhood-serving retail uses. The proposal would enhance the neighborhood-serving retail district by introducing a large number of new employees and potential patrons to the retail uses in the area, and by incorporating a micro-retail space that will provide new opportunity for smaller-scale retail within the subject property.

- 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 200 block of Brannan Street. 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 either commercial or light industrial spaces.

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

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

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

The area is served by a variety of transit options, including MUNI and Caltrain. It is also near several streets that are part of the City's growing bicycle network. It is not anticipated that commuter traffic will impede MUNI transit or overburden streets or neighborhood parking as the sole automobile entrance is on Brannan Street and the excavated basement provides a limited number of off-street parking spaces.

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

No existing industrial and service sector establishments will be displaced as a result of the office development. The Project will construct new office building on the subject lot. The Project will provide quality flexible office space that is suitable for a variety of office uses and sizes. This office space will help maintain the local resident employment and demand for neighborhood-serving businesses in the area.

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

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

- G. That landmarks and historic buildings be preserved.

The subject lot is located within the South End Landmark District, and the proposed project received a Certificate of Appropriateness from the Historic Preservation Commission, as noted in HPC Motion No. 0209.

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

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

11. The Project is consistent with and would promote the general and specific purposes of the Code provided under Section 101.1(b) in that, as designed, the Project would contribute to the character and stability of the neighborhood and would constitute a beneficial development.

12. The Commission hereby finds that approval of the Large Project Authorization would promote the health, safety and welfare of the City.

DECISION

That based upon the Record, the submissions by the Applicant, the staff of the Department and other interested parties, the oral testimony presented to this Commission at the public hearings, and all other written materials submitted by all parties, the Commission hereby **APPROVES Large Project Authorization Application No. 2012.0799X** under Planning Code Section 329 to allow the new construction of a seven-story office building with 189,000 sq ft of office use, and a modification to: 1) the measurement of height pursuant to Planning Code Sections 102.12(c) and 260; and, 2) ground floor ceiling height pursuant to Planning Code Section 145.1(c)(4), within the MUO (Mixed Use Office) Zoning District, South End Landmark District, and a 65-X Height and Bulk District. The project is subject to the following conditions attached hereto as "EXHIBIT A" in general conformance with plans on file, dated August 21, 2013, and stamped "EXHIBIT B", which is incorporated herein by reference as though fully set forth.

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

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

I hereby certify that the Planning Commission ADOPTED the foregoing Motion on October 3, 2013.

Jonas P. Ionin
Acting Commission Secretary

AYES: Antonini, Fong, Hillis, Moore, Sugaya and Wu

NAYS:

ABSENT: Borden

ADOPTED: October 3, 2013

EXHIBIT A

AUTHORIZATION

This authorization is for a Large Project Authorization to allow for the new construction of a seven-story office building with 189,000 square feet of office use and a modification to the measurement of height and ground floor ceiling height, located at 270 Brannan Street, Lot 026 in Assessor's Block 3774 pursuant to Planning Code Section 329 within the MUO (Mixed-Use Office) Zoning District, South End Landmark District, and a 65-X Height and Bulk District; in general conformance with plans, dated August 21, 2013, and stamped "EXHIBIT B" included in the docket for Case No. 2012.0799X and subject to conditions of approval reviewed and approved by the Commission on October 3, 2013 under Motion No. 18989. This authorization and the conditions contained herein run with the property and not with a particular Project Sponsor, business, or operator.

RECORDATION OF CONDITIONS OF APPROVAL

Prior to the issuance of the building permit or commencement of use for the Project the Zoning Administrator shall approve and order the recordation of a Notice in the Official Records of the Recorder of the City and County of San Francisco for the subject property. This Notice shall state that the project is subject to the conditions of approval contained herein and reviewed and approved by the Planning Commission on **October 3, 2013** under Motion No. 18989.

PRINTING OF CONDITIONS OF APPROVAL ON PLANS

The conditions of approval under the 'Exhibit A' of this Planning Commission Motion No. 18989 shall be reproduced on the Index Sheet of construction plans submitted with the Site or Building permit application for the Project. The Index Sheet of the construction plans shall reference to the Office Development Authorization and any subsequent amendments or modifications.

SEVERABILITY

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

CHANGES AND MODIFICATIONS

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

Conditions of Approval, Compliance, Monitoring, and Reporting

PERFORMANCE

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

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

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

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

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

Mitigation Measures. Mitigation measures described in the MMRP for the Eastern Neighborhoods Plan EIR (Case No. 2012.0799E) 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

DESIGN – COMPLIANCE AT PLAN STAGE

Ground Floor Retail. The Project Sponsor shall incorporate a retail space on the ground floor level along Brannan Street with a minimum of 600 sq ft of floor area.

