

File No. 150171

Committee Item No. _____

Board Item No. 24

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: _____

Date _____

Board of Supervisors Meeting

Date March 24, 2015

Cmte Board

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| <input type="checkbox"/> | <input type="checkbox"/> | Budget and Legislative Analyst Report |
| <input type="checkbox"/> | <input type="checkbox"/> | Youth Commission Report |
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OTHER (Use back side if additional space is needed)

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| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <u>Appeal Letter - 02/09/2015</u> |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <u>Public Support Letters - 03/16/15</u> |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <u>Planning Response Memo - 03/16/15</u> |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <u>Project Sponsor Letter - 03/13/15</u> |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <u>Clerical Documents and Hearing Notice</u> |
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Completed by: John Carroll Date March 19, 2015

Completed by: _____ Date _____

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RECEIVED
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2015 FEB -9 PM 4:36

February 9, 2015

President London Breed
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City Hall
San Francisco CA 94102

Appeal of CEQA Exemption Determination - 340 Bryant Street

SF Admin Code 31.16

Planning Commission Motion 19311 - January 8, 2015 - 2013.160B

Pending Board of Appeals - #15-015 - March 25, 2015

San Franciscans for Reasonable Growth appeals the environmental exemption determination for the office allocation to convert over 47,000 sq ft of 340 Bryant Street from industrial (PDR - production, distribution, repair) to tech offices. The site is located in the Eastern SOMA Area of the Eastern Neighborhoods Area Plan. The exemption is based on that Eastern Neighborhoods plan.

The Planning Commission approved the project January 8, 2015 based on CPE Certificate and Checklist for 340 Bryant Street that was issued at 4:44pm on December 23, 2014.

The basis for the appeal include the following:

UNIQUE SITE SURROUNDED BY HOV BRIDGE TRAFFIC LANES

The extraordinary uniqueness of the site was disregarded in both the Exemption and in the Eastern Neighborhoods Area Plan EIR. The site is on a steep hill (Rincon Hill and the Bay Bridge) and is surrounded by TWO HOV lanes that lead directly onto the Bay Bridge and the Bridge itself. Traffic accelerates as the lanes enter directly onto the far right eastbound lane of the Bridge. AT THIS SITE.

Once a car heading EAST on Bryant Street passes 2nd Street there is NO intersection. A car proceeding WEST on Bryant and up the incline past Beale also expects no cross traffic and no crosswalk. The roadway is separated into east and west bound lanes at different grades for most of these blocks.

There is NO pedestrian access - no crosswalk. There is no visible "edge" or curb for the site.

The HOV lanes have been reconfigured since the publication of the Eastern Neighborhoods Plan EIR which has not been adjusted to account for the new configuration.

HOW OFFICE WORKERS WILL WALK OR BIKE TO THIS SITE - and leave during afternoon rush hour when cars line up at both "2nd Street" and "Beale Street" ends to get directly onto the Bridge - is not analyzed in the Exemption or underlying EIR.

340 Bryant Street appeal - page 2

NUMBER OF WORKERS AFFECTED

The amount of space to be converted to offices has been listed as various numbers -

- 45,545 sq ft - Exemption page 1
- 47,536 sq ft - Office allocation in Motion 19311

Approximately 165 office jobs are to be created. Space per worker using numbers in this environmental document is around 276 - 288 sq ft.

This space allocation is even higher than that which was used for "traditional" office space for the Downtown Plan. Which calculated that square footage per worker would GO DOWN as space became more expensive and uses shifted. In the 35 years since the DTP EIR - with more expensive office space and a trend to more open plan offices for the tech industry - the amount of space per worker has come down dramatically.

A more accurate projection of the work force needs to be done. The number of PEDESTRIANS coming to the site, and the contributing to the increased demand for housing, is understated. The total number of tech office workers is probably TWICE the 165 jobs assumed.

The difference between an industrial workforce on site (at the time of the Eastern Neighborhoods EIR) and their travel patterns (heavily in trucks) and an office work force walking or biking to this site was not discussed. The more pedestrians and bicyclists there are at this site, the more opportunities exist for vehicular conflicts. Westbound autos will be accelerating up a hill. Will there be sun in their eyes? Will they expect pedestrians to be crossing their HOV lane? This is not discussed or evaluated.

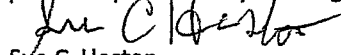
BAD MAPPING OF SITE IN ENVIRONMENTAL CHECKLIST

The site map provided to the Planning Commission in the environmental checklist is very misleading. Page 3 does not accurately show the site. It fails to call out and label the HOV lanes AND THEIR DIRECTION, the divided Bryant Street with the STEEP WALL between the area from Rincon St to Beale. No one who gets site information from THIS map would understand the complexity of this isolated site.

ADDITIONAL ISSUES

There is a rooftop deck which will be visible to cars/trucks on the lower deck of the Bridge. What effects on air quality and dirt on the deck? How much distraction potential from people on the deck?

When the site was listed, the signage opportunity - to get the attention of Bridge traffic (the only place it will be visible) was emphasized. A branding opportunity for building tenants only works if it catches eyes of bridge drivers or passengers. Consideration should be given to the effects of mitigating potential problems by banning distractions from a roof deck and advertising.


Sue C Hestor

cc: Members of Board of Supervisors
Sarah Jones, Environmental Review Officer



SAN FRANCISCO PLANNING DEPARTMENT

Subject to: (Select only if applicable)

- Affordable Housing (Sec. 415)
- Jobs Housing Linkage Program (Sec. 413)
- Downtown Park Fee (Sec. 412)
- Transit Impact Development Fee (Sec. 411)
- First Source Hiring (Admin. Code)
- Child Care Requirement (Sec. 414)
- Other (Eastern Neighborhoods – Sec. 423 & 426)

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Information:
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Planning Commission Motion No. 19311

HEARING DATE: JANUARY 8, 2015

Date: December 31, 2014
Case No.: 2013.1600B
Project Address: 340 Bryant Street
Zoning: MUO (Mixed Use Office) District
 65-X Height and Bulk District
Block/Lot: 3764/061
Project Sponsor: John Kevlin
 Reuben, Junius and Rose, LLP
 One Bush Street, Suite 600
 San Francisco, CA 94104
Staff Contact: Erika S. Jackson – (415) 558-6363
erika.jackson@sfgov.org

ADOPTING FINDINGS RELATING TO AN ALLOCATION OF OFFICE SQUARE FOOTAGE UNDER THE 2014-2015 ANNUAL OFFICE DEVELOPMENT LIMITATION PROGRAM FOR THE PROPOSED PROJECT LOCATED AT 340 BRYANT STREET THAT WOULD AUTHORIZE THE CONVERSION OF 47,536 GROSS SQUARE FEET OF THE EXISTING 62,050 SQUARE FOOT BUILDING TO OFFICE USE PURSUANT TO PLANNING CODE SECTIONS 321 AND 842.66, ON ASSESSOR'S BLOCK 3764, LOT 061, IN THE MUO (MIXED USE OFFICE) ZONING DISTRICT AND A 65-X HEIGHT AND BULK DISTRICT, AND ADOPTING FINDINGS UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.

PREAMBLE

On December 19, 2013, John Kevlin, on behalf of 140 Partners, LP (hereinafter "Project Sponsor") filed Application No. 2013.1600B (hereinafter "Application") with the Planning Department (hereinafter "Department") for an Office Development Authorization to convert 47,536 gross square feet of the existing 62,050 square foot building at 340 Bryant Street to an office use.

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 December 22, 2014, the Department determined that the proposed application did not require further environmental review under Section 15183 of the CEQA Guidelines and Public Resources Code Section 21083.3. The Project is consistent with the adopted zoning controls in the Eastern Neighborhoods Area Plan and was encompassed within the analysis contained in the Eastern Neighborhoods Final EIR. Since the Eastern Neighborhoods Final EIR was finalized, there have been no substantial changes to the Eastern Neighborhoods Area Plan and no substantial changes in circumstances that would require major revisions to the Final EIR due to the involvement of new significant environmental effects or an increase in the severity of previously identified significant impacts, and there is no new information of substantial importance that would change the conclusions set forth in the Final EIR. The file for this project, including the Eastern Neighborhoods Final EIR and the Community Plan Exemption certificate, is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, San Francisco, California.

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

On January 8, 2015, the Planning Commission ("Commission") conducted a duly noticed public hearing at a regularly scheduled meeting on Office Allocation Application No. 2013.1600B.

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 Office Development Authorization requested in Application No. 2013.1600B, 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 site, located at 340 Bryant Street, is bounded by Rincon Alley and Sterling Street. The site is located in the East South of Market Neighborhood within an MUO Zoning District and a 65-X Height and Bulk District. The subject lot is approximately 17,117 square feet in area. The existing building is approximately 62,050 square feet, 43-feet tall, and four-stories, and was constructed in 1932 as an industrial building. The building was purchased by a new owner in January 2012. The building has been vacant since January 2013; however, the last legal use of the building was industrial.
3. **Surrounding Properties and Neighborhood.** The Project site is located in the East South of Market Neighborhood within an MUO Zoning District and a 65-X Height and Bulk District. Accordingly, the surrounding properties are characterized by dense, two and four-story industrial buildings, with some office and residential uses. The building is surrounded by the I-80 freeway to the north and off-ramps to the south. To the southeast of the project across Bryant Street are three- and four-story buildings and to the southwest of the project site are three- and five-story buildings with mixed uses including office and live/work condominiums.
4. **Project Description.** The proposal is to convert the entire second, third, and fourth floors, totaling 47,536 gross square feet, to a legal office use. The entire 16,505 square foot (minus 1,991 square feet of common area) ground floor will remain industrial PDR space. A tenant has already been found for the space. The proposal also includes the installation of 4 Class 2 and 12 Class 1 bicycle parking spaces. Exterior alterations are proposed for the Project, including new ground floor window treatment and an improved building entrance.
5. **Public Comment.** The Department has received public comment from one person with concerns regarding displacement of PDR uses in the building.
6. **Planning Code Compliance.** The Commission finds and determines that the Project is consistent with the relevant provisions of the Code in the following manner:

- A. **Office Use in the MUO Zoning District.** Planning Code Section 842.66 principally permits office space in the MUO Zoning District.

The proposal includes converting the entire second, third, and fourth floors, totaling 47,536 gross square feet, to a legal office use.

- B. **Open Space.** Planning Code Section 135.3 requires conversions to new office space in Eastern Neighborhoods Mixed Use Districts to provide and maintain usable open space for that new office space at a ratio of one square foot per 50 square feet of new office space, and/or pay an in-lieu fee. The project proposes 47,536 square feet of new office space and requires at least 951 square feet of open space to be provided.

Approximately 1,684 square feet of open space will be located on the west side of the roof of the building, which will provide ample open space to meet this requirement.

- C. **Parking.** Section 151.1 does not require any off-street parking.

The existing building contains no off-street parking. The proposed project will not provide any new off-street parking spaces.

- D. **Loading.** Section 152.1 requires certain amounts of off-street freight loading spaces based on the type and size of uses in a project. The proposed project does not require a loading space.

The existing building contains no loading spaces.

- E. **Bicycle Parking and Showers.** Section 155.2 requires that the project provide at least two Class 1 and two Class 2 bicycle parking spaces to accommodate the new office use. Section 155.4 requires that a building that exceeds 50,000 square feet provide 4 showers and 24 lockers.

The project proposes 4 Class 2 and 12 Class 1 bicycle parking spaces, as well as 4 showers and 24 lockers.

- F. **Transportation Management Agreement.** Section 163 requires that the project sponsor provides on-site transportation brokerage services for the actual lifetime of the project.

Prior to the issuance of a temporary permit of occupancy, the project sponsor will 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. The Planning Commission encourages Planning Department staff to continue to work with applicable other

agencies regarding issues surrounding pedestrian streetscape improvements, fire access, pedestrian safety and traffic calming measures.

- G. **Development Fees.** The Project is subject to the Transit Impact Development Fee per Planning Code Section 411, the Jobs-Housing Linkage Fee per Planning Code Section 413, and the Eastern Neighborhoods Community Impact Fee per Planning Code Section 423.

The Project Sponsor shall pay the appropriate Transit Impact Development, Jobs-Housing Linkage Child Care Requirement, and Eastern Neighborhoods Community Impact fees, pursuant to Planning Code Sections 411, 413, and 423, at the appropriate stage of the building permit application process.

7. **Office Development Authorization.** Planning Code Section 321 establishes standards for San Francisco's Office Development Annual Limit. In determining if the proposed Project would promote the public welfare, convenience and necessity, the Commission considered the seven criteria established by Code Section 321(b)(3), and finds as follows:

I. APPORTIONMENT OF OFFICE SPACE OVER THE COURSE OF THE APPROVAL PERIOD IN ORDER TO MAINTAIN A BALANCE BETWEEN ECONOMIC GROWTH ON THE ONE HAND, AND HOUSING, TRANSPORTATION AND PUBLIC SERVICES, ON THE OTHER.

The proposed project would create 47,536 square feet of office space within the South of Market area, an area with high demand for office space. There is currently more than 1.27 million gross square feet of available "Small Cap" office space in the City. Additionally, the Project is subject to various development fees that will benefit the surrounding community. Therefore, the Project will help maintain the balance between economic growth, housing, transportation and public services.

II. THE CONTRIBUTION OF THE OFFICE DEVELOPMENT TO, AND ITS EFFECTS ON, THE OBJECTIVES AND POLICIES OF THE GENERAL PLAN.

The proposed project is consistent with the General Plan, as outlined in Section 9 below.

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

The proposed office space is within an existing building. The proposed project includes some exterior alterations, including new ground floor window treatment and an improved building entrance. These alterations will improve the building's compatibility 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.

- a) Use. *The Project is within the MUO (Mixed Use Office) Zoning District, a Zoning District which principally permits office use. Planning Code Section 842 states that the MUO Zoning District is*

“designed to encourage office uses and housing, as well as small-scale light industrial and arts activities.” This project provides an appropriate balance of PDR and office uses. The Planning Commission recognizes the retention of PDR on the ground floor.

- b) Transit Accessibility. *The area is served by a variety of transit options. The project site is adjacent to the 10 and 12 MUNI bus lines, and is in close proximity to approximately 12 other MUNI bus lines. It is also approximately 0.5 miles from the temporary Transbay Terminal and the future Transbay Terminal, both of which connect to numerous transit lines around the Bay. Additionally, the Project site is located approximately 5 blocks from Market Street, with BART and MUNI Metro subway lines, and is a short walk from the King Street Caltrain station, ferries connecting to the East and South Bay, and the future Central Subway that will run along 4th Street.*
- c) Open Space Accessibility. *The proposed project is required to provide 951 square feet of open space. The proposed project will provide a 1,684 square foot roof deck.*
- d) Urban Design. *The proposed office space is in an existing building. The building was constructed in 1932 and has been minimally altered since that time. The proposed project includes some exterior alterations; however, the mass and design of the building will not change.*
- e) Seismic Safety. *The Project includes limited tenant improvements within the interior of the existing buildings. All tenant improvement work will meet current seismic safety standards, as they apply.*

V. THE ANTICIPATED USES OF THE PROPOSED OFFICE DEVELOPMENT IN LIGHT OF EMPLOYMENT OPPORTUNITIES TO BE PROVIDED, NEEDS OF EXISTING BUSINESSES, AND THE AVAILABLE SUPPLY OF SPACE SUITABLE FOR SUCH ANTICIPATED USES.

- a) Anticipated Employment Opportunities. *The Project includes a total of 47,536 gross square feet of office space, which will allow for several office tenants in the building. Since office space on average supports more employees per square foot than industrial space, the project will create a significant amount of new employment opportunities.*
- b) Needs of Existing Businesses. *The Project includes a total of 47,536 gross square feet of office space, which will allow for several office tenants in the building. The proximity to light industrial uses can also help foster entrepreneurship among local residents and employers.*
- c) Availability of Space Suitable for Anticipated Uses. *The Project will provide quality office space that is suitable for a variety of office uses and sizes in an area where the demand for new office space has increased rapidly. The project will provide high-quality office space within close proximity to public transit, while maintaining the ground floor industrial use.*

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

The building will not be owner-occupied. The anticipated office tenants have not yet been determined, however, two industrial tenants that will occupy the ground floor PDR space have been identified.

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

The Project does not include any Transfer of Development Rights.

8. **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 building contains no neighborhood-serving retail uses, nor does the proposal include any retail. However, the conversion of this building to office space will increase the demand for neighborhood-serving retail use in the surrounding neighborhood.

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

No housing currently exists on the site and no housing will be removed as part of the proposed project. The project consists of the conversion of industrial to office use. The building will be mixed use with industrial and office uses, resulting in a project that is compatible with the surrounding neighborhood.

- 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. The project site is adjacent to the 10 and 12 MUNI bus lines, and is in close proximity to approximately 12 other MUNI bus lines. It is also approximately 0.5 miles from the temporary Transbay Terminal and the future Transbay Terminal, both of which connect to numerous transit lines around the Bay. Additionally, the Project site is located approximately 5 blocks from Market Street, with BART and MUNI Metro subway lines, and is a short walk from the King Street Caltrain station and ferries connecting to the East and South Bay.

- 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.

Converting a portion of the existing building to office space on the upper stories will help support and maintain the PDR activities on the ground floor. The conversion to office space will help increase local resident employment and demand for new neighborhood-serving businesses in the area, which can also lead to new opportunities for local resident employment.

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

The Project will not create any new space that does not meet current seismic safety standards.

- G. That landmarks and historic buildings be preserved.

The existing building is not a Landmark or otherwise historic building. The proposal will not impact Landmarks or historic buildings in the vicinity.

- 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.

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 1.3:

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 by allowing for one or more small to medium sized office tenants to sign a long-term lease, which will increase economic vibrancy in the area. Authorization of the office space will also result in the collection of significant development fees that will benefit the community and that would otherwise not be required.

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 proposed office development will help retain existing commercial tenants and generate stable employment opportunities and demand for neighborhood serving businesses.

TRANSPORTATION ELEMENT

Objectives and Policies

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 12 existing Class 1 and 4 Class 2 bicycle parking spaces in a secure, convenient location.

EAST SOMA AREA PLAN

Objectives and Policies

OBJECTIVE 1.1:

STRENGTHEN ENCOURAGE PRODUCTION OF HOUSING AND OTHER MIXED-USE DEVELOPMENT IN EAST SOMA WHILE MAINTAINING ITS EXISTING SPECIAL MIXED-USE CHARACTER.

Policy 1.1.2:

Encourage small, flexible office space throughout East Soma and encourage larger office in the 2nd Street Corridor.

OBJECTIVE 1.4:
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 Project is located in the East South of Market Neighborhood and in a MUO Zoning District that encourages office uses. The mix of office and industrial activities within the proposal is an appropriate balance of uses given the location of the site. Further, the authorization of office space at this site will support any PDR activities on the ground floor level. The Project will add to the diverse array of office space available in the area by providing smaller spaces than those provided along 2nd Street.

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

DECISION

That based upon the Record, the submissions by the Applicant, the staff of the Department and other interested parties, the oral testimony presented to this Commission at the public hearings, and all other written materials submitted by all parties, the Commission hereby **APPROVES Office Development Application No. 2013.1600B** subject to the conditions attached hereto as Exhibit A, which is incorporated herein by reference as though fully set forth, in general conformance with the plans stamped Exhibit B and dated June 4, 2014, on file in Case Docket No. 2013.1600B.

APPEAL AND EFFECTIVE DATE OF MOTION: Any aggrieved person may appeal this Section 321 Office-Space Allocation to the Board of Appeals within fifteen (15) days after the date of this Motion. The effective date of this Motion shall be the date of adoption of this Motion if not appealed (after the 15-day period has expired) OR the date of the decision of the Board of Appeals if appealed to the Board of Appeals. For further information, please contact the Board of Appeals at (415) 575-6880, 1660 Mission, Room 3036, San Francisco, CA 94103.

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

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

I hereby certify that the Planning Commission **ADOPTED** the foregoing Motion on January 8, 2015.

Jonas P. Ionin
Commission Secretary

AYES: Commissioners Antonini, Fong, Johnson, Richards, Moore, and Hillis

NAYS:

ABSENT: Commissioner Wu

ADOPTED: January 8, 2015

EXHIBIT A

AUTHORIZATION

This authorization is for an Office Development Authorization to authorize 47,536 gross square feet of office use located at 340 Bryant Street, Lot 061 in Assessor's Block 3764 pursuant to Planning Code Section(s) 321 and 843.66 within the MUO (Mixed Use Office) Zoning District and a 65-X Height and Bulk District; in general conformance with plans, dated June 4, 2014, and stamped "EXHIBIT B" included in the docket for Case No. 2013.1600B and subject to conditions of approval reviewed and approved by the Commission on **January 8, 2015** under Motion No. 19311. 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 January 8, 2015 under Motion No. 19311.

PRINTING OF CONDITIONS OF APPROVAL ON PLANS

The conditions of approval under the 'Exhibit A' of this Planning Commission Motion No. 19311 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

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

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

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

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

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

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

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

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

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

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

6. **Development Timeline - Office.** Pursuant to Planning Code Section 321(d)(2), construction of an office development shall commence within 18 months of the date of this Motion approving this Project becomes effective. 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 Allocation authorization.

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

PARKING AND TRAFFIC

7. **Bicycle Parking.** Pursuant to Planning Code Section 155.2, the Project shall provide no fewer than 12 Class 2 and 4 Class 2 bicycle parking spaces for the 47,536 gross square feet of office use.

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

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

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

PROVISIONS

9. **Transit Impact Development Fee.** Pursuant to Planning Code Sections 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 Department with certification of fee payment.

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 Sections 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.sf-planning.org

11. **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. The Planning Department will continue to work with applicable other agencies regarding issues surrounding pedestrian streetscape improvements, fire access, pedestrian safety and traffic calming measures.

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

11. **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 of the Planning Code.

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

12. **Ground Floor PDR Use.** The Planning Commission recognizes the retention of PDR on the ground floor.

MONITORING - AFTER ENTITLEMENT

13. **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

14. **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

15. **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://sfapw.org>

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

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



SAN FRANCISCO PLANNING DEPARTMENT

Certificate of Determination EXEMPTION FROM ENVIRONMENTAL REVIEW

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

Reception:
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Fax:
415.558.6409

Planning
Information:
415.558.6377

Case No.: 2013.1600E
Project Address: 340 Bryant Street
Zoning: MUO (Mixed Use Office) Use District
65-X Height and Bulk District
Block/Lot: 3764/061
Lot Size: 16,505 square feet
Plan Area: Eastern Neighborhoods Area Plan
Project Sponsor: John Kevlin – Reuben, Junius, and Rose LLP – (415) 567-9000
Staff Contact: Kansai Uchida – (415) 575-9048 – kansai.uchida@sfgov.org

PROJECT DESCRIPTION

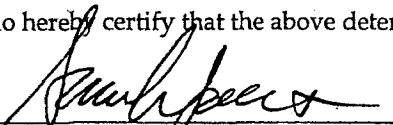
The project site is located in San Francisco’s South of Market (SoMa) neighborhood on the block bounded by Rincon Street to the east, Sterling Street to the west, Interstate 80 to the north, and Bryant Street to the south. The project site is occupied by a four-story, 44-foot-tall, 62,050 square foot (sf) building. The existing building was constructed in 1932 and includes no off-street vehicular parking. The existing building is currently vacant, although it recently (2012) was occupied by industrial tenants. To ensure that the maximum potential environmental impacts are analyzed, the building is assumed to be currently vacant for the purposes of transportation, air quality, and other CEQA impact topics that rely on square footage calculations. The proposed project includes conversion of 46,804 sf of industrial use to office use and common areas, primarily on the upper three floors of the existing building. A total of 45,545 sf of office space would be created. In addition, the proposed project would include the addition of a deck and mechanical equipment on the roof, removal of exterior roll-up doors at street level, removal of the 732-sf ground-floor retail space (for use as industrial space), installation of new windows and signs along the building’s exterior, and addition of 16 bicycle parking spaces. Aside from 1,991 sf of common space, the remaining 14,514 sf of ground-floor space would remain as industrial use.

EXEMPT STATUS

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

DETERMINATION

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


SARAH B. JONES
Environmental Review Officer

December 22, 2014
Date

cc: John Kevlin, Project Sponsor; Supervisor Jane Kim, District 6; Erika Jackson, Current Planning Division; Virna Byrd, M.D.F.; Exemption/Exclusion File

PROJECT APPROVAL

The proposed project is subject to review by the Planning Commission pursuant to Section 321 of the Planning Code (Office Allocation). Approval of the Office Allocation Application by the Planning Commission would constitute the Approval Action for the proposed project. The Approval Action date establishes the start of the 30-day appeal period for this CEQA exemption determination pursuant to Section 31.04(h) of the San Francisco Administrative Code.

COMMUNITY PLAN EXEMPTION OVERVIEW

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

This determination evaluates the potential project-specific environmental effects of the 340 Bryant Street project described above, and incorporates by reference information contained in the Programmatic EIR for the Eastern Neighborhoods Rezoning and Area Plans (PEIR)¹. Project-specific studies were prepared for the proposed project to determine if the project would result in any significant environmental impacts that were not identified in the Eastern Neighborhoods PEIR.

After several years of analysis, community outreach, and public review, the Eastern Neighborhoods PEIR was adopted in December 2008. The Eastern Neighborhoods PEIR was adopted in part to support housing development in some areas previously zoned to allow industrial uses, while preserving an adequate supply of space for existing and future production, distribution, and repair (PDR) employment and businesses. The Eastern Neighborhoods PEIR also included changes to existing height and bulk districts in some areas, including the project site at 340 Bryant Street.

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

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

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

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

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

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

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

As a result of the Eastern Neighborhoods rezoning process, the project site has been rezoned to MUO (Mixed Use Office) District. The MUO District is intended to encourage office uses and housing, as well as small-scale light industrial and arts activities. The proposed project and its relation to PDR land supply and cumulative land use effects is discussed further in the Community Plan Exemption (CPE) Checklist, under Land Use. The 340 Bryant Street site, which is located in the South of Market (SoMa) District of the Eastern Neighborhoods, was designated as a site with building up to 65 feet in height.

Individual projects that could occur in the future under the Eastern Neighborhoods Rezoning and Area Plans will undergo project-level environmental evaluation to determine if they would result in further impacts specific to the development proposal, the site, and the time of development and to assess whether additional environmental review would be required. This determination concludes that the proposed project at 340 Bryant Street is consistent with and was encompassed within the analysis in the Eastern Neighborhoods PEIR. This determination also finds that the Eastern Neighborhoods PEIR adequately anticipated and described the impacts of the proposed 340 Bryant Street project, and identified the mitigation measures applicable to the 340 Bryant Street project. The proposed project is also consistent with the zoning controls and the provisions of the Planning Code applicable to the project site.^{4,5} Therefore, no further CEQA evaluation for the 340 Bryant Street project is required. In sum, the Eastern Neighborhoods PEIR and this Certificate of Exemption for the proposed project comprise the full and complete CEQA evaluation necessary for the proposed project.

⁴ Adam Varat, San Francisco Planning Department, Community Plan Exemption Eligibility Determination, Citywide Planning and Policy Analysis, 340 Bryant Street, March 25, 2014. This document is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2013.1600E.

⁵ Jeff Joslin, San Francisco Planning Department, Community Plan Exemption Eligibility Determination, Current Planning Analysis, 340 Bryant Street, October 31, 2014. This document is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2013.1600E.

PROJECT SETTING

The project site is within the MUO (Mixed Use Office) Use District and an 65-X Height and Bulk District. Much of the subject block is occupied by Interstate 80, ramps providing access to Interstate 80 and the San Francisco-Oakland Bay Bridge, and other ancillary parcels owned by the State of California Department of Transportation (Caltrans). Bryant Street serves as a primary access route to the Bay Bridge, and on- and off-ramps adjoin the project site on all sides. Interstate 80 forms a barrier between the subject block and areas to the north, with no available pedestrian or auto access across the freeway between 2nd Street (one block west of the project site) and Beale Street (two blocks east of the project site). Buildings on adjacent blocks are primarily low- to mid- rise in scale, ranging from two to eight stories. High-rise residential buildings exist on the opposite side of Interstate 80 to the north and two blocks to the east and south of the project site. Most of the properties to the west and south of the project site are within MUO and P (Public) zoning districts, while land to the east and north is within former redevelopment plan areas. Height districts within a one-block radius range from 40 to 400 feet.

POTENTIAL ENVIRONMENTAL EFFECTS

The Eastern Neighborhoods PEIR included analyses of environmental issues including: land use; plans and policies; visual quality and urban design; population, housing, business activity, and employment (growth inducement); transportation; noise; air quality; parks, recreation and open space; shadow; archeological resources; historic architectural resources; hazards; and other issues not addressed in the previously issued initial study for the Eastern Neighborhoods Rezoning and Area Plans. The proposed 340 Bryant Street project is in conformance with the height, use and density for the site described in the Eastern Neighborhoods PEIR and would represent a small part of the growth that was forecast for the Eastern Neighborhoods plan areas. Thus, the plan analyzed in the Eastern Neighborhoods PEIR considered the incremental impacts of the proposed 340 Bryant Street project. As a result, the proposed project would not result in any new or substantially more severe impacts than were identified in the Eastern Neighborhoods PEIR.

Significant and unavoidable impacts were identified in the Eastern Neighborhoods PEIR for the following topics: land use, historic architectural resources, transportation and circulation, and shadow. The proposed project would contribute to the significant unavoidable land use impact identified in the Eastern Neighborhoods PEIR because it would convert 46,804 sf of PDR space to office use and common areas. The PEIR identified cumulative loss of PDR employment and businesses in the Eastern Neighborhoods plan area as a significant unavoidable impact.

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

Table 1 – Eastern Neighborhoods PEIR Mitigation Measures

Mitigation Measure	Applicability
F. Noise	
F-1: Construction Noise (Pile Driving)	Not Applicable: pile driving not proposed
F-2: Construction Noise	Not Applicable: heavy construction equipment would not be needed
F-3: Interior Noise Levels	Not Applicable: no noise-sensitive uses proposed (office use only)
F-4: Siting of Noise-Sensitive Uses	Not Applicable: no noise-sensitive uses proposed (office use only)
F-5: Siting of Noise-Generating Uses	Not Applicable: no noise-generating uses proposed (office use only)
F-6: Open Space in Noisy Environments	Not Applicable: no noise-sensitive uses proposed (office use only)
G. Air Quality	
G-1: Construction Air Quality	Applicable: only the construction exhaust emissions portion of this mitigation measure is applicable because construction would occur within an Air Pollutant Exposure Zone
G-2: Air Quality for Sensitive Land Uses	Not Applicable: no sensitive uses proposed
G-3: Siting of Uses that Emit DPM	Not Applicable: proposed office use would not emit substantial levels of DPM
G-4: Siting of Uses that Emit other TACs	Not Applicable: proposed office use would not emit substantial levels of other TACs
J. Archeological Resources	
J-1: Properties with Previous Studies	Not Applicable: project site is within this mitigation zone; however, the proposed project is not proposing any excavation or soil disturbance
J-2: Properties with no Previous Studies	Not Applicable: project site is not within this mitigation zone
J-3: Mission Dolores Archeological District	Not Applicable: project site is not located in the Mission Dolores Archeological District
K. Historical Resources	
K-1: Interim Procedures for Permit Review in the Eastern Neighborhoods Plan Area	Not Applicable: plan-level mitigation completed by Planning Department

Mitigation Measure	Applicability
K-2: Amendments to Article 10 of the Planning Code Pertaining to Vertical Additions in the South End Historic District (East SoMa)	Not Applicable: plan-level mitigation completed by Planning Commission
K-3: Amendments to Article 10 of the Planning Code Pertaining to Alterations and Infill Development in the Dogpatch Historic District (Central Waterfront)	Not Applicable: plan-level mitigation completed by Planning Commission
L. Hazardous Materials	
L-1: Hazardous Building Materials	Applicable: project would involve renovation of an existing building constructed in 1932, and could require disposal of hazardous building materials
E. Transportation	
E-1: Traffic Signal Installation	Not Applicable: plan level mitigation by SFMTA
E-2: Intelligent Traffic Management	Not Applicable: plan level mitigation by SFMTA
E-3: Enhanced Funding	Not Applicable: plan level mitigation by SFMTA & SFTA
E-4: Intelligent Traffic Management	Not Applicable: plan level mitigation by SFMTA & Planning Department
E-5: Enhanced Transit Funding	Not Applicable: plan level mitigation by SFMTA
E-6: Transit Corridor Improvements	Not Applicable: plan level mitigation by SFMTA
E-7: Transit Accessibility	Not Applicable: plan level mitigation by SFMTA
E-8: Muni Storage and Maintenance	Not Applicable: plan level mitigation by SFMTA
E-9: Rider Improvements	Not Applicable: plan level mitigation by SFMTA
E-10: Transit Enhancement	Not Applicable: plan level mitigation by SFMTA
E-11: Transportation Demand Management	Not Applicable: plan level mitigation by SFMTA

Please see the attached Mitigation Monitoring and Reporting Program (MMRP) for the complete text of the applicable mitigation measures. With implementation of these mitigation measures the proposed project would not result in significant impacts beyond those analyzed in the Eastern Neighborhoods PEIR. The MMRP also contains improvement measures that would further reduce the project's less-than-significant impacts.

PUBLIC NOTICE AND COMMENT

A "Notification of Project Receiving Environmental Review" was mailed on April 24, 2014 to adjacent occupants and owners of properties within 300 feet of the project site. Overall, concerns and issues raised by the public in response to the notice were taken into consideration and incorporated in the environmental review as appropriate for CEQA analysis. Responses to the notice included requests to view public records and to be included in the distribution of environmental documents related to the project. Responses also included the concerns shown in the bulleted list below, along with text in italics to indicating how the identified concerns have been addressed in this environmental document.

- One commenter expressed concern that the project may be incorrectly processed by the Planning Department as an office-to-office conversion project, and that the Planning Department's analysis would not capture the land use effects of PDR space removal. The commenter also expressed concern that the Planning Department would not collect applicable fees supporting transit, area plan preparation, and other municipal services. *The Planning Department is reviewing the proposed project as an industrial-to-office conversion, and this environmental document addresses the land use impacts associated with loss of PDR space in the "Land Use" section of the attached CPE Checklist. All Planning Department fees applicable to the proposed industrial-to-office conversion project would be collected as required by the Planning Code and the Planning Department's Fee Schedule.*
- The same commenter asserted that prior building permits for work at the project site were issued without proper Planning Department review, and that applicable development fees were not collected. *All prior work performed under prior permits is considered an existing condition for the purposes of environmental review. Prior permit review and fee collection concerns would not affect environmental analysis conclusions for the proposed project currently under review.*
- The same commenter requested that appropriate public notice be given prior to a public hearing to discuss the proposed project. *All required public notices and hearings for the proposed project will be performed in accordance with the Planning Code.*
- The same commenter expressed concern about the cumulative impacts of the proposed project with others in the vicinity. *The potential cumulative impacts of the proposed project are discussed in the attached CPE Checklist under the relevant CEQA topic headings.*
- The same commenter expressed concern about the potential air quality impacts on the proposed offices and roof deck that could result from their location adjacent to a freeway, requiring referral to the Bay Area Air Quality Management District (BAAQMD). *The potential air quality impacts of the proposed project are discussed in the "Air Quality" section of the attached CPE Checklist. Offices are not considered sensitive receptors for air quality analysis purposes.⁶*

⁶ BAAQMD considers sensitive receptors as: children, adults or seniors occupying or residing in: 1) residential dwellings, including apartments, houses, and condominiums; 2) schools, colleges, and universities; 3) daycares; 4) hospitals, and 5) senior care facilities. BAAQMD, Recommended Methods for Screening and Modeling Local Risks and Hazards, May 2011, page 12.

- The same commenter asserted that prior construction work on the project site has been performed without full Planning Department review. *Prior projects are not the subject of this environmental document. All prior work performed on the building is considered an existing condition for the purposes of environmental review. Planning Department approvals are subject to a formal appeals process, and any work performed without proper approvals may be reported to the department through the complaint process.*
- The same commenter asserted that the proposed project requires referral to Caltrans, citing traffic hazard concerns associated with locating a roof deck adjacent to a freeway. *The transportation impacts of the proposed project, including the potential for traffic hazards, are discussed in the Transportation and Circulation section of the attached CPE Checklist. Caltrans reviewed the proposed project and requested modifications as part of a transfer of air rights above the existing building to the project sponsor⁷.*
- The same commenter asserted that the project description in the Notification of Project Receiving Environmental Review incorrectly stated that the existing building on the project site is currently vacant, citing prior evictions that had occurred in the building. *The project sponsor verified that the building is currently vacant⁸, and the building was observed to be vacant by Planning Department staff during a site visit on March 28, 2014. The building's eviction history does not affect the environmental analysis conclusions for the proposed project currently under review.*
- Two additional commenters expressed concern about prior evictions and vandalism at the existing building on the project site. *The building's eviction history and prior vandalism would not affect the environmental analysis conclusions. This environmental document addresses the land use impacts associated with loss of PDR space in the "Land Use" section of the attached CPE Checklist.*
- One of the two commenters also asserted that the project description in the Notification of Project Receiving Environmental Review incorrectly stated that no off-street parking currently exists on the project site. *Plans submitted by the project sponsor⁹ and a site visit performed by Planning Department staff on March 28, 2014 confirm that no off-street parking currently exists on the project site. The Caltrans-owned parcel adjoining the project site to the west contains surface parking, which is not part of the project site.*

The proposed project would not result in significant adverse environmental impacts associated with the issues identified by the public beyond those identified in the Eastern Neighborhoods PEIR.

