



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 checked="" type="checkbox"/> Downtown Park Fee (Sec. 412) | <input checked="" type="checkbox"/> Other |

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

Planning Commission Motion No. 19034 Allocation of Office Space

HEARING DATE: DECEMBER 05, 2013

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

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

PREAMBLE

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

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

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

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

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

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

The Planning Department, Jonas P. Ionin, is the custodian of records, located in the File for Case No. 2012.0605BEKUX, at 1650 Mission Street, Fourth Floor, San Francisco, California.

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

MOVED, that the Commission hereby authorizes the Allocation of Office Space requested in Application No. 2012.0605BEKUX, subject to the conditions contained in “EXHIBIT A” of this motion, based on the following findings:

FINDINGS

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

1. The above recitals are accurate and constitute findings of this Commission.
2. **Site Description and Present Use.** The project is located on the northwest corner of California and Battery Streets; Lot 002 in Assessor’s Block 0238, in a C-3-O (Downtown Office) Zoning District, and a 400-S Height and Bulk District (hereinafter “Subject Property”). The Subject Property is developed with an eight-story-over-basement, approximately 129-foot tall office building containing approximately 117,187 gsf of floor area. The building, built circa 1946, covers the entire 15,097 sf lot, which is located on a block bounded by California Street to the south,

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

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

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

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

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

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

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

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

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

The Project is consistent with the General Plan, as discussed in Motion No. 19033. Overall, as described in more detail in Motion No. 19033, it would advance the Objectives and Policies of the Commerce and Industry, Transportation, and Urban Design Elements of the General Plan, as well as the Downtown Area Plan, and presents no significant conflicts with other elements. Specifically, the 56,459 gsf addition of new office space, and the payment of office exactions, directly supports the following objectives of the Commerce and Industry Element of the General Plan:

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

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

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

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

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

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

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

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

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

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

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

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

The anticipated tenant or tenants have not yet been determined.

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

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

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

COMMERCE AND INDUSTRY ELEMENT

Objectives and Policies

OBJECTIVE 1:

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

Policy 1.1:

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

Policy 1.2:

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

Policy 1.3:

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

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

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

OBJECTIVE 2:

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

Policy 2.1:

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

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

URBAN DESIGN ELEMENT

Objectives and Policies

OBJECTIVE 3:

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

Policy 3.1:

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

Policy 3.2:

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

Policy 3.6:

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

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

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

DOWNTOWN AREA PLAN

Objectives and Policies

OBJECTIVE 2:

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

Policy 2.1:

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

Policy 2.2:

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

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

TRANSPORTATION ELEMENT

Objectives and Policies

OBJECTIVE 2:

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

Policy 2.1:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

- G. That landmarks and historic buildings be preserved.

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

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

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

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

DECISION

That based upon the Record, the submissions by the Applicant, the staff of the Department and other interested parties, the oral testimony presented to this Commission at the public hearings, and all other written materials submitted by all parties, the Commission hereby **APPROVES the Allocation of Office Space under Sections 321 and 322, Application No. 2012.0605BEKUX**, subject to the following conditions attached hereto as "EXHIBIT A", and subject to the Conditions of Approval of Planning Commission Motion No. **19034**, in general conformance with plans on file, dated September 12, 2013, and stamped "EXHIBIT B", which is incorporated herein by reference as though fully set forth.

APPEAL AND EFFECTIVE DATE OF MOTION: Any aggrieved person may appeal this Office Allocation to the Board of Appeals within fifteen (15) days after the date of this Motion. The effective date of this Motion shall be the date of this Motion if not appealed OR the date of the decision of the Board of Appeals if appealed to the Board of Appeals. For further information, please contact the Board of Appeals in person at 1650 Mission Street, Room 304, San Francisco, or call (415) 575-6880.

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

Jonas P. Ionin
Commission Secretary

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

NAYS: Commissioner Moore

ABSENT: Commissioner Fong

ADOPTED: December 05, 2013

EXHIBIT A

AUTHORIZATION

1. This authorization is for the allocation of office square footage under the 2013-2014 annual Office-Development Limitation Program for a Project at 300 California Street that would add 56,459 gsf of office space to an existing 117,187 gsf office building with ground floor retail pursuant to Planning Code Sections 321 and 322 on Assessor's Block 0238, Lot 002, within the C-3-O District and a 400-S Height and Bulk District; in general conformance with plans, dated September 12, 2013, and stamped "EXHIBIT B" included in the docket for Case No. 2012.0605BEKUX and subject to conditions of approval reviewed and approved by the Commission on December 05, 2013, under Motion No. **19034**. This authorization and the conditions contained herein run with the property and not with a particular Project Sponsor, business, or operator.

RECORDATION OF CONDITIONS OF APPROVAL

2. Prior to the issuance of the building permit or commencement of use for the Project the Zoning Administrator shall approve and order the recordation of a Notice in the Official Records of the Recorder of the City and County of San Francisco for the subject property. This Notice shall state that the project is subject to the conditions of approval contained herein and reviewed and approved by the Planning Commission on **December 05, 2013**, under Motion No. **19034**.

PRINTING OF CONDITIONS OF APPROVAL ON PLANS

3. The conditions of approval under the 'Exhibit A' of this Planning Commission Motion No. **19034** shall be reproduced on the Index Sheet of construction plans submitted with the Site or Building permit application for the Project. The Index Sheet of the construction plans shall reference to the Planning Code Section 321/322 allocation of office square footage and any subsequent amendments or modifications.

SEVERABILITY

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

CHANGES AND MODIFICATIONS

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

Conditions of Approval, Compliance, Monitoring, and Reporting

PERFORMANCE

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

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

2. **Expiration and Renewal.** Should a Building or Site Permit be sought after the eighteen (18) month period has lapsed, the project sponsor must seek a renewal of this Authorization by filing an application for an amendment to the original Authorization or a new application for Authorization. Should the project sponsor decline to so file, and decline to withdraw the permit application, the Commission shall conduct a public hearing in order to consider the revocation of the Authorization. Should the Commission not revoke the Authorization following the closure of the public hearing, the Commission shall determine the extension of time for the continued validity of the Authorization.

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

3. **Diligent pursuit.** Once a site or Building Permit has been issued, construction must commence within the timeframe required by the Department of Building Inspection and be continued diligently to completion. Failure to do so shall be grounds for the Commission to consider revoking the approval if more than eighteen (18) months have passed since this Authorization was approved.

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

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

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

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

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

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

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

PROVISIONS

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

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

8. **First Source Hiring.** The Project shall adhere to the requirements of the First Source Hiring Construction and End-Use Employment Program approved by the First Source Hiring Administrator, pursuant to Section 83.4(m) of the Administrative Code. The Project Sponsor shall comply with the requirements of this Program regarding construction work and on-going employment required for the Project.

For information about compliance, contact the First Source Hiring Manager at 415-581-2335, www.onestopSF.org

9. **Transit Impact Development Fee.** Pursuant to Planning Code Section 411, the Project Sponsor shall pay the Transit Impact Development Fee (TIDF) as required by, and based on, drawings submitted with the Building Permit Application. Prior to the issuance of a temporary certificate of occupancy, the Project Sponsor shall provide the Planning Director with certification that the fee has been paid.

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

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

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

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

MONITORING - AFTER ENTITLEMENT

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

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

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

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

OPERATION

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

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