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

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

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

Street Trees. Pursuant to Planning Code Section 138.1 (formerly 143), the Project Sponsor shall submit a site plan to the Planning Department prior to Planning approval of the building permit application indicating that street trees, at a ratio of one street tree of an approved species for every 20 feet of street frontage along public or private streets bounding the Project, with any remaining fraction of 10 feet or more of frontage requiring an extra tree, shall be provided. Therefore, the Project shall provide at least seven street trees along Brannan Street. The street trees shall be evenly spaced along the street frontage except where proposed driveways or other street obstructions do not permit. The exact location, size and species of tree shall be as approved by the Department of Public Works (DPW). In any case in which DPW cannot grant approval for installation of a tree in the public right-of-way, on the basis of inadequate sidewalk width, interference with utilities or other reasons regarding the public welfare, and where installation of such tree on the lot itself is also impractical, the requirements of this Section 428 may be modified or waived by the Zoning Administrator to the extent necessary.

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

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 architectural addenda. 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.

PARKING AND TRAFFIC

Bicycle Parking. Pursuant to Planning Code Sections 155.1 and 155.4., the Project shall provide no fewer than thirty-eight (38) Class 1 bicycle parking spaces and six (6) Class 2 bicycle parking spaces for the 189,000 sq ft of new office space.

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

Showers and Clothes Lockers. Pursuant to Planning Code Section 155.3, the Project shall provide no fewer than four showers and eight clothes lockers.

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

Parking Maximum. Pursuant to Planning Code Section 151.1, the Project shall provide no more than 13,230 square feet for off-street parking spaces.

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

Off-Street Freight Loading. Pursuant to Planning Code Section 152, the Project shall provide at least two off-street freight loading or service vehicle spaces.

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

PROVISIONS

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

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

Transit Impact Development Fee. Pursuant to Planning Code Section 411 (formerly Chapter 38 of the Administrative Code), the Project Sponsor shall pay the Transit Impact Development Fee (TIDF) as required by and based on drawings submitted with the Building Permit Application. Prior to the issuance of a temporary certificate of occupancy, the Project Sponsor shall provide the Planning 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

Jobs-Housing Linkage In-Lieu Fee. Pursuant to Planning Code Section 413 (formerly 313), the Project Sponsor shall contribute to the Jobs-Housing Linkage Program (JHLP). The calculation shall be based on the net addition of gross square feet of each type of space to be constructed as set forth in the permit plans. The Project Sponsor shall provide evidence that this requirement has been satisfied to the

Planning Department prior to the issuance of the first site or building permit by the Department of Building Inspection.

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

Childcare Requirements for Office and Hotel Development Projects. Pursuant to Section 414 (formerly 314), 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.sfplanning.org

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

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

MONITORING

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.sfplanning.org

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.sfplanning.org

OPERATION

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>

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>

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

EXHIBIT C

MITIGATION MONITORING AND REPORTING PROGRAM (INCLUDES IMPROVEMENT MEASURES)

MONITORING AND REPORTING PROGRAM				
Adopted Mitigation Measures	Responsibility for Implementation	Mitigation Schedule	Monitoring and Reporting Action and Responsibility	Monitoring Schedule
MITIGATION MEASURES AGREED TO BY PROJECT SPONSOR				
ARCHEOLOGICAL RESOURCES				
<p><i>Mitigation Measure 1 – Archeological Testing.</i> Based on a reasonable presumption 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 testing program as specified herein. In addition, the consultant shall be available to conduct an archeological monitoring and/or data recovery program if required pursuant to this measure. The archeological consultant’s work shall be conducted in accordance with this measure at the direction of the Environmental Review Officer (ERO). 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</p>	<p>Project sponsor/ archeological consultant at the direction of the Environmental Review Officer (ERO).</p>	<p>Prior to soil-disturbing activities.</p>	<p>Project sponsor to retain a qualified archeological consultant who shall report to the ERO.</p>	<p>Archeological consultant shall be retained prior to any soil disturbing activities. Date Archeological consultant retained: _____</p>

MONITORING AND REPORTING PROGRAM				
Adopted Mitigation Measures	Responsibility for Implementation	Mitigation Schedule	Monitoring and Reporting Action and Responsibility	Monitoring Schedule
<p>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).</p> <p><i>Consultation with Descendant Communities:</i> On discovery of an archeological site¹ associated with descendant Native Americans, the Overseas Chinese, or other descendant group an appropriate representative² 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.</p>				

¹ By the term “archeological site” is intended here to minimally include any archeological deposit, feature, burial, or evidence of burial.