CONCLUSION

As summarized above and further discussed in the CPE Checklist¹⁰:

1. The proposed project is consistent with the development density established for the project site in the Eastern Neighborhoods Rezoning and Area Plans;

⁷ Phone conversation with Renata Frey, Caltrans District 4 Real Estate Division – Excess Land Sales, May 23, 2014. Staff notes from this phone conversation are available for review at the Planning Department, 1650 Mission Street, Suite 400, San Francisco, in Case File No. 2013.1600E.

⁸ John Kevlin, "340 Bryant Neighborhood Notice Project Description" e-mail dated April 14, 2014. This document is available for review at the Planning Department, 1650 Mission Street, Suite 400, San Francisco, in Case File No. 2013.1600E.

⁹ 340 Bryant Street, plans dated June 4, 2014. This document is available for review at the Planning Department, 1650 Mission Street, Suite 400, San Francisco, in Case File No. 2013.1600E.

¹⁰ The CPE Checklist is available for review at the Planning Department, 1650 Mission Street, Suite 400, San Francisco, in Case File No. 2013.1600E.

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

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

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

1. MITIGATION AND IMPROVEMENT MEASURES	Responsibility for Implementation	Mitigation Schedule	Monitoring/Report Responsibility	Status/Date Completed
<p><i>Project Mitigation Measure 1 - Construction Air Quality (Eastern Neighborhoods Mitigation Measure G-1)</i></p> <p>A. Construction Emissions Minimization Plan. Prior to issuance of a construction permit, the project sponsor shall submit a Construction Emissions Minimization Plan (Plan) to the Environmental Review Officer (ERO) for review and approval by an Environmental Planning Air Quality Specialist. The Plan shall detail project compliance with the following requirements:</p> <ol style="list-style-type: none"> 1. All off-road equipment greater than 25 hp and operating for more than 20 total hours over the entire duration of construction activities shall meet the following requirements: <ol style="list-style-type: none"> a) Where access to alternative sources of power are available, portable diesel engines shall be prohibited; b) All off-road equipment shall have: <ol style="list-style-type: none"> i. Engines that meet or exceed either U.S. Environmental Protection Agency (USEPA) or California Air Resources Board (ARB) Tier 2 off-road emission standards, and ii. Engines that are retrofitted with an ARB Level 3 Verified Diesel Emissions Control Strategy (VDECS). c) Exceptions: <ol style="list-style-type: none"> i. Exceptions to A(1)(a) may be granted if the project sponsor has submitted information providing evidence to the satisfaction of the ERO that an alternative source of power is limited or infeasible at the project site and that the requirements of this exception provision apply. Under this circumstance, the sponsor shall submit documentation of compliance with A(1)(b) for onsite power generation. ii. Exceptions to A(1)(b)(ii) may be granted if the project sponsor has submitted information providing evidence to the satisfaction of the ERO that a particular piece of off-road equipment with 	<p>Project Sponsor along with Project Contractor of each subsequent development project undertaken pursuant to the Eastern Neighborhoods Rezoning and Area Plans Project.</p>	<p>During construction</p>	<p>Each Project Sponsor to provide Planning Department with monthly reports during construction period.</p>	<p>Considered complete upon receipt of final monitoring report at completion of construction.</p>

1485

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

1. MITIGATION AND IMPROVEMENT MEASURES	Responsibility for Implementation	Mitigation Schedule	Monitoring/Report Responsibility	Status/Date Completed												
<p>an ARB Level 3 VDECS is: (1) technically not feasible, (2) would not produce desired emissions reductions due to expected operating modes, (3) installing the control device would create a safety hazard or impaired visibility for the operator, or (4) there is a compelling emergency need to use off-road equipment that are not retrofitted with an ARB Level 3 VDECS and the sponsor has submitted documentation to the ERO that the requirements of this exception provision apply. If granted an exception to A(1)(b)(ii), the project sponsor must comply with the requirements of A(1)(c)(iii).</p> <p>iii. If an exception is granted pursuant to A(1)(c)(ii), the project sponsor shall provide the next cleanest piece of off-road equipment as provided by the step down schedules in Table 2.</p> <p><i>Table 2 – Off-Road Equipment Compliance Step-down Schedule</i></p> <table border="1"> <thead> <tr> <th><u>Compliance Alternative</u></th> <th><u>Engine Emission Standard</u></th> <th><u>Emissions Control</u></th> </tr> </thead> <tbody> <tr> <td>1</td> <td>Tier 2</td> <td>ARB Level 2 VDECS</td> </tr> <tr> <td>2</td> <td>Tier 2</td> <td>ARB Level 1 VDECS</td> </tr> <tr> <td>3</td> <td>Tier 2</td> <td>Alternative Fuel*</td> </tr> </tbody> </table> <p>How to use the table: If the requirements of A(1)(b) cannot be met, then the project sponsor would need to meet Compliance Alternative 1. Should the project sponsor not be able to supply off-road equipment meeting Compliance Alternative 1, then Compliance Alternative 2 would need to be met. Should the project sponsor not be able to supply off-road equipment meeting Compliance Alternative 2, then Compliance Alternative 3 would need to be met.</p> <p>* Alternative fuels are not a VDECS.</p> <p>2. The project sponsor shall require the idling time for off-road and on-road equipment be limited to no more than two minutes, except as provided in exceptions to the applicable state regulations regarding idling for off-road and on-road equipment. Legible and visible signs shall be posted in multiple languages (English, Spanish, Chinese) in designated queuing areas and at the</p>	<u>Compliance Alternative</u>	<u>Engine Emission Standard</u>	<u>Emissions Control</u>	1	Tier 2	ARB Level 2 VDECS	2	Tier 2	ARB Level 1 VDECS	3	Tier 2	Alternative Fuel*				
<u>Compliance Alternative</u>	<u>Engine Emission Standard</u>	<u>Emissions Control</u>														
1	Tier 2	ARB Level 2 VDECS														
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1486

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<p>construction site to remind operators of the two minute idling limit.</p> <p>3. The project sponsor shall require that construction operators properly maintain and tune equipment in accordance with manufacturer specifications.</p> <p>4. The Plan shall include estimates of the construction timeline by phase with a description of each piece of off-road equipment required for every construction phase. Off-road equipment descriptions and information may include, but is not limited to: equipment type, equipment manufacturer, equipment identification number, engine model year, engine certification (Tier rating), horsepower, engine serial number, and expected fuel usage and hours of operation. For VDECS installed: technology type, serial number, make, model, manufacturer, ARB verification number level, and installation date and hour meter reading on installation date. For off-road equipment using alternative fuels, reporting shall indicate the type of alternative fuel being used.</p> <p>5. The Plan shall be kept on-site and available for review by any persons requesting it and a legible sign shall be posted at the perimeter of the construction site indicating to the public the basic requirements of the Plan and a way to request a copy of the Plan. The project sponsor shall provide copies of Plan to members of the public as requested.</p> <p>B. Reporting. Quarterly reports shall be submitted to the ERO indicating the construction phase and off-road equipment information used during each phase including the information required in A(4). In addition, for off-road equipment using alternative fuels, reporting shall include the actual amount of alternative fuel used.</p> <p>Within six months of the completion of construction activities, the project sponsor shall submit to the ERO a final report summarizing construction activities. The final report shall indicate the start and end dates and duration of each construction phase. For each phase, the report shall include detailed information required in A(4). In addition, for off-road equipment using alternative fuels, reporting shall include the actual amount of alternative fuel used.</p> <p>C. Certification Statement and On-site Requirements. Prior to the commencement of construction activities, the project sponsor must certify (1) compliance with the Plan, and (2) all applicable requirements of the Plan have been incorporated into contract specifications.</p>				

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

1. MITIGATION AND IMPROVEMENT MEASURES	Responsibility for Implementation	Mitigation Schedule	Monitoring/Report Responsibility	Status/Date Completed
<p><i>Project Mitigation Measure 2 – Hazardous Building Materials (Eastern Neighborhoods Mitigation Measure L-1)</i></p> <p>The City shall condition future development approvals to require that the subsequent project sponsors ensure that any equipment containing PCBs or DEPH, 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 applicable federal, state, and local laws.</p>	<p>Project Sponsor/project archeologist of each subsequent development project undertaken pursuant to the Eastern Neighborhoods Areas Plans and Rezoning</p>	<p>Prior to approval of each subsequent project, through Mitigation Plan.</p>	<p>Planning Department, in consultation with DPH; where Site Mitigation Plan is required, Project Sponsor or contractor shall submit a monitoring report to DPH, with a copy to Planning Department and DBI, at end of construction.</p>	<p>Considered complete upon approval of each subsequent project.</p>
<p><i>Project Improvement Measure 1 – Transportation Demand Management (TDM) Coordinator</i></p> <p>The project sponsor shall identify a TDM coordinator for the project site. The TDM Coordinator shall be responsible for the implementation and ongoing operation of all other TDM measures (Project Improvement Measures 2 and 3) included in the proposed project. The TDM Coordinator could be a brokered service through an existing transportation management association (e.g. the Transportation Management Association of San Francisco, TMA SF), or the TDM Coordinator could be an existing staff member (e.g., property manager); the TDM Coordinator does not have to work full-time at the project site. However, the TDM Coordinator shall be the single point of contact for all transportation-related questions from building occupants and City staff. The TDM Coordinator shall provide TDM training to other building staff about the transportation amenities and options available at the project site and nearby.</p>	<p>Project Sponsor</p>	<p>Continuous</p>	<p>Planning Department, in consultation with the TDM Coordinator</p>	<p>Continuous</p>
<p><i>Project Improvement Measure 2 – Transportation and Trip Planning Information/New-Hire Packet</i></p> <p>The project sponsor shall provide a transportation insert for the new-hire packet that includes information on transit service (local and regional, schedules and fares), information on where transit passes could be</p>	<p>Project Sponsor</p>	<p>Continuous</p>	<p>Planning Department, in consultation with the TDM Coordinator</p>	<p>Continuous</p>

1488

**EXHIBIT 1:
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1. MITIGATION AND IMPROVEMENT MEASURES	Responsibility for Implementation	Mitigation Schedule	Monitoring/Report Responsibility	Status/Date Completed
<p>purchased, information on the 511 Regional Rideshare Program and nearby bike and car share programs, and information on where to find additional web-based alternative transportation materials (e.g., NextMuni phone app). This new hire packet shall be continuously updated as local transportation options change, and the packet should be provided to each new building occupant. The project sponsor shall provide Muni maps, San Francisco Bicycle and Pedestrian maps upon request.</p>				
<p><i>Project Improvement Measure 3 – Bicycle Parking</i></p> <p>The project sponsor shall provide at least 12 on-site secured bicycle parking spaces and 4 on-site publicly-accessible (visitor) bicycle parking spaces. Within one year after Final Certification of Completion for the subject project, the project sponsor shall contact in writing the San Francisco Municipal Transportation Agency, San Francisco Department of Public Works, and/or Bay Area Bike Share (agencies) to fund the installation of up to 20 new bicycle racks on public right-of-way locations adjacent to or within a quarter mile of the project site (e.g., sidewalks, on-street parking spaces).</p>	Project Sponsor	Continuous	Planning Department, in consultation with the TDM Coordinator	Continuous

1489

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO

Application to Request a
Board of Supervisors Appeal Fee Waiver

CASE NUMBER
For Staff Use only

APPLICATION FOR Board of Supervisors Appeal Fee Waiver

1. Applicant and Project Information

APPLICANT NAME: SUE HESTON ATTORNEY FOR SAN FRANCISANS FOR REASONABLE GROWTH	
APPLICANT ADDRESS: 870 MARKET ST #1128 SF 94102	TELEPHONE: (415) 846-1021
	EMAIL: heston@earthlink.net

NEIGHBORHOOD/ORGANIZATION NAME: SAN FRANCISANS FOR REASONABLE GROWTH	
NEIGHBORHOOD/ORGANIZATION ADDRESS: 870 MARKET #1128 SF 94102	TELEPHONE: (415) 846-1021 (cell)
	EMAIL: heston@earthlink.net

PROJECT ADDRESS: 340 POLYANT ST		
PLANNING CASE NO: 2013.160 B	BUILDING PERMIT APPLICATION NO.:	DATE OF DECISION (IF ANY): 1/8/15

2. Required Criteria for Granting Waiver

(All must be satisfied; please attach supporting materials)

- The appellant is a member of the stated neighborhood organization and is authorized to file the appeal on behalf of the organization. Authorization may take the form of a letter signed by the President or other officer of the organization.
- The appellant is appealing on behalf of an organization that is registered with the Planning Department and that appears on the Department's current list of neighborhood organizations.
- The appellant is appealing on behalf of an organization that has been in existence at least 24 months prior to the submittal of the fee waiver request. Existence may be established by evidence including that relating to the organization's activities at that time such as meeting minutes, resolutions, publications and rosters.
- The appellant is appealing on behalf of a neighborhood organization that is affected by the project and that is the subject of the appeal.

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SAN FRANCISCO
2015 FEB -9 PM 4:40

For Department Use Only

Application received by Planning Department:

By: _____

Date: _____

Submission Checklist:

- APPELLANT AUTHORIZATION
- CURRENT ORGANIZATION REGISTRATION
- MINIMUM ORGANIZATION AGE
- PROJECT IMPACT ON ORGANIZATION

- WAIVER APPROVED WAIVER DENIED



**SAN FRANCISCO
PLANNING
DEPARTMENT**

**FOR MORE INFORMATION:
Call or visit the San Francisco Planning Department**

Central Reception
1650 Mission Street, Suite 400
San Francisco CA 94103-2479

TEL: **415.558.6378**
FAX: **415.558.6409**
WEB: **<http://www.sfplanning.org>**

Planning Information Center (PIC)
1660 Mission Street, First Floor
San Francisco CA 94103-2479

TEL: **415.558.6377**
*Planning staff are available by phone and at the PIC counter.
No appointment is necessary.*

RECEIVED
BOARD OF SUPERVISOR:
SAN FRANCISCO

2015 FEB -9 PM 4:38

SUE C. HESTOR
329 HIGHLAND AVE (415) 824-1167
SAN FRANCISCO, CA 94110

6705

11-4288/1210 4016
0043241710

2/9/15
Date

Pay to the Order of PLANNING DEPT \$ 547

FIVE HUNDRED FORTY SEVEN AND 16/100 Dollars

WELLS FARGO Wells Fargo Bank, N.A. California wells Fargo.com

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For Sue C Hestor

Carroll, John (BOS)

From: BOS Legislation (BOS)
Sent: Tuesday, March 17, 2015 9:08 AM
To: Henry P Rogers
Cc: BOS Legislation (BOS)
Subject: RE: California Environmental Quality Act - Exemption Determination Appeal - 340 Bryant Street - Planning Department Appeal Response

Categories: 150171

Dear Mr. Rogers,

Thank you for your email. This will be placed in the Board file (File No. 150171) and will be included as part of the Board packet for consideration by the Board of Supervisors on March 24th Board meeting.

Regards,

Joy Lamug

Legislative Clerk

Board of Supervisors

1 Dr. Carlton B. Goodlett Place, City Hall, Room 244

San Francisco, CA 94102

Direct: (415) 554-7712 | Fax: (415) 554-5163

Email: joy.lamug@sfgov.org

Web: www.sfbos.org

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From: Henry P Rogers [mailto:henryprogers@gmail.com]

Sent: Monday, March 16, 2015 5:40 PM

To: BOS Legislation (BOS)

Cc: hestor@earthlink.net; Givner, Jon (CAT); Stacy, Kate (CAT); Byrne, Marlena (CAT); Sanchez, Scott (CPC); Jones, Sarah (CPC); Rodgers, AnMarie (CPC); Starr, Aaron (CPC); Tam, Tina (CPC); Jackson, Erika; Uchida, Kansai (CPC); Ionin, Jonas (CPC); jkevin@reubenlaw.com; BOS-Supervisors; BOS-Legislative Aides; Goldstein, Cynthia (PAB); Pacheco, Victor (PAB); Calvillo, Angela (BOS); Caldeira, Rick (BOS); Somera, Alisa (BOS); Carroll, John (BOS); Angulo, Sunny (BOS); Kim, Je (BOS)

Subject: Re: California Environmental Quality Act - Exemption Determination Appeal - 340 Bryant Street - Planning Department Appeal Response

Dear Ms. Lamug,

Thank you for the information relative to 340 Bryant Street. If a copy of my email can be included for consideration by the Board of Supervisors during the appeal, I would greatly appreciate it.

I live at 355 Bryant Street, directly across the street from subject property. I would like to respond specifically to the Planning Department's assertions that there are "unmarked crosswalks" at Bryant and Rincon Alley and at the Bay Bridge onramp that mitigate the risks Sue Hestor identified to workers going to and from 340 Bryant Street.

It would be more appropriate to classify these as "imaginary crosswalks for Planning Department Compliance", as they offer none of the safeguards for pedestrians that stop signs or marked crosswalks may provide, but allow the Planning Department to avoid taking action that would be responsive to removing hazards to residents of the neighborhood.

I walk my dogs past this intersection a number of times per day. The onramp to the Bridge and intersection at Rincon Alley are very dangerous to pedestrians. The notion that cars recognize or respect any unmarked crosswalks in this area is absurd. Cars entering Bryant from Rincon Alley frequently ignore the "Right Turn Only" sign attempting to go to the bridge creating a dangerous situation as cars speed east on Bryant Street. Because this part of Bryant Street is at the crest of the hill, visibility is reduced from both directions putting pedestrians at a higher level of risk. The traffic situation at rush hour is so dire that teams of SFPD Officers are present to reduce congestion and calm drivers. There are frequent accidents and near-accidents on this block as well as fatalities involving pedestrians at Rincon and Bryant. The reduced rate of significant accidents over the last two years may be attributable to the lack of occupancy in the building since the lease for artists' lofts was terminated to make way for office conversion.

I also disagree that the preferred route to the new offices would be at the Bryant/Rincon "unmarked" crosswalk. As a resident of the neighborhood, I view most office workers walk South on 2nd Street. Very few take the 10 Muni which is slower than walking and unreliable. It will be quicker for them to turn the corner on the North side of Bryant Street and cross the "Unmarked" crosswalk across the Bay Bridge access where they will risk being hit (or at best honked at) by cars who fail to recognize the unmarked crosswalks.

For the safety of the neighborhood and the new workers in this building, there need to be marked crosswalks, better signage and stop signs at Bryant Street and Rincon Alley.

Sincerely,

Henry P. Rogers
355 Bryant Street
San Francisco, CA 94107

On Mar 16, 2015, at 2:17 PM, BOS Legislation (BOS) <bos.legislation@sfgov.org> wrote:

Good afternoon,

Please find linked below a memo received by the Office of the Clerk of the Board from the Planning Department, concerning the appeal of the proposed project at 340 Bryant Street.

[Planning Memo - 03/16/2015](#)

You are invited to review the entire matter on our [Legislative Research Center](#) by following the link below.

Board of Supervisors File No. 150171

The appeal hearing for this matter is scheduled for a 3:00 p.m. special order before the Board on March 24, 2015.

Thank you,

Joy Lamug

Legislative Clerk

Board of Supervisors

1 Dr. Carlton B. Goodlett Place, City Hall, Room 244

San Francisco, CA 94102

Direct: (415) 554-7712 | Fax: (415) 554-5163

Email: joy.lamug@sfgov.org

Web: www.sfbos.org

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Carroll, John (BOS)

From: BOS Legislation (BOS)
Sent: Tuesday, March 17, 2015 9:17 AM
To: Jim Lauer
Cc: BOS Legislation (BOS)
Subject: RE: California Environmental Quality Act - Exemption Determination Appeal - 340 Bryant Street - Planning Department Appeal Response

Categories: 150171

Dear Mr. Lauer,

Thank you for your email. This will be placed in the Board file (File No. 150171) and will be included as part of the Board packet for consideration by the Board of Supervisors on March 24th Board meeting.

Thanks,

Joy Lamug

Legislative Clerk

Board of Supervisors

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From: Jim Lauer [<mailto:jim@lauerjohnson.com>]

Sent: Monday, March 16, 2015 6:55 PM

To: Henry P Rogers

Cc: BOS Legislation (BOS); hestor@earthlink.net; Givner, Jon (CAT); Stacy, Kate (CAT); Byrne, Marlena (CAT); Sanchez, Scott (CPC); Jones, Sarah (CPC); Rodgers, AnMarie (CPC); Starr, Aaron (CPC); Tam, Tina (CPC); Jackson, Erika; Uchida, Kansai (CPC); Ionin, Jonas (CPC); jkevin@reubenlaw.com; BOS-Supervisors; BOS-Legislative Aides; Goldstein, Cynthia (PAB); Pacheco, Victor (PAB); Calvillo, Angela (BOS); Caldeira, Rick (BOS); Somera, Alisa (BOS); Carroll, John (BOS); Angulo, Sunny (BOS); Kim, Jane (BOS)

Subject: Re: California Environmental Quality Act - Exemption Determination Appeal - 340 Bryant Street - Planning Department Appeal Response

Dear Ms. Lamug,

I am also a resident of 355 Bryant Street immediately across the street from 340 Bryant. I want to echo and expand upon the issues raised by Henry Rogers in his memo to you today.

1. As Henry states, there are no painted crosswalks or apparent pedestrian paths from either the south side or the north side of Bryant Street to this building.
2. The ADA ramps on the north side of Bryant at Rincon are very old and do not seem to comply with designs for pedestrian ramps for disabled people currently in use.
3. The vehicular traffic increases over the past two years on Bryant have been so dramatic that it is totally unsafe to cross Bryant Street as a pedestrian during rush hours. Rush hour now commences at around 2 to 2:30 pm and can last as long as 7 pm during the work week. During that time period, employees who are resident in 340 Bryant will literally be trapped in the building, since it so dangerous to cross any of the streets, either to the south side of Bryant or to the north sidewalk running parallel to the Clocktower Building from the 340 building.

In closing, I fear the various city agencies and planners who have let this project proceed have made a grave mistake. When the building was zoned industrial in its previous guise, there were very few employees who worked there and vehicular traffic on Bryant was docile compared to the road rage which prevails today. In addition, from looking at the current construction in the building, I would suspect there will be literally hundreds of people working there if zoned office. This simply will not work since the situation has changed so dramatically. As Henry Rogers states in his memo, perhaps the only solution is to install traffic lights, painted walkways for pedestrians at Bryant and Rincon and crosswalks and perhaps traffic lights at the busy and complex mixing entrance to the Bay Bridge. You may wish to forward these thoughts to the city's Department Transportation and ask them how they intend to integrate the mayhem further obstacles to vehicular traffic flow from Second to Rincon will fit in with their plans to keep the traffic moving in and out of Soma.

Thanks, Jim Lauer , Resident of 355 Bryant Street.

On Mon, Mar 16, 2015 at 5:40 PM, Henry P Rogers <henryprogers@gmail.com> wrote:
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For the safety of the neighborhood and the new workers in this building, there need to be marked crosswalks, better signage and stop signs at Bryant Street and Rincon Alley.

Sincerely,

Henry P. Rogers
355 Bryant Street
San Francisco, CA 94107

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[Planning Memo – 03/16/2015](#)

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[Board of Supervisors File No. 150171](#)

The appeal hearing for this matter is scheduled for a 3:00 p.m. special order before the Board on March 24, 2015.

Thank you,

Joy Lamug
Legislative Clerk
Board of Supervisors
1 Dr. Carlton B. Goodlett Place, City Hall, Room 244
San Francisco, CA 94102
Direct: [\(415\) 554-7712](tel:(415)554-7712) | Fax: [\(415\) 554-5163](tel:(415)554-5163)
Email: joy.lamug@sfgov.org
Web: www.sfbos.org

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--
James W. Lauer
355 Bryant Street #102
San Francisco, CA 94107
415-278-9518 (O)
415-830-1847 (Cell)

Carroll, John (BOS)

From: BOS Legislation (BOS)
Sent: Monday, March 16, 2015 2:18 PM.
To: 'hestor@earthlink.net'; Givner, Jon (CAT); Stacy, Kate (CAT); Byrne, Marlana (CAT); Sanchez, Scott (CPC); Jones, Sarah (CPC); Rodgers, AnMarie (CPC); Starr, Aaron (CPC); Tam, Tina (CPC); Jackson, Erika; Uchida, Kansai (CPC); Ionin, Jonas (CPC); 'jkevin@reubenlaw.com'; BOS-Supervisors; BOS-Legislative Aides; Goldstein, Cynthia (PAB); Pacheco, Victor (PAB)
Cc: Calvillo, Angela (BOS); Caldeira, Rick (BOS); Somera, Alisa (BOS); Carroll, John (BOS); BOS Legislation (BOS)
Subject: California Environmental Quality Act - Exemption Determination Appeal - 340 Bryant Street - Planning Department Appeal Response
Categories: 150171

Good afternoon,

Please find linked below a memo received by the Office of the Clerk of the Board from the Planning Department, concerning the appeal of the proposed project at 340 Bryant Street.

Planning Memo – 03/16/2015

You are invited to review the entire matter on our Legislative Research Center by following the link below.

Board of Supervisors File No. 150171

The appeal hearing for this matter is scheduled for a 3:00 p.m. special order before the Board on March 24, 2015.

Thank you,

Joy Lamug
Legislative Clerk
Board of Supervisors
1 Dr. Carlton B. Goodlett Place, City Hall, Room 244
San Francisco, CA 94102
Direct: (415) 554-7712 | Fax: (415) 554-5163
Email: joy.lamug@sfgov.org
Web: www.sfbos.org

Please complete a Board of Supervisors Customer Service Satisfaction form by clicking [here](#).

The Legislative Research Center provides 24-hour access to Board of Supervisors legislation, and archived matters since August 1998.

Disclosures: Personal information that is provided in communications to the Board of Supervisors is subject to disclosure under the California Public Records Act and the San Francisco Sunshine Ordinance. Personal information provided will not be redacted. Members of the public are not required to provide personal identifying information when they communicate with the Board of Supervisors and its committees. All written or oral communications that members of the public submit to the Clerk's Office regarding pending legislation or hearings will be made available to all members of the public for inspection and copying. The Clerk's Office does not redact any information from these submissions. This means that personal information—including names, phone numbers, addresses and similar information that a member of the public elects to submit to the Board and its committees—may appear on the Board of Supervisors' website or in other public documents that members of the public may inspect or copy.



**SAN FRANCISCO
PLANNING DEPARTMENT**

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16 MAR 16 AM 11:57

MEMO

RJ

Notice of Electronic Transmittal

**Planning Department Response to the Appeal of the Community
Plan Exemption (CPE) for the 340 Bryant Street Project**

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

Reception:
415.558.6378

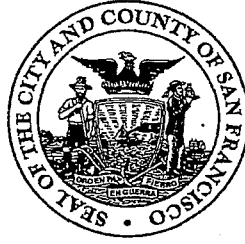
Fax:
415.558.6409

Planning
Information:
415.558.6377

DATE: March 16, 2015
TO: Angela Calvillo, Clerk of the Board of Supervisors
FROM: Sarah B. Jones, Environmental Review Officer – (415) 575-9034
Kansai Uchida, Case Planner – (415) 575-9048
RE: BOS File No. 150171 [Case No. 2013.1600E]
Appeal of CPE for the 340 Bryant Street Project
HEARING DATE: March 24, 2015

In compliance with San Francisco's Administrative Code Section 8.12.5 "Electronic Distribution of Multi-Page Documents," the Planning Department submits a multi-page response to the Appeal of the CPE for the 340 Bryant Street Project [BF 150171] in digital format (attached). A hard copy of the response is available from the Clerk of the Board. Additional hard copies may be requested by contacting Kansai Uchida of the Planning Department at 415-575-9048.


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City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 544-5227

February 10, 2015

To: John Rahaim
Planning Director

From:  Angela Calvillo
Clerk of the Board of Supervisors

**Subject: Appeal of California Environmental Quality Act (CEQA) Exemption
Determination from Environmental Review - 340 Bryant Street**

An appeal of CEQA Exemption Determination from Environmental Review for 340 Bryant Street was filed with the Office of the Clerk of the Board on February 9, 2015, by Sue Hestor, on behalf of San Franciscans for Reasonable Growth.

Pursuant to Administrative Code, Chapter 31.16, I am forwarding this appeal, with attached documents, to the Planning Department to determine if the appeal has been filed in a timely manner. The Planning Department's determination should be made within three (3) working days of receipt of this request.

If you have any questions, please feel free to contact Legislative Clerks, Joy Lamug at (415) 554-7712, or John Carroll at (415) 554-4445.

c: Jon Givner, Deputy City Attorney
Kate Stacy, Deputy City Attorney
Marlena Byrne, Deputy City Attorney
Scott Sanchez, Zoning Administrator, Planning Department
Sarah Jones, Environmental Review Officer, Planning Department
AnMarie Rodgers, Planning Department
Aaron Starr, Planning Department
Tina Tam, Planning Department
Erika Jackson, Planning Department
Jonas Ionin, Planning Department

SUE C. HESTOR

Attorney at Law

870 Market Street, Suite 1128 San Francisco, CA 94102

office (415) 362-2778 cell (415) 846-1021

hestor@earthlink.net

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2015 FEB -9 PM 4:36

February 9, 2015

President London Breed
Board of Supervisors
City Hall
San Francisco CA 94102

Appeal of CEQA Exemption Determination - 340 Bryant Street
SF Admin Code 31.16

Planning Commission Motion 19311 - January 8, 2015 - 2013.160B

Pending Board of Appeals - #15-015 - March 25, 2015

San Franciscans for Reasonable Growth appeals the environmental exemption determination for the office allocation to convert over 47,000 sq ft of 340 Bryant Street from industrial (PDR - production, distribution, repair) to tech offices. The site is located in the Eastern SOMA Area of the Eastern Neighborhoods Area Plan. The exemption is based on that Eastern Neighborhoods plan.

The Planning Commission approved the project January 8, 2015 based on CPE Certificate and Checklist for 340 Bryant Street that was issued at 4:44pm on December 23, 2014.

The basis for the appeal include the following:

UNIQUE SITE SURROUNDED BY HOV BRIDGE TRAFFIC LANES

The extraordinary uniqueness of the site was disregarded in both the Exemption and in the Eastern Neighborhoods Area Plan EIR. The site is on a steep hill (Rincon Hill and the Bay Bridge) and is surrounded by TWO HOV lanes that lead directly onto the Bay Bridge and the Bridge itself. Traffic accelerates as the lanes enter directly onto the far right eastbound lane of the Bridge. AT THIS SITE.

Once a car heading EAST on Bryant Street passes 2nd Street there is NO intersection. A car proceeding WEST on Bryant and up the incline past Beale also expects no cross traffic and no crosswalk. The roadway is separated into east and west bound lanes at different grades for most of these blocks.

There is NO pedestrian access - no crosswalk. There is no visible "edge" or curb for the site.

The HOV lanes have been reconfigured since the publication of the Eastern Neighborhoods Plan EIR which has not been adjusted to account for the new configuration.

HOW OFFICE WORKERS WILL WALK OR BIKE TO THIS SITE - and leave during afternoon rush hour when cars line up at both "2nd Street" and "Beale Street" ends to get directly onto the Bridge - is not analyzed in the Exemption or underlying EIR.

340 Bryant Street appeal - page 2

NUMBER OF WORKERS AFFECTED

The amount of space to be converted to offices has been listed as various numbers -

- 45,545 sq ft - Exemption page 1
- 47,536 sq ft - Office allocation in Motion 19311

Approximately 165 office jobs are to be created. Space per worker using numbers in this environmental document is around 276 - 288 sq ft.

This space allocation is even higher than that which was used for "traditional" office space for the Downtown Plan. Which calculated that square footage per worker would GO DOWN as space became more expensive and uses shifted. In the 35 years since the DTP EIR - with more expensive office space and a trend to more open plan offices for the tech industry - the amount of space per worker has come down dramatically.

A more accurate projection of the work force needs to be done. The number of PEDESTRIANS coming to the site, and the contributing to the increased demand for housing, is understated. The total number of tech office workers is probably TWICE the 165 jobs assumed.

The difference between an industrial workforce on site (at the time of the Eastern Neighborhoods EIR) and their travel patterns (heavily in trucks) and an office work force walking or biking to this site was not discussed. The more pedestrians and bicyclists there are at this site, the more opportunities exist for vehicular conflicts. Westbound autos will be accelerating up a hill. Will there be sun in their eyes? Will they expect pedestrians to be crossing their HOV lane? This is not discussed or evaluated.

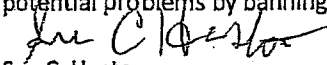
BAD MAPPING OF SITE IN ENVIRONMENTAL CHECKLIST

The site map provided to the Planning Commission in the environmental checklist is very misleading. Page 3 does not accurately show the site. It fails to call out and label the HOV lanes AND THEIR DIRECTION, the divided Bryant Street with the STEEP WALL between the area from Rincon St to Beale. No one who gets site information from THIS map would understand the complexity of this isolated site.

ADDITIONAL ISSUES

There is a rooftop deck which will be visible to cars/trucks on the lower deck of the Bridge. What effects on air quality and dirt on the deck? How much distraction potential from people on the deck?

When the site was listed, the signage opportunity - to get the attention of Bridge traffic (the only place it will be visible) was emphasized. A branding opportunity for building tenants only works if it catches eyes of bridge drivers or passengers. Consideration should be given to the effects of mitigating potential problems by banning distractions from a roof deck and advertising.


Sue C. Hestor

cc: Members of Board of Supervisors
Sarah Jones, Environmental Review Officer



SAN FRANCISCO PLANNING DEPARTMENT

Subject to: (Select only if applicable)

- Affordable Housing (Sec. 415)
- Jobs Housing Linkage Program (Sec. 413)
- Downtown Park Fee (Sec. 412)
- Transit Impact Development Fee (Sec. 411)
- First Source Hiring (Admin. Code)
- Child Care Requirement (Sec. 414)
- Other (Eastern Neighborhoods – Sec. 423 & 426)

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Planning Commission Motion No. 19311

HEARING DATE: JANUARY 8, 2015

Date: December 31, 2014
Case No.: 2013.1600B
Project Address: 340 Bryant Street
Zoning: MUO (Mixed Use Office) District
65-X Height and Bulk District
Block/Lot: 3764/061
Project Sponsor: John Kevlin
Reuben, Junius and Rose, LLP
One Bush Street, Suite 600
San Francisco, CA 94104
Staff Contact: Erika S. Jackson – (415) 558-6363
erika.jackson@sfgov.org

ADOPTING FINDINGS RELATING TO AN ALLOCATION OF OFFICE SQUARE FOOTAGE UNDER THE 2014-2015 ANNUAL OFFICE DEVELOPMENT LIMITATION PROGRAM FOR THE PROPOSED PROJECT LOCATED AT 340 BRYANT STREET THAT WOULD AUTHORIZE THE CONVERSION OF 47,536 GROSS SQUARE FEET OF THE EXISTING 62,050 SQUARE FOOT BUILDING TO OFFICE USE PURSUANT TO PLANNING CODE SECTIONS 321 AND 842.66, ON ASSESSOR'S BLOCK 3764, LOT 061, IN THE MUO (MIXED USE OFFICE) ZONING DISTRICT AND A 65-X HEIGHT AND BULK DISTRICT, AND ADOPTING FINDINGS UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.

PREAMBLE

On December 19, 2013, John Kevlin, on behalf of 140 Partners, LP (hereinafter "Project Sponsor") filed Application No. 2013.1600B (hereinafter "Application") with the Planning Department (hereinafter "Department") for an Office Development Authorization to convert 47,536 gross square feet of the existing 62,050 square foot building at 340 Bryant Street to an office use.

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 December 22, 2014, the Department determined that the proposed application did not require further environmental review under Section 15183 of the CEQA Guidelines and Public Resources Code Section 21083.3. The Project is consistent with the adopted zoning controls in the Eastern Neighborhoods Area Plan and was encompassed within the analysis contained in the Eastern Neighborhoods Final EIR. Since the Eastern Neighborhoods Final EIR was finalized, there have been no substantial changes to the Eastern Neighborhoods Area Plan and no substantial changes in circumstances that would require major revisions to the Final EIR due to the involvement of new significant environmental effects or an increase in the severity of previously identified significant impacts, and there is no new information of substantial importance that would change the conclusions set forth in the Final EIR. The file for this project, including the Eastern Neighborhoods Final EIR and the Community Plan Exemption certificate, is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, San Francisco, California.

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

On January 8, 2015, the Planning Commission ("Commission") conducted a duly noticed public hearing at a regularly scheduled meeting on Office Allocation Application No. 2013.1600B.

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 Office Development Authorization requested in Application No. 2013.1600B, 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 site, located at 340 Bryant Street, is bounded by Rincon Alley and Sterling Street. The site is located in the East South of Market Neighborhood within an MUO Zoning District and a 65-X Height and Bulk District. The subject lot is approximately 17,117 square feet in area. The existing building is approximately 62,050 square feet, 43-feet tall, and four-stories, and was constructed in 1932 as an industrial building. The building was purchased by a new owner in January 2012. The building has been vacant since January 2013; however, the last legal use of the building was industrial.
3. **Surrounding Properties and Neighborhood.** The Project site is located in the East South of Market Neighborhood within an MUO Zoning District and a 65-X Height and Bulk District. Accordingly, the surrounding properties are characterized by dense, two and four-story industrial buildings, with some office and residential uses. The building is surrounded by the I-80 freeway to the north and off-ramps to the south. To the southeast of the project across Bryant Street are three- and four-story buildings and to the southwest of the project site are three- and five-story buildings with mixed uses including office and live/work condominiums.
4. **Project Description.** The proposal is to convert the entire second, third, and fourth floors, totaling 47,536 gross square feet, to a legal office use. The entire 16,505 square foot (minus 1,991 square feet of common area) ground floor will remain industrial PDR space. A tenant has already been found for the space. The proposal also includes the installation of 4 Class 2 and 12 Class 1 bicycle parking spaces. Exterior alterations are proposed for the Project, including new ground floor window treatment and an improved building entrance.
5. **Public Comment.** The Department has received public comment from one person with concerns regarding displacement of PDR uses in the building.
6. **Planning Code Compliance.** The Commission finds and determines that the Project is consistent with the relevant provisions of the Code in the following manner:

- A. **Office Use in the MUO Zoning District.** Planning Code Section 842.66 principally permits office space in the MUO Zoning District.