² 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. An appropriate representative of other descendant groups should be determined in consultation with the Department archeologist.

MONITORING AND REPORTING PROGRAM				
Adopted Mitigation Measures	Responsibility for Implementation	Mitigation Schedule	Monitoring and Reporting Action and Responsibility	Monitoring Schedule
<p><i>Archeological Testing Program.</i> The archeological consultant shall prepare and submit to the ERO for review and approval an archeological testing plan (ATP). The archeological testing program shall be conducted in accordance with the approved ATP. The ATP shall identify the property types of the expected archeological resource(s) that potentially could be adversely affected by the proposed project, the testing method to be used, and the locations recommended for testing. The purpose of the archeological testing program will be to determine to the extent possible the presence or absence of archeological resources and to identify and to evaluate whether any archeological resource encountered on the site constitutes an historical resource under CEQA.</p>	<p>Project sponsor/ archeological consultant at the direction of the ERO.</p>	<p>Prior to any soil-disturbing activities on the project site.</p>	<p>Archeologist shall prepare and submit draft ATP to the ERO. ATP to be submitted and reviewed by the ERO prior to any soils disturbing activities on the project site.</p>	<p>Date ATP submitted to the ERO: _____</p> <p>Date ATP approved by the ERO: _____</p> <p>Date of initial soil disturbing activities: _____</p>
<p>At the completion of the archeological testing program, the archeological consultant shall submit a written report of the findings to the ERO. If based on the archeological testing program the archeological consultant finds that significant archeological resources may be present, the ERO in consultation with the archeological consultant shall determine if additional measures are warranted. Additional measures that may be undertaken include additional archeological testing, archeological monitoring, and/or an archeological data recovery program. No archeological data recovery shall be undertaken without the prior approval of the ERO or the Planning Department archeologist. If the ERO determines</p>	<p>Project sponsor/ archeological consultant at the direction of the ERO.</p>	<p>After completion of the Archeological Testing Program.</p>	<p>Archeological consultant shall submit report of the findings of the ATP to the ERO.</p>	<p>Date archeological findings report submitted to the ERO:_____</p> <p>ERO determination of significant archeological resource present? Y N</p> <p>Would resource be adversely affected? Y N</p> <p>Additional mitigation to be undertaken by project sponsor? Y N</p>

MONITORING AND REPORTING PROGRAM				
Adopted Mitigation Measures	Responsibility for Implementation	Mitigation Schedule	Monitoring and Reporting Action and Responsibility	Monitoring Schedule
<p>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:</p> <p>a. The proposed project shall be re-designed so as to avoid any adverse effect on the significant archeological resource; or</p> <p>b. A 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.</p>				
<p><i>Archeological Monitoring Program.</i> If the ERO in consultation with the archeological consultant determines that an archeological monitoring program shall be implemented 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 archeological consultant 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 risk these 	<p>Project sponsor/ archeological consultant/ archeological monitor/ contractor(s), at the direction of the ERO.</p>	<p>ERO & archeological consultant shall meet prior to commencement of soil-disturbing activity. If the ERO determines that an Archeological Monitoring Program is necessary, monitor</p>	<p>Project sponsor/ archeological consultant/ archeological monitor/ contractor(s) shall implement the AMP, if required by the ERO.</p>	<p>AMP required? Y N Date: _____ Date AMP submitted to the ERO: _____ Date AMP approved by the ERO: _____ Date AMP implementation complete: _____ Date written report regarding findings of the AMP received: _____</p>

MONITORING AND REPORTING PROGRAM				
Adopted Mitigation Measures	Responsibility for Implementation	Mitigation Schedule	Monitoring and Reporting Action and Responsibility	Monitoring Schedule
<p>activities pose to potential archaeological resources and to their depositional context;</p> <ul style="list-style-type: none"> • 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 project 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 activities and 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 		throughout all soil-disturbing activities.		

MONITORING AND REPORTING PROGRAM				
Adopted Mitigation Measures	Responsibility for Implementation	Mitigation Schedule	Monitoring and Reporting Action and Responsibility	Monitoring Schedule
<p>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 make a reasonable effort to assess the identity, integrity, and significance of the encountered archeological deposit, and present the findings of this assessment to the ERO.</p> <p>Whether or not significant archeological resources are encountered, the archeological consultant shall submit a written report of the findings of the monitoring program to the ERO.</p>				
<p><i>Archeological Data Recovery Program.</i> The archeological data recovery program shall be conducted in accord with an archeological data recovery plan (ADRP). The archeological consultant, project sponsor, and ERO shall meet and consult on the scope of the ADRP prior to preparation of a draft ADRP. The archeological consultant shall submit a draft ADRP to the ERO. 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</p>	<p>Archeological consultant at the direction of the ERO</p>	<p>If there is a determination that an ADRP program is required</p>	<p>Project sponsor/ archeological consultant/ archeological monitor/ contractor(s) shall prepare an ADRP if required by the ERO.</p>	<p>ADRP required? Y N Date: _____</p> <p>Date of scoping meeting for ADRP: _____</p> <p>Date Draft ADRP submitted to the ERO: _____</p> <p>Date ADRP approved by the ERO: _____</p>

MONITORING AND REPORTING PROGRAM				
Adopted Mitigation Measures	Responsibility for Implementation	Mitigation Schedule	Monitoring and Reporting Action and Responsibility	Monitoring Schedule
<p>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.</p> <p>The scope of the ADRP shall include the following elements:</p> <ul style="list-style-type: none"> • <i>Field Methods and Procedures.</i> Descriptions of proposed field strategies, procedures, and operations. • <i>Cataloguing and Laboratory Analysis.</i> Description of selected cataloguing system and artifact analysis procedures. • <i>Discard and Deaccession Policy.</i> Description of and rationale for field and post-field discard and deaccession policies. • <i>Interpretive Program.</i> Consideration of an on-site/off-site public interpretive program during the course of the archeological data recovery program. • <i>Security Measures.</i> Recommended security measures to protect the archeological resource from vandalism, looting, and non-intentionally damaging activities. • <i>Final Report.</i> Description of proposed report format and distribution of results. • <i>Curation.</i> 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>Date ARDP implementation complete:</p> <hr/>

MONITORING AND REPORTING PROGRAM				
Adopted Mitigation Measures	Responsibility for Implementation	Mitigation Schedule	Monitoring and Reporting Action and Responsibility	Monitoring Schedule
<p><i>Human Remains and 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. This shall include 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, 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, custodianship, curation, and final disposition of the human remains and associated or unassociated funerary objects.</p>	<p>Project sponsor / archeological consultant in consultation with the San Francisco Coroner, NAHC, and MDL.</p>	<p>In the event human remains and/or funerary objects are found.</p>	<p>Project sponsor/ archeological consultant to monitor (throughout all soil disturbing activities) for human remains and associated or unassociated funerary objects and, if found, contact the San Francisco Coroner/ NAHC/ MDL.</p>	<p>Human remains and associated or unassociated funerary objects found? Y N Date: _____ Persons contacted: Date: _____</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 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</p>	<p>Project sponsor/ archeological consultant at the direction of the ERO.</p>	<p>After completion of the archeological data recovery, inventorying, analysis and interpretation.</p>	<p>Project sponsor/ archeological consultant</p>	<p>Following completion of soil disturbing activities. Considered complete upon distribution of final FARR. Date Draft FARR submitted to ERO: _____ Date FARR approved by ERO: _____</p>

MONITORING AND REPORTING PROGRAM				
Adopted Mitigation Measures	Responsibility for Implementation	Mitigation Schedule	Monitoring and Reporting Action and Responsibility	Monitoring Schedule
<p>resource shall be provided in a separate removable insert within the final report.</p> <p>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 in or the high interpretive value of the resource, the ERO may require a different final report content, format, and distribution than that presented above.</p>				<p>Date of distribution of Final FARR: _____</p> <p>Date of submittal of Final FARR to information center: _____</p>
NOISE				
<p><i>Mitigation Measure 2 – Construction Noise.</i> 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</p>	Project sponsor, contractor(s)	During construction	Project sponsor, contractor(s), to provide Planning Department with monthly reports during construction period	Considered complete when upon receipt of final monitoring report at completion of construction

MONITORING AND REPORTING PROGRAM				
Adopted Mitigation Measures	Responsibility for Implementation	Mitigation Schedule	Monitoring and Reporting Action and Responsibility	Monitoring Schedule
<p>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 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. 				