The proposal includes converting the entire second, third, and fourth floors, totaling 47,536 gross square feet, to a legal office use.

- B. **Open Space.** Planning Code Section 135.3 requires conversions to new office space in Eastern Neighborhoods Mixed Use Districts to provide and maintain usable open space for that new office space at a ratio of one square foot per 50 square feet of new office space, and/or pay an in-lieu fee. The project proposes 47,536 square feet of new office space and requires at least 951 square feet of open space to be provided.

Approximately 1,684 square feet of open space will be located on the west side of the roof of the building, which will provide ample open space to meet this requirement.

- C. **Parking.** Section 151.1 does not require any off-street parking.

The existing building contains no off-street parking. The proposed project will not provide any new off-street parking spaces.

- D. **Loading.** Section 152.1 requires certain amounts of off-street freight loading spaces based on the type and size of uses in a project. The proposed project does not require a loading space.

The existing building contains no loading spaces.

- E. **Bicycle Parking and Showers.** Section 155.2 requires that the project provide at least two Class 1 and two Class 2 bicycle parking spaces to accommodate the new office use. Section 155.4 requires that a building that exceeds 50,000 square feet provide 4 showers and 24 lockers.

The project proposes 4 Class 2 and 12 Class 1 bicycle parking spaces, as well as 4 showers and 24 lockers.

- F. **Transportation Management Agreement.** Section 163 requires that the project sponsor provides on-site transportation brokerage services for the actual lifetime of the project.

Prior to the issuance of a temporary permit of occupancy, the project sponsor will 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. The Planning Commission encourages Planning Department staff to continue to work with applicable other

agencies regarding issues surrounding pedestrian streetscape improvements, fire access, pedestrian safety and traffic calming measures.

- G. **Development Fees.** The Project is subject to the Transit Impact Development Fee per Planning Code Section 411, the Jobs-Housing Linkage Fee per Planning Code Section 413, and the Eastern Neighborhoods Community Impact Fee per Planning Code Section 423.

The Project Sponsor shall pay the appropriate Transit Impact Development, Jobs-Housing Linkage Child Care Requirement, and Eastern Neighborhoods Community Impact fees; pursuant to Planning Code Sections 411, 413, and 423, at the appropriate stage of the building permit application process.

7. **Office Development Authorization.** Planning Code Section 321 establishes standards for San Francisco's Office Development Annual Limit. In determining if the proposed Project would promote the public welfare, convenience and necessity, the Commission considered the seven criteria established by Code Section 321(b)(3), and finds as follows:

I. APPORTIONMENT OF OFFICE SPACE OVER THE COURSE OF THE APPROVAL PERIOD IN ORDER TO MAINTAIN A BALANCE BETWEEN ECONOMIC GROWTH ON THE ONE HAND, AND HOUSING, TRANSPORTATION AND PUBLIC SERVICES, ON THE OTHER.

The proposed project would create 47,536 square feet of office space within the South of Market area, an area with high demand for office space. There is currently more than 1.27 million gross square feet of available "Small Cap" office space in the City. Additionally, the Project is subject to various development fees that will benefit the surrounding community. Therefore, the Project will help maintain the balance between economic growth, housing, transportation and public services.

II. THE CONTRIBUTION OF THE OFFICE DEVELOPMENT TO, AND ITS EFFECTS ON, THE OBJECTIVES AND POLICIES OF THE GENERAL PLAN.

The proposed project is consistent with the General Plan, as outlined in Section 9 below.

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

The proposed office space is within an existing building. The proposed project includes some exterior alterations, including new ground floor window treatment and an improved building entrance. These alterations will improve the building's compatibility 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.

- a) Use. *The Project is within the MUO (Mixed Use Office) Zoning District, a Zoning District which principally permits office use. Planning Code Section 842 states that the MUO Zoning District is*

“designed to encourage office uses and housing, as well as small-scale light industrial and arts activities.” This project provides an appropriate balance of PDR and office uses. The Planning Commission recognizes the retention of PDR on the ground floor.

- b) Transit Accessibility. *The area is served by a variety of transit options. The project site is adjacent to the 10 and 12 MUNI bus lines, and is in close proximity to approximately 12 other MUNI bus lines. It is also approximately 0.5 miles from the temporary Transbay Terminal and the future Transbay Terminal, both of which connect to numerous transit lines around the Bay. Additionally, the Project site is located approximately 5 blocks from Market Street, with BART and MUNI Metro subway lines, and is a short walk from the King Street Caltrain station, ferries connecting to the East and South Bay, and the future Central Subway that will run along 4th Street.*
- c) Open Space Accessibility. *The proposed project is required to provide 951 square feet of open space. The proposed project will provide a 1,684 square foot roof deck.*
- d) Urban Design. *The proposed office space is in an existing building. The building was constructed in 1932 and has been minimally altered since that time. The proposed project includes some exterior alterations; however, the mass and design of the building will not change.*
- e) Seismic Safety. *The Project includes limited tenant improvements within the interior of the existing buildings. All tenant improvement work will meet current seismic safety standards, as they apply.*

V. THE ANTICIPATED USES OF THE PROPOSED OFFICE DEVELOPMENT IN LIGHT OF EMPLOYMENT OPPORTUNITIES TO BE PROVIDED, NEEDS OF EXISTING BUSINESSES, AND THE AVAILABLE SUPPLY OF SPACE SUITABLE FOR SUCH ANTICIPATED USES.

- a) Anticipated Employment Opportunities. *The Project includes a total of 47,536 gross square feet of office space, which will allow for several office tenants in the building. Since office space on average supports more employees per square foot than industrial space, the project will create a significant amount of new employment opportunities.*
- b) Needs of Existing Businesses. *The Project includes a total of 47,536 gross square feet of office space, which will allow for several office tenants in the building. The proximity to light industrial uses can also help foster entrepreneurship among local residents and employers.*
- c) Availability of Space Suitable for Anticipated Uses. *The Project will provide quality office space that is suitable for a variety of office uses and sizes in an area where the demand for new office space has increased rapidly. The project will provide high-quality office space within close proximity to public transit, while maintaining the ground floor industrial use.*

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

The building will not be owner-occupied. The anticipated office tenants have not yet been determined, however, two industrial tenants that will occupy the ground floor PDR space have been identified.

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

The Project does not include any Transfer of Development Rights.

8. **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 building contains no neighborhood-serving retail uses, nor does the proposal include any retail. However, the conversion of this building to office space will increase the demand for neighborhood-serving retail use in the surrounding neighborhood.

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

No housing currently exists on the site and no housing will be removed as part of the proposed project. The project consists of the conversion of industrial to office use. The building will be mixed use with industrial and office uses, resulting in a project that is compatible with the surrounding neighborhood.

- 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. The project site is adjacent to the 10 and 12 MUNI bus lines, and is in close proximity to approximately 12 other MUNI bus lines. It is also approximately 0.5 miles from the temporary Transbay Terminal and the future Transbay Terminal, both of which connect to numerous transit lines around the Bay. Additionally, the Project site is located approximately 5 blocks from Market Street, with BART and MUNI Metro subway lines, and is a short walk from the King Street Caltrain station and ferries connecting to the East and South Bay.

- 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.

Converting a portion of the existing building to office space on the upper stories will help support and maintain the PDR activities on the ground floor. The conversion to office space will help increase local resident employment and demand for new neighborhood-serving businesses in the area, which can also lead to new opportunities for local resident employment.

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

The Project will not create any new space that does not meet current seismic safety standards.

- G. That landmarks and historic buildings be preserved.

The existing building is not a Landmark or otherwise historic building. The proposal will not impact Landmarks or historic buildings in the vicinity.

- 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.

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 1.3:

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 by allowing for one or more small to medium sized office tenants to sign a long-term lease, which will increase economic vibrancy in the area. Authorization of the office space will also result in the collection of significant development fees that will benefit the community and that would otherwise not be required.

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 proposed office development will help retain existing commercial tenants and generate stable employment opportunities and demand for neighborhood serving businesses.

TRANSPORTATION ELEMENT

Objectives and Policies

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 12 existing Class 1 and 4 Class 2 bicycle parking spaces in a secure, convenient location.

EAST SOMA AREA PLAN

Objectives and Policies

OBJECTIVE 1.1:

STRENGTHEN ENCOURAGE PRODUCTION OF HOUSING AND OTHER MIXED-USE DEVELOPMENT IN EAST SOMA WHILE MAINTAINING ITS EXISTING SPECIAL MIXED-USE CHARACTER.

Policy 1.1.2:

Encourage small, flexible office space throughout East Soma and encourage larger office in the 2nd Street Corridor.

OBJECTIVE 1.4:
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 Project is located in the East South of Market Neighborhood and in a MUO Zoning District that encourages office uses. The mix of office and industrial activities within the proposal is an appropriate balance of uses given the location of the site. Further, the authorization of office space at this site will support any PDR activities on the ground floor level. The Project will add to the diverse array of office space available in the area by providing smaller spaces than those provided along 2nd Street.

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

DECISION

That based upon the Record, the submissions by the Applicant, the staff of the Department and other interested parties, the oral testimony presented to this Commission at the public hearings, and all other written materials submitted by all parties, the Commission hereby **APPROVES Office Development Application No. 2013.1600B** subject to the conditions attached hereto as Exhibit A, which is incorporated herein by reference as though fully set forth, in general conformance with the plans stamped Exhibit B and dated June 4, 2014, on file in Case Docket No. 2013.1600B.

APPEAL AND EFFECTIVE DATE OF MOTION: Any aggrieved person may appeal this Section 321 Office-Space Allocation to the Board of Appeals within fifteen (15) days after the date of this Motion. The effective date of this Motion shall be the date of adoption of this Motion if not appealed (after the 15-day period has expired) OR the date of the decision of the Board of Appeals if appealed to the Board of Appeals. For further information, please contact the Board of Appeals at (415) 575-6880, 1660 Mission, Room 3036, San Francisco, CA 94103.

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

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

I hereby certify that the Planning Commission ADOPTED the foregoing Motion on January 8, 2015.

Jonas P. Ionin
Commission Secretary

AYES: Commissioners Antonini, Fong, Johnson, Richards, Moore, and Hillis

NAYS:

ABSENT: Commissioner Wu

ADOPTED: January 8, 2015

EXHIBIT A

AUTHORIZATION

This authorization is for an Office Development Authorization to authorize 47,536 gross square feet of office use located at 340 Bryant Street, Lot 061 in Assessor's Block 3764 pursuant to Planning Code Section(s) 321 and 843.66 within the MUO (Mixed Use Office) Zoning District and a 65-X Height and Bulk District, in general conformance with plans, dated June 4, 2014, and stamped "EXHIBIT B" included in the docket for Case No. 2013.1600B and subject to conditions of approval reviewed and approved by the Commission on January 8, 2015 under Motion No. 19311. 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 January 8, 2015 under Motion No. 19311.

PRINTING OF CONDITIONS OF APPROVAL ON PLANS

The conditions of approval under the 'Exhibit A' of this Planning Commission Motion No. 19311 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

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

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

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

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

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

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

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

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

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

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

6. **Development Timeline - Office.** Pursuant to Planning Code Section 321(d)(2), construction of an office development shall commence within 18 months of the date of this Motion approving this Project becomes effective. 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 Allocation authorization.

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

PARKING AND TRAFFIC

7. **Bicycle Parking.** Pursuant to Planning Code Section 155.2, the Project shall provide no fewer than 12 Class 2 and 4 Class 2 bicycle parking spaces for the 47,536 gross square feet of office use.

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

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

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

PROVISIONS

9. **Transit Impact Development Fee.** Pursuant to Planning Code Sections 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 Department with certification of fee payment.

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 Sections 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.sf-planning.org

11. **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. The Planning Department will continue to work with applicable other agencies regarding issues surrounding pedestrian streetscape improvements, fire access, pedestrian safety and traffic calming measures.

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

11. **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 of the Planning Code.

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

12. **Ground Floor PDR Use.** The Planning Commission recognizes the retention of PDR on the ground floor.

MONITORING - AFTER ENTITLEMENT

13. **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

14. **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

15. **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>

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

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



SAN FRANCISCO PLANNING DEPARTMENT

Certificate of Determination EXEMPTION FROM ENVIRONMENTAL REVIEW

Case No.: 2013.1600E
 Project Address: 340 Bryant Street
 Zoning: MUO (Mixed Use Office) Use District
 65-X Height and Bulk District
 Block/Lot: 3764/061
 Lot Size: 16,505 square feet
 Plan Area: Eastern Neighborhoods Area Plan
 Project Sponsor: John Kevlin – Reuben, Junius, and Rose LLP – (415) 567-9000
 Staff Contact: Kansai Uchida – (415) 575-9048 – kansai.uchida@sfgov.org

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

Reception:
 415.558.6378

Fax:
 415.558.6409

Planning
 Information:
 415.558.6377

PROJECT DESCRIPTION

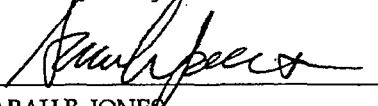
The project site is located in San Francisco's South of Market (SoMa) neighborhood on the block bounded by Rincon Street to the east, Sterling Street to the west, Interstate 80 to the north, and Bryant Street to the south. The project site is occupied by a four-story, 44-foot-tall, 62,050 square foot (sf) building. The existing building was constructed in 1932 and includes no off-street vehicular parking. The existing building is currently vacant, although it recently (2012) was occupied by industrial tenants. To ensure that the maximum potential environmental impacts are analyzed, the building is assumed to be currently vacant for the purposes of transportation, air quality, and other CEQA impact topics that rely on square footage calculations. The proposed project includes conversion of 46,804 sf of industrial use to office use and common areas, primarily on the upper three floors of the existing building. A total of 45,545 sf of office space would be created. In addition, the proposed project would include the addition of a deck and mechanical equipment on the roof, removal of exterior roll-up doors at street level, removal of the 732-sf ground-floor retail space (for use as industrial space), installation of new windows and signs along the building's exterior, and addition of 16 bicycle parking spaces. Aside from 1,991 sf of common space, the remaining 14,514 sf of ground-floor space would remain as industrial use.

EXEMPT STATUS

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

DETERMINATION

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


 SARAH B. JONES
 Environmental Review Officer

December 22, 2014
 Date

cc: John Kevlin, Project Sponsor; Supervisor Jane Kim, District 6; Erika Jackson, Current Planning Division; Virna Byrd, M.D.F.; Exemption/Exclusion File

PROJECT APPROVAL

The proposed project is subject to review by the Planning Commission pursuant to Section 321 of the Planning Code (Office Allocation). Approval of the Office Allocation Application by the Planning Commission would constitute the Approval Action for the proposed project. The Approval Action date establishes the start of the 30-day appeal period for this CEQA exemption determination pursuant to Section 31.04(h) of the San Francisco Administrative Code.

COMMUNITY PLAN EXEMPTION OVERVIEW

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

This determination evaluates the potential project-specific environmental effects of the 340 Bryant Street project described above, and incorporates by reference information contained in the Programmatic EIR for the Eastern Neighborhoods Rezoning and Area Plans (PEIR)¹. Project-specific studies were prepared for the proposed project to determine if the project would result in any significant environmental impacts that were not identified in the Eastern Neighborhoods PEIR.

After several years of analysis, community outreach, and public review, the Eastern Neighborhoods PEIR was adopted in December 2008. The Eastern Neighborhoods PEIR was adopted in part to support housing development in some areas previously zoned to allow industrial uses, while preserving an adequate supply of space for existing and future production, distribution, and repair (PDR) employment and businesses. The Eastern Neighborhoods PEIR also included changes to existing height and bulk districts in some areas, including the project site at 340 Bryant Street.

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

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

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

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

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

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

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

As a result of the Eastern Neighborhoods rezoning process, the project site has been rezoned to MUO (Mixed Use Office) District. The MUO District is intended to encourage office uses and housing, as well as small-scale light industrial and arts activities. The proposed project and its relation to PDR land supply and cumulative land use effects is discussed further in the Community Plan Exemption (CPE) Checklist, under Land Use. The 340 Bryant Street site, which is located in the South of Market (SoMa) District of the Eastern Neighborhoods, was designated as a site with building up to 65 feet in height.

Individual projects that could occur in the future under the Eastern Neighborhoods Rezoning and Area Plans will undergo project-level environmental evaluation to determine if they would result in further impacts specific to the development proposal, the site, and the time of development and to assess whether additional environmental review would be required. This determination concludes that the proposed project at 340 Bryant Street is consistent with and was encompassed within the analysis in the Eastern Neighborhoods PEIR. This determination also finds that the Eastern Neighborhoods PEIR adequately anticipated and described the impacts of the proposed 340 Bryant Street project, and identified the mitigation measures applicable to the 340 Bryant Street project. The proposed project is also consistent with the zoning controls and the provisions of the Planning Code applicable to the project site.^{4,5} Therefore, no further CEQA evaluation for the 340 Bryant Street project is required. In sum, the Eastern Neighborhoods PEIR and this Certificate of Exemption for the proposed project comprise the full and complete CEQA evaluation necessary for the proposed project.

⁴ Adam Varat, San Francisco Planning Department, Community Plan Exemption Eligibility Determination, Citywide Planning and Policy Analysis, 340 Bryant Street, March 25, 2014. This document is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2013.1600E.

⁵ Jeff Joslin, San Francisco Planning Department, Community Plan Exemption Eligibility Determination, Current Planning Analysis, 340 Bryant Street, October 31, 2014. This document is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2013.1600E.

PROJECT SETTING

The project site is within the MUO (Mixed Use Office) Use District and an 65-X Height and Bulk District. Much of the subject block is occupied by Interstate 80, ramps providing access to Interstate 80 and the San Francisco-Oakland Bay Bridge, and other ancillary parcels owned by the State of California Department of Transportation (Caltrans). Bryant Street serves as a primary access route to the Bay Bridge, and on- and off-ramps adjoin the project site on all sides. Interstate 80 forms a barrier between the subject block and areas to the north, with no available pedestrian or auto access across the freeway between 2nd Street (one block west of the project site) and Beale Street (two blocks east of the project site). Buildings on adjacent blocks are primarily low- to mid- rise in scale, ranging from two to eight stories. High-rise residential buildings exist on the opposite side of Interstate 80 to the north and two blocks to the east and south of the project site. Most of the properties to the west and south of the project site are within MUO and P (Public) zoning districts, while land to the east and north is within former redevelopment plan areas. Height districts within a one-block radius range from 40 to 400 feet.

POTENTIAL ENVIRONMENTAL EFFECTS

The Eastern Neighborhoods PEIR included analyses of environmental issues including: land use; plans and policies; visual quality and urban design; population, housing, business activity, and employment (growth inducement); transportation; noise; air quality; parks, recreation and open space; shadow; archeological resources; historic architectural resources; hazards; and other issues not addressed in the previously issued initial study for the Eastern Neighborhoods Rezoning and Area Plans. The proposed 340 Bryant Street project is in conformance with the height, use and density for the site described in the Eastern Neighborhoods PEIR and would represent a small part of the growth that was forecast for the Eastern Neighborhoods plan areas. Thus, the plan analyzed in the Eastern Neighborhoods PEIR considered the incremental impacts of the proposed 340 Bryant Street project. As a result, the proposed project would not result in any new or substantially more severe impacts than were identified in the Eastern Neighborhoods PEIR.

Significant and unavoidable impacts were identified in the Eastern Neighborhoods PEIR for the following topics: land use, historic architectural resources, transportation and circulation, and shadow. The proposed project would contribute to the significant unavoidable land use impact identified in the Eastern Neighborhoods PEIR because it would convert 46,804 sf of PDR space to office use and common areas. The PEIR identified cumulative loss of PDR employment and businesses in the Eastern Neighborhoods plan area as a significant unavoidable impact.

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

Table 1 – Eastern Neighborhoods PEIR Mitigation Measures

Mitigation Measure	Applicability
F. Noise	
F-1: Construction Noise (Pile Driving)	Not Applicable: pile driving not proposed
F-2: Construction Noise	Not Applicable: heavy construction equipment would not be needed
F-3: Interior Noise Levels	Not Applicable: no noise-sensitive uses proposed (office use only)
F-4: Siting of Noise-Sensitive Uses	Not Applicable: no noise-sensitive uses proposed (office use only)
F-5: Siting of Noise-Generating Uses	Not Applicable: no noise-generating uses proposed (office use only)
F-6: Open Space in Noisy Environments	Not Applicable: no noise-sensitive uses proposed (office use only)
G. Air Quality	
G-1: Construction Air Quality	Applicable: only the construction exhaust emissions portion of this mitigation measure is applicable because construction would occur within an Air Pollutant Exposure Zone
G-2: Air Quality for Sensitive Land Uses	Not Applicable: no sensitive uses proposed
G-3: Siting of Uses that Emit DPM	Not Applicable: proposed office use would not emit substantial levels of DPM
G-4: Siting of Uses that Emit other TACs	Not Applicable: proposed office use would not emit substantial levels of other TACs
J. Archeological Resources	
J-1: Properties with Previous Studies	Not Applicable: project site is within this mitigation zone; however, the proposed project is not proposing any excavation or soil disturbance
J-2: Properties with no Previous Studies	Not Applicable: project site is not within this mitigation zone
J-3: Mission Dolores Archeological District	Not Applicable: project site is not located in the Mission Dolores Archeological District
K. Historical Resources	
K-1: Interim Procedures for Permit Review in the Eastern Neighborhoods Plan Area	Not Applicable: plan-level mitigation completed by Planning Department

Mitigation Measure	Applicability
K-2: Amendments to Article 10 of the Planning Code Pertaining to Vertical Additions in the South End Historic District (East SoMa)	Not Applicable: plan-level mitigation completed by Planning Commission
K-3: Amendments to Article 10 of the Planning Code Pertaining to Alterations and Infill Development in the Dogpatch Historic District (Central Waterfront)	Not Applicable: plan-level mitigation completed by Planning Commission
L. Hazardous Materials	
L-1: Hazardous Building Materials	Applicable: project would involve renovation of an existing building constructed in 1932, and could require disposal of hazardous building materials
E. Transportation	
E-1: Traffic Signal Installation	Not Applicable: plan level mitigation by SFMTA
E-2: Intelligent Traffic Management	Not Applicable: plan level mitigation by SFMTA
E-3: Enhanced Funding	Not Applicable: plan level mitigation by SFMTA & SFTA
E-4: Intelligent Traffic Management	Not Applicable: plan level mitigation by SFMTA & Planning Department
E-5: Enhanced Transit Funding	Not Applicable: plan level mitigation by SFMTA
E-6: Transit Corridor Improvements	Not Applicable: plan level mitigation by SFMTA
E-7: Transit Accessibility	Not Applicable: plan level mitigation by SFMTA
E-8: Muni Storage and Maintenance	Not Applicable: plan level mitigation by SFMTA
E-9: Rider Improvements	Not Applicable: plan level mitigation by SFMTA
E-10: Transit Enhancement	Not Applicable: plan level mitigation by SFMTA
E-11: Transportation Demand Management	Not Applicable: plan level mitigation by SFMTA

Please see the attached Mitigation Monitoring and Reporting Program (MMRP) for the complete text of the applicable mitigation measures. With implementation of these mitigation measures the proposed project would not result in significant impacts beyond those analyzed in the Eastern Neighborhoods PEIR. The MMRP also contains improvement measures that would further reduce the project's less-than-significant impacts.

PUBLIC NOTICE AND COMMENT

A "Notification of Project Receiving Environmental Review" was mailed on April 24, 2014 to adjacent occupants and owners of properties within 300 feet of the project site. Overall, concerns and issues raised by the public in response to the notice were taken into consideration and incorporated in the environmental review as appropriate for CEQA analysis. Responses to the notice included requests to view public records and to be included in the distribution of environmental documents related to the project. Responses also included the concerns shown in the bulleted list below, along with text in italics to indicating how the identified concerns have been addressed in this environmental document.

- One commenter expressed concern that the project may be incorrectly processed by the Planning Department as an office-to-office conversion project, and that the Planning Department's analysis would not capture the land use effects of PDR space removal. The commenter also expressed concern that the Planning Department would not collect applicable fees supporting transit, area plan preparation, and other municipal services. *The Planning Department is reviewing the proposed project as an industrial-to-office conversion, and this environmental document addresses the land use impacts associated with loss of PDR space in the "Land Use" section of the attached CPE Checklist. All Planning Department fees applicable to the proposed industrial-to-office conversion project would be collected as required by the Planning Code and the Planning Department's Fee Schedule.*
- The same commenter asserted that prior building permits for work at the project site were issued without proper Planning Department review, and that applicable development fees were not collected. *All prior work performed under prior permits is considered an existing condition for the purposes of environmental review. Prior permit review and fee collection concerns would not affect environmental analysis conclusions for the proposed project currently under review.*
- The same commenter requested that appropriate public notice be given prior to a public hearing to discuss the proposed project. *All required public notices and hearings for the proposed project will be performed in accordance with the Planning Code.*
- The same commenter expressed concern about the cumulative impacts of the proposed project with others in the vicinity. *The potential cumulative impacts of the proposed project are discussed in the attached CPE Checklist under the relevant CEQA topic headings.*
- The same commenter expressed concern about the potential air quality impacts on the proposed offices and roof deck that could result from their location adjacent to a freeway, requiring referral to the Bay Area Air Quality Management District (BAAQMD). *The potential air quality impacts of the proposed project are discussed in the "Air Quality" section of the attached CPE Checklist. Offices are not considered sensitive receptors for air quality analysis purposes.⁶*

⁶ BAAQMD considers sensitive receptors as: children, adults or seniors occupying or residing in: 1) residential dwellings, including apartments, houses, and condominiums; 2) schools, colleges, and universities; 3) daycares; 4) hospitals, and 5) senior care facilities. BAAQMD, Recommended Methods for Screening and Modeling Local Risks and Hazards, May 2011, page 12.

- The same commenter asserted that prior construction work on the project site has been performed without full Planning Department review. *Prior projects are not the subject of this environmental document. All prior work performed on the building is considered an existing condition for the purposes of environmental review. Planning Department approvals are subject to a formal appeals process, and any work performed without proper approvals may be reported to the department through the complaint process.*
- The same commenter asserted that the proposed project requires referral to Caltrans, citing traffic hazard concerns associated with locating a roof deck adjacent to a freeway. *The transportation impacts of the proposed project, including the potential for traffic hazards, are discussed in the Transportation and Circulation section of the attached CPE Checklist. Caltrans reviewed the proposed project and requested modifications as part of a transfer of air rights above the existing building to the project sponsor⁷.*
- The same commenter asserted that the project description in the Notification of Project Receiving Environmental Review incorrectly stated that the existing building on the project site is currently vacant, citing prior evictions that had occurred in the building. *The project sponsor verified that the building is currently vacant⁸, and the building was observed to be vacant by Planning Department staff during a site visit on March 28, 2014. The building's eviction history does not affect the environmental analysis conclusions for the proposed project currently under review.*
- Two additional commenters expressed concern about prior evictions and vandalism at the existing building on the project site. *The building's eviction history and prior vandalism would not affect the environmental analysis conclusions. This environmental document addresses the land use impacts associated with loss of PDR space in the "Land Use" section of the attached CPE Checklist.*
- One of the two commenters also asserted that the project description in the Notification of Project Receiving Environmental Review incorrectly stated that no off-street parking currently exists on the project site. *Plans submitted by the project sponsor⁹ and a site visit performed by Planning Department staff on March 28, 2014 confirm that no off-street parking currently exists on the project site. The Caltrans-owned parcel adjoining the project site to the west contains surface parking, which is not part of the project site.*

The proposed project would not result in significant adverse environmental impacts associated with the issues identified by the public beyond those identified in the Eastern Neighborhoods PEIR.

CONCLUSION

As summarized above and further discussed in the CPE Checklist¹⁰:

1. The proposed project is consistent with the development density established for the project site in the Eastern Neighborhoods Rezoning and Area Plans;

⁷ Phone conversation with Renata Frey, Caltrans District 4 Real Estate Division – Excess Land Sales, May 23, 2014. Staff notes from this phone conversation are available for review at the Planning Department, 1650 Mission Street, Suite 400, San Francisco, in Case File No. 2013.1600E.

⁸ John Kevlin, "340 Bryant Neighborhood Notice Project Description" e-mail dated April 14, 2014. This document is available for review at the Planning Department, 1650 Mission Street, Suite 400, San Francisco, in Case File No. 2013.1600E.

⁹ 340 Bryant Street, plans dated June 4, 2014. This document is available for review at the Planning Department, 1650 Mission Street, Suite 400, San Francisco, in Case File No. 2013.1600E.

¹⁰ The CPE Checklist is available for review at the Planning Department, 1650 Mission Street, Suite 400, San Francisco, in Case File No. 2013.1600E.

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

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

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

1. MITIGATION AND IMPROVEMENT MEASURES	Responsibility for Implementation	Mitigation Schedule	Monitoring/Report Responsibility	Status/Date Completed
<p><i>Project Mitigation Measure 1 - Construction Air Quality (Eastern Neighborhoods Mitigation Measure G-1)</i></p> <p>A. Construction Emissions Minimization Plan. Prior to issuance of a construction permit, the project sponsor shall submit a Construction Emissions Minimization Plan (Plan) to the Environmental Review Officer (ERO) for review and approval by an Environmental Planning Air Quality Specialist. The Plan shall detail project compliance with the following requirements:</p> <ol style="list-style-type: none"> 1. All off-road equipment greater than 25 hp and operating for more than 20 total hours over the entire duration of construction activities shall meet the following requirements: <ol style="list-style-type: none"> a) Where access to alternative sources of power are available, portable diesel engines shall be prohibited; b) All off-road equipment shall have: <ol style="list-style-type: none"> i. Engines that meet or exceed either U.S. Environmental Protection Agency (USEPA) or California Air Resources Board (ARB) Tier 2 off-road emission standards, and ii. Engines that are retrofitted with an ARB Level 3 Verified Diesel Emissions Control Strategy (VDECS). c) Exceptions: <ol style="list-style-type: none"> i. Exceptions to A(1)(a) may be granted if the project sponsor has submitted information providing evidence to the satisfaction of the ERO that an alternative source of power is limited or infeasible at the project site and that the requirements of this exception provision apply. Under this circumstance, the sponsor shall submit documentation of compliance with A(1)(b) for onsite power generation. ii. Exceptions to A(1)(b)(ii) may be granted if the project sponsor has submitted information providing evidence to the satisfaction of the ERO that a particular piece of off-road equipment with 	<p>Project Sponsor along with Project Contractor of each subsequent development project undertaken pursuant to the Eastern Neighborhoods Rezoning and Area Plans Project.</p>	<p>During construction</p>	<p>Each Project Sponsor to provide Planning Department with monthly reports during construction period.</p>	<p>Considered complete upon receipt of final monitoring report at completion of construction.</p>

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

1. MITIGATION AND IMPROVEMENT MEASURES	Responsibility for Implementation	Mitigation Schedule	Monitoring/Report Responsibility	Status/Date Completed												
<p>an ARB Level 3 VDECS is: (1) technically not feasible, (2) would not produce desired emissions reductions due to expected operating modes, (3) installing the control device would create a safety hazard or impaired visibility for the operator, or (4) there is a compelling emergency need to use off-road equipment that are not retrofitted with an ARB Level 3 VDECS and the sponsor has submitted documentation to the ERO that the requirements of this exception provision apply. If granted an exception to A(1)(b)(II), the project sponsor must comply with the requirements of A(1)(c)(III).</p> <p>III. If an exception is granted pursuant to A(1)(c)(II), the project sponsor shall provide the next cleanest piece of off-road equipment as provided by the step down schedules in Table 2.</p> <p><i>Table 2 – Off-Road Equipment Compliance Step-down Schedule</i></p> <table border="1"> <thead> <tr> <th><u>Compliance Alternative</u></th> <th><u>Engine Emission Standard</u></th> <th><u>Emissions Control</u></th> </tr> </thead> <tbody> <tr> <td>1</td> <td>Tier 2</td> <td>ARB Level 2 VDECS</td> </tr> <tr> <td>2</td> <td>Tier 2</td> <td>ARB Level 1 VDECS</td> </tr> <tr> <td>3</td> <td>Tier 2</td> <td>Alternative Fuel*</td> </tr> </tbody> </table> <p>How to use the table: If the requirements of (A)(1)(b) cannot be met, then the project sponsor would need to meet Compliance Alternative 1. Should the project sponsor not be able to supply off-road equipment meeting Compliance Alternative 1, then Compliance Alternative 2 would need to be met. Should the project sponsor not be able to supply off-road equipment meeting Compliance Alternative 2, then Compliance Alternative 3 would need to be met.</p> <p>* Alternative fuels are not a VDECS.</p> <p>2. The project sponsor shall require the idling time for off-road and on-road equipment be limited to no more than two minutes, except as provided in exceptions to the applicable state regulations regarding idling for off-road and on-road equipment. Legible and visible signs shall be posted in multiple languages (English, Spanish, Chinese) in designated queuing areas and at the</p>	<u>Compliance Alternative</u>	<u>Engine Emission Standard</u>	<u>Emissions Control</u>	1	Tier 2	ARB Level 2 VDECS	2	Tier 2	ARB Level 1 VDECS	3	Tier 2	Alternative Fuel*				
<u>Compliance Alternative</u>	<u>Engine Emission Standard</u>	<u>Emissions Control</u>														
1	Tier 2	ARB Level 2 VDECS														
2	Tier 2	ARB Level 1 VDECS														
3	Tier 2	Alternative Fuel*														

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

1. MITIGATION AND IMPROVEMENT MEASURES	Responsibility for Implementation	Mitigation Schedule	Monitoring/Report Responsibility	Status/Date Completed
<p>construction site to remind operators of the two minute idling limit.</p> <p>3. The project sponsor shall require that construction operators properly maintain and tune equipment in accordance with manufacturer specifications.</p> <p>4. The Plan shall include estimates of the construction timeline by phase with a description of each piece of off-road equipment required for every construction phase. Off-road equipment descriptions and information may include, but is not limited to: equipment type, equipment manufacturer, equipment identification number, engine model year, engine certification (Tier rating), horsepower, engine serial number, and expected fuel usage and hours of operation. For VDECS installed: technology type, serial number, make, model, manufacturer, ARB verification number level, and installation date and hour meter reading on installation date. For off-road equipment using alternative fuels, reporting shall indicate the type of alternative fuel being used.</p> <p>5. The Plan shall be kept on-site and available for review by any persons requesting it and a legible sign shall be posted at the perimeter of the construction site indicating to the public the basic requirements of the Plan and a way to request a copy of the Plan. The project sponsor shall provide copies of Plan to members of the public as requested.</p> <p>B. Reporting. Quarterly reports shall be submitted to the ERO indicating the construction phase and off-road equipment information used during each phase including the information required in A(4). In addition, for off-road equipment using alternative fuels, reporting shall include the actual amount of alternative fuel used.</p> <p>Within six months of the completion of construction activities, the project sponsor shall submit to the ERO a final report summarizing construction activities. The final report shall indicate the start and end dates and duration of each construction phase. For each phase, the report shall include detailed information required in A(4). In addition, for off-road equipment using alternative fuels, reporting shall include the actual amount of alternative fuel used.</p> <p>C. Certification Statement and On-site Requirements. Prior to the commencement of construction activities, the project sponsor must certify (1) compliance with the Plan, and (2) all applicable requirements of the Plan have been incorporated into contract specifications.</p>				

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

1. MITIGATION AND IMPROVEMENT MEASURES	Responsibility for Implementation	Mitigation Schedule	Monitoring/Report Responsibility	Status/Date Completed
<p><i>Project Mitigation Measure 2 – Hazardous Building Materials (Eastern Neighborhoods Mitigation Measure L-1)</i></p> <p>The City shall condition future development approvals to require that the subsequent project sponsors ensure that any equipment containing PCBs or DEPH, 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 applicable federal, state, and local laws.</p>	<p>Project Sponsor/project archeologist of each subsequent development project undertaken pursuant to the Eastern Neighborhoods Areas Plans and Rezoning</p>	<p>Prior to approval of each subsequent project, through Mitigation Plan.</p>	<p>Planning Department, in consultation with DPH; where Site Mitigation Plan is required, Project Sponsor or contractor shall submit a monitoring report to DPH, with a copy to Planning Department and DBI, at end of construction.</p>	<p>Considered complete upon approval of each subsequent project.</p>
<p><i>Project Improvement Measure 1 – Transportation Demand Management (TDM) Coordinator</i></p> <p>The project sponsor shall identify a TDM coordinator for the project site. The TDM Coordinator shall be responsible for the implementation and ongoing operation of all other TDM measures (Project Improvement Measures 2 and 3) included in the proposed project. The TDM Coordinator could be a brokered service through an existing transportation management association (e.g. the Transportation Management Association of San Francisco, TMASF), or the TDM Coordinator could be an existing staff member (e.g., property manager); the TDM Coordinator does not have to work full-time at the project site. However, the TDM Coordinator shall be the single point of contact for all transportation-related questions from building occupants and City staff. The TDM Coordinator shall provide TDM training to other building staff about the transportation amenities and options available at the project site and nearby.</p>	<p>Project Sponsor</p>	<p>Continuous</p>	<p>Planning Department, in consultation with the TDM Coordinator</p>	<p>Continuous</p>
<p><i>Project Improvement Measure 2 – Transportation and Trip Planning Information/New-Hire Packet</i></p> <p>The project sponsor shall provide a transportation insert for the new-hire packet that includes information on transit service (local and regional, schedules and fares), information on where transit passes could be</p>	<p>Project Sponsor</p>	<p>Continuous</p>	<p>Planning Department, in consultation with the TDM Coordinator</p>	<p>Continuous</p>

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

1. MITIGATION AND IMPROVEMENT MEASURES	Responsibility for Implementation	Mitigation Schedule	Monitoring/Report Responsibility	Status/Date Completed
<p>purchased, information on the 511 Regional Rideshare Program and nearby bike and car share programs, and information on where to find additional web-based alternative transportation materials (e.g., NextMuni phone app). This new hire packet shall be continuously updated as local transportation options change, and the packet should be provided to each new building occupant. The project sponsor shall provide Muni maps, San Francisco Bicycle and Pedestrian maps upon request.</p>				
<p><i>Project Improvement Measure 3 – Bicycle Parking</i> The project sponsor shall provide at least 12 on-site secured bicycle parking spaces and 4 on-site publicly-accessible (visitor) bicycle parking spaces. Within one year after Final Certification of Completion for the subject project, the project sponsor shall contact in writing the San Francisco Municipal Transportation Agency, San Francisco Department of Public Works, and/or Bay Area Bike Share (agencies) to fund the installation of up to 20 new bicycle racks on public right-of-way locations adjacent to or within a quarter mile of the project site (e.g., sidewalks, on-street parking spaces).</p>	Project Sponsor	Continuous	Planning Department, In consultation with the TDM Coordinator	Continuous

1534

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO

Application to Request a
Board of Supervisors Appeal Fee Waiver

CASE NUMBER
For Staff Use Only

APPLICATION FOR Board of Supervisors Appeal Fee Waiver

1. Applicant and Project Information

APPLICANT NAME: SUE HESTER ATTORNEY FOR SAN FRANCISANS FOR REASONABLE GROWTH	
APPLICANT ADDRESS: 870 MARKET ST #1128 SF 94102	TELEPHONE: (415) 846-1021
	EMAIL: hester@earthlink.net

NEIGHBORHOOD ORGANIZATION NAME: SAN FRANCISANS FOR REASONABLE GROWTH	
NEIGHBORHOOD ORGANIZATION ADDRESS: 870 MARKET #1128 SF 94102	TELEPHONE: (415) 846-1021 (cell)
	EMAIL: hester@earthlink.net

PROJECT ADDRESS: 370 BLYANT ST		
PLANNING CASE NO: 2013.160 B	BUILDING PERMIT APPLICATION NO:	DATE OF DECISION (IF ANY): 1/8/15

2. Required Criteria for Granting Waiver

(All must be satisfied; please attach supporting materials)

- The appellant is a member of the stated neighborhood organization and is authorized to file the appeal on behalf of the organization. Authorization may take the form of a letter signed by the President or other officer of the organization.
- The appellant is appealing on behalf of an organization that is registered with the Planning Department and that appears on the Department's current list of neighborhood organizations.
- The appellant is appealing on behalf of an organization that has been in existence at least 24 months prior to the submittal of the fee waiver request. Existence may be established by evidence including that relating to the organization's activities at that time such as meeting minutes, resolutions, publications and rosters.
- The appellant is appealing on behalf of a neighborhood organization that is affected by the project and that is the subject of the appeal.