MONITORING AND REPORTING PROGRAM				
Adopted Mitigation Measures	Responsibility for Implementation	Mitigation Schedule	Monitoring and Reporting Action and Responsibility	Monitoring Schedule
AIR QUALITY				
<i>Mitigation Measure 3 – Construction Emissions Minimization.</i> The City would also condition project approval such that each subsequent project sponsor would require the contractor(s) to maintain and operate construction equipment so as to minimize exhaust emissions of particulates and other pollutants, by such means as a prohibition on idling motors when equipment is not in use or when trucks are waiting in queues, and implementation of specific maintenance programs to reduce emissions for equipment that would be in frequent use for much of the construction period.	Project sponsor, contractor(s)	During construction	Project sponsor, contractor(s) to provide Planning Department with monthly reports during construction period	Considered complete when upon receipt of final monitoring report at completion of construction
HAZARDS AND HAZARDOUS MATERIALS				
<i>Mitigation Measure 4 – Hazardous Building Materials.</i> The project sponsor shall ensure that t any equipment containing PCBs or DEHP, such as fluorescent light ballasts, are removed and properly disposed of according to applicable federal, state, and local laws prior to the start of renovation, and that any fluorescent light tubes, which could contain mercury, are similarly removed and properly disposed of. Any other hazardous materials identified, either before or during work, shall be abated according to the applicable federal, state, and local laws.	Project sponsor, contractor(s)	Prior to demolition of structures	Project sponsor, contractor(s), DPH, various federal and state agencies	Considered complete when equipment containing PCBs or DEHP or other hazardous materials is properly disposed

IMPROVEMENT MEASURES

Improvement Measures Agreed to By Project Sponsor	Responsibility for Implementation	Mitigation Schedule	Monitoring and Reporting Action and Responsibility	Monitoring Schedule
IMPROVEMENT MEASURES AGREED TO BY PROJECT SPONSOR				
TRANSPORTATION AND CIRCULATION				
<p><i>Improvement Measure 1 – Widen Sidewalk.</i> The north sidewalk of Brannan Street along the project frontage should be widened to 15 feet. This sidewalk widening would be consistent with the Better Streets Plan recommended sidewalk width. Because the existing Brannan Street travel lanes are overly wide, the sidewalk widening could be accomplished without any reduction in roadway capacity, or any removal of on-street parking or loading spaces.</p>	<p>Project sponsor, contractor(s)</p>	<p>Project sponsor, contractor(s)</p>	<p>DPW, Planning Department</p>	<p>Prior to issuance of Certificate of Occupancy</p>
<p><i>Improvement Measure 2 – Construction Transportation Management Plan.</i> The project sponsor should develop and implement a Construction Management Plan (CMP), addressing transportation-related circulation, access, staging, and hours for deliveries.</p> <p>The CMP would disseminate appropriate information to contractors and affected agencies with respect to coordinating construction activities to minimize overall disruptions and ensure that overall circulation in the project area is maintained to the extent possible, with particular focus on ensuring transit, pedestrian, and bicycle connectivity. The CMP would supplement and expand, rather than modify or supersede, any manual, regulations, or provisions set forth by the San Francisco</p>	<p>Project sponsor, contractor(s)</p>	<p>Prior to issuance of a construction permit</p>	<p>Project sponsor, SFMTA, DPW, and other government agencies, as applicable</p>	<p>Complete when project sponsor develops CMP</p>

Improvement Measures Agreed to By Project Sponsor	Responsibility for Implementation	Mitigation Schedule	Monitoring and Reporting Action and Responsibility	Monitoring Schedule
<p>Municipal Transportation Agency (SFMTA), the Department of Public Works (DPW), or other City departments and agencies, and the California Department of Transportation. The CMP should include, but not necessarily limited to, the following:</p> <ul style="list-style-type: none"> • Identify construction traffic best management practices in San Francisco, as well as others that, although not being implemented in the City, could provide valuable information for the project. Management practices include, but are not limited to the following: • Identifying ways to reduce construction worker vehicle-trips through transportation demand management programs and methods to manage construction worker parking demands. • Identifying best practices for accommodating pedestrians, such as temporary pedestrian wayfinding signage or temporary walkways. • Identifying best practices for accommodating bicyclists and bicycle facilities such as bicycle wayfinding signage or temporary detours. • Identifying ways to consolidate truck delivery trips, including a plan to consolidate deliveries from a centralized construction material and equipment storage facility. • Identify a route for construction-related trucks to utilize during construction. • Restricting deliveries and trucks trips to the project site during off-peak hours (generally 7 				

Improvement Measures Agreed to By Project Sponsor	Responsibility for Implementation	Mitigation Schedule	Monitoring and Reporting Action and Responsibility	Monitoring Schedule
<p>AM to 9 AM and 4 PM to 6 PM, but may include other times during Giants game days), where feasible.</p> <ul style="list-style-type: none"> • Require consultation with surrounding community, including business and property owners near the project site to assist coordination of construction traffic management strategies as they relate to the needs of other users adjacent to the project site. • Develop a public information plan to provide adjacent residents and businesses with regularly-updated information regarding project construction activities, peak construction vehicle activities, (e.g. concrete pours), travel lane closures, and other lane closures. 				