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BOARD OF SUPERVISORS
SAN FRANCISCO

For Department Use Only

Application received by Planning Department

By _____

Date: _____

Submission Checklist

- APPELLANT AUTHORIZATION
- CURRENT ORGANIZATION REGISTRATION
- MINIMUM ORGANIZATION AGE
- PROJECT IMPACT ON ORGANIZATION

- WAIVER APPROVED WAIVER DENIED



SAN FRANCISCO
PLANNING
DEPARTMENT

FOR MORE INFORMATION:
Call or visit the San Francisco Planning Department

Central Reception
1650 Mission Street, Suite 400
San Francisco CA 94109-2479

TEL: 415.558.6378
FAX: 415.558.6409
WEB: <http://www.sfplanning.org>

Planning Information Center (PIC)
1650 Mission Street, First Floor
San Francisco CA 94109-2479

TEL: 415.558.6377
Planning staff are available by phone and at the PIC counter.
No appointment is necessary.

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SAN FRANCISCO PLANNING DEPARTMENT

MEMO

Appeal of Community Plan Exemption

340 Bryant Street

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

DATE: March 16, 2015
 TO: Angela Calvillo, Clerk of the Board of Supervisors
 FROM: Sarah B. Jones, Environmental Review Officer – (415) 558-9034
 Kansai Uchida, Case Planner – (415) 575-9048
 RE: Planning Case No. 2013.1600E
 Appeal of Community Plan Exemption for 340 Bryant Street
 HEARING DATE: March 24, 2015

PROJECT SPONSOR: John Kevlin, Reuben, Junius & Rose LLP, 415-567-9000
 APPELLANT: Sue C. Hestor, San Franciscans for Reasonable Growth

INTRODUCTION

This memorandum and the attached documents are a response to the letter of appeal to the Board of Supervisors (the "Board") regarding the Planning Department's (the "Department") issuance of a Community Plan Exemption (CPE) under the *Eastern Neighborhoods Rezoning and Area Plan Final Environmental Impact Report* ("Eastern Neighborhoods EIR")¹ in compliance with the California Environmental Quality Act ("CEQA"), Public Resources Code Sections 21000 *et seq.*, for the proposed 340 Bryant Street project (the "Project").

The Department, pursuant to CEQA, the CEQA Guidelines, 14 Cal. Code of Reg. Sections 15000 *et seq.*, and Chapter 31 of the San Francisco Administrative Code, issued a CPE for the project on December 22, 2014 because the project is consistent with the development density established by zoning, community plan, and general plan policies in the Eastern Neighborhoods Rezoning and Area Plan project area, for which an EIR was certified. The Department found that the project would not result in new significant environmental effects, or effects of greater severity than were already analyzed and disclosed in the Eastern Neighborhoods EIR, and that the project is therefore exempt from further environmental review under CEQA in accordance with CEQA Section 21083.3 and CEQA Guidelines Section 15183.

The decision before the Board is whether to uphold the Department's decision to issue a CPE and deny the appeal or to overturn the Department's decision to issue a CPE and return the project to the Department staff for additional environmental review.

¹ The *Eastern Neighborhoods Rezoning and Area Plan Final EIR* (Planning Department Case No. 2004.0160E, State Clearinghouse No. 2005032048) was certified by the Planning Commission on August 7, 2008. The project site is within the *Eastern Neighborhoods Rezoning and Area Plan* project area.

SITE DESCRIPTION & EXISTING USE

The project site at 340 Bryant Street is located in San Francisco's South of Market (SoMa) neighborhood, on the block bounded by Rincon Street to the east, Sterling Street to the west, Interstate 80 to the north, and Bryant Street to the south. The site is adjacent to, and essentially encompassed on two sides by, one of the access ramps to the San Francisco-Oakland Bay Bridge (Interstate 80). The site is within the East SoMa Area Plan and is zoned MUO (Mixed Use Office) Use and 65-X Height and Bulk. It is occupied by a four-story, 44-foot-tall, 62,050 square foot (sf) building built in 1932. Part of the ground floor (732 sf) contains a retail space. The building is presently vacant and is currently undergoing interior renovations after receiving building permits previously issued for activities such as ventilation equipment installation, fire safety system installation, lighting installation, elevator replacement, and lobby and stairway improvements. The building recently (2012) was occupied by multiple commercial-industrial tenants.

PROJECT DESCRIPTION

The proposed project would convert the upper three of the four floors of the existing industrial building to office use. A total of 46,804 sf of industrial space would be converted, and the total office space created would be 45,545 sf. Approximately 14,500 sf of the approximately 16,500 sf ground floor would remain as PDR uses. The remaining 1,991 sf on the ground floor would be used for common circulation areas and mechanical equipment. The existing 732 sf retail space on the ground floor would be removed. The square footage to be converted would be:

- Ground Floor: 1,259 sf of industrial space and 732 sf of retail space would be converted to common circulation areas (1,991 sf total), and the remaining 14,500 sf would continue to be used as industrial space;
- Second Floor: All 16,788 sf of industrial space would be converted to office use;
- Third Floor: All 16,877 sf of industrial space would be converted to office use;
- Fourth Floor and Mezzanine: All 11,880 sf of industrial space would be converted to office use.

Loading activities to support the ground floor industrial space on site would continue to occur on an existing easement in the Caltrans-owned parking lot immediately west of the project site. Construction work would include interior demolition and renovation, exterior façade improvements, and the addition of a circulation penthouse and roof deck. No expansion of the building envelope or square footage would occur, other than the additional roof-level features. The height of the building from street level to the top of the finish roof would remain at approximately 44 feet (60 feet including parapets, rooftop access, a roof deck, and mechanical equipment, which are typically excluded from building height calculations for Planning Code purposes).

The project requires the following approvals, with the Planning Code Section 321 approval (Office Allocation) by the Planning Commission identified as the Approval Action under Chapter 31 of the San Francisco Administrative Code for the whole of the project:

- Planning Code Section 321 approval by the Planning Commission (received January 8, 2015)
- Building Permit approval by the Department of Building Inspection

BACKGROUND

On September 20, 2013, John Kevlin of Reuben, Junius & Rose LLP (hereinafter "Project Sponsor") filed an Environmental Evaluation Application with the Department for the proposed project described above.

The project site at 340 Bryant Street is located within the project area analyzed in the Eastern Neighborhoods EIR.

On December 22, 2014, the Department issued a CPE Certificate and Checklist, based on the following determinations reached by the Department's project-level environmental review of the 340 Bryant Street project:

- The project is consistent with the development density established by the zoning and community plan for which the Eastern Neighborhoods EIR was certified;
- The project would not result in new significant environmental effects or effects of greater severity than were already analyzed and disclosed in the Eastern Neighborhoods EIR; and
- The project, therefore, is exempt from further environmental review in accordance with CEQA Section 21083.3 and CEQA Guidelines Section 15183.

On January 8, 2015, the Planning Commission granted approval under Planning Code Section 321 (Office Allocation), which constituted the Approval Action under Chapter 31 of the Administrative Code for the proposed project.

On February 9, 2015, an appeal of the CPE Determination was filed by Sue C. Hestor of San Franciscans for Reasonable Growth.

CEQA GUIDELINES

Community Plan Exemptions

CEQA Section 21083.3 and CEQA Guidelines Section 15183 provide an exemption from environmental review for projects that are consistent with the development density established by existing zoning, community plan or general plan policies for which an 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. Guidelines 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 significant effects which, as a result of substantial information which was not known at the time the EIR was certified, are determined to have a more severe adverse impact than that discussed in the underlying EIR. Guidelines Section 15183(c) specifies that if an impact is not peculiar to the parcel or to the proposed project, has been addressed as a significant effect in the prior EIR, or can be substantially mitigated by the imposition of uniformly applied development policies or standards, then an additional EIR need not be prepared for that project solely on the basis of that impact.

Significant Environmental Effects

In determining the significance of environmental effects caused by a project, CEQA Guidelines Section 15064(f) states that the decision as to whether a project may have one or more significant effects shall be based on substantial evidence in the record of the lead agency. CEQA Guidelines 15064(f)(5) offers the following guidance: "Argument, speculation, unsubstantiated opinion or narrative, or evidence that is clearly inaccurate or erroneous, or evidence that is not credible, shall not constitute substantial evidence. Substantial evidence shall include facts, reasonable assumption predicated upon facts, and expert opinion supported by facts."

Most of the issues raised in the Appeal Letter relate to the CPE's analysis of transportation impacts. The CPE Checklist, which is based on the Planning Department's Initial Study Checklist, uses the following questions to evaluate whether a proposed project would cause a significant environmental effect related to transportation:

Would the project:

- a) *Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?*
- b) *Conflict with an applicable congestion management program, including but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?*
- c) *Result in a change in air traffic patterns, including either an increase in traffic levels, obstructions to flight, or a change in location, that results in substantial safety risks?*
- d) *Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses?*
- e) *Result in inadequate emergency access?*
- f) *Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?*

APPELLANT ISSUES AND PLANNING DEPARTMENT RESPONSES

The concerns raised in the February 9, 2015 Appeal Letter are cited below and are followed by the Department's responses.

Issue 1 (Roadway and Lane Configurations, Pedestrian Crossings): The appellant's letter says that no intersections, crosswalks, curbs, or pedestrian access exist adjacent to the project site, and that the Bryant Street roadway is separated into eastbound and westbound lanes at different grades. The appellant questions how bicyclists and pedestrians will leave the project site during the afternoon rush (PM peak)

hour given the queues of cars waiting to access the Bay Bridge, and states that this concern is not analyzed in the CPE or the Eastern Neighborhoods EIR.

Response 1: The appellant's description of the sidewalks and roadways surrounding the project site is not consistent with staff observations and photographs taken during site visits on March 28, 2014 and February 13, 2015 (photographs are included in Attachment A). Pedestrian access to the project site is provided by existing unmarked crosswalks,² primarily at the intersection of Bryant and Rincon Streets (the crosswalk closest to the on-site building entrance), and secondarily at the intersection of Bryant Street and the Interstate 80 on-ramp. As shown in the site visit photographs, a concrete sidewalk and curb exists along the entirety of the project site's street frontages. Contrary to the appellant's statement that cars traveling east on Bryant Street would not pass through any intersections before reaching the Bay Bridge, there are unsignalized intersections at Bryant and Rincon Streets and at Bryant Street and the Bay Bridge on-ramp, both of which have unmarked crosswalks. The sidewalks at both ends of the crosswalks have sloped curb cuts (ADA ramps) to facilitate pedestrian access.

In response to the appellant's question about how office workers would walk or bike to the project site, the optimal route is to approach the project site along the south side of Bryant Street and then cross to the north side of Bryant Street at Rincon Street to enter the building. The nearest bus stop, the 10-Townsend stop on 2nd Street, is located to the south of Bryant Street, which would lead pedestrians to approach the site from the south. Similarly, the nearest rail stop, the N-Judah and T-Third Street stop at Brannan & The Embarcadero, is located to the southeast of the project site, and would also lead pedestrians to approach the site using the crosswalk at Bryant and Rincon Streets at the southeast corner of the project site. The site is also accessible via the crosswalk at the intersection of Bryant Street and the Interstate 80 on-ramp, but use of this crosswalk is expected to be low compared to the crosswalk at Bryant and Rincon Streets. This is because the crosswalk at Bryant Street and the Interstate 80 on-ramp is located farther from the on-site building entrance³ and is not located on a primary walking route to the nearest transit stops. Also, pedestrians would likely prefer crossing at Bryant and Rincon Streets because they would only have to cross one lane of traffic in each direction (two lanes total), versus crossing three lanes of turning traffic at the intersection of Bryant Street and the Interstate 80 on-ramp. Given that the street and intersection configurations are existing conditions not created by the proposed project, and that the need for pedestrians and bicyclists to access the building on the project site existed under the site's previous commercial-industrial use, the CPE indicated that the associated transportation effects would be less than significant. Additional detail regarding this conclusion is provided in Response 2 below.

Issue 2 (Analysis of HOV Lanes, Transportation Impacts of the Proposed Office Use): The appellant states that the CPE and Eastern Neighborhoods EIR disregard the presence of two high-occupancy vehicle lanes (also known as HOV or carpool lanes) on Bryant Street leading to the Bay Bridge adjacent to

² Section 275(a) of the California Vehicle Code defines an unmarked crosswalk as that portion of a roadway included within the prolongation or connection of the boundary lines of sidewalks at intersection where the intersecting roadways meet at approximately right angles, except the prolongation of such lines from an alley across a street. It should be noted that Rincon Street adjacent to the project site has a roadway width greater than 25 feet, and therefore would not be defined as an alley per Section 110 of the code. Section 21950 clarifies that drivers must yield the same right-of-way to pedestrians at marked and unmarked crosswalks.

³ The proposed project would not change the location of the building entrance.

the project site. The appellant also states that the HOV lanes have been reconfigured since publication of the Eastern Neighborhoods EIR (2008), and that the new configuration has not been adequately analyzed. The appellant also states that vehicles traveling westbound (uphill) on Bryant Street will be accelerating due to the slope, that drivers may have sun in their eyes, and that drivers may not expect pedestrians to be crossing Bryant Street west of Beale Street.

Response 2: The appellant's concern that the CPE and the Eastern Neighborhoods EIR disregard the HOV lanes adjacent to the project site is incorrect. Page 1 of the CPE Checklist identifies the project site's location adjacent to one of the freeway access ramps to the Bay Bridge, and indicates that the project site is adjoined by Bay Bridge on- and off-ramps on all sides. Page 261 of the Eastern Neighborhoods EIR, which provides the basis for and is incorporated by reference into the CPE Certificate and Checklist, also acknowledges that adverse pedestrian conditions exist in Eastern SoMa because vehicles travel at relatively higher speeds on many streets (including Bryant Street) that serve as connections to and from freeway on- and off-ramps. Page 44 of the East SoMa Plan, which is analyzed in the Eastern Neighborhoods EIR, also recognizes that "the area's freeway on and off-ramps designed to facilitate multiple lanes of turning traffic and wide turning radii can create intersections inhospitable to pedestrians." Pages 130 and 131 of the Eastern Neighborhoods EIR also note that the east-west oriented streets in East SoMa, including Bryant Street, lack pedestrian amenities and a visual boundary between the street and the pedestrian realm. The EIR also notes that many of these streets are wide, accommodating up to five lanes of traffic. The EIR cites these factors, along with the freeway on- and off-ramps, as contributors to a vehicular rather than pedestrian orientation along the primary streets in East SoMa, especially when compared to other parts of San Francisco. As such, the existing adverse pedestrian conditions noted by the appellant at the project site along Bryant Street (including any street modifications that may have occurred since publication of the Eastern Neighborhoods EIR) are not unusual in the East SoMa area, were disclosed in the Eastern Neighborhoods EIR, and have already been analyzed.

The appellant's concern about the additional employees at the project site (due to the proposed office conversion) causing increased vehicular conflicts with pedestrians was analyzed in the Eastern Neighborhoods EIR. In addition to the acknowledgement of adverse pedestrian conditions on page 261 (discussed above in the first paragraph of this response), the Eastern Neighborhoods EIR states on pages 290 and 291 that the amount of conflicts between pedestrians and vehicles would likely increase, and the number of accidents involving pedestrian injury would increase as a result of new development and population growth in East SoMa. The Eastern Neighborhoods EIR also notes that much of the plan area is characterized by low volumes of pedestrians in industrial settings, and that increases in the numbers of pedestrians resulting from new development could cause drivers to expect more pedestrians to be present and exercise more care. Similarly, at the crosswalks surrounding 340 Bryant Street, which are currently characterized by low pedestrian volumes that would increase as a result of the proposed office conversion, drivers may begin to expect more pedestrians and exercise more care as pedestrian volumes grow.

Furthermore, the intersections and pedestrian roadway crossings surrounding the project site, along with any associated hazards, are existing, baseline, conditions that would not be created or altered by the

proposed project. The project site does not presently have on-site parking (the parking lot to the west of the project site is owned by Caltrans), and the existing building under its industrial use also generated pedestrian and bicycle trips that passed through the surrounding intersections⁴. The proposed project does not include street changes, and therefore would not create new design features (i.e. sharp curves or dangerous intersections) or incompatible uses that would substantially increase hazards beyond those that already exist, nor would it decrease the performance or safety of existing pedestrian and bicycle facilities in the project area.

Therefore, for the above reasons, the CPE correctly concludes that the proposed project would not result in any significant transportation/pedestrian effects that have not already been analyzed in the Eastern Neighborhoods EIR.

It should also be noted that the Planning Commission, as part of its motion and approval of the Office Allocation for the proposed project, included a condition of approval requiring that, 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. The Planning Commission also directed that the Planning Department will continue to work with applicable other agencies regarding issues surrounding pedestrian streetscape improvements, fire access, pedestrian safety and traffic calming measures.

Issue 3 (Increased Number of Employees, Vehicular Conflicts): The appellant states that different square footages for the proposed office space are reported in the CPE and the Office Allocation Motion for the proposed project passed by the Planning Commission on January 8, 2015 (Motion 19311). The appellant states that the actual number of employees at the project site will probably be double the number estimated in the CPE (i.e. approximately 330 instead of the 165 employees noted in the CPE), and that more of the employees will access the site by walking or biking once the building has been converted from industrial to office use, thereby creating more opportunities for vehicular conflicts with pedestrians and bicyclists.

Response 3: The difference between the square footages cited by the appellant (45,545 square feet versus 47,536 square feet) results from the 1,991 square feet of common circulation areas proposed on site. The estimated addition of approximately 165 office jobs on site reported on page 12 of the CPE Checklist was calculated using the 276 square-feet-per-employee figure indicated in the Planning Department's 2002 *Transportation Impacts Analysis Guidelines for Environmental Review*, as is standard for environmental review for development projects in San Francisco. As tenants, employers, and employment practices vary widely, it is necessary to apply a standardized figure to help achieve a credible review. As noted on page 15 of the CPE Checklist, the estimated number of jobs on site after project implementation is likely conservatively high, given that no existing trips to/from the site were subtracted for the building's former industrial and retail use. The appellant has not presented evidence to show that the actual number of

⁴ In an effort to provide a conservative analysis, the building was assumed to be vacant for trip generation purposes, meaning that no credits for existing trips to the building were subtracted from the total number of new office-related trips reported in the CPE. However, the building was recently (2012) occupied by multiple commercial-industrial tenants.

new office jobs would be twice the estimated number reported in the CPE Checklist, nor any evidence to show that such an employment increase would cause the proposed project to exceed the scope of employment and population growth evaluated in the Eastern Neighborhoods EIR. The appellant's statement regarding potential conflicts between pedestrians, bicyclists, and vehicular traffic is addressed in Response 2 above.

Issue 4 (Site Map): The appellant states that the site map provided in the CPE is misleading and does not convey the complexity of the site because it does not label the HOV lanes with their direction, the divided Bryant Street, or the steep wall between Rincon Street and Beale Street.

Response 4: The figure on page 3 of the CPE Checklist, titled "Project Location," supplements, rather than duplicates, the detailed project description provided on pages 1 and 2. The Project Location figure accurately shows the location of the project on a parcel map, a local street map, and a map of the entire City and County of San Francisco. Streets and freeway ramps are labeled, and the map contains adequate detail to convey the location of the project site to readers. The Project Location map does not show retaining walls or lane restrictions such as HOV designations, and the divided portion of Bryant Street is located approximately 350 feet east of the project site (beyond the eastern extent of the parcel map). It is not necessary to include such features on the Project Location map in order to identify the location of the project site. This is typical of the level of detail provided on Project Location maps in the Department's environmental documents, including CPEs.

Additional detail is provided on the pages immediately before and after the Project Location figure. The figure on page 4 of the CPE Checklist, titled "Site Plan," shows the roadway features adjacent to the project site in greater detail. Details shown on the Site Plan include the location and directionality of the freeway ramps, sidewalks, ramp support columns, and other features relevant to the environmental review of the proposed project. Further description of relevant features is also provided on pages 1 and 2 of the CPE Checklist. The presence of a retaining wall on the Caltrans parcel located to the east (across Rincon Street) and the divided roadway on Bryant Street (one block east of the project site) is not relevant to the environmental review of the proposed project and would not have bearing on the CEQA conclusions presented in the CPE because these features do not substantially affect the traffic and pedestrian access to the project site. Therefore, these features are not presented in the figures provided in the CPE checklist.

Issue 5 (Roof Deck, Signage): The appellant states that the proposed roof deck will be visible to cars and trucks on the lower deck of the Bay Bridge, and that people on the roof deck and proposed signage on the building will distract motorists. The appellant also questions whether the proposed roof deck will result in environmental effects associated with air quality and dirt on the deck.

Response 5: As discussed on page 16 of the CPE Checklist, Caltrans (operator of the Bay Bridge) reviewed the proposed project, including the roof deck and signage, and required the project sponsor to make modifications to the proposed project to avoid potential vehicular line-of-sight and right-of-way encroachment concerns. Caltrans' requirements to address these concerns included modification of the proposed signage, which the project sponsor has incorporated into the proposed project.

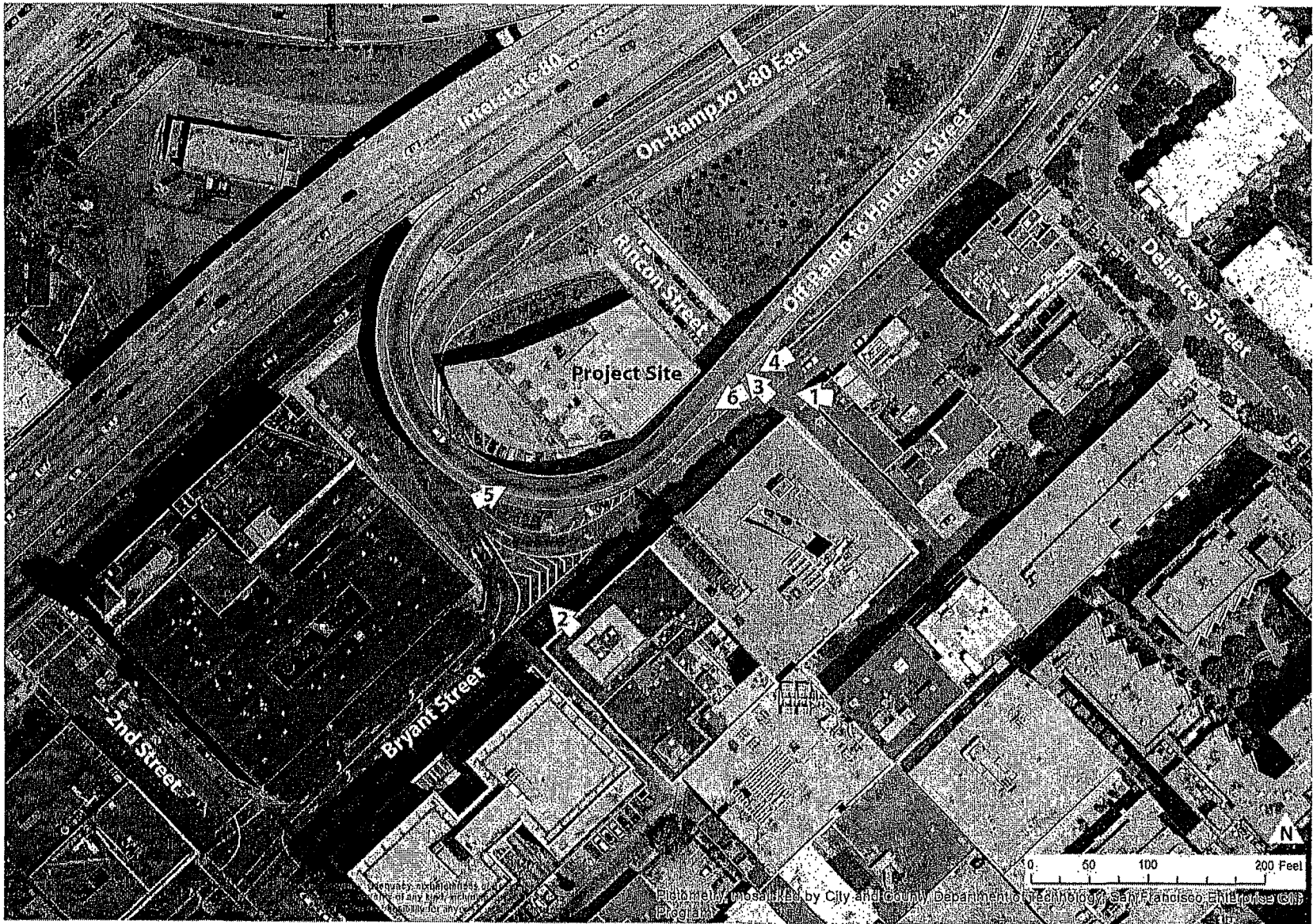
On page 22, the CPE Checklist acknowledges that the project site is located within an identified Air Pollutant Exposure Zone where the ambient health risk from air pollutants is considered substantial for sensitive receptors. The CPE Checklist further explains that occupants of office uses are not considered sensitive receptors because they typically do not spend the majority of their lives in the building nor are they the age or population groups that are typically the most vulnerable to health impacts from air pollution. Therefore, the proposed project would not result in significant air quality impacts related to exposure of occupants to substantial air pollutant concentrations. It is also likely that occupants will spend a relatively limited amount of time on the roof deck compared to the proposed interior office spaces of the building. Accumulation of dirt on private roof decks does not constitute a significant environmental effect under CEQA.

CONCLUSION

No substantial evidence supporting a fair argument that a new significant environmental effect, nor an effect of greater severity than already analyzed in the Eastern Neighborhoods EIR, may occur as a result of the project has been presented. Preparation of further environmental review is therefore not warranted. The Department has found that the proposed project is consistent with the requirements for a CPE under CEQA Section 21083.3 and CEQA Guidelines Section 15183. The Appellant has not provided any substantial evidence or expert opinion to refute the conclusions of the Department.

For the reasons stated above and in the December 22, 2014 CPE Certificate and Checklist, the CPE Determination complies with the requirements of CEQA and the Project is appropriately exempt from further environmental review. The Department therefore recommends that the Board uphold the CPE Determination and deny the appeal.

Attachment A
Site Photographs



Aerial Photo (project site shaded, location and direction of subsequent photos shown with numbered arrows) – June 2014

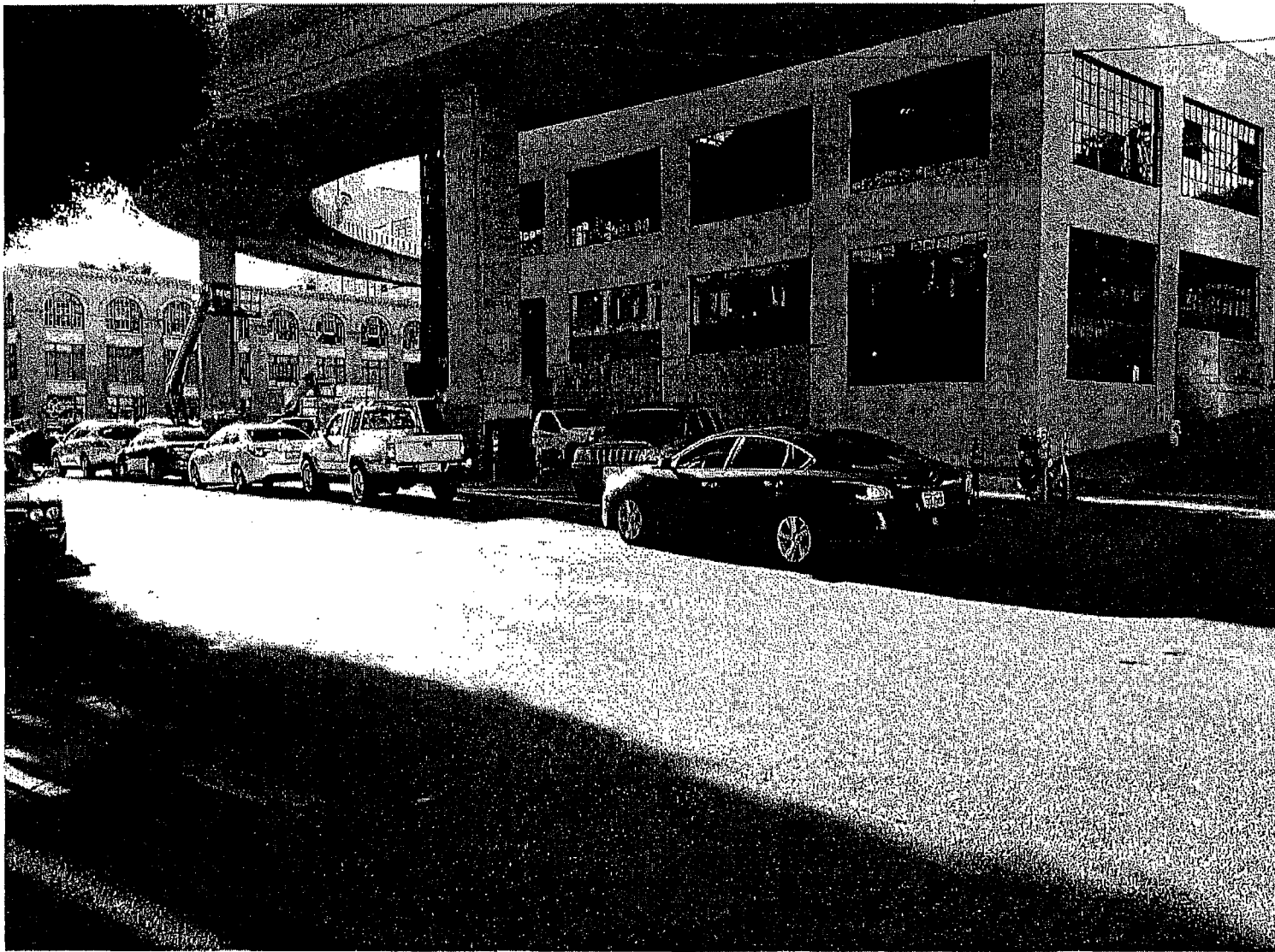


Photo 1: Existing building on project site viewed from across Bryant Street, Unmarked crosswalk across Bryant Street at Rincon Street, looking north – February 13, 2015



Photo 2: View from across Bryant Street of unmarked crosswalk across the eastbound I-80 on-ramp, looking north (ADA ramps with yellow tactile markings at corners at the far left and right of the photo). Existing building on the project site is at the upper right. – February 13, 2015

1551

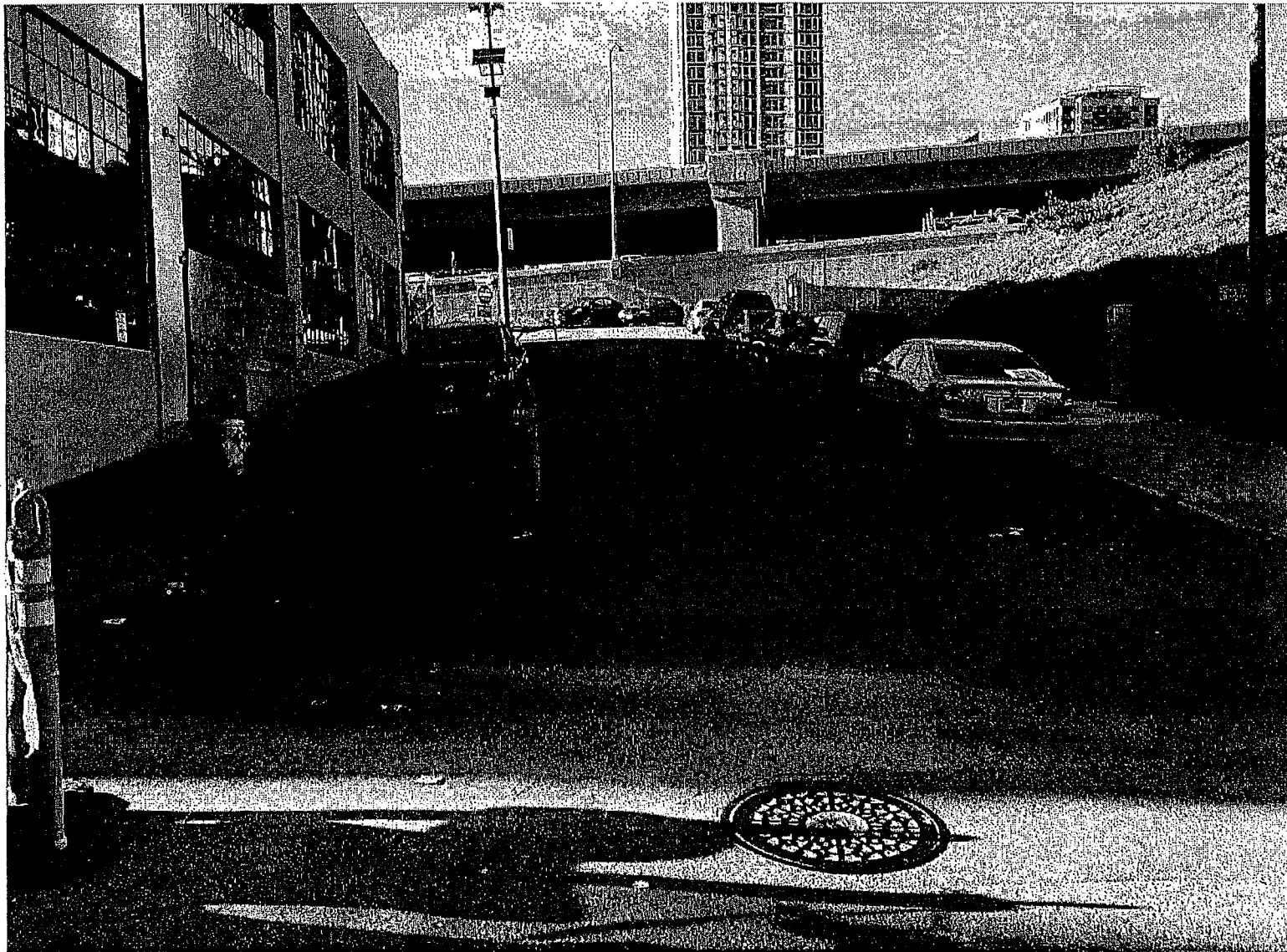


Photo 3: Rincon Street, looking north from Bryant Street. Project site and fronting sidewalk are on the left. – February 13, 2015



Photo 4: Project site viewed from Rincon Street, just north of Bryant Street, looking west. Westbound I-80 Harrison Street off-ramp viaduct is visible in the upper left. – March 28, 2014



Photo 5: Project site viewed from the adjacent Caltrans-owned parking lot, looking east. Westbound I-80 Harrison Street off-ramp viaduct is visible in the upper right. – March 28, 2014

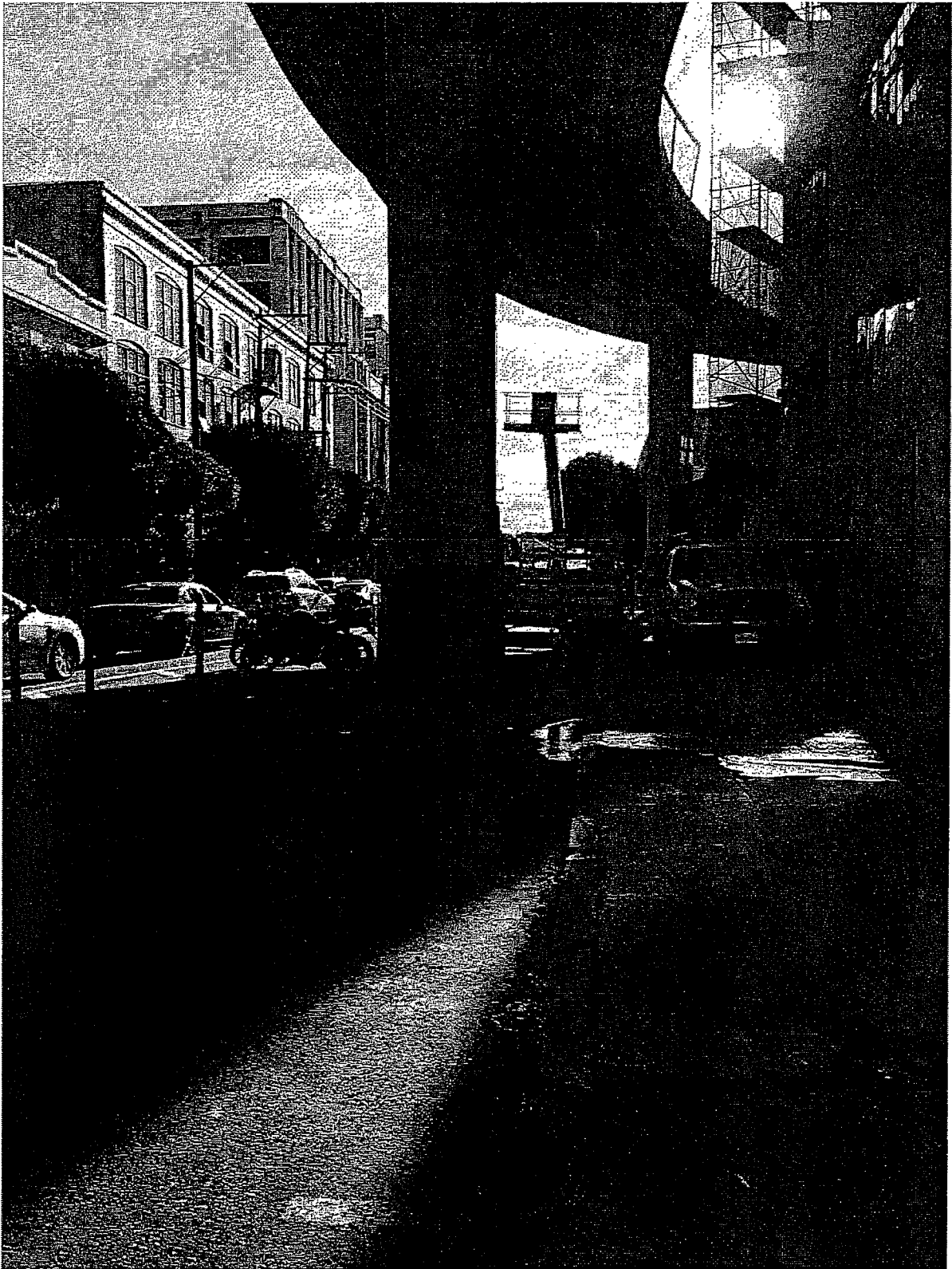


Photo 6: View west along Bryant Street from Rincon Street. Project site and fronting sidewalk are on the right, and the westbound I-80 Harrison Street off-ramp viaduct is overhead. – February 13, 2015



SAN FRANCISCO PLANNING DEPARTMENT

Certificate of Determination EXEMPTION FROM ENVIRONMENTAL REVIEW

Case No.: 2013.1600E
 Project Address: 340 Bryant Street
 Zoning: MUO (Mixed Use Office) Use District
 65-X Height and Bulk District
 Block/Lot: 3764/061
 Lot Size: 16,505 square feet
 Plan Area: Eastern Neighborhoods Area Plan
 Project Sponsor: John Kevlin – Reuben, Junius, and Rose LLP – (415) 567-9000
 Staff Contact: Kansai Uchida – (415) 575-9048 – kansai.uchida@sfgov.org

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

Reception:
 415.558.6378

Fax:
 415.558.6409

Planning
 Information:
 415.558.6377

PROJECT DESCRIPTION

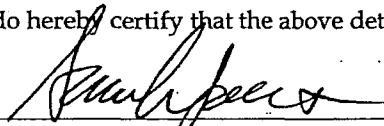
The project site is located in San Francisco's South of Market (SoMa) neighborhood on the block bounded by Rincon Street to the east, Sterling Street to the west, Interstate 80 to the north, and Bryant Street to the south. The project site is occupied by a four-story, 44-foot-tall, 62,050 square foot (sf) building. The existing building was constructed in 1932 and includes no off-street vehicular parking. The existing building is currently vacant, although it recently (2012) was occupied by industrial tenants. To ensure that the maximum potential environmental impacts are analyzed, the building is assumed to be currently vacant for the purposes of transportation, air quality, and other CEQA impact topics that rely on square footage calculations. The proposed project includes conversion of 46,804 sf of industrial use to office use and common areas, primarily on the upper three floors of the existing building. A total of 45,545 sf of office space would be created. In addition, the proposed project would include the addition of a deck and mechanical equipment on the roof, removal of exterior roll-up doors at street level, removal of the 732-sf ground-floor retail space (for use as industrial space), installation of new windows and signs along the building's exterior, and addition of 16 bicycle parking spaces. Aside from 1,991 sf of common space, the remaining 14,514 sf of ground-floor space would remain as industrial use.

EXEMPT STATUS

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

DETERMINATION

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


 SARAH B. JONES
 Environmental Review Officer

December 22, 2014
 Date

cc: John Kevlin, Project Sponsor; Supervisor Jane Kim, District 6; Erika Jackson, Current Planning Division; Virna Byrd, M.D.F.; Exemption/Exclusion File

PROJECT APPROVAL

The proposed project is subject to review by the Planning Commission pursuant to Section 321 of the Planning Code (Office Allocation). Approval of the Office Allocation Application by the Planning Commission would constitute the Approval Action for the proposed project. The Approval Action date establishes the start of the 30-day appeal period for this CEQA exemption determination pursuant to Section 31.04(h) of the San Francisco Administrative Code.

COMMUNITY PLAN EXEMPTION OVERVIEW

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

This determination evaluates the potential project-specific environmental effects of the 340 Bryant Street project described above, and incorporates by reference information contained in the Programmatic EIR for the Eastern Neighborhoods Rezoning and Area Plans (PEIR)¹. Project-specific studies were prepared for the proposed project to determine if the project would result in any significant environmental impacts that were not identified in the Eastern Neighborhoods PEIR.

After several years of analysis, community outreach, and public review, the Eastern Neighborhoods PEIR was adopted in December 2008. The Eastern Neighborhoods PEIR was adopted in part to support housing development in some areas previously zoned to allow industrial uses, while preserving an adequate supply of space for existing and future production, distribution, and repair (PDR) employment and businesses. The Eastern Neighborhoods PEIR also included changes to existing height and bulk districts in some areas, including the project site at 340 Bryant Street.

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

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

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

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

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

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

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

As a result of the Eastern Neighborhoods rezoning process, the project site has been rezoned to MUO (Mixed Use Office) District. The MUO District is intended to encourage office uses and housing, as well as small-scale light industrial and arts activities. The proposed project and its relation to PDR land supply and cumulative land use effects is discussed further in the Community Plan Exemption (CPE) Checklist, under Land Use. The 340 Bryant Street site, which is located in the South of Market (SoMa) District of the Eastern Neighborhoods, was designated as a site with building up to 65 feet in height.

Individual projects that could occur in the future under the Eastern Neighborhoods Rezoning and Area Plans will undergo project-level environmental evaluation to determine if they would result in further impacts specific to the development proposal, the site, and the time of development and to assess whether additional environmental review would be required. This determination concludes that the proposed project at 340 Bryant Street is consistent with and was encompassed within the analysis in the Eastern Neighborhoods PEIR. This determination also finds that the Eastern Neighborhoods PEIR adequately anticipated and described the impacts of the proposed 340 Bryant Street project, and identified the mitigation measures applicable to the 340 Bryant Street project. The proposed project is also consistent with the zoning controls and the provisions of the Planning Code applicable to the project site.⁴⁵ Therefore, no further CEQA evaluation for the 340 Bryant Street project is required. In sum, the Eastern Neighborhoods PEIR and this Certificate of Exemption for the proposed project comprise the full and complete CEQA evaluation necessary for the proposed project.

⁴ Adam Varat, San Francisco Planning Department, Community Plan Exemption Eligibility Determination, Citywide Planning and Policy Analysis, 340 Bryant Street, March 25, 2014. This document is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2013.1600E.

⁵ Jeff Joslin, San Francisco Planning Department, Community Plan Exemption Eligibility Determination, Current Planning Analysis, 340 Bryant Street, October 31, 2014. This document is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2013.1600E.

PROJECT SETTING

The project site is within the MUO (Mixed Use Office) Use District and an 65-X Height and Bulk District. Much of the subject block is occupied by Interstate 80, ramps providing access to Interstate 80 and the San Francisco-Oakland Bay Bridge, and other ancillary parcels owned by the State of California Department of Transportation (Caltrans). Bryant Street serves as a primary access route to the Bay Bridge, and on- and off-ramps adjoin the project site on all sides. Interstate 80 forms a barrier between the subject block and areas to the north, with no available pedestrian or auto access across the freeway between 2nd Street (one block west of the project site) and Beale Street (two blocks east of the project site). Buildings on adjacent blocks are primarily low- to mid- rise in scale, ranging from two to eight stories. High-rise residential buildings exist on the opposite side of Interstate 80 to the north and two blocks to the east and south of the project site. Most of the properties to the west and south of the project site are within MUO and P (Public) zoning districts, while land to the east and north is within former redevelopment plan areas. Height districts within a one-block radius range from 40 to 400 feet.

POTENTIAL ENVIRONMENTAL EFFECTS

The Eastern Neighborhoods PEIR included analyses of environmental issues including: land use; plans and policies; visual quality and urban design; population, housing, business activity, and employment (growth inducement); transportation; noise; air quality; parks, recreation and open space; shadow; archeological resources; historic architectural resources; hazards; and other issues not addressed in the previously issued initial study for the Eastern Neighborhoods Rezoning and Area Plans. The proposed 340 Bryant Street project is in conformance with the height, use and density for the site described in the Eastern Neighborhoods PEIR and would represent a small part of the growth that was forecast for the Eastern Neighborhoods plan areas. Thus, the plan analyzed in the Eastern Neighborhoods PEIR considered the incremental impacts of the proposed 340 Bryant Street project. As a result, the proposed project would not result in any new or substantially more severe impacts than were identified in the Eastern Neighborhoods PEIR.

Significant and unavoidable impacts were identified in the Eastern Neighborhoods PEIR for the following topics: land use, historic architectural resources, transportation and circulation, and shadow. The proposed project would contribute to the significant unavoidable land use impact identified in the Eastern Neighborhoods PEIR because it would convert 46,804 sf of PDR space to office use and common areas. The PEIR identified cumulative loss of PDR employment and businesses in the Eastern Neighborhoods plan area as a significant unavoidable impact.

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

Table 1 – Eastern Neighborhoods PEIR Mitigation Measures

Mitigation Measure	Applicability
F. Noise	
F-1: Construction Noise (Pile Driving)	Not Applicable: pile driving not proposed
F-2: Construction Noise	Not Applicable: heavy construction equipment would not be needed
F-3: Interior Noise Levels	Not Applicable: no noise-sensitive uses proposed (office use only)
F-4: Siting of Noise-Sensitive Uses	Not Applicable: no noise-sensitive uses proposed (office use only)
F-5: Siting of Noise-Generating Uses	Not Applicable: no noise-generating uses proposed (office use only)
F-6: Open Space in Noisy Environments	Not Applicable: no noise-sensitive uses proposed (office use only)
G. Air Quality	
G-1: Construction Air Quality	Applicable: only the construction exhaust emissions portion of this mitigation measure is applicable because construction would occur within an Air Pollutant Exposure Zone
G-2: Air Quality for Sensitive Land Uses	Not Applicable: no sensitive uses proposed
G-3: Siting of Uses that Emit DPM	Not Applicable: proposed office use would not emit substantial levels of DPM
G-4: Siting of Uses that Emit other TACs	Not Applicable: proposed office use would not emit substantial levels of other TACs
J. Archeological Resources	
J-1: Properties with Previous Studies	Not Applicable: project site is within this mitigation zone; however, the proposed project is not proposing any excavation or soil disturbance
J-2: Properties with no Previous Studies	Not Applicable: project site is not within this mitigation zone
J-3: Mission Dolores Archeological District	Not Applicable: project site is not located in the Mission Dolores Archeological District
K. Historical Resources	
K-1: Interim Procedures for Permit Review in the Eastern Neighborhoods Plan Area	Not Applicable: plan-level mitigation completed by Planning Department

Mitigation Measure	Applicability
K-2: Amendments to Article 10 of the Planning Code Pertaining to Vertical Additions in the South End Historic District (East SoMa)	Not Applicable: plan-level mitigation completed by Planning Commission
K-3: Amendments to Article 10 of the Planning Code Pertaining to Alterations and Infill Development in the Dogpatch Historic District (Central Waterfront)	Not Applicable: plan-level mitigation completed by Planning Commission
L. Hazardous Materials	
L-1: Hazardous Building Materials	Applicable: project would involve renovation of an existing building constructed in 1932, and could require disposal of hazardous building materials
E. Transportation	
E-1: Traffic Signal Installation	Not Applicable: plan level mitigation by SFMTA
E-2: Intelligent Traffic Management	Not Applicable: plan level mitigation by SFMTA
E-3: Enhanced Funding	Not Applicable: plan level mitigation by SFMTA & SFTA
E-4: Intelligent Traffic Management	Not Applicable: plan level mitigation by SFMTA & Planning Department
E-5: Enhanced Transit Funding	Not Applicable: plan level mitigation by SFMTA
E-6: Transit Corridor Improvements	Not Applicable: plan level mitigation by SFMTA
E-7: Transit Accessibility	Not Applicable: plan level mitigation by SFMTA
E-8: Muni Storage and Maintenance	Not Applicable: plan level mitigation by SFMTA
E-9: Rider Improvements	Not Applicable: plan level mitigation by SFMTA
E-10: Transit Enhancement	Not Applicable: plan level mitigation by SFMTA
E-11: Transportation Demand Management	Not Applicable: plan level mitigation by SFMTA

Please see the attached Mitigation Monitoring and Reporting Program (MMRP) for the complete text of the applicable mitigation measures. With implementation of these mitigation measures the proposed project would not result in significant impacts beyond those analyzed in the Eastern Neighborhoods PEIR. The MMRP also contains improvement measures that would further reduce the project's less-than-significant impacts.

PUBLIC NOTICE AND COMMENT

A "Notification of Project Receiving Environmental Review" was mailed on April 24, 2014 to adjacent occupants and owners of properties within 300 feet of the project site. Overall, concerns and issues raised by the public in response to the notice were taken into consideration and incorporated in the environmental review as appropriate for CEQA analysis. Responses to the notice included requests to view public records and to be included in the distribution of environmental documents related to the project. Responses also included the concerns shown in the bulleted list below, along with text in italics to indicating how the identified concerns have been addressed in this environmental document.

- One commenter expressed concern that the project may be incorrectly processed by the Planning Department as an office-to-office conversion project, and that the Planning Department's analysis would not capture the land use effects of PDR space removal. The commenter also expressed concern that the Planning Department would not collect applicable fees supporting transit, area plan preparation, and other municipal services. *The Planning Department is reviewing the proposed project as an industrial-to-office conversion, and this environmental document addresses the land use impacts associated with loss of PDR space in the "Land Use" section of the attached CPE Checklist. All Planning Department fees applicable to the proposed industrial-to-office conversion project would be collected as required by the Planning Code and the Planning Department's Fee Schedule.*
- The same commenter asserted that prior building permits for work at the project site were issued without proper Planning Department review, and that applicable development fees were not collected. *All prior work performed under prior permits is considered an existing condition for the purposes of environmental review. Prior permit review and fee collection concerns would not affect environmental analysis conclusions for the proposed project currently under review.*
- The same commenter requested that appropriate public notice be given prior to a public hearing to discuss the proposed project. *All required public notices and hearings for the proposed project will be performed in accordance with the Planning Code.*
- The same commenter expressed concern about the cumulative impacts of the proposed project with others in the vicinity. *The potential cumulative impacts of the proposed project are discussed in the attached CPE Checklist under the relevant CEQA topic headings.*
- The same commenter expressed concern about the potential air quality impacts on the proposed offices and roof deck that could result from their location adjacent to a freeway, requiring referral to the Bay Area Air Quality Management District (BAAQMD). *The potential air quality impacts of the proposed project are discussed in the "Air Quality" section of the attached CPE Checklist. Offices are not considered sensitive receptors for air quality analysis purposes.⁶*

⁶ BAAQMD considers sensitive receptors as: children, adults or seniors occupying or residing in: 1) residential dwellings, including apartments, houses, and condominiums; 2) schools, colleges, and universities; 3) daycares; 4) hospitals, and 5) senior care facilities. BAAQMD, Recommended Methods for Screening and Modeling Local Risks and Hazards, May 2011, page 12.

- The same commenter asserted that prior construction work on the project site has been performed without full Planning Department review. *Prior projects are not the subject of this environmental document. All prior work performed on the building is considered an existing condition for the purposes of environmental review. Planning Department approvals are subject to a formal appeals process, and any work performed without proper approvals may be reported to the department through the complaint process.*
- The same commenter asserted that the proposed project requires referral to Caltrans, citing traffic hazard concerns associated with locating a roof deck adjacent to a freeway. *The transportation impacts of the proposed project, including the potential for traffic hazards, are discussed in the Transportation and Circulation section of the attached CPE Checklist. Caltrans reviewed the proposed project and requested modifications as part of a transfer of air rights above the existing building to the project sponsor⁷.*
- The same commenter asserted that the project description in the Notification of Project Receiving Environmental Review incorrectly stated that the existing building on the project site is currently vacant, citing prior evictions that had occurred in the building. *The project sponsor verified that the building is currently vacant⁸, and the building was observed to be vacant by Planning Department staff during a site visit on March 28, 2014. The building's eviction history does not affect the environmental analysis conclusions for the proposed project currently under review.*
- Two additional commenters expressed concern about prior evictions and vandalism at the existing building on the project site. *The building's eviction history and prior vandalism would not affect the environmental analysis conclusions. This environmental document addresses the land use impacts associated with loss of PDR space in the "Land Use" section of the attached CPE Checklist.*
- One of the two commenters also asserted that the project description in the Notification of Project Receiving Environmental Review incorrectly stated that no off-street parking currently exists on the project site. *Plans submitted by the project sponsor⁹ and a site visit performed by Planning Department staff on March 28, 2014 confirm that no off-street parking currently exists on the project site. The Caltrans-owned parcel adjoining the project site to the west contains surface parking, which is not part of the project site.*

The proposed project would not result in significant adverse environmental impacts associated with the issues identified by the public beyond those identified in the Eastern Neighborhoods PEIR.

CONCLUSION

As summarized above and further discussed in the CPE Checklist¹⁰:

1. The proposed project is consistent with the development density established for the project site in the Eastern Neighborhoods Rezoning and Area Plans;

⁷ Phone conversation with Renata Frey, Caltrans District 4 Real Estate Division – Excess Land Sales, May 23, 2014. Staff notes from this phone conversation are available for review at the Planning Department, 1650 Mission Street, Suite 400, San Francisco, in Case File No. 2013.1600E.

⁸ John Kevlin, "340 Bryant Neighborhood Notice Project Description" e-mail dated April 14, 2014. This document is available for review at the Planning Department, 1650 Mission Street, Suite 400, San Francisco, in Case File No. 2013.1600E.

⁹ 340 Bryant Street, plans dated June 4, 2014. This document is available for review at the Planning Department, 1650 Mission Street, Suite 400, San Francisco, in Case File No. 2013.1600E.

¹⁰ The CPE Checklist is available for review at the Planning Department, 1650 Mission Street, Suite 400, San Francisco, in Case File No. 2013.1600E.

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

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



SAN FRANCISCO PLANNING DEPARTMENT

Community Plan Exemption Checklist

Case No.: 2013.1600E
 Project Address: 340 Bryant Street
 Zoning: MUO (Mixed Use Office) Use District
 65-X Height and Bulk District
 Block/Lot: 3764/061
 Lot Size: 16,505 square feet
 Plan Area: Eastern Neighborhoods Area Plan
 Project Sponsor: John Kevlin – Reuben, Junius, and Rose LLP – (415) 567-9000
 Staff Contact: Kansai Uchida – (415) 575-9048 – kansai.uchida@sfgov.org

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PROJECT DESCRIPTION

The project site at 340 Bryant Street is located in San Francisco’s South of Market (SoMa) neighborhood. The 16,505 square foot (sf) site (Assessor’s Block 3764, Lot 061) is located on the block bounded by Rincon Street to the east, Sterling Street to the west, Interstate 80 to the north, and Bryant Street to the south (see **Figure 1, Project Location**).

The project site is located on Bryant Street, adjacent to one the primary access ramps to the San Francisco-Oakland Bay Bridge (Interstate 80). The boundaries of the project site are curvilinear in shape, owing to the curved Bay Bridge on- and off-ramps that adjoin the site on all sides. The project site is occupied by a four-story, 44-foot-tall, 62,050 square foot (sf) building (see **Figure 2, Site Plan**). The existing building was constructed in 1932 and includes no off-street vehicular parking. The building also contains a 732-sf ground-floor retail space. The height of the building reaches 44 feet above street level, plus rooftop parapets, skylights, and mechanical equipment that reaches a total height of 60 feet above street level. No off-street parking exists on the project site and no trees are present along any of the street frontages. The building is presently vacant, and has plywood coverings over some of the ground level doorways and windows to minimize intrusion and vandalism. The existing building is currently undergoing construction after receiving building permits previously issued for work not subject to this environmental review¹. The existing building is currently vacant, although it recently (2012) was occupied by industrial tenants. To ensure that the maximum potential environmental impacts are analyzed, the building is assumed to be currently vacant for the purposes of transportation, air quality, and other CEQA impact topics that rely on square footage calculations; the conversion of industrial space to office use is also addressed.

The proposed project would convert the upper three of the four floors of the existing building to office use and part of the first floor to common areas: 1,259 sf on the first floor (for common areas), 16,788 sf on the second floor, 16,877 sf on the third floor, and 11,880 sf on the fourth floor and mezzanine. A total of

¹ Building Permit Numbers 201302089837, 201304265528, 201304265541, 201401307399, 201404233911, 201405276721, 201406279819, and 201409196831

46,804 sf of industrial space would be converted, and the total office space created would be 45,545 sf. Approximately 14,500 sf of the approximately 16,500 sf ground floor would remain as PDR uses. The remaining 1,991 sf on the ground floor would be used for common circulation areas and mechanical equipment. This remaining ground floor space would require removal of the existing 732 sf retail space. Loading activities to support the PDR space would continue to occur on an existing easement in the Caltrans-owned parking lot immediately west of the project site. Construction work would include interior demolition and renovation, exterior façade improvements, and the addition of a circulation penthouse and roof deck (see Figure 3, Proposed Floor Plans). No expansion of the building envelope or square footage would occur, other than the additional roof-level features. The height of the building from street level to the top of the finish roof would remain at approximately 44 feet (60 feet including parapets, rooftop access, a roof deck, and mechanical equipment, which are typically excluded from building height calculations for Planning Code purposes) (see Figure 4, Proposed Elevations). Existing elevator shafts would remain and no excavation or deepening of the foundation would occur. The building would have 16 bicycle parking spaces at the ground level and no off-street vehicular parking. Construction would last approximately four months, and would not include pile driving or excavation.

Figure 1 Project Location

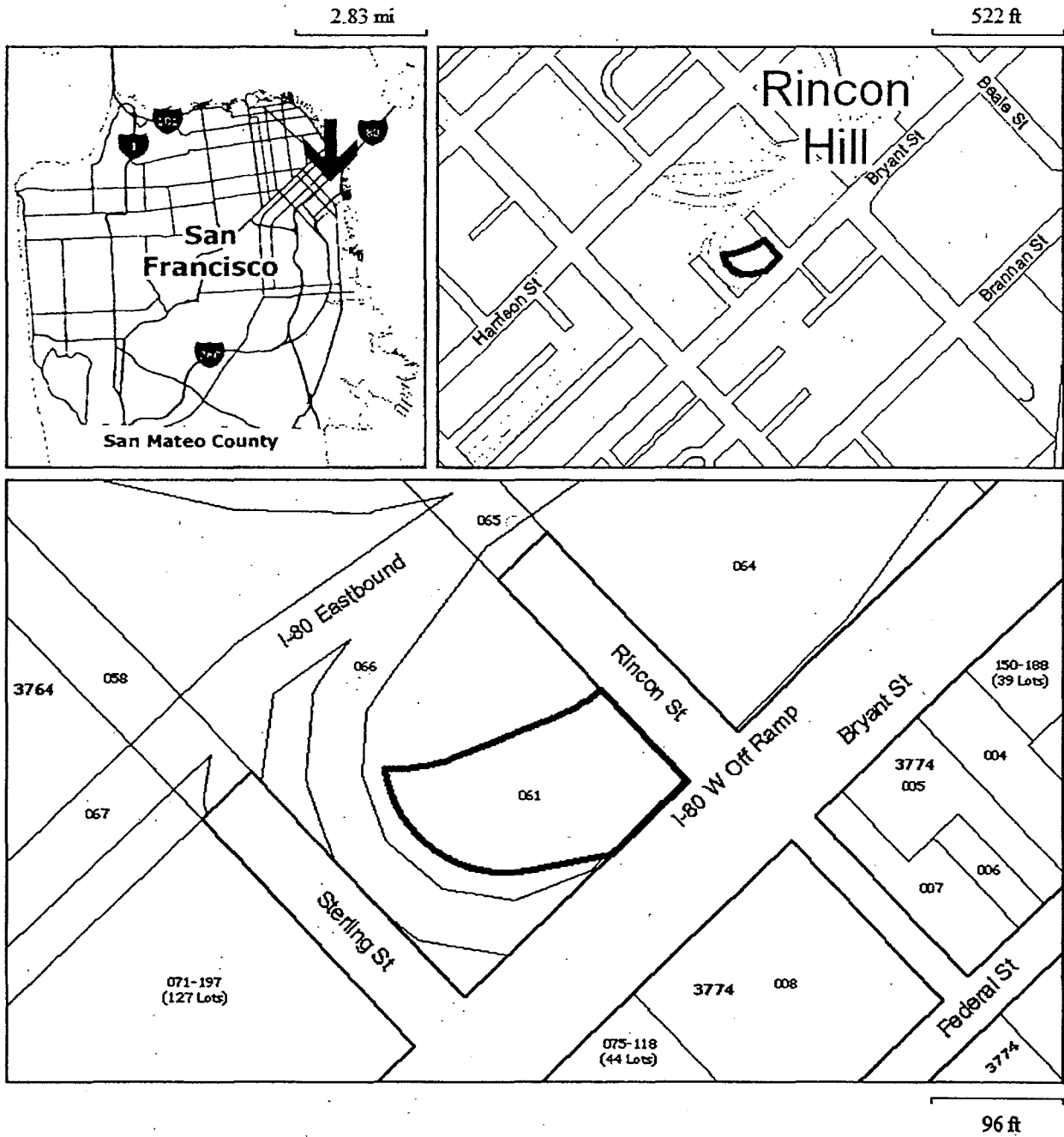
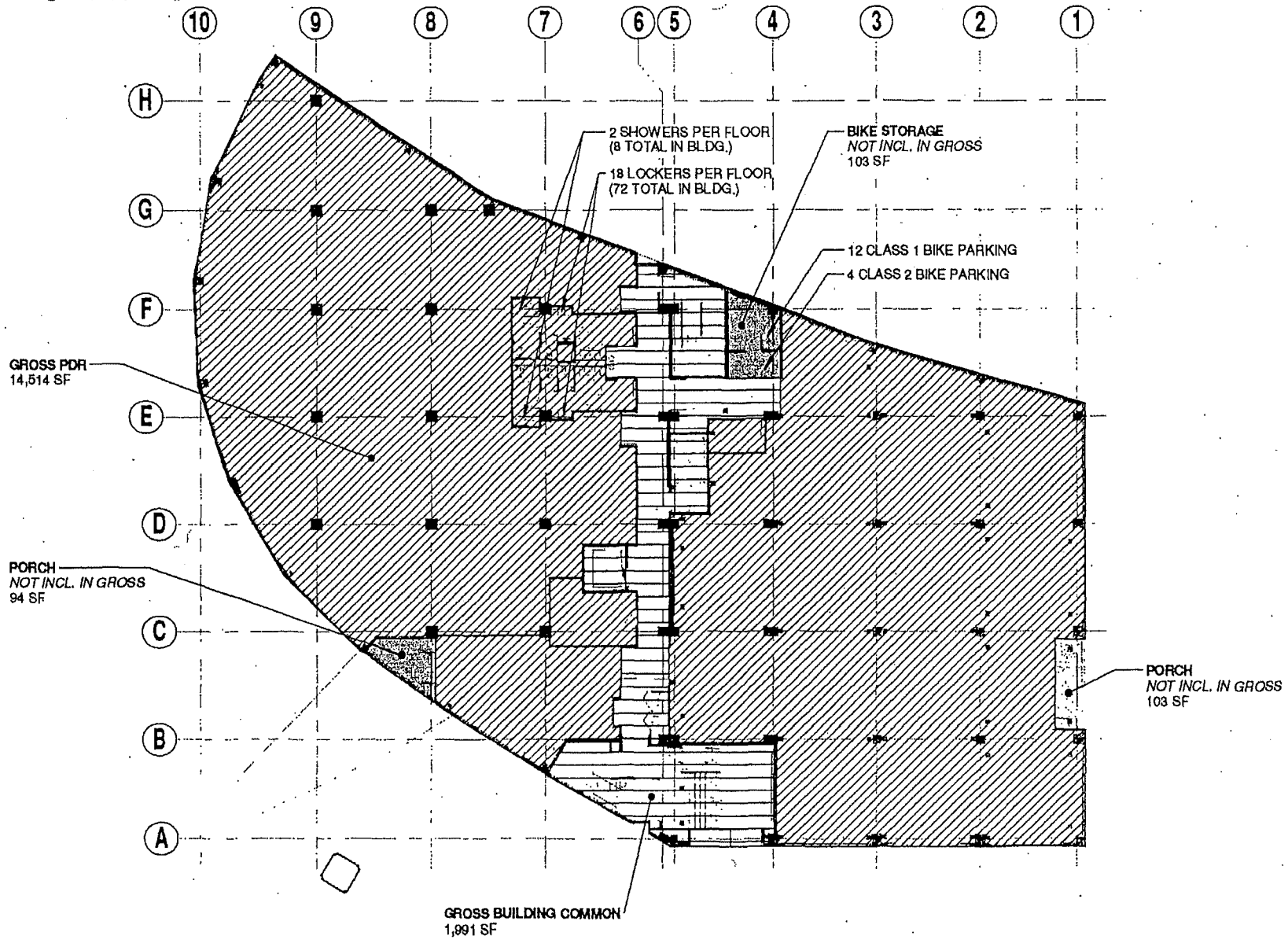


Figure 3(a) Proposed Ground Floor Plan



1568

Figure 3(b) Proposed Representative Upper Floor Plan

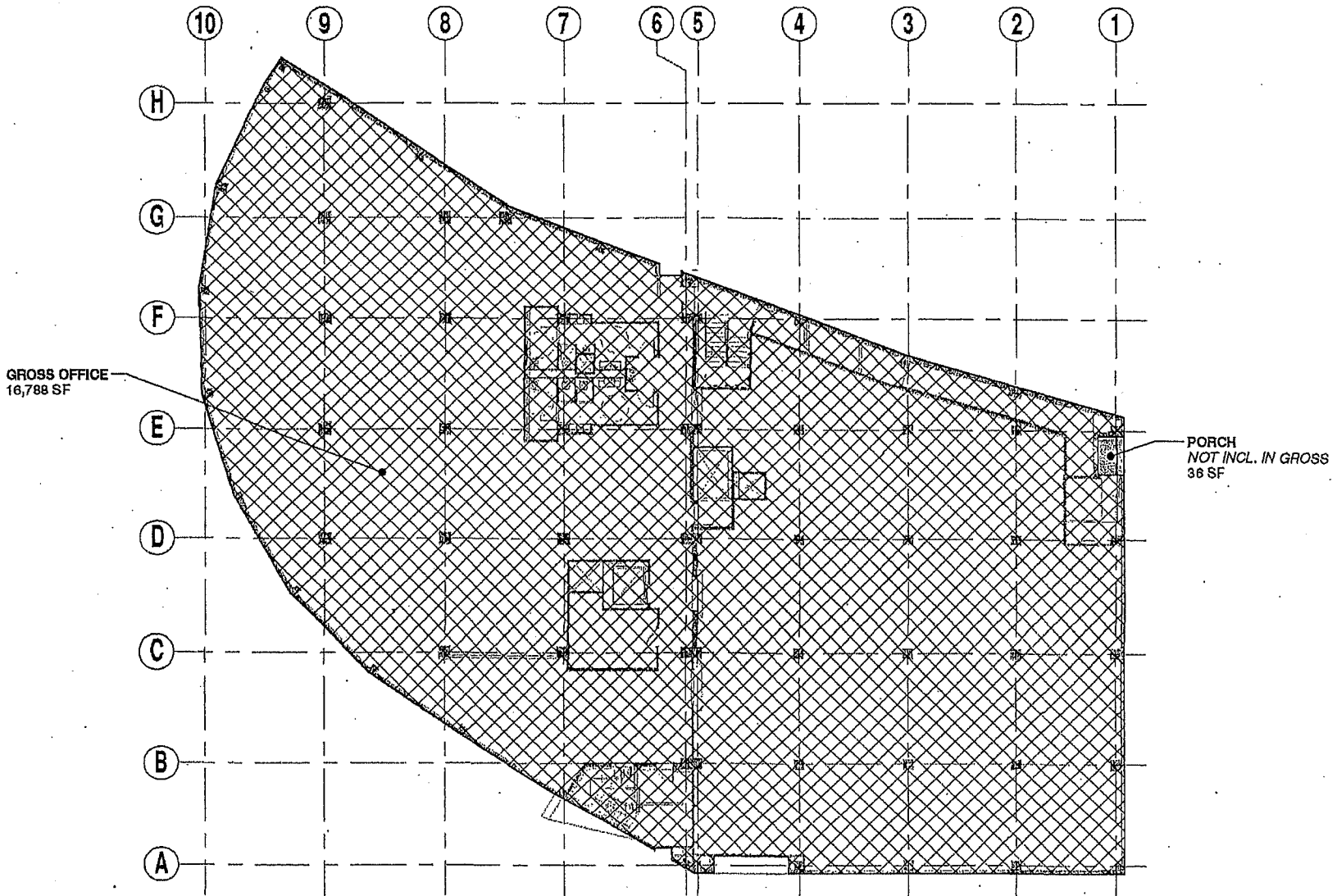


Figure 3(c) Proposed Roof Plan

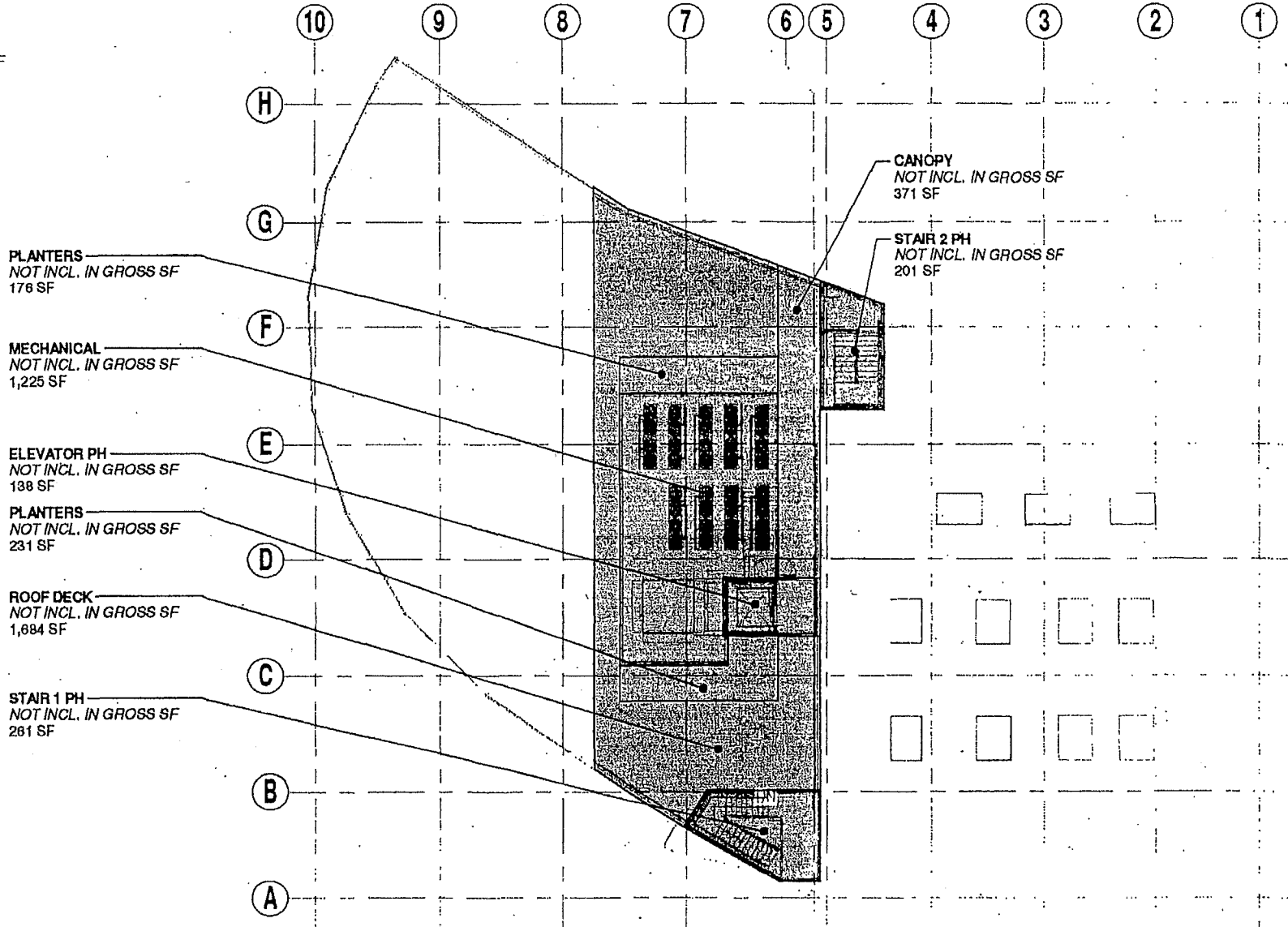


Figure 4(a) Proposed North Elevation

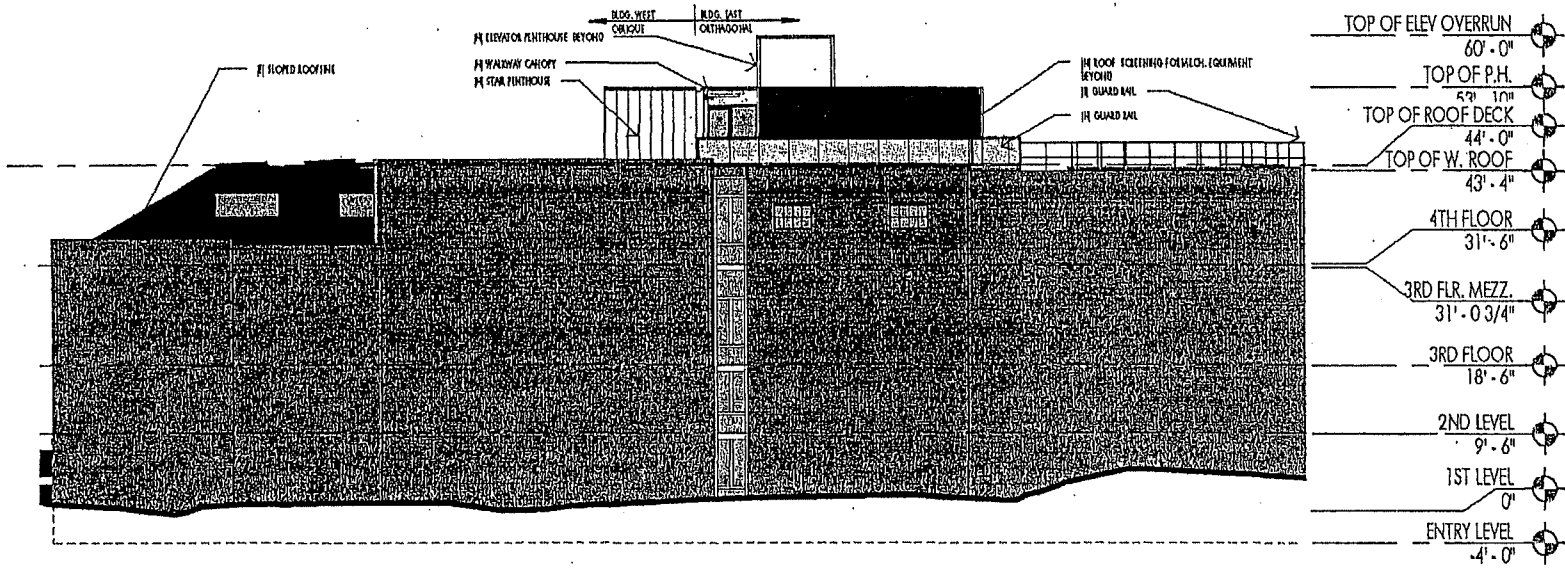
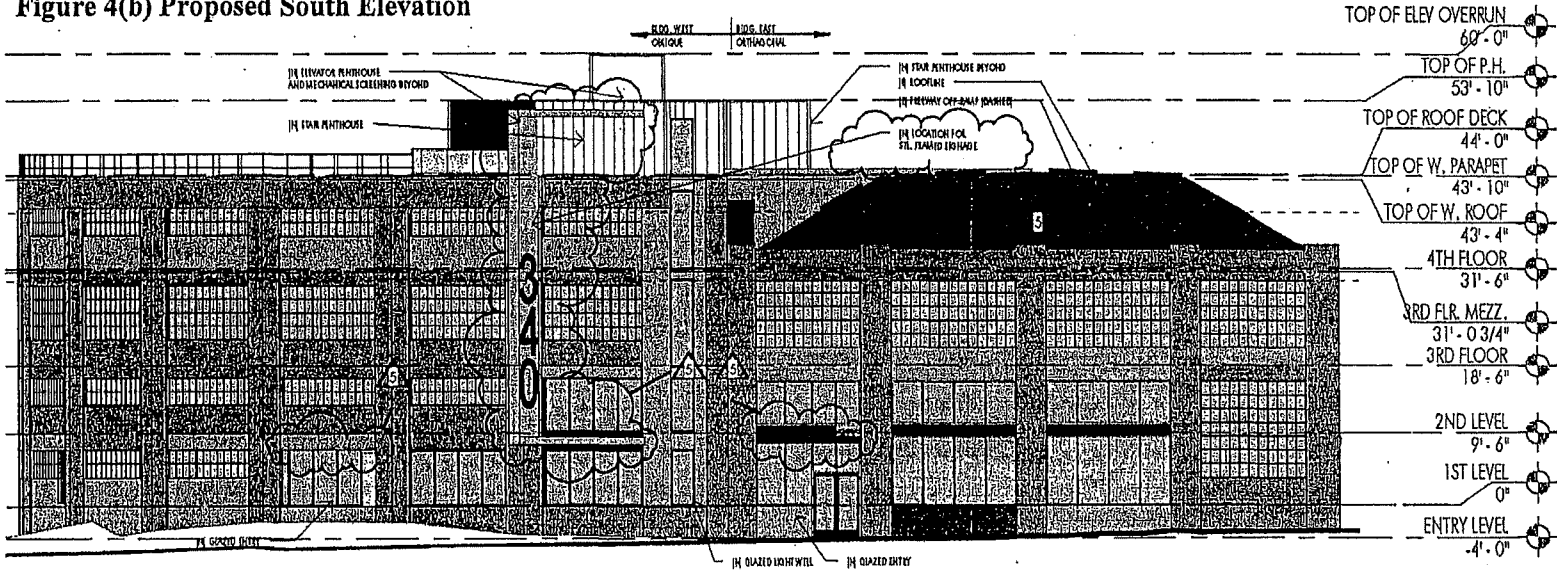


Figure 4(b) Proposed South Elevation



1571

Figure 4(c) Proposed East Elevation

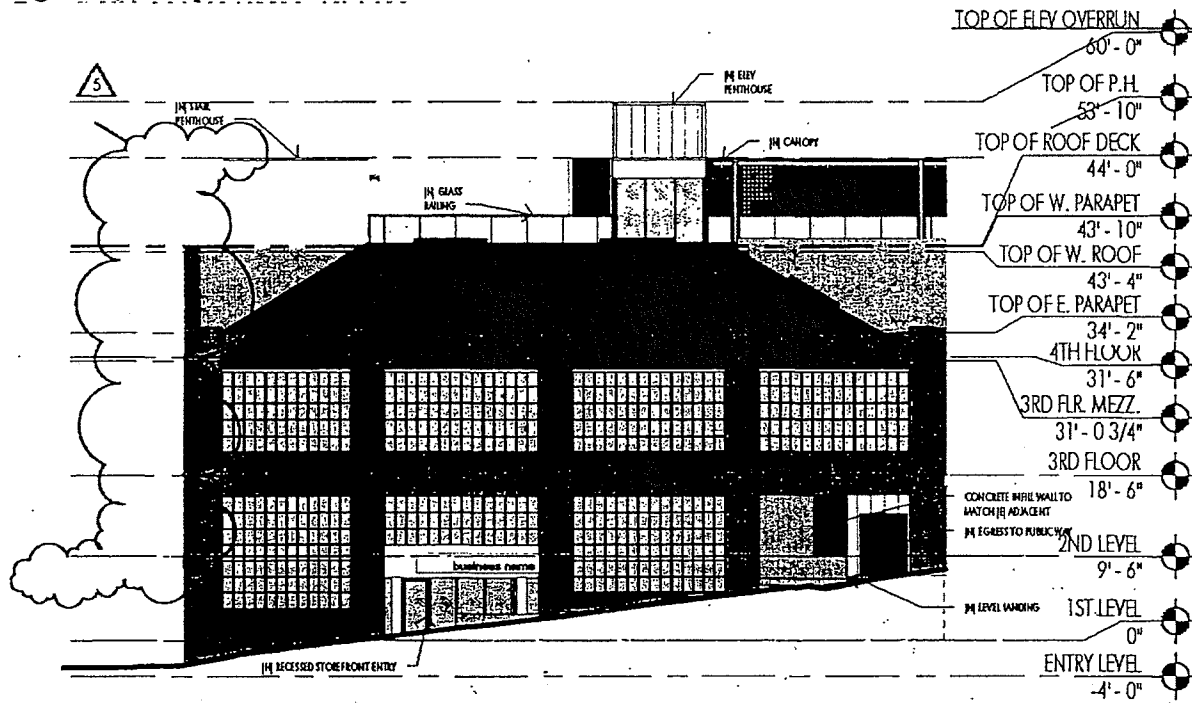
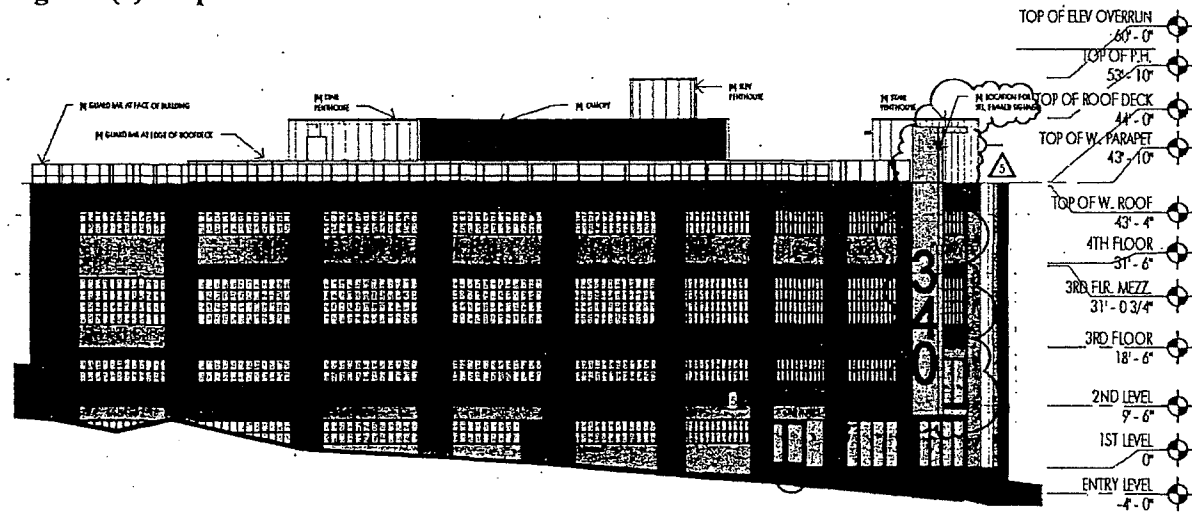


Figure 4(d) Proposed West Elevation



The proposed 340 Bryant Street project would require the following approvals:

Actions by the Planning Commission

- Planning Code Section 321 (Office Allocation) approval

Actions by other City Departments

- Approval of a building permit by the Department of Building Inspection (DBI)

EVALUATION OF ENVIRONMENTAL EFFECTS

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

Mitigation measures identified in the PEIR are discussed under each topic area, and measures that are applicable to the proposed project are provided under the Mitigation Measures Section at the end of this checklist.

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

The proposed project would include conversion of an existing industrial (PDR) building (with 732 sf of ground floor retail space) to a combination of office and PDR uses. As discussed below in this checklist, the proposed project would not result in new, significant environmental effects, or effects of greater severity than were already analyzed and disclosed in the Eastern Neighborhoods PEIR.

AESTHETICS AND PARKING IMPACTS FOR TRANSIT PRIORITY INFILL DEVELOPMENT

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

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

² San Francisco Planning Department, Eastern Neighborhoods Rezoning and Area Plans Final Environmental Impact Report (PEIR), Planning Department Case No. 2004.0160E, State Clearinghouse No. 2005032048, certified August 7, 2008. Available online at <http://www.sf-planning.org/index.aspx?page=1893>, accessed August 17, 2012.

The proposed project meets each of the above three criteria and thus, this checklist does not consider aesthetics or parking in determining the significance of project impacts under CEQA.³ Project elevations are included in the project description, and an assessment of parking demand is included in the Transportation section for informational purposes.

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

The Eastern Neighborhoods PEIR determined that adoption of the Area Plans would result in an unavoidable significant impact on land use due to the cumulative loss of PDR. The project site at 340 Bryant Street currently contains approximately 61,318 square feet of vacant PDR space (the non-retail portion of the existing 62,050 square foot building). The proposed project would convert approximately 45,545 sf of PDR space to office use, and an additional 1,991 sf of the PDR space would contain common areas. Approximately 14,514 sf of PDR space (the entire ground floor square footage, minus space needed for common areas, circulation, and mechanical equipment) would remain. This conversion would constitute a net loss of approximately 46,804 of PDR space within the Eastern Neighborhoods plan area. Such conversion of PDR space to office uses and the related contribution to significant unavoidable cumulative land use impacts, including those of the proposed project, were anticipated and analyzed in the Eastern Neighborhoods PEIR. As part of the Eastern Neighborhoods program, the project site was rezoned from SSO (Service/Secondary Office – a zone that allows small-scale light industrial uses) to MUO (Mixed Use-Office – a zone that encourages office uses and housing). This rezoning was studied in the Eastern Neighborhoods PEIR, and therefore, the potential loss of PDR on the project site was included in the cumulative land use impacts that the PEIR identified. The Eastern Neighborhoods PEIR identified a potential reduction of PDR floor area up to approximately 771,276 square feet in the East SoMa area, where the 340 Bryant Street project site is located. Therefore, the proposed project would contribute to the significant cumulative land use impact related to loss of PDR uses that was identified in the Eastern Neighborhoods PEIR.

Furthermore, the Citywide Planning and Current Planning Divisions of the Planning Department have determined that the proposed project is permitted in the MUO District and is consistent with the bulk, density, and land uses envisioned in the East SoMa Area Plan. The area plan encourages small, flexible

³ San Francisco Planning Department. Transit-Oriented Infill Project Eligibility Checklist for 340 Bryant Street, October 1, 2014. This document is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400 as part of Case File No. 2013.1600E.

office space throughout East SoMa, and larger offices along the 2nd Street corridor, which is intended to serve as a "secondary office reservoir for downtown." As proposed, under Section 321 of the Planning Code, the project requires an Office Allocation from the Planning Commission. The proposed project also complies with all other applicable Planning Code requirements and, on balance, is consistent with the General Plan.⁴⁵

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

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

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

The proposed project would involve conversion of PDR space to office use and common areas, resulting in approximately 45,545 square feet of new office space. The proposed project's office use is anticipated to add approximately 165 jobs. Approximately 14,514 sf of PDR space would remain on the ground floor of the building. The increase in jobs would also result in an increase in demand for housing, though not

⁴ Adam Varat, San Francisco Planning Department, Community Plan Exemption Eligibility Determination, Citywide Planning and Policy Analysis, 340 Bryant Street, March 25, 2014. This document is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2013.1600E.

⁵ Jeff Joslin, San Francisco Planning Department, Community Plan Exemption Eligibility Determination, Current Planning Analysis, 340 Bryant Street, October 31, 2014. This document is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2013.1600E.

all workers would seek housing within the Eastern Neighborhoods area. No displacement of existing housing would occur, as there is no housing present on the project site. These direct effects of the proposed project on population and housing are within the scope of the population growth anticipated under the Eastern Neighborhoods Rezoning and Area Plans and evaluated in the Eastern Neighborhoods PEIR.

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

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

Historic Architectural Resources

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

The project site was evaluated in the South of Market Historic Resource Survey and was rated “6L” (ineligible for local listing or designation through local government review process; may warrant special consideration in local planning). The existing industrial building on the project site, which would be retained and mostly converted to office use, is not considered a historic resource, nor is it located within a designated historic district. Planning Department preservation technical staff also indicated that, given no substantial building additions would occur as part of the proposed project, impacts to surrounding

historic resources (including the nearby South End Historic District) would be unlikely.⁶ Therefore, the proposed project would not contribute to the significant historic resource impact identified in the Eastern Neighborhoods PEIR, and no historic resource mitigation measures would apply to the proposed project.

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

Archeological Resources

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

The proposed project involves converting existing PDR space to office use. The project site is located within Eastern neighborhoods PEIR Mitigation Measure J-1. However, the proposed project would not include any excavation or soil disturbance. As such, no archeological resource impacts would occur, and no mitigation measures would be necessary.

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

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

⁶ E-mail from Tina Tam, Senior Preservation Planner, "340 Bryant Street E Case," dated March 19, 2014. This document is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2013.1600E.

Topics:	Significant Impact Peculiar to Project or Project Site	Significant Impact not Identified in PEIR	Significant Impact due to Substantial New Information	No Significant Impact not Previously Identified in PEIR
c) Result in a change in air traffic patterns, including either an increase in traffic levels, obstructions to flight, or a change in location, that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

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

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

Trip Generation

The proposed project includes conversion of the upper three floors of an existing vacant 62,050 square foot building to office use. The four-story building currently contains approximately 61,318 square feet of industrial space and 732 square feet of retail space. After implementation of the proposed project, the building would contain approximately 45,545 sf of office space, 14,514 sf of PDR space, and common areas totaling 1,991 sf. The project site would continue to have no off-street vehicular parking spaces, and 16 bicycle parking spaces would be constructed as part of the proposed project.

Trip generation of the proposed project was calculated using information in the *2002 Transportation Impacts Analysis Guidelines for Environmental Review* (SF Guidelines) developed by the San Francisco Planning Department.⁷ Given that the subject building is currently vacant, no existing trips were deducted from the trip generation estimates for the existing industrial and retail uses, to ensure that the estimates are conservative and reflect the maximum possible transportation effects. The proposed project would generate an estimated 939 person trips (inbound and outbound) on a weekday daily basis, consisting of 348 person trips by auto, 329 transit trips, 215 walk trips and 46 trips by other modes. During the p.m. peak hour, the proposed project would generate an estimated 21 vehicle trips.

⁷ San Francisco Planning Department, Transportation Calculations for 340 Bryant Street, November 17, 2014. These calculations are available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2013.1600E.

Traffic

The proposed project would generate an estimated 21 new p.m. peak hour vehicle trips that could travel through surrounding intersections. This amount of new p.m. peak hour vehicle trips would not substantially increase traffic volumes at nearby intersections, would not substantially increase average delay that would cause intersections that currently operate at acceptable LOS to deteriorate to unacceptable LOS, or would not substantially increase average delay at intersections that currently operate at unacceptable LOS.

The proposed project would not contribute considerably to LOS delay conditions as its contribution of an estimated 21 new p.m. peak-hour vehicle trips would not be a substantial proportion of the overall traffic volume or the new vehicle trips generated by Eastern Neighborhoods' Plan projects. The proposed project would also not generate enough new vehicle trips to contribute considerably to 2025 cumulative conditions and thus, the proposed project would not have any significant cumulative traffic impacts.

The project site is located adjacent to the Harrison Street off-ramp from westbound Interstate 80. The proposed project includes modification to the exterior walls of the existing building and the addition of new rooftop features that would be visible from the off-ramp. The State of California Department of Transportation (Caltrans) reviewed the proposed project and construction encroachments. Caltrans required the project sponsor to make modifications to the proposed project to avoid potential hazards (such as vehicular line-of-sight and encroachment considerations) as part of a transfer of air rights above the existing building to the project sponsor⁸. Therefore, the proposed project would not cause traffic hazards.

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

Transportation Demand Management

Transportation demand management (TDM) measures typically target a reduction in single occupancy vehicle (SOV) trips by encouraging persons to select alternative modes of transportation, such as walking, bicycling, public or private transit, carshare, carpooling and/or other alternative modes. The project sponsor has agreed to implement the following improvement measures to encourage the use of alternative modes of transportation, and to further reduce the less-than-significant transportation impacts of the proposed project.

Project Improvement Measure 1 – TDM Coordinator: The project sponsor shall identify a TDM Coordinator for the project site. The TDM Coordinator shall be responsible for the implementation and ongoing operation of all other TDM measures (Project Improvement Measures 2 and 3) included in the proposed project. The TDM Coordinator could be a brokered service through an existing transportation management association (e.g. the Transportation Management Association of San Francisco, TMA SF), or the TDM Coordinator could be an existing staff member (e.g., property manager); the TDM Coordinator does not have to work full-time at the project site. However, the TDM Coordinator shall be the single point of contact for all transportation-related questions from building occupants and City staff. The TDM Coordinator shall provide TDM

⁸ Phone conversation with Renata Frey, Caltrans District 4 Real Estate Division – Excess Land Sales, May 23, 2014. Staff notes from this phone conversation are available for review at the Planning Department, 1650 Mission Street, Suite 400, San Francisco, in Case File No. 2013.1600E.

training to other building staff about the transportation amenities and options available at the project site and nearby.

Project Improvement Measure 2 – Transportation and Trip Planning Information/New-Hire Packet: The project sponsor shall provide a transportation insert for the new-hire packet that includes information on transit service (local and regional, schedules and fares), information on where transit passes could be purchased, information on the 511 Regional Rideshare Program and nearby bike and car share programs, and information on where to find additional web-based alternative transportation materials (e.g., NextMuni phone app). This new hire packet shall be continuously updated as local transportation options change, and the packet should be provided to each new building occupant. The project sponsor shall provide Muni maps, San Francisco Bicycle and Pedestrian maps upon request.

Project Improvement Measure 3 – Bicycle Parking: The project sponsor shall provide at least 12 on-site secured bicycle parking spaces and 4 on-site publicly-accessible (visitor) bicycle parking spaces. Within one year after Final Certification of Completion for the subject project, the project sponsor shall contact in writing the San Francisco Municipal Transportation Agency, San Francisco Department of Public Works, and/or Bay Area Bike Share (agencies) to fund the installation of up to 20 new bicycle racks on public right-of-way locations adjacent to or within a quarter mile of the project site (e.g., sidewalks, on-street parking spaces).

Transit

The project site is located within a quarter mile of several local transit lines including Muni lines 8X, 8AX, 8BX, 10, 12, 30, 45, 76, 81X, 82X, 91, N, and T. The proposed project would be expected to generate 329 daily transit trips, including 39 during the p.m. peak hour. Given the wide availability of nearby transit, the addition of 39 p.m. peak hour transit trips would be accommodated by existing capacity. As such, the proposed project would not result in unacceptable levels of transit service or cause a substantial increase in delays or operating costs such that significant adverse impacts in transit service could result.

Each of the rezoning options in the Eastern Neighborhoods PEIR identified significant and unavoidable cumulative impacts relating to increases in transit ridership on Muni lines, with the Preferred Project having significant impacts on seven lines. The project site is not located within a quarter mile of any of the significantly affected lines, and would therefore add small numbers of riders to these affected lines. Mitigation measures would address these transit impacts by pursuing enhanced transit funding; conducting transit corridor and service improvements; and increasing transit accessibility, service information and storage/maintenance capabilities for Muni lines in the Eastern Neighborhoods. Even with mitigation, however, cumulative impacts on the above lines were found to be significant and unavoidable and a Statement of Overriding Considerations related to the significant and unavoidable cumulative transit impacts was adopted as part of the PEIR Certification and project approval.

The proposed project would not contribute considerably to these conditions as its minor contribution of 39 p.m. peak hour transit trips would not be a substantial proportion of the overall additional transit volume generated by Eastern Neighborhood projects. The proposed project would also not contribute

considerably to 2025 cumulative transit conditions and thus would not result in any significant cumulative transit impacts.

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

Parking

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

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

The proposed project meets each of the above three criteria and thus, this determination does not consider the adequacy of parking in determining the significance of project impacts under CEQA.⁹ The Planning Department acknowledges that parking conditions may be of interest to the public and the decision makers. Therefore, the following parking demand analysis is provided for informational purposes only.

The parking demand for the new office use and existing PDR use (retail parking factor used) associated with the proposed project was determined based on the methodology presented in the Transportation Guidelines. On an average weekday, the demand for parking would be for 87 spaces. The proposed project would provide no off-street parking spaces. Thus, as proposed, the project would have an unmet parking demand of an estimated 87 spaces. At this location, the unmet parking demand could be accommodated within existing on-street and off-street parking spaces within a reasonable distance of the project vicinity. Additionally, the project site is well served by public transit and bicycle facilities, and the proposed project would include 16 bicycle spaces. Therefore, any unmet parking demand associated with the project would not materially affect the overall parking conditions in the project vicinity such that hazardous conditions or significant delays would be created.

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

⁹ San Francisco Planning Department, Transit-Oriented Infill Project Eligibility Checklist for 340 Bryant Street, October 1, 2014. This document is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2013.1600E.

or significant delays in travel, such a condition could also result in secondary physical-environmental impacts (e.g., air quality or noise impacts caused by congestion), depending on the project and its setting.

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

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

<i>Topics:</i>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
5. NOISE—Would the project:				
a) Result in exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan area, or, where such a plan has not been adopted, in an area within two miles of a public airport or public use airport, would the project expose people residing or working in the area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project located in the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

<i>Topics:</i>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
g) Be substantially affected by existing noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

Eastern Neighborhoods PEIR Mitigation Measures F-1 and F-2 relate to construction noise. Mitigation Measure F-1 addresses individual projects that include pile-driving, and Mitigation Measure F-2 addresses individual projects that include particularly noisy construction procedures (including pile-driving). The proposed project consists of conversion of existing PDR space to office use. New rooftop mechanical equipment and an elevator penthouse would be added. No major exterior alterations or substantial additions would be constructed, and no pile driving would occur. Pile driving and other particularly noisy construction procedures would therefore not be necessary. As such, Mitigation Measures F-1 and F-2 would not apply to the proposed project.

In addition, all construction activities for the proposed project (approximately four months) would be subject to and would comply with the San Francisco Noise Ordinance (Article 29 of the San Francisco Police Code) (Noise Ordinance). Construction noise is regulated by the Noise Ordinance. The Noise Ordinance requires that construction work be conducted in the following manner: (1) noise levels of construction equipment, other than impact tools, must not exceed 80 dBA at a distance of 100 feet from the source (the equipment generating the noise); (2) impact tools must have intake and exhaust mufflers that are approved by the Director of the Department of Public Works (DPW) or the Director of the Department of Building Inspection (DBI) to best accomplish maximum noise reduction; and (3) if the noise from the construction work would exceed the ambient noise levels at the site property line by 5 dBA, the work must not be conducted between 8:00 p.m. and 7:00 a.m. unless the Director of DPW authorizes a special permit for conducting the work during that period.

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

Eastern Neighborhoods PEIR Mitigation Measures F-3 and F-4 require that a detailed analysis of noise reduction requirements be conducted for new development that includes noise-sensitive uses located along streets with noise levels above 60 dBA (Ldn). The proposed project does not include noise-sensitive uses, therefore Mitigation Measures F-3 and F-4 are not applicable.

Eastern Neighborhoods PEIR Mitigation Measure F-5 addresses impacts related to individual projects that include new noise-generating uses that would be expected to generate noise levels in excess of ambient noise in the proposed project site vicinity. Given that the proposed project would convert existing PDR space to office use, the proposed project is not expected to generate any additional operational noise. New mechanical equipment would be added to the roof of the building. Since the site is adjacent to a freeway, the mechanical equipment is not likely to substantially increase noise in the surrounding area. Therefore, Mitigation Measure F-5 is not applicable to the proposed project.

Mitigation Measure F-6 addresses impacts from existing ambient noise levels on open space required under the Planning Code for new development that includes noise-sensitive uses. The proposed project does not include noise-sensitive uses, therefore Mitigation Measure F-6 is not applicable.

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

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

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

The Eastern Neighborhoods PEIR identified potentially significant air quality impacts resulting from construction activities and impacts to sensitive land uses¹⁰ as a result of exposure to elevated levels of

¹⁰ The Bay Area Air Quality Management District (BAAQMD) considers sensitive receptors as: children, adults or seniors occupying or residing in: 1) residential dwellings, including apartments, houses, condominiums, 2) schools, colleges, and universities, 3)

diesel particulate matter (DPM) and other toxic air contaminants (TACs). The Eastern Neighborhoods PEIR identified four mitigation measures that would reduce these air quality impacts to less-than-significant levels. All other air quality impacts were found to be less than significant.

Construction Dust Control

Eastern Neighborhoods PEIR Mitigation Measure G-1 Construction Air Quality requires individual projects involving construction activities to include dust control measures and to maintain and operate construction equipment so as to minimize exhaust emissions of particulates and other pollutants. The San Francisco Board of Supervisors subsequently approved a series of amendments to the San Francisco Building and Health Codes, generally referred to as the Construction Dust Control Ordinance (Ordinance 176-08, effective July 30, 2008). The intent of the Construction Dust Control Ordinance is to reduce the quantity of fugitive dust generated during site preparation, demolition, and construction work in order to protect the health of the general public and of on-site workers, minimize public nuisance complaints, and to avoid orders to stop work by DBI. Project-related construction activities would result in construction dust, primarily from ground-disturbing activities. The proposed project would not involve soil disturbance, and would therefore have no significant construction dust impacts. The portion of PEIR Mitigation Measure G-1 Construction Air Quality that addresses dust control is not applicable to the proposed project.

Health Risk

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

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

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

The project site is located within an identified Air Pollutant Exposure Zone; therefore, the ambient health risk to sensitive receptors from air pollutants is considered substantial. The proposed project would require heavy-duty off-road diesel vehicles and equipment during the anticipated four-month construction period. Thus, the remainder of Mitigation Measure G-1 that requires the minimization of construction exhaust emissions is applicable to the proposed project. The full text of Mitigation Measure G-1 is provided in the Mitigation Measures Section below.

The proposed project would include conversion of PDR space to office use and include a new roof deck adjacent to Interstate 80. One of the main factors of air quality impact evaluation is the duration of exposure and the age of the occupants. Occupants of office uses are not considered a sensitive land use for purposes of air quality evaluation because they typically do not spend the majority of their lives in the building nor are they typically the most vulnerable age groups to health impacts from air pollution.

daycares, 4) hospitals, and 5) senior care facilities. BAAQMD, Recommended Methods for Screening and Modeling Local Risks and Hazards, May 2011, page 12.

Therefore, for the above reasons, even though the project site is located within the Air Pollutant Exposure Zone, Mitigation Measure G-2 is not applicable.

Lastly, the proposed project would not emit substantial levels of DPM or other TACs and Eastern Neighborhoods Mitigation Measures G-3 and G-4 are therefore not applicable.

Criteria Air Pollutants

While the Eastern Neighborhoods PEIR determined that at a program-level the Eastern Neighborhoods Rezoning and Area Plans would not result in significant regional air quality impacts, the PEIR states that "Individual development projects undertaken in the future pursuant to the new zoning and area plans would be subject to a significance determination based on the BAAQMD's quantitative thresholds for individual projects."¹¹ The BAAQMD's *CEQA Air Quality Guidelines* (Air Quality Guidelines) provide screening criteria¹² for determining whether a project's criteria air pollutant emissions would violate an air quality standard, contribute to an existing or projected air quality violation, or result in a cumulatively considerable net increase in criteria air pollutants. Pursuant to the Air Quality Guidelines, projects that meet the screening criteria do not have a significant impact related to criteria air pollutants. For projects that do not meet the screening criteria, a detailed air quality assessment is required to further evaluate whether project-related criteria air pollutant emissions would exceed BAAQMD significance thresholds. Criteria air pollutant emissions during construction and operation of the proposed project would meet the Air Quality Guidelines screening criteria. Therefore, the project would not have a significant impact related to criteria air pollutants, and a detailed air quality assessment is not required.

For the above reasons, only the construction exhaust emissions portion of Eastern Neighborhoods PEIR Mitigation Measure G-1 is applicable to the proposed project. None of the other Eastern Neighborhoods PEIR air quality mitigation measures are applicable to the proposed project and the project would not result in significant air quality impacts that were not identified in the PEIR.

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

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

¹¹ San Francisco Planning Department, Eastern Neighborhood's Rezoning and Area Plans Final Environmental Impact Report. See page 346. Available online at: <http://www.sf-planning.org/Modules/ShowDocument.aspx?documentid=4003>. Accessed June 4, 2014.

¹² Bay Area Air Quality Management District, CEQA Air Quality Guidelines, updated May 2011. See pp. 3-2 to 3-3.

and C are anticipated to result in GHG emissions on the order of 4.2, 4.3 and 4.5 metric tons of CO₂E¹³ per service population,¹⁴ respectively. The Eastern Neighborhoods PEIR concluded that the resulting GHG emissions from the three options analyzed in the Eastern Neighborhoods Area Plans would be less than significant. No mitigation measures were identified in the PEIR.

Regulations outlined in San Francisco’s Strategies to Address Greenhouse Gas Emissions have proven effective as San Francisco’s GHG emissions have measurably reduced when compared to 1990 emissions levels, demonstrating that the City has met and exceeded EO S-3-05, AB 32, and the Bay Area 2010 Clean Air Plan GHG reduction goals for the year 2020. The proposed project was determined to be consistent with San Francisco’s GHG Reduction Strategy¹⁵. Other existing regulations, such as those implemented through AB 32, will continue to reduce a proposed project’s contribution to climate change. Therefore, the proposed project’s GHG emissions would not conflict with state, regional, and local GHG reduction plans and regulations, and thus the proposed project’s contribution to GHG emissions would not be cumulatively considerable or generate GHG emissions, either directly or indirectly, that would have a significant impact on the environment.

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

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

Wind

Based upon experience of the Planning Department in reviewing wind analyses and expert opinion on other projects, it is generally (but not always) the case that projects under 80 feet in height do not have the potential to generate significant wind impacts. The existing 44-foot-tall building on the project site is similar in height to existing buildings in the surrounding area, and the building’s height would not increase as a result of the proposed project, except for roof deck and mechanical features that would not be substantially taller than buildings in structures in the surrounding area. For the above reasons, the proposed project is not anticipated to cause significant impacts related to wind that were not identified in the Eastern Neighborhoods PEIR.

¹³ CO₂E, defined as equivalent Carbon Dioxide, is a quantity that describes other greenhouse gases in terms of the amount of Carbon Dioxide that would have an equal global warming potential.

¹⁴ Memorandum from Jessica Range to Environmental Planning staff, Greenhouse Gas Analyses for Community Plan Exemptions in Eastern Neighborhoods, April 20, 2010. This memorandum provides an overview of the GHG analysis conducted for the Eastern Neighborhoods PEIR and provides an analysis of the emissions using a service population (equivalent of total number of residents and employees) metric.

¹⁵ Compliance Checklist Table for Greenhouse Gas Analysis, March 27, 2014. This document is available for review at the Planning Department, 1650 Mission Street, Suite 400, San Francisco, in Case File No. 2013.1600E.

Shadow

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

The proposed project would convert the upper three floors of an existing 44-foot-tall PDR building to office use. The proposed elevator penthouse would reach 60 feet above street level, and this additional 14 feet in height would not be substantially taller than buildings and structures (adjacent freeway) in the surrounding area. The project site is also not located sufficiently close to any recreational resources to potentially cast new shadow on them. Therefore, the project would not have the potential to cast new shadow on nearby parks, streets, or sidewalks.

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

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

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

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

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

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

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

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

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

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

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

<i>Topics:</i>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

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

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

<i>Topics:</i>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Change substantially the topography or any unique geologic or physical features of the site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

The proposed project would convert the upper three floors of an existing industrial building to office use. No soil disturbance, foundation construction, or subsurface work would occur as part of the proposed project. The project is required to conform to the San Francisco Building Code, which ensures the safety of all new construction in the City. DBI may require a geotechnical report or additional site specific soils report(s) through the building permit application process, as needed. The DBI requirement for review of the building permit application pursuant to DBI's implementation of the Building Code would ensure that the proposed project would have no significant impacts related to soils, seismic or other geological hazards.

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

<i>Topics:</i>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
14. HYDROLOGY AND WATER QUALITY—Would the project:				
a) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

<i>Topics:</i>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner that would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other authoritative flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Place within a 100-year flood hazard area structures that would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j) Expose people or structures to a significant risk of loss, injury or death involving inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

The project site is fully covered by an existing building, most of which would be converted to office use as part of the proposed project. No change in the impervious surface coverage on the project site would occur. As a result, the proposed project would not increase stormwater runoff.

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

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

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

Hazardous Building Materials

The Eastern Neighborhoods PEIR determined that future development in the Plan Area may involve demolition or renovation of existing structures containing hazardous building materials. Some building materials commonly used in older buildings could present a public health risk if disturbed during an accident or during demolition or renovation of an existing building. Hazardous building materials addressed in the PEIR include asbestos, electrical equipment such as transformers and fluorescent light

ballasts that contain PCBs or di (2 ethylhexyl) phthalate (DEHP), fluorescent lights containing mercury vapors, and lead-based paints. Asbestos and lead based paint may also present a health risk to existing building occupants if they are in a deteriorated condition. If removed during demolition or renovation of a building, these materials would also require special disposal procedures. The Eastern Neighborhoods PEIR identified a significant impact associated with hazardous building materials including PCBs, DEHP, and mercury and determined that that Mitigation Measure L-1: Hazardous Building Materials, as outlined below, would reduce effects to a less-than-significant level. Because the proposed development includes renovation of an existing building, Mitigation Measure L-1 would apply to the proposed project. See the full text of Mitigation Measure L-1 in the Mitigation Measures Section below.

Soil and Groundwater Contamination

The proposed project includes renovation of an existing building, and conversion of PDR space to office use. The proposed project would not involve ground disturbance or excavation. Therefore, the proposed project would not have the potential to expose the public to contaminated soil or groundwater. The proposed project would not result in any significant impacts related to soil and groundwater contamination that were not identified in the Eastern Neighborhoods PEIR.

Therefore, the proposed project would not result in significant impacts related to hazards or hazardous materials that were not identified in the Eastern Neighborhoods PEIR.

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

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

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

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

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

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

MITIGATION MEASURES

Air Quality

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

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

requirements:

1. All off-road equipment greater than 25 hp and operating for more than 20 total hours over the entire duration of construction activities shall meet the following requirements:
 - a). Where access to alternative sources of power are available, portable diesel engines shall be prohibited;
 - b) All off-road equipment shall have:
 - i. Engines that meet or exceed either U.S. Environmental Protection Agency (USEPA) or California Air Resources Board (ARB) Tier 2 off-road emission standards, and
 - ii. Engines that are retrofitted with an ARB Level 3 Verified Diesel Emissions Control Strategy (VDECS).¹⁶
 - c) Exceptions:
 - i. Exceptions to A(1)(a) may be granted if the project sponsor has submitted information providing evidence to the satisfaction of the ERO that an alternative source of power is limited or infeasible at the project site and that the requirements of this exception provision apply. Under this circumstance, the sponsor shall submit documentation of compliance with A(1)(b) for onsite power generation.
 - ii. Exceptions to A(1)(b)(ii) *may* be granted if the project sponsor has submitted information providing evidence to the satisfaction of the ERO that a particular piece of off-road equipment with an ARB Level 3 VDECS is: (1) technically not feasible, (2) would not produce desired emissions reductions due to expected operating modes, (3) installing the control device would create a safety hazard or impaired visibility for the operator, or (4) there is a compelling emergency need to use off-road equipment that are not retrofitted with an ARB Level 3 VDECS and the sponsor has submitted documentation to the ERO that the requirements of this exception provision apply. If granted an exception to A(1)(b)(ii), the project sponsor must comply with the requirements of A(1)(c)(iii).

¹⁶ Equipment with engines meeting Tier 4 Interim or Tier 4 Final emission standards automatically meet this requirement, therefore a VDECS would not be required.

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

Table 1 – Off-Road Equipment Compliance Step-down Schedule

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

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

* Alternative fuels are not a VDECS.

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

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

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

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

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

Hazardous Materials

Project Mitigation Measure 2 – Hazardous Building Materials (Eastern Neighborhoods Mitigation Measure L-1)

The City shall condition future development approvals to require that the subsequent project sponsors ensure that any equipment containing PCBs or DEPH, 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 applicable federal, state, and local laws.

IMPROVEMENT MEASURES

Transportation and Circulation

Project Improvement Measure 1 – TDM Coordinator

The project sponsor shall identify a TDM coordinator for the project site. The TDM Coordinator shall be responsible for the implementation and ongoing operation of all other TDM measures (Project Improvement Measures 2 and 3) included in the proposed project. The TDM Coordinator could be a brokered service through an existing transportation management association (e.g. the Transportation Management Association of San Francisco, TMA SF), or the TDM Coordinator could be an existing staff member (e.g., property manager); the TDM Coordinator does not have to work full-time at the project site. However, the TDM Coordinator shall be the single point of contact for all transportation-related questions from building occupants and City staff. The TDM Coordinator shall provide TDM training to other building staff about the transportation amenities and options available at the project site and nearby.

Project Improvement Measure 2 – Transportation and Trip Planning Information/New-Hire Packet

The project sponsor shall provide a transportation insert for the new-hire packet that includes information on transit service (local and regional, schedules and fares), information on where transit passes could be purchased, information on the 511 Regional Rideshare Program and nearby bike and car share programs, and information on where to find additional web-based alternative transportation materials (e.g., NextMuni phone app). This new hire packet shall be continuously updated as local transportation options change, and the packet should be provided to each new building occupant. The project sponsor shall provide Muni maps, San Francisco Bicycle and Pedestrian maps upon request.

Project Improvement Measure 3 – Bicycle Parking

The project sponsor shall provide at least 12 on-site secured bicycle parking spaces and 4 on-site publicly-accessible (visitor) bicycle parking spaces. Within one year after Final Certification of Completion for the subject project, the project sponsor shall contact in writing the San Francisco Municipal Transportation Agency, San Francisco Department of Public Works, and/or Bay Area Bike Share (agencies) to fund the installation of up to 20 new bicycle racks on public right-of-way locations adjacent to or within a quarter mile of the project site (e.g., sidewalks, on-street parking spaces).

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

1. MITIGATION AND IMPROVEMENT MEASURES	Responsibility for Implementation	Mitigation Schedule	Monitoring/Report Responsibility	Status/Date Completed
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MITIGATION MEASURES ADOPTED AS CONDITIONS OF APPROVAL				
<p>Project Mitigation Measure 1 - Construction Air Quality (Eastern Neighborhoods Mitigation Measure G-1)</p> <p>A. Construction Emissions Minimization Plan. Prior to issuance of a construction permit, the project sponsor shall submit a Construction Emissions Minimization Plan (Plan) to the Environmental Review Officer (ERO) for review and approval by an Environmental Planning Air Quality Specialist. The Plan shall detail project compliance with the following requirements:</p> <p>1. All off-road equipment greater than 25 hp and operating for more than 20 total hours over the entire duration of construction activities shall meet the following requirements:</p> <p>a) Where access to alternative sources of power are available, portable diesel engines shall be prohibited;</p> <p>b) All off-road equipment shall have:</p> <p>i. Engines that meet or exceed either U.S. Environmental Protection Agency (USEPA) or California Air Resources Board (ARB) Tier 2 off-road emission standards, and</p> <p>ii. Engines that are retrofitted with an ARB Level 3 Verified Diesel Emissions Control Strategy (VDECS).</p> <p>c) Exceptions:</p> <p>i. Exceptions to A(1)(a) may be granted if the project sponsor has submitted information providing evidence to the satisfaction of the ERO that an alternative source of power is limited or infeasible at the project site and that the requirements of this exception provision apply. Under this circumstance, the sponsor shall submit documentation of compliance with A(1)(b) for onsite power generation.</p> <p>ii. Exceptions to A(1)(b)(ii) may be granted if the project sponsor has submitted information providing evidence to the satisfaction of the ERO that a particular piece of off-road equipment with</p>	<p>Project Sponsor along with Project Contractor of each subsequent development project undertaken pursuant to the Eastern Neighborhoods Rezoning and Area Plans Project.</p>	<p>During construction</p>	<p>Each Project Sponsor to provide Planning Department with monthly reports during construction period.</p>	<p>Considered complete upon receipt of final monitoring report at completion of construction.</p>

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

1. MITIGATION AND IMPROVEMENT MEASURES	Responsibility for Implementation	Mitigation Schedule	Monitoring/Report Responsibility	Status/Date Completed												
<p>an ARB Level 3 VDECS is: (1) technically not feasible, (2) would not produce desired emissions reductions due to expected operating modes, (3) installing the control device would create a safety hazard or impaired visibility for the operator, or (4) there is a compelling emergency need to use off-road equipment that are not retrofitted with an ARB Level 3 VDECS and the sponsor has submitted documentation to the ERO that the requirements of this exception provision apply. If granted an exception to A(1)(b)(ii), the project sponsor must comply with the requirements of A(1)(c)(iii).</p> <p>iii. If an exception is granted pursuant to A(1)(c)(ii), the project sponsor shall provide the next cleanest piece of off-road equipment as provided by the step down schedules in Table 2.</p> <p><i>Table 2 – Off-Road Equipment Compliance Step-down Schedule</i></p> <table border="1"> <thead> <tr> <th><u>Compliance Alternative</u></th> <th><u>Engine Emission Standard</u></th> <th><u>Emissions Control</u></th> </tr> </thead> <tbody> <tr> <td>1</td> <td>Tier 2</td> <td>ARB Level 2 VDECS</td> </tr> <tr> <td>2</td> <td>Tier 2</td> <td>ARB Level 1 VDECS</td> </tr> <tr> <td>3</td> <td>Tier 2</td> <td>Alternative Fuel*</td> </tr> </tbody> </table> <p>How to use the table: If the requirements of (A)(1)(b) cannot be met, then the project sponsor would need to meet Compliance Alternative 1. Should the project sponsor not be able to supply off-road equipment meeting Compliance Alternative 1, then Compliance Alternative 2 would need to be met. Should the project sponsor not be able to supply off-road equipment meeting Compliance Alternative 2, then Compliance Alternative 3 would need to be met.</p> <p>* Alternative fuels are not a VDECS.</p> <p>2. The project sponsor shall require the idling time for off-road and on-road equipment be limited to no more than two minutes, except as provided in exceptions to the applicable state regulations regarding idling for off-road and on-road equipment. Legible and visible signs shall be posted in multiple languages (English, Spanish, Chinese) in designated queuing areas and at the</p>	<u>Compliance Alternative</u>	<u>Engine Emission Standard</u>	<u>Emissions Control</u>	1	Tier 2	ARB Level 2 VDECS	2	Tier 2	ARB Level 1 VDECS	3	Tier 2	Alternative Fuel*				
<u>Compliance Alternative</u>	<u>Engine Emission Standard</u>	<u>Emissions Control</u>														
1	Tier 2	ARB Level 2 VDECS														
2	Tier 2	ARB Level 1 VDECS														
3	Tier 2	Alternative Fuel*														

1602

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

1. MITIGATION AND IMPROVEMENT MEASURES	Responsibility for Implementation	Mitigation Schedule	Monitoring/Report Responsibility	Status/Date Completed
<p>construction site to remind operators of the two minute idling limit.</p> <p>3. The project sponsor shall require that construction operators properly maintain and tune equipment in accordance with manufacturer specifications.</p> <p>4. The Plan shall include estimates of the construction timeline by phase with a description of each piece of off-road equipment required for every construction phase. Off-road equipment descriptions and information may include, but is not limited to: equipment type, equipment manufacturer, equipment identification number, engine model year, engine certification (Tier rating), horsepower, engine serial number, and expected fuel usage and hours of operation. For VDECS installed: technology type, serial number, make, model, manufacturer, ARB verification number level, and installation date and hour meter reading on installation date. For off-road equipment using alternative fuels, reporting shall indicate the type of alternative fuel being used.</p> <p>5. The Plan shall be kept on-site and available for review by any persons requesting it and a legible sign shall be posted at the perimeter of the construction site indicating to the public the basic requirements of the Plan and a way to request a copy of the Plan. The project sponsor shall provide copies of Plan to members of the public as requested.</p> <p>B. Reporting. Quarterly reports shall be submitted to the ERO indicating the construction phase and off-road equipment information used during each phase including the information required in A(4). In addition, for off-road equipment using alternative fuels, reporting shall include the actual amount of alternative fuel used.</p> <p>Within six months of the completion of construction activities, the project sponsor shall submit to the ERO a final report summarizing construction activities. The final report shall indicate the start and end dates and duration of each construction phase. For each phase, the report shall include detailed information required in A(4). In addition, for off-road equipment using alternative fuels, reporting shall include the actual amount of alternative fuel used.</p> <p>C. Certification Statement and On-site Requirements. Prior to the commencement of construction activities, the project sponsor must certify (1) compliance with the Plan, and (2) all applicable requirements of the Plan have been incorporated into contract specifications.</p>				

1603

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

1. MITIGATION AND IMPROVEMENT MEASURES	Responsibility for Implementation	Mitigation Schedule	Monitoring/Report Responsibility	Status/Date Completed
<p><i>Project Mitigation Measure 2 – Hazardous Building Materials (Eastern Neighborhoods Mitigation Measure L-1)</i></p> <p>The City shall condition future development approvals to require that the subsequent project sponsors ensure that any equipment containing PCBs or DEPH, 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 applicable federal, state, and local laws.</p>	<p>Project Sponsor/project archeologist of each subsequent development project undertaken pursuant to the Eastern Neighborhoods Areas Plans and Rezoning</p>	<p>Prior to approval of each subsequent project, through Mitigation Plan.</p>	<p>Planning Department, in consultation with DPH; where Site Mitigation Plan is required, Project Sponsor or contractor shall submit a monitoring report to DPH, with a copy to Planning Department and DBI, at end of construction.</p>	<p>Considered complete upon approval of each subsequent project.</p>
PROPOSED IMPROVEMENT MEASURES				
<p><i>Project Improvement Measure 1 – Transportation Demand Management (TDM) Coordinator</i></p> <p>The project sponsor shall identify a TDM coordinator for the project site. The TDM Coordinator shall be responsible for the implementation and ongoing operation of all other TDM measures (Project Improvement Measures 2 and 3) included in the proposed project. The TDM Coordinator could be a brokered service through an existing transportation management association (e.g. the Transportation Management Association of San Francisco, TMA SF), or the TDM Coordinator could be an existing staff member (e.g., property manager); the TDM Coordinator does not have to work full-time at the project site. However, the TDM Coordinator shall be the single point of contact for all transportation-related questions from building occupants and City staff. The TDM Coordinator shall provide TDM training to other building staff about the transportation amenities and options available at the project site and nearby.</p>	<p>Project Sponsor</p>	<p>Continuous</p>	<p>Planning Department, in consultation with the TDM Coordinator</p>	<p>Continuous</p>
<p><i>Project Improvement Measure 2 – Transportation and Trip Planning Information/New-Hire Packet</i></p> <p>The project sponsor shall provide a transportation insert for the new-hire packet that includes information on transit service (local and regional, schedules and fares), information on where transit passes could be</p>	<p>Project Sponsor</p>	<p>Continuous</p>	<p>Planning Department, in consultation with the TDM Coordinator</p>	<p>Continuous</p>

1604

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

1. MITIGATION AND IMPROVEMENT MEASURES	Responsibility for Implementation	Mitigation Schedule	Monitoring/Report Responsibility	Status/Date Completed
<p>purchased, information on the 511 Regional Rideshare Program and nearby bike and car share programs, and information on where to find additional web-based alternative transportation materials (e.g., NextMuni phone app). This new hire packet shall be continuously updated as local transportation options change, and the packet should be provided to each new building occupant. The project sponsor shall provide Muni maps, San Francisco Bicycle and Pedestrian maps upon request.</p>				
<p><i>Project Improvement Measure 3 – Bicycle Parking</i></p> <p>The project sponsor shall provide at least 12 on-site secured bicycle parking spaces and 4 on-site publicly-accessible (visitor) bicycle parking spaces. Within one year after Final Certification of Completion for the subject project, the project sponsor shall contact in writing the San Francisco Municipal Transportation Agency, San Francisco Department of Public Works, and/or Bay Area Bike Share (agencies) to fund the installation of up to 20 new bicycle racks on public right-of-way locations adjacent to or within a quarter mile of the project site (e.g., sidewalks, on-street parking spaces).</p>	Project Sponsor	Continuous	Planning Department, in consultation with the TDM Coordinator	Continuous

1605

Carroll, John (BOS)

From: BOS Legislation (BOS)
Sent: Friday, March 13, 2015 1:33 PM
To: hestor@earthlink.net; Givner, Jon (CAT); Stacy, Kate (CAT); Byrne, Marlana (CAT); Sanchez, Scott (CPC); Jones, Sarah (CPC); Rodgers, AnMarie (CPC); Starr, Aaron (CPC); Tam, Tina (CPC); Jackson, Erika; Uchida, Kansai (CPC); Ionin, Jonas (CPC); Goldstein, Cynthia (PAB); Pacheco, Victor (PAB); jkevin@reubenlaw.com; BOS-Supervisors; BOS-Legislative Aides; Kim Everist
Cc: Calvillo, Angela (BOS); Caldeira, Rick (BOS); Somera, Alisa (BOS); Carroll, John (BOS); BOS Legislation (BOS)
Subject: California Environmental Quality Act - Exemption Determination Appeal - 340 Bryant Street - Supplemental Documentation
Categories: 150171

Good afternoon,

Please find linked below supplemental documentation received by the Office of the Clerk of the Board from the Project Sponsor concerning the CEQA exemption determination appeal for the project at 340 Bryant Street.

The appeal hearing for this matter is scheduled for a 3:00 p.m. special order before the Board on March 24, 2015.

[Project Sponsor's Letter - 3/13/2015](#)

You are invited to review the entire matter on our [Legislative Research Center](#) by following the link below.

[Board of Supervisors File No. 150171](#)

Thank you,

John Carroll
Legislative Clerk
Board of Supervisors
San Francisco City Hall, Room 244
San Francisco, CA 94102
(415)554-4445 - Direct | (415)554-5184 - General | (415)554-5163 - Fax
john.carroll@sfgov.org | bos.legislation@sfgov.org

Please complete a Board of Supervisors Customer Service Satisfaction form by clicking [here](#).

The [Legislative Research Center](#) provides 24-hour access to Board of Supervisors legislation, and archived matters since August 1998.

Disclosures: Personal information that is provided in communications to the Board of Supervisors is subject to disclosure under the California Public Records Act and the San Francisco Sunshine Ordinance. Personal information provided will not be redacted. Members of the public are not required to provide personal identifying information when they communicate with the Board of Supervisors and its committees. All written or oral communications that members of the public submit to the Clerk's Office regarding pending legislation or hearings will be made available to all members of the public for inspection and copying. The Clerk's Office does not redact any information from these submissions. This means that personal information—including names, phone numbers, addresses and similar information that a member of the public elects to submit to the Board and its committees—may appear on the Board of Supervisors website or in other public documents that members of the public may inspect or copy.

REUBEN, JUNIUS & ROSE, LLP

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO

2015 MAR 13 AM 11:15 *Our File No.: 7949.01*

March 13, 2015 BJ

BY MESSENGER

Joy Lamug
Board of Supervisors, City and County of San Francisco
Attn: Clerk of the Board
1 Dr. Carlton B. Goodlett Place
City Hall, Room 244
San Francisco, CA 94102

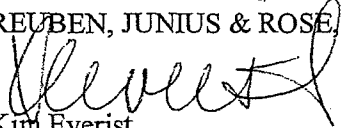
Re: 340 Bryant Street (Block 3764, Lot 061)

Dear Ms. Lamug,

Per John Kevlin's request I am sending to you the project sponsor's brief in opposition to the CEQA determination for the project at 340 Bryant Street (BOS File 150171). A single hard copy of the document is enclosed. If you have further questions, please contact Mr. Kevlin directly.

Very truly yours,

REUBEN, JUNIUS & ROSE, LLP


Kim Everist
Legal Assistant

Enclosures

Cc:

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

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

One Bush Street, Suite 600
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REUBEN, JUNIUS & ROSE, LLP

March 13, 2015

By E-Mail and Messenger

Board of Supervisors, City and County of San Francisco
Attn: Clerk of the Board
1 Dr. Carlton B. Goodlett Place
City Hall, Room 244
San Francisco, CA 94102

**Re: 340 Bryant Street (Block 3764, Lot 061)
Project Sponsor's Brief in Opposition to Appeal of CEQA Exemption
Planning Department Case No. 2013.1600E
Planning Commission Motion No. 19311
Our File No. 7949.01**

Dear Board of Supervisors,

This office represents Group I, the project sponsor ("Project Sponsor") of the renovation and partial office conversion of the existing commercial building located at 340 Bryant Street (the "Property"). The Property is zoned Mixed Use Office ("MUO") and consists of four stories with a total of 62,050 square feet. The Project Sponsor proposes to convert the upper three floors from PDR to office use. The ground floor would remain industrial/PDR space and the Project Sponsor is already in discussion with two PDR tenants to occupy the space. In total, the project at 340 Bryant Street ("Project") would result in 47,536 square feet of office space and 14,514 square feet of industrial space.

A Planning Commission hearing on the Project was held on January 8, 2015. At the hearing, John Elberling of the TODCO Group and Alice Rogers of the South Beach – Rincon – Mission Bay Neighborhood Association spoke in support of the Project. The Planning Commission unanimously approved the Project, 6 to 0.

This letter is submitted in opposition to the appeal of the Project's Community Plan Exemption, which was issued by the Planning Department on December 22, 2014. While the Appellant has cited the well known fact that pedestrian and bicyclist safety needs to be improved in South of Market, **she has not identified any CEQA significant impact that is caused by the Project.**

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

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

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I. Legal Background

As part of the Eastern Neighborhoods Plan, an area-wide EIR was adopted by the Planning Commission and certified by the Board of Supervisors. The purpose of this EIR was to conduct much of the environmental review for subsequent projects consistent with the Eastern Neighborhoods rezoning. CEQA allows projects to take advantage of a previous area-wide EIR. To qualify for this type of exemption, a project must:

- a. Be consistent with the program, plan, policy, or ordinance for which an EIR has been prepared and certified;
- b. Be consistent with applicable local land use plans and zoning of the city, county or city and county in which the later project would be located; and
- c. Not trigger the need for a subsequent EIR or supplement to an EIR.

(Cal. Pub. Resources Code §21094(b).)

The Project meets all three of these requirements. First, it is fully consistent with the Eastern Neighborhoods area plan and zoning that the area-wide EIR was prepared for (this covers the first two criteria). The Property is zoned Mixed Use-Office ("MUO") which principally permits office and PDR uses. The Project was granted an Office Allocation, required for projects creating more than 25,000 square feet of new office space (Planning Commission Motion 19311 attached here as Exhibit A). Mitigation and improvement measures from the Eastern Neighborhoods EIR have been applied to the Project, including those covering construction air quality and transportation. The Project is fully consistent with all Eastern Neighborhoods zoning, area plan, policies and mitigation measures.

The Project also does not trigger the need for a subsequent EIR or supplement to the Eastern Neighborhoods EIR. Subsequent or supplemental EIRs are only required where new significant adverse impacts are caused by the Project that were not identified in the Eastern Neighborhoods EIR (which studied the impact of rezoning of the Property to MUO which permits office use). *(Cal. Pub. Resources Code §15162(a).)*

No such impacts are caused by the Project. The Project retains PDR uses on site – only a portion of the building will be converted to office use. The potential loss of PDR uses was evaluated in the Eastern Neighborhoods EIR, and the Project does not result in any additional adverse impacts that were identified in the Eastern Neighborhoods EIR. With regard to the pedestrian trip generation, the CEQA exemption sets a conservative baseline by assuming no workers currently travel to the site since it is currently vacant. Even with that conservative assumption no significant impact is identified. However, this building has functioned as a commercial-industrial building for many decades, so the office conversion will only modestly increase the number of workers travelling to the Property above previous numbers. Appellant

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questions the calculation of expected new jobs at the Property, and says the difference between an industrial workforce and office workforce at the Property is not discussed – but that is precisely what was considered by the Eastern Neighborhoods EIR – the shift from predominantly industrial to office use in South of Market.

Appellant refers to a reconfiguration of HOV lanes near the Property. Not only does she not describe what these changes are, but she does not identify why such a fact would result in a significant impact *caused by the Project*. And this appears to be the crux of her appeal: that the Project causes unsafe pedestrian and bicycling conditions in the vicinity. This is not the case. The Project has not created these conditions; rather, the Project happens to be located within an area where pedestrian and bicycling conditions are not ideal. **These conditions are not caused by the Project – they are existing conditions that were studied by the Eastern Neighborhoods EIR in the context of a MUO-zoned building at the Property. As such, the CEQA exemption is justified and the appeal should be denied.**

II. Streetscape Improvements

Despite the fact that the CEQA exemption is justified and that the Project does not cause the existing pedestrian and bicycle conditions in the vicinity, it is clear that streetscape improvements would be beneficial in this neighborhood. The Eastern Neighborhoods EIR recognized the poor condition of the pedestrian and bicycle networks in South of Market. The EIR placed responsibility for these improvements on city agencies, developers of new construction projects, and through voluntary efforts of property owners. However, due to the modest scale of the Project, streetscape improvements are not required of the Project Sponsor.

Despite the fact that the Project is not required to provide streetscape improvements, they were discussed at the Planning Commission hearing approving the new office space. The Planning Commission added the following language in the Conditions of Approval:

The Planning Department will continue to work with applicable other agencies regarding issues surrounding pedestrian streetscape improvements, fire access, pedestrian safety and traffic calming measures. (Planning Commission Motion No. 19311, Condition of Approval #11, page 15.)

The Project Sponsor wants to improve the pedestrian and bicyclist conditions in the vicinity of the Property, as it will provide greater protection and comfort for tenants travelling to the building. They have already reached out to SFMTA and Caltrans to begin discussing efforts to improve the street. **The Project Sponsor is committed to implementing real, practical, streetscape improvements to increase pedestrian and bicyclist safety in the area. The CEQA appeal unjustifiably requests further study of the Project, rather than focusing on actual improvements to pedestrian and bicyclist safety. Denying this appeal will have the effect of facilitating real, significant improvements to the streetscape in this area.**

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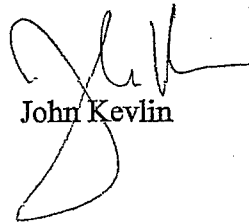
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III. Conclusion

The Project is consistent with the recent Eastern Neighborhoods Plan rezoning, and will fulfill the Plan's goals for the Property. The Project's environmental review is adequate. Appellant identifies no significant environmental impacts that are caused by the Project, or any significant environmental impacts not already identified by the Eastern Neighborhoods EIR. The city, through the rezoning of the site to MUO, anticipated and analyzed the impact of office uses to the area. The Project maintains a floor of PDR space, for which two tenants have already been identified. The Project Sponsor has already begun conversations with the relevant local and state agencies to design and implement, actual, practical streetscape improvements that will increase pedestrian and bicyclist safety in the area. We respectfully urge that you deny this appeal, and uphold the Community Plan Exemption.

Very truly yours,

REUBEN, JUNIUS & ROSE, LLP



John Kevlin

cc: Joy Ou, Group I
Kansai Uchida, San Francisco Planning Department

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SAN FRANCISCO PLANNING DEPARTMENT

Subject to: (Select only if applicable)

- Affordable Housing (Sec. 415)
- Jobs Housing Linkage Program (Sec. 413)
- Downtown Park Fee (Sec. 412)
- Transit Impact Development Fee (Sec. 411)
- First Source Hiring (Admin. Code)
- Child Care Requirement (Sec. 414)
- Other (Eastern Neighborhoods – Sec. 423 & 426)

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Planning
Information:
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Planning Commission Revised Motion No. 19311

HEARING DATE: JANUARY 8, 2015

CORRECTED DATE: JANUARY 26, 2015

Date: December 31, 2014
Case No.: 2013.1600B
Project Address: 340 Bryant Street
Zoning: MUO (Mixed Use Office) District
 65-X Height and Bulk District
Block/Lot: 3764/061
Project Sponsor: John Kevlin
 Reuben, Junius and Rose, LLP
 One Bush Street, Suite 600
 San Francisco, CA 94104
Staff Contact: Erika S. Jackson – (415) 558-6363
erika.jackson@sfgov.org

ADOPTING FINDINGS RELATING TO AN ALLOCATION OF OFFICE SQUARE FOOTAGE UNDER THE 2014-2015 ANNUAL OFFICE DEVELOPMENT LIMITATION PROGRAM FOR THE PROPOSED PROJECT LOCATED AT 340 BRYANT STREET THAT WOULD AUTHORIZE THE CONVERSION OF 47,536 GROSS SQUARE FEET OF THE EXISTING 62,050 SQUARE FOOT BUILDING TO OFFICE USE PURSUANT TO PLANNING CODE SECTIONS 321 AND 842.66, ON ASSESSOR'S BLOCK 3764, LOT 061, IN THE MUO (MIXED USE OFFICE) ZONING DISTRICT AND A 65-X HEIGHT AND BULK DISTRICT, AND ADOPTING FINDINGS UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.

PREAMBLE

On December 19, 2013, John Kevlin, on behalf of 140 Partners, LP (hereinafter "Project Sponsor") filed Application No. 2013.1600B (hereinafter "Application") with the Planning Department (hereinafter "Department") for an Office Development Authorization to convert 47,536 gross square feet of the existing 62,050 square foot building at 340 Bryant Street to an office use.

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 December 22, 2014, the Department determined that the proposed application did not require further environmental review under Section 15183 of the CEQA Guidelines and Public Resources Code Section 21083.3. The Project is consistent with the adopted zoning controls in the Eastern Neighborhoods Area Plan and was encompassed within the analysis contained in the Eastern Neighborhoods Final EIR. Since the Eastern Neighborhoods Final EIR was finalized, there have been no substantial changes to the Eastern Neighborhoods Area Plan and no substantial changes in circumstances that would require major revisions to the Final EIR due to the involvement of new significant environmental effects or an increase in the severity of previously identified significant impacts, and there is no new information of substantial importance that would change the conclusions set forth in the Final EIR. The file for this project, including the Eastern Neighborhoods Final EIR and the Community Plan Exemption certificate, is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, San Francisco, California.

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

On January 8, 2015, the Planning Commission ("Commission") conducted a duly noticed public hearing at a regularly scheduled meeting on Office Allocation Application No. 2013.1600B.

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 Office Development Authorization requested in Application No. 2013.1600B, 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 site, located at 340 Bryant Street, is bounded by Rincon Alley and Sterling Street. The site is located in the East South of Market Neighborhood within an MUO Zoning District and a 65-X Height and Bulk District. The subject lot is approximately 17,117 square feet in area. The existing building is approximately 62,050 square feet, 43-feet tall, and four-stories, and was constructed in 1932 as an industrial building. The building was purchased by a new owner in January 2012. The building has been vacant since January 2013; however, the last legal use of the building was industrial.
3. **Surrounding Properties and Neighborhood.** The Project site is located in the East South of Market Neighborhood within an MUO Zoning District and a 65-X Height and Bulk District. Accordingly, the surrounding properties are characterized by dense, two and four-story industrial buildings, with some office and residential uses. The building is surrounded by the I-80 freeway to the north and off-ramps to the south. To the southeast of the project across Bryant Street are three- and four-story buildings and to the southwest of the project site are three- and five-story buildings with mixed uses including office and live/work condominiums.
4. **Project Description.** The proposal is to convert the entire second, third, and fourth floors, totaling 47,536 gross square feet, to a legal office use. The entire 16,505 square foot (minus 1,991 square feet of common area) ground floor will remain industrial PDR space. A tenant has already been found for the space. The proposal also includes the installation of 4 Class 2 and 12 Class 1 bicycle parking spaces. Exterior alterations are proposed for the Project, including new ground floor window treatment and an improved building entrance.
5. **Public Comment.** The Department has received public comment from one person with concerns regarding displacement of PDR uses in the building.

6. **Planning Code Compliance.** The Commission finds and determines that the Project is consistent with the relevant provisions of the Code in the following manner:

- A. **Office Use in the MUO Zoning District.** Planning Code Section 842.66 principally permits office space in the MUO Zoning District.

The proposal includes converting the entire second, third, and fourth floors, totaling 47,536 gross square feet, to a legal office use.

- B. **Open Space.** Planning Code Section 135.3 requires conversions to new office space in Eastern Neighborhoods Mixed Use Districts to provide and maintain usable open space for that new office space at a ratio of one square foot per 50 square feet of new office space, and/or pay an in-lieu fee. The project proposes 47,536 square feet of new office space and requires at least 951 square feet of open space to be provided.

Approximately 1,684 square feet of open space will be located on the west side of the roof of the building, which will provide ample open space to meet this requirement.

- C. **Parking.** Section 151.1 does not require any off-street parking.

The existing building contains no off-street parking. The proposed project will not provide any new off-street parking spaces.

- D. **Loading,** Section 152.1 requires certain amounts of off-street freight loading spaces based on the type and size of uses in a project. The proposed project does not require a loading space.

The existing building contains no loading spaces.

- E. **Bicycle Parking and Showers.** Section 155.2 requires that the project provide at least two Class 1 and two Class 2 bicycle parking spaces to accommodate the new office use. Section 155.4 requires that a building that exceeds 50,000 square feet provide 4 showers and 24 lockers.

The project proposes 4 Class 2 and 12 Class 1 bicycle parking spaces, as well as 4 showers and 24 lockers.

- F. **Transportation Management Agreement.** Section 163 requires that the project sponsor provides on-site transportation brokerage services for the actual lifetime of the project.

Prior to the issuance of a temporary permit of occupancy, the project sponsor will 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. The Planning

Commission encourages Planning Department staff to continue to work with applicable other agencies regarding issues surrounding pedestrian streetscape improvements, fire access, pedestrian safety and traffic calming measures.

- G. **Development Fees.** The Project is subject to the Transit Impact Development Fee per Planning Code Section 411, the Jobs-Housing Linkage Fee per Planning Code Section 413, and the Eastern Neighborhoods Community Impact Fee per Planning Code Section 423.

The Project Sponsor shall pay the appropriate Transit Impact Development, Jobs-Housing Linkage Child Care Requirement, and Eastern Neighborhoods Community Impact fees, pursuant to Planning Code Sections 411, 413, and 423, at the appropriate stage of the building permit application process.

7. **Office Development Authorization.** Planning Code Section 321 establishes standards for San Francisco's Office Development Annual Limit. In determining if the proposed Project would promote the public welfare, convenience and necessity, the Commission considered the seven criteria established by Code Section 321(b)(3), and finds as follows:

I. APPORTIONMENT OF OFFICE SPACE OVER THE COURSE OF THE APPROVAL PERIOD IN ORDER TO MAINTAIN A BALANCE BETWEEN ECONOMIC GROWTH ON THE ONE HAND, AND HOUSING, TRANSPORTATION AND PUBLIC SERVICES, ON THE OTHER.

The proposed project would create 47,536 square feet of office space within the South of Market area, an area with high demand for office space. There is currently more than 1.27 million gross square feet of available "Small Cap" office space in the City. Additionally, the Project is subject to various development fees that will benefit the surrounding community. Therefore, the Project will help maintain the balance between economic growth, housing, transportation and public services.

II. THE CONTRIBUTION OF THE OFFICE DEVELOPMENT TO, AND ITS EFFECTS ON, THE OBJECTIVES AND POLICIES OF THE GENERAL PLAN.

The proposed project is consistent with the General Plan, as outlined in Section 9 below.

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

The proposed office space is within an existing building. The proposed project includes some exterior alterations, including new ground floor window treatment and an improved building entrance. These alterations will improve the building's compatibility 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.

- a) Use. *The Project is within the MUO (Mixed Use Office) Zoning District, a Zoning District which principally permits office use. Planning Code Section 842 states that the MUO Zoning District is "designed to encourage office uses and housing, as well as small-scale light industrial and arts activities." This project provides an appropriate balance of PDR and office uses. The Planning Commission recognizes the retention of PDR on the ground floor. The Planning Commission recognizes the retention of PDR on the ground floor.*
- b) Transit Accessibility. *The area is served by a variety of transit options. The project site is adjacent to the 10 and 12 MUNI bus lines, and is in close proximity to approximately 12 other MUNI bus lines. It is also approximately 0.5 miles from the temporary Transbay Terminal and the future Transbay Terminal, both of which connect to numerous transit lines around the Bay. Additionally, the Project site is located approximately 5 blocks from Market Street, with BART and MUNI Metro subway lines, and is a short walk from the King Street Caltrain station, ferries connecting to the East and South Bay, and the future Central Subway that will run along 4th Street.*
- c) Open Space Accessibility. *The proposed project is required to provide 951 square feet of open space. The proposed project will provide a 1,684 square foot roof deck.*
- d) Urban Design. *The proposed office space is in an existing building. The building was constructed in 1932 and has been minimally altered since that time. The proposed project includes some exterior alterations; however, the mass and design of the building will not change.*
- e) Seismic Safety. *The Project includes limited tenant improvements within the interior of the existing buildings. All tenant improvement work will meet current seismic safety standards, as they apply.*

V. THE ANTICIPATED USES OF THE PROPOSED OFFICE DEVELOPMENT IN LIGHT OF EMPLOYMENT OPPORTUNITIES TO BE PROVIDED, NEEDS OF EXISTING BUSINESSES, AND THE AVAILABLE SUPPLY OF SPACE SUITABLE FOR SUCH ANTICIPATED USES.

- a) Anticipated Employment Opportunities. *The Project includes a total of 47,536 gross square feet of office space, which will allow for several office tenants in the building. Since office space on average supports more employees per square foot than industrial space, the project will create a significant amount of new employment opportunities.*
- b) Needs of Existing Businesses. *The Project includes a total of 47,536 gross square feet of office space, which will allow for several office tenants in the building. The proximity to light industrial uses can also help foster entrepreneurship among local residents and employers.*
- c) Availability of Space Suitable for Anticipated Uses. *The Project will provide quality office space that is suitable for a variety of office uses and sizes in an area where the demand for new office space has increased rapidly. The project will provide high-quality office space within close proximity to public transit, while maintaining the ground floor industrial use.*

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

The building will not be owner-occupied. The anticipated office tenants have not yet been determined, however, two industrial tenants that will occupy the ground floor PDR space have been identified.

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

The Project does not include any Transfer of Development Rights.

8. **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 building contains no neighborhood-serving retail uses, nor does the proposal include any retail. However, the conversion of this building to office space will increase the demand for neighborhood-serving retail use in the surrounding neighborhood.

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

No housing currently exists on the site and no housing will be removed as part of the proposed project. The project consists of the conversion of industrial to office use. The building will be mixed use with industrial and office uses, resulting in a project that is compatible with the surrounding neighborhood.

- 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. The project site is adjacent to the 10 and 12 MUNI bus lines, and is in close proximity to approximately 12 other MUNI bus lines. It is also approximately 0.5 miles from the temporary Transbay Terminal and the future Transbay Terminal, both of which connect to numerous transit lines around the Bay. Additionally, the Project site is

located approximately 5 blocks from Market Street, with BART and MUNI Metro subway lines, and is a short walk from the King Street Caltrain station and ferries connecting to the East and South Bay.

- 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.

Converting a portion of the existing building to office space on the upper stories will help support and maintain the PDR activities on the ground floor. The conversion to office space will help increase local resident employment and demand for new neighborhood-serving businesses in the area, which can also lead to new opportunities for local resident employment.

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

The Project will not create any new space that does not meet current seismic safety standards.

- G. That landmarks and historic buildings be preserved.

The existing building is not a Landmark or otherwise historic building. The proposal will not impact Landmarks or historic buildings in the vicinity.

- 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.

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 1.3:

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 by allowing for one or more small to medium sized office tenants to sign a long-term lease, which will increase economic vibrancy in the area. Authorization of the office space will also result in the collection of significant development fees that will benefit the community and that would otherwise not be required.

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 proposed office development will help retain existing commercial tenants and generate stable employment opportunities and demand for neighborhood serving businesses.

TRANSPORTATION ELEMENT

Objectives and Policies

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 12 existing Class 1 and 4 Class 2 bicycle parking spaces in a secure, convenient location.

EAST SOMA AREA PLAN

Objectives and Policies

OBJECTIVE 1.1:

STRENGTHEN ENCOURAGE PRODUCTION OF HOUSING AND OTHER MIXED-USE DEVELOPMENT IN EAST SOMA WHILE MAINTAINING ITS EXISTING SPECIAL MIXED-USE CHARACTER.

Policy 1.1.2:

Encourage small, flexible office space throughout East Soma and encourage larger office in the 2nd Street Corridor.

OBJECTIVE 1.4:
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 Project is located in the East South of Market Neighborhood and in a MUO Zoning District that encourages office uses. The mix of office and industrial activities within the proposal is an appropriate balance of uses given the location of the site. Further, the authorization of office space at this site will support any PDR activities on the ground floor level. The Project will add to the diverse array of office space available in the area by providing smaller spaces than those provided along 2nd Street.

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

DECISION

That based upon the Record, the submissions by the Applicant, the staff of the Department and other interested parties, the oral testimony presented to this Commission at the public hearings, and all other written materials submitted by all parties, the Commission hereby **APPROVES Office Development Application No. 2013.1600B** subject to the conditions attached hereto as Exhibit A, which is incorporated herein by reference as though fully set forth, in general conformance with the plans stamped Exhibit B and dated June 4, 2014, on file in Case Docket No. 2013.1600B.

APPEAL AND EFFECTIVE DATE OF MOTION: Any aggrieved person may appeal this Section 321 Office-Space Allocation to the Board of Appeals within fifteen (15) days after the date of this Motion. The effective date of this Motion shall be the date of adoption of this Motion if not appealed (after the 15-day period has expired) OR the date of the decision of the Board of Appeals if appealed to the Board of Appeals. For further information, please contact the Board of Appeals at (415) 575-6880, 1660 Mission, Room 3036, San Francisco, CA 94103.

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

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

I hereby certify that the Planning Commission **ADOPTED** the foregoing Motion on January 8, 2015.

Jonas P. Ionin
Commission Secretary

AYES: Commissioners Antonini, Fong, Johnson, Richards, Moore, and Hillis

NAYS:

ABSENT: Commissioner Wu

ADOPTED: January 8, 2015

EXHIBIT A

AUTHORIZATION

This authorization is for an Office Development Authorization to authorize 47,536 gross square feet of office use located at 340 Bryant Street, Lot 061 in Assessor's Block 3764 pursuant to Planning Code Section(s) 321 and 843.66 within the MUO (Mixed Use Office) Zoning District and a 65-X Height and Bulk District; in general conformance with plans, dated June 4, 2014, and stamped "EXHIBIT B" included in the docket for Case No. 2013.1600B and subject to conditions of approval reviewed and approved by the Commission on January 8, 2015 under Motion No. 19311. 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 January 8, 2015 under Motion No. 19311.

PRINTING OF CONDITIONS OF APPROVAL ON PLANS

The conditions of approval under the 'Exhibit A' of this Planning Commission Motion No. 19311 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

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

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

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

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

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

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

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

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

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

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

6. **Development Timeline - Office.** Pursuant to Planning Code Section 321(d)(2), construction of an office development shall commence within 18 months of the date of this Motion approving this Project becomes effective. 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 Allocation authorization.

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

PARKING AND TRAFFIC

7. **Bicycle Parking.** Pursuant to Planning Code Section 155.2, the Project shall provide no fewer than 12 Class 2 and 4 Class 2 bicycle parking spaces for the 47,536 gross square feet of office use.

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

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

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

PROVISIONS

9. **Transit Impact Development Fee.** Pursuant to Planning Code Sections 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 Department with certification of fee payment.

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 Sections 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.sf-planning.org

11. **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. The Planning Department will continue to work with applicable other agencies regarding issues surrounding pedestrian streetscape improvements, fire access, pedestrian safety and traffic calming measures.

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

12. **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 of the Planning Code.

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

13. **Ground Floor PDR Use.** The Planning Commission recognizes the retention of PDR on the ground floor.

MONITORING - AFTER ENTITLEMENT

14. **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

15. **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

16. **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.

Revised Motion No. 19311
Hearing Date: January 8, 2015
Corrected Date: January 26, 2015

CASE NO. 2013.1600B
340 Bryant Street

For information about compliance, contact Bureau of Street Use and Mapping, Department of Public Works, 415-695-2017, <http://sfdpw.org>

17. **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 1:
 MITIGATION MONITORING AND REPORTING PROGRAM
 (Including the Text of the Mitigation Measures Adopted as Conditions of Approval and Proposed Improvement Measures)**

1. MITIGATION AND IMPROVEMENT MEASURES	Responsibility for Implementation	Mitigation Schedule	Monitoring/Report Responsibility	Status/Date Completed
<p><i>Project Mitigation Measure 1 - Construction Air Quality (Eastern Neighborhoods Mitigation Measure G-1)</i></p> <p>A. Construction Emissions Minimization Plan. Prior to issuance of a construction permit, the project sponsor shall submit a Construction Emissions Minimization Plan (Plan) to the Environmental Review Officer (ERO) for review and approval by an Environmental Planning Air Quality Specialist. The Plan shall detail project compliance with the following requirements:</p> <p>1. All off-road equipment greater than 25 hp and operating for more than 20 total hours over the entire duration of construction activities shall meet the following requirements:</p> <p>a) Where access to alternative sources of power are available, portable diesel engines shall be prohibited;</p> <p>b) All off-road equipment shall have:</p> <p>i. Engines that meet or exceed either U.S. Environmental Protection Agency (USEPA) or California Air Resources Board (ARB) Tier 2 off-road emission standards, and</p> <p>ii. Engines that are retrofitted with an ARB Level 3 Verified Diesel Emissions Control Strategy (VDECS).</p> <p>c) Exceptions:</p> <p>i. Exceptions to A(1)(a) may be granted if the project sponsor has submitted information providing evidence to the satisfaction of the ERO that an alternative source of power is limited or infeasible at the project site and that the requirements of this exception provision apply. Under this circumstance, the sponsor shall submit documentation of compliance with A(1)(b) for onsite power generation.</p> <p>ii. Exceptions to A(1)(b)(ii) may be granted if the project sponsor has submitted information providing evidence to the satisfaction of the ERO that a particular piece of off-road equipment with</p>	<p>Project Sponsor along with Project Contractor of each subsequent development project undertaken pursuant to the Eastern Neighborhoods Rezoning and Area Plans Project.</p>	<p>During construction</p>	<p>Each Project Sponsor to provide Planning Department with monthly reports during construction period.</p>	<p>Considered complete upon receipt of final monitoring report at completion of construction.</p>

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

1. MITIGATION AND IMPROVEMENT MEASURES	Responsibility for Implementation	Mitigation Schedule	Monitoring/Report Responsibility	Status/Date Completed												
<p>an ARB Level 3 VDECS is: (1) technically not feasible, (2) would not produce desired emissions reductions due to expected operating modes, (3) installing the control device would create a safety hazard or impaired visibility for the operator, or (4) there is a compelling emergency need to use off-road equipment that are not retrofitted with an ARB Level 3 VDECS and the sponsor has submitted documentation to the ERO that the requirements of this exception provision apply. If granted an exception to A(1)(b)(ii), the project sponsor must comply with the requirements of A(1)(c)(iii).</p> <p>iii. If an exception is granted pursuant to A(1)(c)(ii), the project sponsor shall provide the next cleanest piece of off-road equipment as provided by the step down schedules in Table 2.</p> <p><i>Table 2 – Off-Road Equipment Compliance Step-down Schedule</i></p> <table border="1"> <thead> <tr> <th><u>Compliance Alternative</u></th> <th><u>Engine Emission Standard</u></th> <th><u>Emissions Control</u></th> </tr> </thead> <tbody> <tr> <td>1</td> <td>Tier 2</td> <td>ARB Level 2 VDECS</td> </tr> <tr> <td>2</td> <td>Tier 2</td> <td>ARB Level 1 VDECS</td> </tr> <tr> <td>3</td> <td>Tier 2</td> <td>Alternative Fuel*</td> </tr> </tbody> </table> <p>How to use the table: If the requirements of (A)(1)(b) cannot be met, then the project sponsor would need to meet Compliance Alternative 1. Should the project sponsor not be able to supply off-road equipment meeting Compliance Alternative 1, then Compliance Alternative 2 would need to be met. Should the project sponsor not be able to supply off-road equipment meeting Compliance Alternative 2, then Compliance Alternative 3 would need to be met.</p> <p>* Alternative fuels are not a VDECS.</p> <p>2. The project sponsor shall require the idling time for off-road and on-road equipment be limited to no more than two minutes, except as provided in exceptions to the applicable state regulations regarding idling for off-road and on-road equipment. Legible and visible signs shall be posted in multiple languages (English, Spanish, Chinese) in designated queuing areas and at the</p>	<u>Compliance Alternative</u>	<u>Engine Emission Standard</u>	<u>Emissions Control</u>	1	Tier 2	ARB Level 2 VDECS	2	Tier 2	ARB Level 1 VDECS	3	Tier 2	Alternative Fuel*				
<u>Compliance Alternative</u>	<u>Engine Emission Standard</u>	<u>Emissions Control</u>														
1	Tier 2	ARB Level 2 VDECS														
2	Tier 2	ARB Level 1 VDECS														
3	Tier 2	Alternative Fuel*														

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

1. MITIGATION AND IMPROVEMENT MEASURES	Responsibility for Implementation	Mitigation Schedule	Monitoring/Report Responsibility	Status/Date Completed
<p>construction site to remind operators of the two minute idling limit.</p> <p>3. The project sponsor shall require that construction operators properly maintain and tune equipment in accordance with manufacturer specifications.</p> <p>4. The Plan shall include estimates of the construction timeline by phase with a description of each piece of off-road equipment required for every construction phase. Off-road equipment descriptions and information may include, but is not limited to: equipment type, equipment manufacturer, equipment identification number, engine model year, engine certification (Tier rating), horsepower, engine serial number, and expected fuel usage and hours of operation. For VDECS installed: technology type, serial number, make, model, manufacturer, ARB verification number level, and installation date and hour meter reading on installation date. For off-road equipment using alternative fuels, reporting shall indicate the type of alternative fuel being used.</p> <p>5. The Plan shall be kept on-site and available for review by any persons requesting it and a legible sign shall be posted at the perimeter of the construction site indicating to the public the basic requirements of the Plan and a way to request a copy of the Plan. The project sponsor shall provide copies of Plan to members of the public as requested.</p> <p>B. Reporting. Quarterly reports shall be submitted to the ERO indicating the construction phase and off-road equipment information used during each phase including the information required in A(4). In addition, for off-road equipment using alternative fuels, reporting shall include the actual amount of alternative fuel used.</p> <p>Within six months of the completion of construction activities, the project sponsor shall submit to the ERO a final report summarizing construction activities. The final report shall indicate the start and end dates and duration of each construction phase. For each phase, the report shall include detailed information required in A(4). In addition, for off-road equipment using alternative fuels, reporting shall include the actual amount of alternative fuel used.</p> <p>C. Certification Statement and On-site Requirements. Prior to the commencement of construction activities, the project sponsor must certify (1) compliance with the Plan, and (2) all applicable requirements of the Plan have been incorporated into contract specifications.</p>				

1630

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

1. MITIGATION AND IMPROVEMENT MEASURES	Responsibility for Implementation	Mitigation Schedule	Monitoring/Report Responsibility	Status/Date Completed
<p><i>Project Mitigation Measure 2 – Hazardous Building Materials (Eastern Neighborhoods Mitigation Measure L-1)</i></p> <p>The City shall condition future development approvals to require that the subsequent project sponsors ensure that any equipment containing PCBs or DEPH, 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 applicable federal, state, and local laws.</p>	<p>Project Sponsor/project archeologist of each subsequent development project undertaken pursuant to the Eastern Neighborhoods Areas Plans and Rezoning</p>	<p>Prior to approval of each subsequent project, through Mitigation Plan.</p>	<p>Planning Department, in consultation with DPH; where Site Mitigation Plan is required, Project Sponsor or contractor shall submit a monitoring report to DPH, with a copy to Planning Department and DBI, at end of construction.</p>	<p>Considered complete upon approval of each subsequent project.</p>
<p><i>Project Improvement Measure 1 – Transportation Demand Management (TDM) Coordinator</i></p> <p>The project sponsor shall identify a TDM coordinator for the project site. The TDM Coordinator shall be responsible for the implementation and ongoing operation of all other TDM measures (Project Improvement Measures 2 and 3) included in the proposed project. The TDM Coordinator could be a brokered service through an existing transportation management association (e.g. the Transportation Management Association of San Francisco, TMA SF), or the TDM Coordinator could be an existing staff member (e.g., property manager); the TDM Coordinator does not have to work full-time at the project site. However, the TDM Coordinator shall be the single point of contact for all transportation-related questions from building occupants and City staff. The TDM Coordinator shall provide TDM training to other building staff about the transportation amenities and options available at the project site and nearby.</p>	<p>Project Sponsor</p>	<p>Continuous</p>	<p>Planning Department, in consultation with the TDM Coordinator</p>	<p>Continuous</p>
<p><i>Project Improvement Measure 2 – Transportation and Trip Planning Information/New-Hire Packet</i></p> <p>The project sponsor shall provide a transportation insert for the new-hire packet that includes information on transit service (local and regional, schedules and fares), information on where transit passes could be</p>	<p>Project Sponsor</p>	<p>Continuous</p>	<p>Planning Department, in consultation with the TDM Coordinator</p>	<p>Continuous</p>

1631

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

1. MITIGATION AND IMPROVEMENT MEASURES	Responsibility for Implementation	Mitigation Schedule	Monitoring/Report Responsibility	Status/Date Completed
<p>purchased, information on the 511 Regional Rideshare Program and nearby bike and car share programs, and information on where to find additional web-based alternative transportation materials (e.g., NextMuni phone app). This new hire packet shall be continuously updated as local transportation options change, and the packet should be provided to each new building occupant. The project sponsor shall provide Muni maps, San Francisco Bicycle and Pedestrian maps upon request.</p>				
<p><i>Project Improvement Measure 3 – Bicycle Parking</i></p> <p>The project sponsor shall provide at least 12 on-site secured bicycle parking spaces and 4 on-site publicly-accessible (visitor) bicycle parking spaces. Within one year after Final Certification of Completion for the subject project, the project sponsor shall contact in writing the San Francisco Municipal Transportation Agency, San Francisco Department of Public Works, and/or Bay Area Bike Share (agencies) to fund the installation of up to 20 new bicycle racks on public right-of-way locations adjacent to or within a quarter mile of the project site (e.g., sidewalks, on-street parking spaces).</p>	Project Sponsor	Continuous	Planning Department, in consultation with the TDM Coordinator.	Continuous

1632

Carroll, John (BOS)

From: BOS Legislation (BOS)
Sent: Tuesday, March 10, 2015 4:42 PM
To: hestor@earthlink.net; Givner, Jon (CAT); Stacy, Kate (CAT); Byrne, Marlana (CAT); Sanchez, Scott (CPC); Jones, Sarah (CPC); Rodgers, AnMarie (CPC); Starr, Aaron (CPC); Tam, Tina (CPC); Jackson, Erika; Uchida, Kansai (CPC); Ionin, Jonas (CPC); Goldstein, Cynthia (PAB); Pacheco, Victor (PAB); jkevin@reubenlaw.com; BOS-Supervisors; BOS-Legislative Aides
Cc: Calvillo, Angela (BOS); Caldeira, Rick (BOS); Somera, Alisa (BOS); Carroll, John (BOS); BOS Legislation (BOS)
Subject: California Environmental Quality Act - Exemption Determination Appeal - 340 Bryant Street - Hearing Notice
Categories: 150171

Good afternoon,

The Office of the Clerk of the Board has scheduled an appeal hearing for a Special Order before the Board on March 24, 2015, at 3:00 p.m.

Please find linked below the Hearing Notice for 340 Bryant Street Exemption Determination appeal.

[Hearing Notice – 340 Bryant Street](#)

You are invited to review the entire matter on our [Legislative Research Center](#) by following the link below.

[Board of Supervisors File No. 150171](#)

Thank you,

Joy Lamug
Legislative Clerk
Board of Supervisors
1 Dr. Carlton B. Goodlett Place, City Hall, Room 244
San Francisco, CA 94102
Direct: (415) 554-7712 | Fax: (415) 554-5163
Email: joy.lamug@sfgov.org
Web: www.sfbos.org

Please complete a Board of Supervisors Customer Service Satisfaction form by clicking [here](#).

The [Legislative Research Center](#) provides 24-hour access to Board of Supervisors legislation, and archived matters since August 1998.

Disclosures: Personal information that is provided in communications to the Board of Supervisors is subject to disclosure under the California Public Records Act and the San Francisco Sunshine Ordinance. Personal information provided will not be redacted. Members of the public are not required to provide personal identifying information when they communicate with the Board of Supervisors and its committees. All written or oral communications that members of the public submit to the Clerk's Office regarding pending legislation or hearings will be made available to all members of the public for inspection and copying. The Clerk's Office does not redact any information from these submissions. This means that personal information—including names, phone numbers, addresses and similar information that a member of the public elects to submit to the Board and its committees—may appear on the Board of Supervisors' website or in other public documents that members of the public may inspect or copy.

BOARD of SUPERVISORS



City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No 554-5184
Fax No. 554-5163
TTD/TTY No. 5545227

NOTICE OF PUBLIC HEARING

BOARD OF SUPERVISORS OF THE CITY AND COUNTY OF SAN FRANCISCO

NOTICE IS HEREBY GIVEN THAT the Board of Supervisors of the City and County of San Francisco will hold a public hearing to consider the following proposal and said public hearing will be held as follows, at which time all interested parties may attend and be heard:


Date: Tuesday, March 24, 2015

Time: 3:00 p.m.

Location: City Hall, 1 Dr. Carlton B. Goodlett Place, Legislative Chamber, Room 250, San Francisco, CA 94102

Subject: File No. 150171. Hearing of persons interested in or objecting to the exemption determination from environmental review under the California Environmental Quality Act issued by the Planning Department on January 8, 2015, for the proposed project at 340 Bryant Street. (District 6) (Appellant: Sue C. Hestor on behalf of San Franciscans for Reasonable Growth) (Filed February 9, 2015).

In accordance with Administrative Code, Section 67.7-1, persons who are unable to attend the hearing on this matter may submit written comments to the City prior to the time the hearing begins. These comments will be made part of the official public record in this matter, and shall be brought to the attention of the members of the Board. Written comments should be addressed to Angela Calvillo, Clerk of the Board, City Hall, 1 Dr. Carlton Goodlett Place, Room 244, San Francisco, CA 94102. Information relating to this matter is available in the Office of the Clerk of the Board. Agenda information relating to this matter will be available for public review on Friday, March 20, 2015.


f Angela Calvillo
Clerk of the Board

DATED: March 10, 2015
MAILED/POSTED: March 10, 2015

Carroll, John (BOS)

From: SF Docs (LIB)
Sent: Monday, March 09, 2015 9:42 AM
To: Carroll, John (BOS)
Subject: Re: Please Post the Attached Hearing Notices

Categories: 150171, 150167

Hi John,

I have posted the notices.

Thank you,

Michael

From: Carroll, John (BOS)
Sent: Monday, March 9, 2015 9:24 AM
To: SF Docs (LIB)
Cc: BOS Legislation (BOS)
Subject: Please Post the Attached Hearing Notices

Good morning,

Please kindly post the attached hearing notices for:

33 States Street – Board File No. 150167
340 Bryant Street – Board File No. 150171

Thank you,

John Carroll
Legislative Clerk
Board of Supervisors
San Francisco City Hall, Room 244
San Francisco, CA 94102
(415)554-4445 - Direct | (415)554-5184 - General | (415)554-5163 - Fax
john.carroll@sfgov.org | bos.legislation@sfgov.org

Please complete a Board of Supervisors Customer Service Satisfaction form by [clicking here](#).

The [Legislative Research Center](#) provides 24-hour access to Board of Supervisors legislation, and archived matters since August 1998.

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BOARD of SUPERVISORS



City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 544-5227

PROOF OF MAILING

Legislative File No. 150171

Description of Items: Ten copies of the Hearing Notice for Appeal of project at 340 Bryant Street

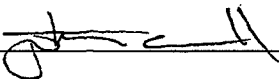
I, John Carroll, an employee of the City and County of San Francisco, mailed the above described document(s) by depositing the sealed items with the United States Postal Service (USPS) with the postage fully prepaid as follows:

Date: March 10, 2015

Time: 11:30 a.m.

USPS Location: Clerk's office USPS pickup box

Mailbox/Mailslot Pick-Up Times (if applicable): N/A

Signature: 

Instructions: Upon completion, original must be filed in the above referenced file.

From: Uchida, Kansai (CPC)
Sent: Monday, March 02, 2015 12:49 PM
To: BOS Legislation (BOS)
Cc: Carroll, John (BOS); Lamug, Joy
Subject: RE: Appeal of Determination of Exemption from Environmental Review - 340 Bryant Street
Attachments: 340 Bryant - Mailing List for BOS.xlsx

Hi Joy,

Here is the contact list for 340 Bryant Street. This includes people who have commented on the project or requested to receive notices previously. Feel free to contact me with any questions or concerns.

Thanks,
-Kansai

From: BOS Legislation (BOS)
Sent: Tuesday, February 17, 2015 3:14 PM
To: Uchida, Kansai (CPC)
Cc: Carroll, John (BOS); BOS Legislation (BOS)
Subject: FW: Appeal of Determination of Exemption from Environmental Review - 340 Bryant Street

Hi Kansai,

I'm resending this email to you. Per our System Administrator, this message did not reach the intended recipients.

Thank you,

Joy Lamug
Legislative Clerk
Board of Supervisors
1 Dr. Carlton B. Goodlett Place, City Hall, Room 244
San Francisco, CA 94102
Direct: (415) 554-7712 | Fax: (415) 554-5163
Email: joy.lamug@sfgov.org
Web: www.sfbos.org

Please complete a Board of Supervisors Customer Service Satisfaction form by clicking [here](#).

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From: BOS Legislation (BOS)
Sent: Tuesday, February 17, 2015 1:03 PM
To: Uchida, Kansai (CPC)
Cc: Carroll, John (BOS); BOS Legislation (BOS)
Subject: FW: Appeal of Determination of Exemption from Environmental Review - 340 Bryant Street

Hi Kansai,

As promised, please see email below regarding the Appeal of Determination of Exemption from Environmental Review for 340 Bryant Street.

Thank you,

Joy Lamug
Legislative Clerk
Board of Supervisors
1 Dr. Carlton B. Goodlett Place, City Hall, Room 244
San Francisco, CA 94102
Direct: (415) 554-7712 | Fax: (415) 554-5163
Email: joy.lamug@sfgov.org
Web: www.sfbos.org

Please complete a Board of Supervisors Customer Service Satisfaction form by clicking [here](#).

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From: BOS Legislation (BOS)
Sent: Friday, February 13, 2015 1:41 PM
To: hestor@earthlink.net
Cc: BOS-Supervisors; BOS-Legislative Aides; Givner, Jon (CAT); Stacy, Kate (CAT); Byrne, Marlana (CAT); Sanchez, Scott (CPC); Jones, Sarah (CPC); Rodgers, AnMarie (CPC); Starr, Aaron (CPC); Tam, Tina (CPC); Jackson, Erika; Ionin, Jonas (CPC); Calvillo, Angela (BOS); Caldeira, Rick (BOS); 'jkevin@reubenlaw.com'; Carroll, John (BOS); BOS Legislation (BOS)
Subject: Appeal of Determination of Exemption from Environmental Review - 340 Bryant Street

Good afternoon,

The Office of the Clerk of the Board has scheduled an appeal hearing for a Special Order before the Board on March 24, 2015, at 3:00 p.m.

Please find linked below two letters concerning the timely filing of your Appeal, and the scheduling of the appeal hearing.

[Planning Department Timely Filing Determination – 02/11/2015](#)

Clerk of the Board Letter -02/13/2015

u are invited to review the entire matter on our Legislative Research Center by following the link below.

Board of Supervisors File No. 150171

Thank you,

Joy Lamug

Legislative Clerk

Board of Supervisors

1 Dr. Carlton B. Goodlett Place, City Hall, Room 244

San Francisco, CA 94102

Direct: (415) 554-7712 | Fax: (415) 554-5163

Email: joy.lamug@sfgov.org

Web: www.sfbos.org

Please complete a Board of Supervisors Customer Service Satisfaction form by clicking here.

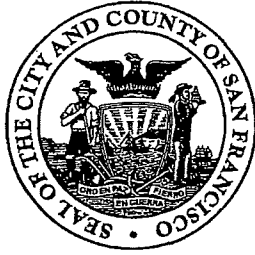
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Disclosures: Personal information that is provided in communications to the Board of Supervisors is subject to disclosure under the California Public Records Act and the San Francisco Sunshine Ordinance. Personal information provided will not be redacted. Members of the public are not required to provide personal identifying information when they communicate with the Board of Supervisors and its committees. All written or oral communications that members of the public submit to the Clerk's Office regarding pending legislation or hearings will be made available to all members of the public for inspection and copying. The Clerk's Office does not redact any information from these submissions. This means that personal information—including names, phone numbers, addresses and similar information that a member of the public elects to submit to the Board and its committees—may appear on the Board of Supervisors' website or in other public documents that members of the public may inspect or copy.

340 Bryant Contact List

Name	Affiliation	Mailing Address	Phone	E-mail	Usually send materials by
Jamie Whitaker		201 Harrison St, Apt 229, San Francisco, CA 94105		jamlewhitaker@gmail.com	E-mail
Sue Hestor		870 Market St #1128, San Francisco, CA 94102		hestor@earthlink.net	<u>Appellant</u>
Henry Rogers		355 Bryant St #404, San Francisco, CA 94107		henryprogers@gmail.com	E-mail
Alice Rogers		10 South Park St, Studio 2, San Francisco, CA 94107	415-543-6554	arcomnsf@pacbell.net	E-mail
Jan Duffy	Management Practices Group	355 Bryant St #207, San Francisco, CA 94107	415-268-0130	jduffy@managementpractices.com	USPS
Theresa Schreiber	Management Practices Group	355 Bryant St #207, San Francisco, CA 94107	415-268-0130	theresa@managementpractices.com	USPS
Oscar Bevilacqua	Yeahyeah!Pony Prince	712 Gilman St, Berkeley, CA 94710	510-647-9534	oscar@yeahyeahponyprince.com	E-mail
Jim Heron	James Héron Architect		415-543-7695	jheronarch@yahoo.com	E-mail
John Elberling				johne@todco.org	E-mail
Jim Meko	SoMa Leadership Council		415-624-4309	jim.meko@comcast.net	E-mail
Mary Miles	Coalition for Adequate Review	364 Page St #36, San Francisco, CA 94102			USPS
Jancy Shanahan	Telegraph Hill Dwellers	470 Columbus Ave #211, San Francisco, CA 94133			USPS
John Kevlin	Reuben, Junius & Rose LLP	1 Bust St, Suite 600, San Francisco, CA 94104	415-567-9000	jkevin@reubenlaw.com	<u>Project Sponsor</u>

BOARD of SUPERVISORS



City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 544-5227

February 13, 2015

Sue C. Hestor
Attorney at Law
On behalf of San Franciscans for Reasonable Growth
870 Market Street, Suite 1128
San Francisco, CA 94102

**Subject: Appeal of California Environmental Quality Act (CEQA) Exemption
Determination from Environmental Review - 340 Bryant Street**

Dear Ms. Hestor:

The Office of the Clerk of the Board is in receipt of a memo dated February 11, 2015, (copy attached), from the Planning Department regarding the timely filing of your appeal of the exemption determination from environmental review for 340 Bryant Street.

The Planning Department has determined that the appeal was filed in a timely manner.

The appeal filing period closed on Monday, February 9, 2015. Pursuant to Administrative Code, Section 31.16, a hearing date has been scheduled for **Tuesday, March 24, 2015, at 3:00 p.m.**, at the Board of Supervisors meeting to be held in City Hall, 1 Dr. Carlton B. Goodlett Place, Legislative Chamber, Room 250, San Francisco, CA 94102.

Please provide to the Clerk's Office by 12:00 noon:

20 days prior to the hearing: names and addresses of interested parties to be notified of the hearing, in spreadsheet format; and

11 days prior to the hearing: any documentation which you may want available to the Board members prior to the hearing.

For the above, the Clerk's office requests one electronic file (sent to bos.legislation@sfgov.org) and one hard copy of the documentation for distribution.

NOTE: If electronic versions of the documentation are not available, please submit 18 hard copies of the materials to the Clerk's Office for distribution. If you are unable to make the deadlines prescribed above, it is your responsibility to ensure that all parties receive copies of the materials.



If you have any questions, please feel free to contact Legislative Clerks, Joy Lamug at (415) 554-7712, or John Carroll at (415) 554-4445.

Sincerely,

A handwritten signature in black ink, appearing to read "AC" followed by a flourish.

Angela Calvillo
Clerk of the Board

c:
John Kevlin, Project Sponsor
Jon Givner, Deputy City Attorney
Kate Stacy, Deputy City Attorney
Marlena Byrne, Deputy City Attorney
John Rahaim, Planning Director
Scott Sanchez, Zoning Administrator, Planning Department
Sarah Jones, Environmental Review Officer, Planning Department
Aaron Starr, Planning Department
AnMarie Rodgers, Planning Department
Tina Chang, Planning Department
Jonas Ionin, Planning Commission



SAN FRANCISCO PLANNING DEPARTMENT

MEMO

DATE: February 11, 2015
TO: Angela Calvillo, Clerk of the Board of Supervisors
FROM: Sarah B. Jones, Environmental Review Officer
RE: Appeal Timeliness Determination – 340 Bryant Street

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

An appeal of the California Environmental Quality Act (CEQA) exemption determination (Community Plan Exemption, or CPE) for the proposed project at 340 Bryant Street was filed with the Office of the Clerk of the Board on February 9, 2015, by Sue Hestor of San Franciscans for Reasonable Growth.

Timeline: The CPE was issued on December 22, 2014. Adoption of a CPE occurs at the time of the first project approval. The Approval Action for the project is a Planning Code Section 321 (Office Allocation) approval issued by the Planning Commission. This Approval Action occurred on January 8, 2015. Therefore, the Date of the Approval Action, as defined in Section 31.04(h) of the San Francisco Administrative Code, is January 8, 2015.

Timeliness Determination: Sections 31.16(a) and (e) of the San Francisco Administrative Code state that any person or entity may appeal the exemption determination by the Planning Department to the Board of Supervisors during the time period within 30 days after the Date of the Approval Action. If the 30th day after the Date of the Approval Action falls on a Saturday, Sunday, or holiday, an appeal may be filed before 5:00pm on the next business day.

The appellant filed an appeal of the CPE to the Board of Supervisors on February 9, 2015, 32 days after the Date of Approval Action. Because the 30th day following the Approval Action was Saturday, February 7, 2015, an appeal could be filed until 5:00pm on Monday, February 9, 2015. Therefore, the appeal was timely filed during the specified window of time, after the first project approval and before 30 days beyond the Date of the Approval Action (or before 5:00pm on the next business day, if the 30th day after the Date of the Approval Action falls on a Saturday, Sunday, or holiday).

Section 31.16(b)(4) of the San Francisco Administrative Code states that the Clerk of the Board shall schedule the appeal hearing no less than 21 days and no more than 45 days following expiration of the specified time period for filing of the appeal.


BOARD of SUPERVISORS



City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 544-5227

February 10, 2015

To: John Rahaim
Planning Director

From:  Angela Calvillo
Clerk of the Board of Supervisors

**Subject: Appeal of California Environmental Quality Act (CEQA) Exemption
Determination from Environmental Review - 340 Bryant Street**

An appeal of CEQA Exemption Determination from Environmental Review for 340 Bryant Street was filed with the Office of the Clerk of the Board on February 9, 2015, by Sue Hestor, on behalf of San Franciscans for Reasonable Growth.

Pursuant to Administrative Code, Chapter 31.16, I am forwarding this appeal, with attached documents, to the Planning Department to determine if the appeal has been filed in a timely manner. The Planning Department's determination should be made within three (3) working days of receipt of this request.

If you have any questions, please feel free to contact Legislative Clerks, Joy Lamug at (415) 554-7712, or John Carroll at (415) 554-4445.

c: Jon Givner, Deputy City Attorney
Kate Stacy, Deputy City Attorney
Marlena Byrne, Deputy City Attorney
Scott Sanchez, Zoning Administrator, Planning Department
Sarah Jones, Environmental Review Officer, Planning Department
AnMarie Rodgers, Planning Department
Aaron Starr, Planning Department
Tina Tam, Planning Department
Erika Jackson, Planning Department
Jonas Ionin, Planning Department

BOARD of SUPERVISORS



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Fax No. 554-5163
TDD/TTY No. 544-5227

February 20, 2015

FILE NO. 150171

Received from the Board of Supervisors-Clerk's Office a check in the amount of Five Hundred Forty Seven Dollars (\$547), representing filing fee paid by Sue C. Hestor on behalf of San Franciscans for Reasonable Growth (Appellant), for the Appeal of CEQA Exemption Determination for 340 Bryant Street.

Planning Department
By:

Theresa Monahan

Print Name

[Signature] 2/20/15

Signature and Date

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO
2015 FEB 20 AM 10:38
[Signature]

Introduction Form

By a Member of the Board of Supervisors or the Mayor

Time stamp
or meeting date

I hereby submit the following item for introduction (select only one):

- 1. For reference to Committee. (An Ordinance, Resolution, Motion, or Charter Amendment)
- 2. Request for next printed agenda Without Reference to Committee.
- 3. Request for hearing on a subject matter at Committee.
- 4. Request for letter beginning "Supervisor [] inquires"
- 5. City Attorney request.
- 6. Call File No. [] from Committee.
- 7. Budget Analyst request (attach written motion).
- 8. Substitute Legislation File No. []
- 9. Reactivate File No. []
- 10. Question(s) submitted for Mayoral Appearance before the BOS on []

Please check the appropriate boxes. The proposed legislation should be forwarded to the following:

- Small Business Commission Youth Commission Ethics Commission
- Planning Commission Building Inspection Commission

Note: For the Imperative Agenda (a resolution not on the printed agenda), use a Imperative Form.

Sponsor(s):

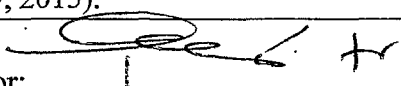
Clerk of the Board

Subject:

Public Hearing - Appeal of Community Plan Exemption from Environmental Review - 340 Bryant Street

The text is listed below or attached:

Hearing of persons interested in or objecting to the issuance of a Community Plan Exemption by the Planning Department on January 8, 2015, for the proposed project at 340 Bryant Street, exempting the project from further environmental review under the California Environmental Quality Act. (District 6) (Appellant: Sue Hestor on behalf of San Franciscans for Reasonable Growth) (Filed February 9, 2015).

Signature of Sponsoring Supervisor: 

For Clerk's Use Only: