

(BOS)

From: Uchida, Kansai (CPC)
Sent: Tuesday, April 07, 2015 10:37 AM
To: BOS Legislation, (BOS)
Cc: Lamug, Joy (BOS); Jones, Sarah (CPC); Jain, Devyani (CPC); Jackson, Erika
Subject: 340 Bryant CPE Appeal - Planning Department Response Supplement
Attachments: 340 Bryant - CPE Appeal Response Supplement 4-7-15.pdf

Categories: 150171

Joy,

Attached is a supplement to the Planning Department's appeal response for 340 Bryant, which we'd like to submit for inclusion in the record. The first two pages is the actual response supplement, and the rest of the PDF file contains referenced appendices. Please feel free to contact me with any questions.

Thanks,
-Kansai

**RECEIVED AFTER THE ELEVEN-DAY
DEADLINE, BY NOON, PURSUANT TO ADMIN.
CODE, SECTION 31.16(b)(5)**
(Note: Pursuant to California Government Code, Section
65009(b)(2), information received at, or prior to, the public
hearing will be included as part of the official file.)

**Kansai Uchida, AICP
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SAN FRANCISCO PLANNING DEPARTMENT

RECEIVED AFTER THE ELEVEN-DAY
DEADLINE, BY NOON, PURSUANT TO ADMIN.
CODE, SECTION 31.16(b)(5)

(Note: Pursuant to California Government Code, Section 65009(b)(2), information received at, or prior to, the public hearing will be included as part of the official file.)

MEMO

Appeal of Community Plan Exemption Planning Department Response Supplement

340 Bryant Street

DATE: April 7, 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: Planning Case No. 2013.1600E
Appeal of Community Plan Exemption for 340 Bryant Street
HEARING DATE: April 7, 2015

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

This memorandum is intended to supplement the Planning Department’s March 16, 2015 response to the 340 Bryant Street Community Plan Exemption (CPE) appeal (Attachment A). During the time since the March 16, 2015 response was submitted, the appellant and other community members have sent correspondence to the Planning Department and Clerk of the Board of Supervisors regarding the intersections along Bryant Street at Rincon Street and at the Bay Bridge on-ramp. One of the e-mails describes pedestrian-involved collision histories that are inconsistent with City records:

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. (E-mail from Henry P. Rogers on March 16, 2015, full text included as Attachment B)

According to records provided by the San Francisco Municipal Transportation Agency (SFMTA), included as Attachment C, no pedestrian-involved collisions or fatalities were reported at the intersections of Bryant and Rincon Streets or Bryant Street and the Bay Bridge on-ramp during the years for which SFMTA has data available.

The appellant’s submission on March 24, 2015 also cites the above e-mail, and states that a bicycle fatality occurred in October 2014 at the intersection of Bryant and Rincon Streets:

Even though 340 Bryant currently vacant at the dangerous status of site was reflected in 1/9/15 Chronicle article on 2014 traffic fatalities. There was a fatal bicycle accident on 10/22/14 at the “unmarked

crosswalk" Rincon and Bryant. Exh 7 (Appellant Submission to Board of Supervisors, Sue C. Hestor, March 24, 2015, full text included as Attachment D)

Exhibit 7 in the appellant's submission references a San Francisco Chronicle article dated January 9, 2015. The copy of the article attached to the appellant's submission does not include the map that was part of the article. The full text of the article and the map are available online at: <http://www.sfchronicle.com/bayarea/article/S-F-traffic-fatalities-dip-but-not-bad-behavior-6005788.php>

The map shows the locations of the three bicycle fatalities that are discussed in the article, one of which occurred at the intersection of Bryant and Rincon Streets on October 22, 2014. The article discusses these three incidents further. Though the article does not specify which of the three incidents occurred at Bryant and Rincon Streets, none of the three incidents described involved unmarked crosswalks:

Bicyclists, too, took major risks. One was eating as he rode his bike into oncoming traffic. Another was "going fast and lost control of his bicycle" – there was no car involved. A third was speeding downhill, failed to stop at a stop sign and was carrying a water bottle containing alcohol. None of the three who died were wearing helmets. (San Francisco Chronicle, "S.F. traffic fatalities dip, but not bad behavior," January 9, 2015)

As discussed in the Planning Department's March 16, 2015 appeal response, the Eastern Neighborhoods Rezoning and Area Plan Final Environmental Impact Report ("*Eastern Neighborhoods EIR*")¹, which provides the basis for and is incorporated by reference into the CPE, 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. It also recognizes that the area's freeway on and off-ramps create intersections inhospitable to pedestrians. The EIR also states 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 materials submitted by the appellant and community members after the Planning Department's March 16, 2015 appeal response have not raised 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. Therefore, the CPE correctly concludes that the proposed project would not result in any significant effects that have not already been analyzed in the Eastern Neighborhoods EIR.

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.

Attachment A

340 Bryant Community Plan Exemption Appeal - Planning Department Response

March 16, 2015



SAN FRANCISCO PLANNING DEPARTMENT

MEMO

Appeal of Community Plan Exemption

340 Bryant Street

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

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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 15604(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 B

E-mail from Henry P. Rogers

March 16, 2015

Uchida, Kansai (CPC)

From: Henry P Rogers <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, Jane (BOS)
Subject: Re: California Environmental Quality Act - Exemption Determination Appeal - 340 Bryant Street - Planning Department Appeal Response
Categories: 340 Bryant

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

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.

Attachment C

SFMTA Traffic Collision History Reports

March 17, 2015

**City and County of San Francisco
San Francisco Municipal Transportation Agency**

Traffic Collision History Report

3/17/2015

Page 1

Location: Bryant St / I-80 E On Ramp (W)

Date Range Reported: 1/1/2008 - 12/31/2012

Total Number of Collisions: 0

Report No.	Date	Time	Dist.	Dir.	Type of Collision	Motor Veh. Involved With	Direct. of Travel 1	Movement Prec. Coll. 1	Direct. of Travel 2	Movement Prec. Coll. 2	PCF	Inj.	Kil
------------	------	------	-------	------	-------------------	--------------------------	---------------------	------------------------	---------------------	------------------------	-----	------	-----

Total Number of Collisions: 0

Settings Used For Query

Parameter

Setting

Street Name	BRYANT ST
Cross Street	I-80 E ON RAMP (W)
Starting Date	1/1/2008
Ending Date	12/31/2012
Intersection	Intersection Related

**City and County of San Francisco
San Francisco Municipal Transportation Agency
Traffic Collision History Report**

3/17/2015
Page 1

Location: Bryant St / Rincon St
Date Range Reported: 1/1/2008 - 12/31/2012
Total Number of Collisions: 1

Report No.	Date	Time	Dist.	Dir.	Type of Collision	Motor Veh. Involved With	Direct. of Travel 1	Movement Prec. Coll. 1	Direct. of Travel 2	Movement Prec. Coll. 2	PCF	Inj.	Kil
4041578	1/13/09	7:15	15	South	Head-On	Other Motor Vehicle	North	Other	South	Making Right Turn	Wrong Side of Road	1	0

Total Number of Collisions: 1

Settings Used For Query

Parameter

Setting

Street Name	BRYANT ST
Cross Street	RINCON ST
Starting Date	1/1/2008
Ending Date	12/31/2012
Intersection	Intersection Related

Attachment D

Appellant Submission to Board of Supervisors

March 24, 2015

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

Electronic Transmittal

Appellant Submission to Board of Supervisors

150171 - Appeal of CEQA Exemption Determination - 340 Bryant Street

Hearing: March 24, 2015

SF Admin Code 31.16

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

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

340 BRYANT STREET vs. VISION ZERO FOR PEDESTRIAN ACCIDENTS/FATALITIES

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 environmental analysis fails to address the unique problems of this site, set out necessary corrective measures AND require incorporation of those measures in approval of the conversion.

Hard copy being transmitted to Clerk of the Board, the Environmental Review Office, Deputy City Attorney Jon Givner, and project sponsor's law firm Reuben and Junius.

340 BRYANT STREET vs. VISION ZERO FOR PEDESTRIAN ACCIDENTS/FATALITIES

OFFICE BUILDING CONVERSION APPROVED WITHOUT SAFE ACCESS FOR PEDESTRIANS OR BICYCLISTS

The Planning Commission approved converting **340 Bryant Street** IMMEDIATELY NEXT TO THE ON-RAMP BAY BRIDGE WITHOUT ANY SAFE CROSSWALKS with virtually no environmental analysis of the **site specific pedestrian and traffic hazards** being created. This is *not* a cumulative issue. The currently unoccupied, former industrial, building at 340 Bryant is SURROUNDED BY FREEWAY LANES DIRECTLY ONTO THE BRIDGE.¹ Several hundred new office workers at this site will have NO safe cross-walk for pedestrians or bicyclists across those Bridge access lanes.

There was ZERO analysis of this problem in the **staff report** leading up to the January 8 vote.
ZERO discussion of *this site* with problems CLEARLY set out in environmental exemption
ZERO discussion of pedestrian hazards in the staff report
ZERO discussion of the problem and explicit SITE SPECIFIC CONDITIONS SETTING OUT
HOW CIRCULATION WAS TO BE RESOLVED in draft approval Motion

Photos showing the context of this site

Four photos from 340 Bryant environmental files show how the project site was represented in 2013. They do not totally reflect current building because there has been some construction since the photos. The photos were not part of the presentation to the Planning Commission. They are provided here as Exhibit 2 to help the Board understand this complicated site.

Exh 2A looks northeast at the site from the south side of Bryant. The curved 340 Bryant building on the left mimics the curve of the access lanes directly onto the lower deck of the Bay Bridge. The elevated freeway at the top is the first ramp exiting into San Francisco from the upper deck SOUTH side of the Bay Bridge. It loops around north to Fremont and Harrison. The squared off building to the left is also part of 340 Fremont and abuts dead-end Rincon Alley. North/rear is the Bay Bridge. At the far right in the rear is the hill embankment that is adjacent to the south side of the Bay Bridge. The Bay Bridge to the rear is almost obscured in this photo. The entire "parking" area to the left/west of the curved 340 building is Caltrans property. It is not part of the 340 Bryant site.

Exh 2B looks directly north from the south side of Bryant at the squared off portion of 340 Bryant. Industrial loading docks are visible. The main entrance to 340 Bryant is at the east end (left) of the curved portion of 340 building. Entrance was added after photo taken. The aqua building in far right rear is 1 Rincon Hill to the north of the Bridge.

Exhibit 2C shows the squared off portion of 340 Bryant with Rincon Alley heading north and dead-ending just south of the Bay Bridge structure visible in the rear.

¹ Exh 1 at ERO 48 is the aerial map of 340 Bryant site. It was provided for the first time in brief of the Environmental Review Officer (ERO). *Page numbers are those when ERO submission is displayed.*

Exhibit 2D photo looks west out **Bryant Street** with vehicles EASTbound on Bryant in rear. The buildings on *left* (south side of Bryant) towards 2nd Street are heavily residential with lower floor commercial. Building on *right* under Bay Bridge upper deck off ramp is **340 Bryant** (only *squared off portion* of 340 Bryant visible from this perspective). North side (WESTbound) of Bryant is ONLY Bay Bridge access "ramp" to lower deck once 340 Bryant building begins at Rincon Alley. Vehicles can turn right or left at Rincon. They dead-end to right/north and do not go thru to Brannan on left/south.

EASTbound Bryant Street east of 2nd Street, barely visible to the right of yellow lines in rear, is the 2-lane SURFACE STREET WITH DIRECT ACCESS ONTO THE LOWER DECK OF THE BAY BRIDGE. The ON-RAMP turns LEFT at Sterling Street. **WESTbound Bryant Street** traffic is Bay Bridge access **only** once it gets to 340 Bryant. Vehicles must turn right on Sterling for direct access onto the Bridge. **EASTbound and WESTbound Bryant Street** traffic both turn onto Sterling, where they merge into the access ramp directly onto the Bridge. Traffic loops north around Clocktower Lofts between 2nd and Sterling, seen in rear, then go straight onto the Bridge lower deck.

What is missing from these undated, un-time stamped photos used by Planning? There is **absolutely no traffic** using these lanes to get onto the Bay Bridge lower deck. **No crosswalk** over Bryant to 340 Bryant. **No pedestrian** visible. No construction rigging and very little visible fencing. The steep incline in the WESTbound lanes of Bryant Street (heading onto the Bridge lower deck) is missing from these photos. They do not depict the traffic coming up the hill before Bryant Street flattens out at *Rincon Alley - the west boundary of 340 Bryant building*.

The first time Planning confronted the complexities of traffic and pedestrians at this site was at the **January 8 Planning Commission hearing**.² The public raised the issue:

Hestor - Those are HOV lanes to get onto the bridge. How do you get up to this building? Site literally surrounded by freeways. Plus people riding bicycles. **Exh 3 p. 3**

Commissioners Johnson, Richards, Moore raised the issue of dangerous access to the site:

Johnson - 340 Bryant was (probably a fantastic selection) before the I-80 entrance... whether plan improvements or other traffic measures.. this is special circumstance, design as part of conditions of approval, *office space conversion changes type of people coming in and out*. **Exh 3 pp 6-7**

NOTE Eastern Neighborhoods Area Plan rezoned 340 Bryant in 2008 based on **2004-2007 traffic studies**. HOV lanes *later changed to present configuration*.

Richards - most unusually located building in the world. *Something has to be done about pedestrians*. *Comm Moore and I nearly got flattened crossing the street*. **Exh 3 p 7**

Moore - discussion of the building and site. **Exh 3 p8**

Three Commissioners, *but no staff*, showed by comments they had visited the site and saw first-hand the problem of pedestrian access through cars driving to get onto the Bay Bridge.

Pedestrians walking to or from 340 Bryant will face unique challenges - having to walk through fast traffic on Bryant heading directly onto the Bay Bridge.

² **Exh 3** is the SFGTV "transcription" of the Planning Commission January 8, 2015 hearing on 340 Bryant. Names of the people speaking have been inserted, but language is what is on the SFGTV site.

The tools to address the 340 Bryant conditions they faced and identified were provided, or not provided, to the Planning Commissioners in the environmental review for 340 Bryant.

Environmental Review Officer submission to BOS

The ERO submission to this Board attempts to rehabilitate the Environmental Exemption for 340 Bryant provided to the Planning Commission on December 31, 2014. The document challenged in *this* appeal.

The ERO submission includes several photos not provided to the Planning Commission. The overhead view of the site in Exh 1/ERO 48, is a good orientation to the site, but *it flattens out slopes*. There is a steep hill (Rincon Hill) on both sides of the Bay Bridge. One hill includes the WESTbound lanes on Bryant that *climb* uphill to Rincon Alley and 340 Bryant. The elevated off-ramp to the SOUTH of the Bridge is at the **fourth story level** above the ground-story Bryant Street lanes leading to the Sterling Street on-ramp directly up and onto the Bay Bridge. The substantial difference in elevation can be seen in Exh 2D.

The incline of the hill up Bryant from Beale is faintly visible in the upper right corner where a line east of Delancey Street shows what is a solid wall several stories tall separating the lower portion of Bryant Street from the upper portion of Bryant Street. The buildings on right are much lower in elevation than the buildings on left. (Rincon Hill)

Environmental Review for 340 Bryant failed to pull out and analyze THIS PARTICULAR SITE

Once an Area Plan is adopted, the Program EIR (PEIR) for that Area is the basis for future environmental review. The Eastern Neighborhoods Rezoning and Area Plans Final EIR (2004.0160E) was certified on August 7, 2008.

The EIR pages cited by the ERO DO NOT discuss or analyze the immediate area of 340 Bryant. They discuss the FREEWAY ON RAMPS at 4th, 5th, Harrison, Bryant - not Sterling and Bryant,³ pedestrian crosswalks near those ramps,⁴ and pedestrian/vehicle collisions in a very different locations.⁵

Over six years after certification of the PEIR (which was prepared in a severe economic downturn very different from San Francisco conditions in 2015) the Environmental Review Officer has the power AND THE RESPONSIBILITY to examine *this project at this unique site*. She failed to require that examination.

Certificate of Determination - Exemption from Environmental Review.⁶

Community Plan Exemption Overview - the starting point

"Individual projects that could occur in the future under the Eastern Neighborhoods Rezoning and Area Plan 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

³ Exh 4 Eastern Neighborhoods PEIR pp. 130-131

⁴ Ibid p. 260-261

⁵ Ibid p. 289-291

⁶ Certificate of Determination, Exemption from Environmental Review, 340 Bryant Street, 12/22/14 ERO 55

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....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." Ibid, p. 3 (ERO 57)

The necessary next step is looking at the project setting for 340 Bryant.

Project Setting

"Much of the subject block is occupied by Interstate 80, ramps providing access to Interstate 80 and the San Francisco-Oakland Bay Bridge.... Bryant Street serves as a primary access route to the Bay Bridge, and on and off-ramps adjoin the project site on all side. " Page 4 (ERO 58)

Absolutely true. The Bay Bridge goes straight through the block from 2nd Street east to Beale, from Harrison Street south to Bryant. Bryant Street is a primary access route to the Bridge. On and off-ramps adjoin the 340 Bryant site on all sides. The next sentence - *there is NO pedestrian access ACROSS THE FREEWAY for the three blocks between 2nd Street and Beale Street* - is also true.

But the description of the aspects "**specific to ... the site**" (see Overview paragraph above) stops with the single paragraph set out above. On page 4 (ERO 58) there is

- NO mention of the lack of any (SAFE) crosswalk to the site.
- NO mention of the 340 Bryant Street site being totally surrounded by fast-moving access lanes directly onto the Bay Bridge.
- NO mention of the existing merger of high volume HOV lanes adjacent to the site.
- NO mention that the contemplated change of use will bring a tech office work force that will be surrounded by heavy traffic in HOV lanes heading east to exit San Francisco during the hours of 4-7 every day. Lanes providing non-HOV access at other hours.

After briefly looking at CUMULATIVE issues and determining that this site had been rezoned, pages 5 and 6 (ERO 59,60) the Certificate analysis goes straight to **Eastern Neighborhoods Mitigation Measures**. Only Construction Air Quality, Hazardous Building Materials are required. **Nothing regarding transportation.**

The Certificate of Exemption concludes that 340 Bryant project would not result in effects on the environment peculiar to the project site that were not identified in the Eastern Neighborhoods PEIR. Page 9 (ERO 63)

The ERO also provided with the **Community Plan Exemption Checklist** (ERO 64) which went to the Planning Commission 12/31/14. There is minimal discussion of the impacts that "**are peculiar to the project or project site.**" Page 10 (ERO 75)

The **Transportation and Circulation** analysis is at pp. 14-19. (ERO 79-84) Again environmental staff looks as cumulative impacts from changes in the EN Area Plan. The **ONLY** site specific analysis of project **Traffic** is the p.16 (ERO 81) discussion of modifying exterior building walls in a manner acceptable to Caltrans! Therefore there are **NO TRAFFIC HAZARDS**.

The Discussion of **Transportation Demand Management** (which later looms large in the Motion on this project) is at pp. 16-17 (ERO 81,82). It *solely and explicitly* deals with "encouraging the use of alternative modes of transportation" by employing a Transit Demand Coordinator, providing a New-Hire Packet on transit service, transit passes, rideshare, bikeshare, carshare, finding transit information AND bicycle parking. Although there are difficulties riding bicycles in this area of Bryant, there is NOTHING about improving access for bicycles to the 340 Bryant building.⁷ The three Project Improvement Measures deal SOLELY with the Project Sponsor's obligation to deal with these functions in 340 Bryant.

The Discussion of **Transit** lists transit lines in the general area of this building and cumulative issues on funding at pp. 17-18 (ERO 82, 83). They do not address site-specific issues.

Parking is addressed by stating none will be provided on-site, it might be provided elsewhere or people can use transit or bike. Nothing about the conditions for pedestrians or bicycles in the immediate area at pp. 18-19 (ERO 83,84)

The **Checklist** concludes with *Required Mitigation Measures to be imposed on all Eastern Neighborhoods projects* because of CUMULATIVE IMPACTS - including requirements on 340 Bryant. Construction Air Quality, Hazardous Building Materials, a TDM Coordinator (see above). Those conditions were included in the Draft Motion and included in Motion 19311 approving 340 Bryant.

VISION ZERO AND 340 BRYANT STREET PROJECT

Because of enormous concern Citywide regarding accidents and fatalities in conflicts between vehicles, pedestrians and bicycles a year before 340 Bryant was considered by the Planning Commission, one by one City agencies started adopting Vision Zero to eliminate those conflicts and deaths. Then came the January 8, 2015 Planning Commission hearing.

The starting point is the assumption by appellant San Franciscans for Reasonable Growth that -

Environmental Review is mandated to conduct a thorough evaluation of the site which enables the Planning Department and Planning Commission to develop a well-thought out plan to enable over 100 tech workers to safely walk to and from this site.

Applying the Vision Zero goal to the 340 Bryant Street project, appellant makes a further assumption -

Creating a new pedestrian traffic hazard is contrary to San Francisco's Vision Zero goal which has a specific focus is on marking EXISTING intersections so that pedestrians, bicyclists and drivers pass through without accident and set a ten year goal to achieve through better engineering, education and enforcement.

⁷ The Checklist was issued 12/22/14. There was a fatal bicycle accident at Bryant and Rincon - THIS SITE - on October 22, 2014 while the Checklist and Exemption were being prepared.

Last minute Planning Commission amendment to address circulation hazards

As set out on page 3 above, three Planning Commissioners raised questions about safe access to the site - a subject not discussed in the environmental exemption, the staff report or the proposed Motion. At the last minute on January 8, a fourth Commissioner verbally amended the approval motion. When put into writing, the amendment to the motion read:

"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."

THIS LANGUAGE WAS INSERTED INTO A CONDITION REQUIRING THE PROJECT SPONSOR TO PROVIDE ON-SITE TRANSPORTATION BROKERAGE SERVICES (i.e. sell transit passes, have transit maps, encourage occupants to not drive to work). **THIS IS INAPPROPRIATE AND MAKES NO SENSE.** It is not a CONDITION imposed on the project itself. **If expensive construction is required, who pays for it?**

EXH 5 sets out the CONDITIONS imposed on 340 Bryant Street project in Motion 19311.

Conditions 7 - 16 set out conditions on the project sponsor in addition to the timeline deadlines in 1-6.

- Conditions 7 and 8 require project sponsor to build on-site bicycle parking, showers and lockers.
- Conditions 9, 10 and THE SECOND 11⁸ require project sponsor to pay transit, housing and area plan fees.
- Condition 12 requires project sponsor to retain PDR use on the ground floor.
- Conditions 15 and 16 require project sponsor to maintain clean sidewalks and a community liaison.

But THE FIRST CONDITION 11 inappropriately mixes up a mandate that the project sponsor provide **Transportation Brokerage Services** - on site sale of transit passes, maps - with an exhortation to the *Planning Department* to work with other agencies.

Planning Code 163 lists components of **Transportation Brokerage Services** to be provided by the project sponsor (EXH 6):

- provision of transit information and sale of transit passes on site
- ridesharing activities
- reduction of parking demand
- car-sharing
- flex-time or staggered work hours⁹
- participation in a network of transportation brokerage services

The Transportation Brokerage Services List DOES NOT INCLUDE CONSTRUCTION OF ANY SORT.

8 Motion 19311 has two different "Condition 11"s. Referred to here as the FIRST Condition 11 and SECOND Condition 11.

⁹ Ironically this may include a warning alerting workers of hazardous conditions walking to 340 Bryant site.

In contrast Conditions 7 and 8 IS a physical mandate that project sponsor build certain on-site bicycle facilities.

The addition of language urging the *PLANNING DEPARTMENT* is NOT a Condition on Project Sponsor.

They are totally different "mandates." The issues such as construction of crosswalks, warning lights to drivers accelerating up the Bryant Street hill that they may encounter pedestrians in a cross-walk they will not see until they bear down upon it, traffic signals are mandates to PUBLIC AGENCIES. Yet environmental review has done **NO ANALYSIS OF THE SITUATION TO GIVE THEM GUIDANCE.**

Planning can help - but failed to - identify the nature of the problem, the location and possible solutions. CalTrans owns the western edge of this block and its on-site and adjacent parking operations contribute to the problem. *Does the Planning Commission intend to mandate CalTrans?*

THESE ARE NOT ISSUES TO BE RESOLVED BY AN ON-SITE TRANSPORTATION BROKER SELLING FAST PASSES AND ARRANGING RIDE-SHARES.

The ERO cites the addition of this condition - a MANAGEMENT OF OCCUPANTS - as solving the problem. A reading of Sec 163 shows that it is NOT designed to be a mandate for city agencies or Caltrans to construct crosswalks across freeway access lanes.

*There are serious circulation problems in the area. They should be identified by REAL environmental analysis, discussed, made conditions of 340 Bryant project and/or funded by government agencies. Residents and workers of this area deserve a safe environment.*¹⁰

RESIDENTS WHO LIVE OR WORK ACROSS BRYANT EXPERIENCE ACUTE PROBLEMS WALKING IN AREA

Henry Rogers and Jim Lauer, who live in residential condos at 355 Bryant directly across from 340 Bryant, separately sent letters to this Board on traffic problems on their block. **Exh 8** and **Exh 9**. Thera Schreiber works at 355 Bryant. **Exh 10** On a daily basis they each confront traffic and pedestrian conditions on this final on-ramp to the Bay Bridge. Each letter states their own experiences.

This is supplemented by personal observations of traffic conditions on TWO separate Wednesday afternoon rush hours - the period when SF performs traffic studies. 3/4/15 was at STANDARD (PST) time. 3/18/15 is DAYLIGHT (PDT) time. **Exh 11** and **Exh 12**.

The ERO asserts there are "unmarked crosswalks" at Bryant and Rincon Alley and at the Sterling Street on-ramp to the Bay Bridge.

It would be more appropriate to classify these as "imaginary crosswalks for Planning Department compliance." They offer none of the safeguards for pedestrians that stop signs or

¹⁰ On January 9, 2015, the day after the Commission voted, the Chronicle reported on **2014 traffic fatalities, including a bicyclist at THIS site.** **Exh 7 SF Traffic Fatalities dip, but not bad behavior**

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. **Rogers Exh 8**

No painted crosswalks crossing Bryant to 340 Bryant. **Lauer Exh 9**

At times 5 vehicles are trying to merge into 2 lanes at the Sterling and Bryant "unmarked crosswalk." **Schreiber pp. 1-2 Exh 10**

The ERO argues that cars recognize (and defer to) unmarked crosswalks at intersections.

Cars driving north on Rincon Alley frequently ignore the "Right Turn Only" sign at Bryant. Attempts to turn left creates dangerous situation as cars speed east on Bryant. **Rogers Exh 8**

I have seen near misses of pedestrians with a second driver not realizing someone is trying to cross. I personally have been honked and yelled at when trying to cross. **Schreiber p. 2 Exh 10**

Planning cites disabled crosswalks on north of Bryant as evidence of safety

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. **Lauer Exh 9**

A lot of illegal "create 3rd lane" EASTbound Bryant swinging into and confronting cars in SOLE WESTbound lane **Exh 11, p. 1**

Planning ignores visibility problem from WESTbound traffic on Bryant from cars coming up a hill.

340 Bryant is at the crest of the hill, visibility is reduced from both directions putting pedestrians at a higher level of risk. **Rogers Exh 8**

Sun coming down Bryant in eyes of westbound drivers in front of 340. **3/18 PDT at 5:05 Exh 11**
3/4 PST at 4:20 Exh 12

(Bryant Street WESTbound) a BLIND HILL where few stop because they cannot see anyone who is at the top. Pedestrians cannot see cars coming up the hill until it is too late. **Schreiber p.2 Exh 10**

Currently vacant 340 building may have artificially reduced accidents

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. **Rogers Exh 8**

Even though 340 Bryant currently vacant at the dangerous status of site was reflected in 1/9/15 Chronicle article on 2014 traffic fatalities. There was a fatal bicycle accident 10/22/14 at the "unmarked crosswalk" Rincon and Bryant. **Exh 7**

At least 3 cars do U turns in area across from 340 bldg - most go EAST down Bryant. **Exh 11**

Planning's assumed pedestrian route to Rincon Alley and Bryant crosswalk not based in real world

Because 10-Muni is slower than walking, most office workers walk south on 2nd Street. Will turn left on north side of 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 crosswalk at Sterling. **Rogers Exh 8**

People will not try to cross at Rincon because they will cross on the side closest to 2nd St. **Schreiber p.2 Exh 10**

Planning incorrectly relies on traffic study for 2008 Eastern Neighborhoods EIR

There has been dramatic increase in vehicular traffic on Bryant in past two years - making it unsafe for pedestrian to cross Bryant. **Lauer Exh 9**

Evening rush hour has increased to cover 2 to nearly 7 M-F. **Lauer Exh 9**

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. Situation has changed dramatically. **Lauer Exh 9**

Traffic is already backs up on Bryant by people trying to get on LAST Bay bridge on-ramp. From 2:30 or 3:30 on Bryant traffic blockage extends from 2nd St down to 3rd St. City has spent a lot of time and money trying to figure out what to do with that intersection. This is before hundreds of people leaving work at 340 Bryant try to cross the on-ramp. **Schreiber p.1 Exh 10**

And the San Francisco Chronicle: City Streets ARE Dangerous. People - even those speeding to get onto the Bridge - have to slow down and watch where they are going.¹¹

Conclusion

The ERO's reliance on a 2008 EIR with no real updated transportation study of this immediate area has led to non-analysis of both the problem AND the solution to Bay Bridge on-ramps from Bryant Street.

People who live and work in this area deserve better treatment. They are already, and will increasingly be trapped in their buildings, since it so dangerous to cross any of the streets, either south or north of Bryant. **Lauer. Exh 9** New workers at 340 Bryant will be "trapped" in their offices, without going out for lunch, breaks or meetings. Or their "traffic" will exacerbate current conditions. **The 340 Bryant Exemption is adding to, not reducing, the problem of reaching the Vision Zero goal of eliminating dangerous streets**

The Environmental Exemption should be pulled back and THOUGHT THROUGH. If additional measures to improve circulation are needed - *and they are* - they must involve the City, and probably Caltrans.

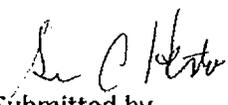
¹¹ Exh 13 SF Chronicle editorial 3/14/15 - The City's dangerous streets

The office and PDR use at 340 Bryant can possibly go forward. But the City, residents and people who in this area are being shortchanged by reliance on the ERO's Certificate of Exemption based pretty much exclusively on transportation studies for a 2008 EIR.

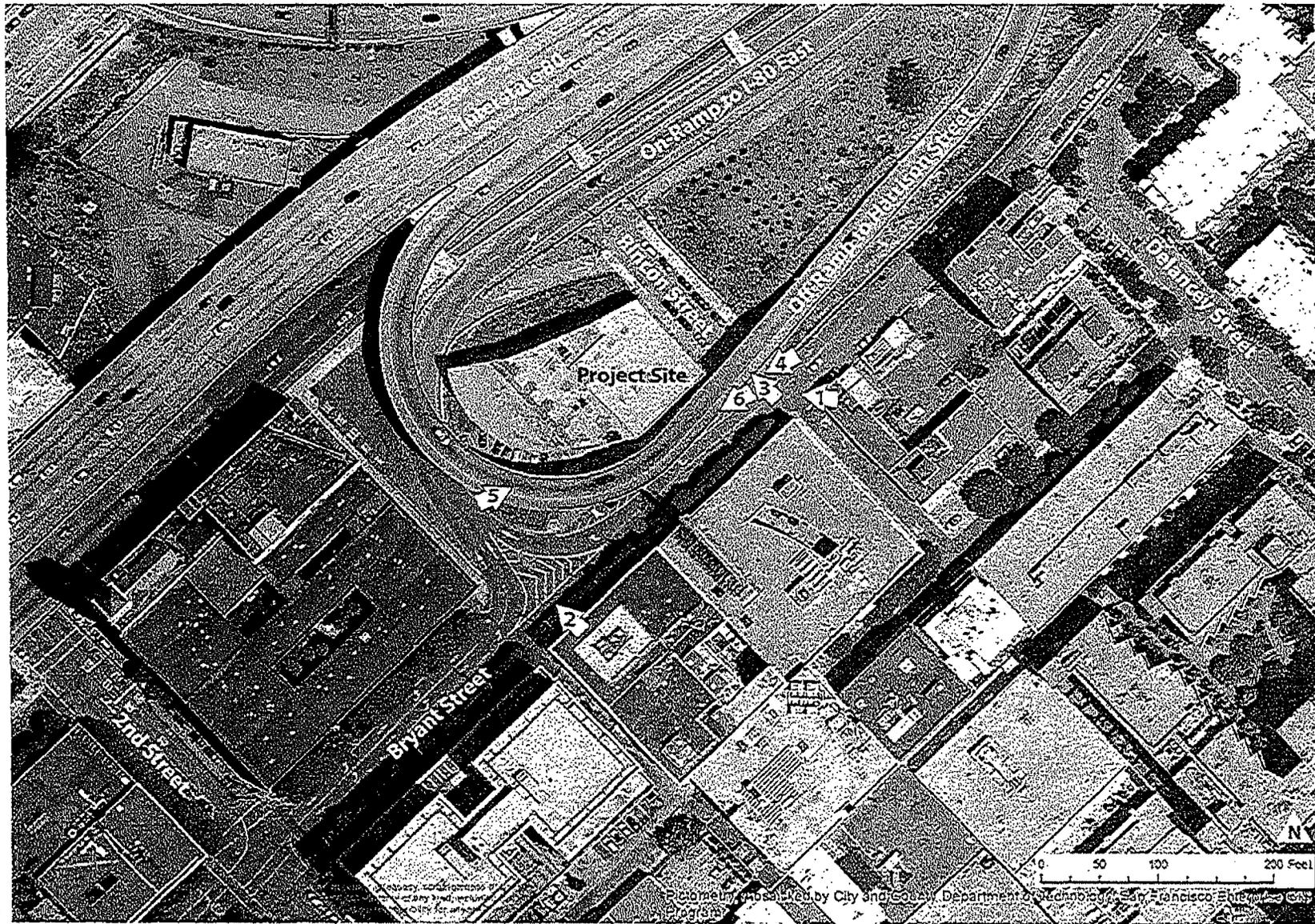
- Are traffic signals to be installed? Where?
- Crosswalks painted at Bryant and Rincon?
- Flashing warning signs alerting cars driving up the Bryant Street hill of pedestrians ahead?
- What controls for merging east and west bound traffic at Sterling?
- How is THAT traffic to be "calmed" and slowed down?
- Are trucks making wide turns onto the Bridge - trucks which already effectively create a THIRD EASTbound lane merging in the ONE WESTbound lane - to be advised that they have to stop for a pedestrian crosswalk across Sterling? How? By a flashing signal?
- What increase in the level of lighting in the area and street under the upper deck overpass exiting the Bay Bridge (in front of 340 Bryant)?
- What is CALTRANS responsibility for the on-ramp areas on Bryant and Sterling Streets?
- How is CALTRANS going to resolve the parking problems and traffic coming from THEIR use of the parcel west of 340 Bryant?

Environmental Review has ALREADY (erroneously) determined that NO amendment to Conditions ON THE PROJECT SPONSOR were warranted and did not provide ANY guidance to Planning or this Board.

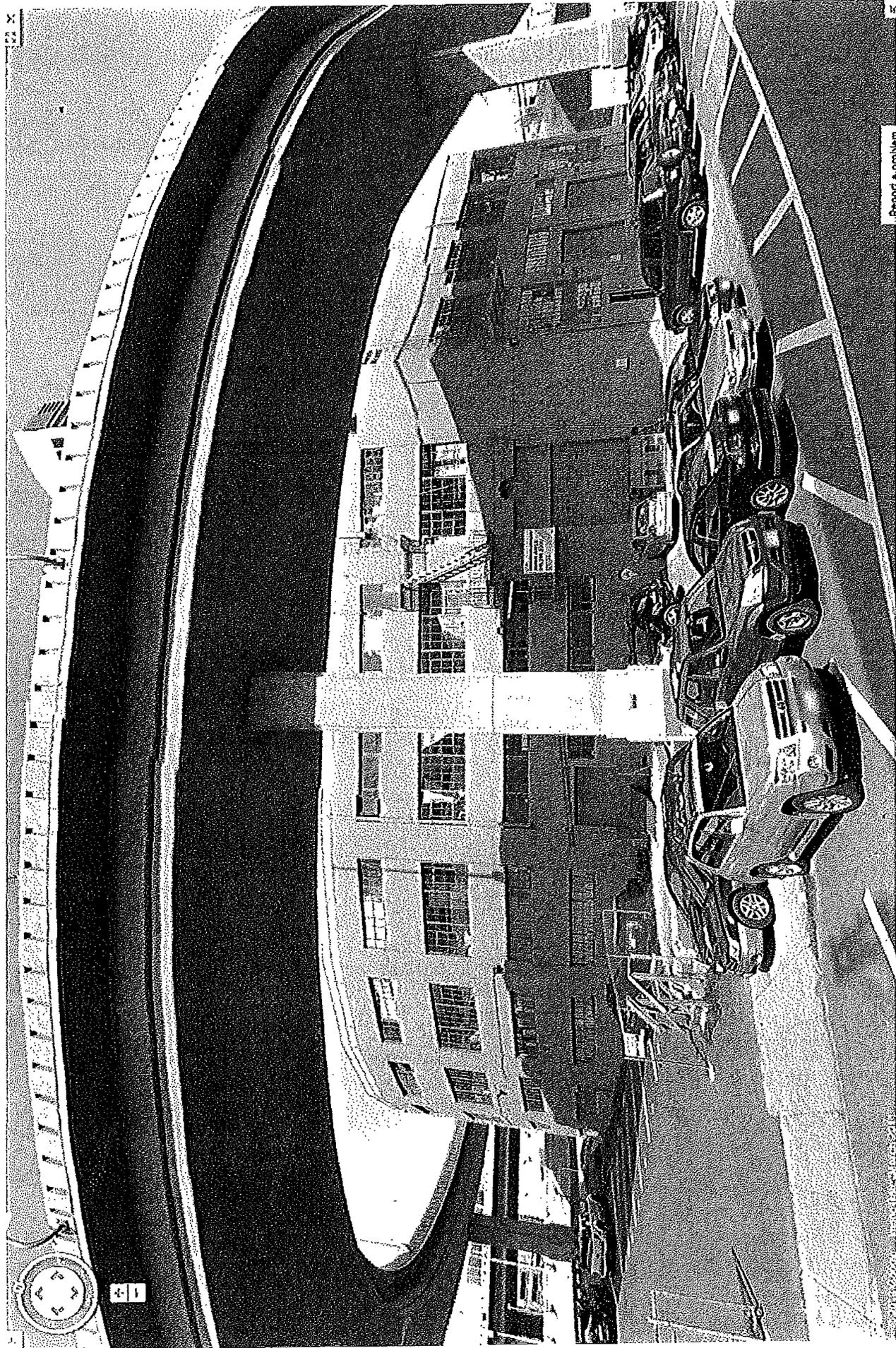
This Board has the opportunity to straighten things out. Advise the ERO to go back and think things through. The City needs some tools. They should start with a definition of the problem by Environmental Review.


Submitted by
Sue Hestor
Attorney for San Franciscans for Reasonable Growth
870 Market St #1128
San Francisco CA 94102

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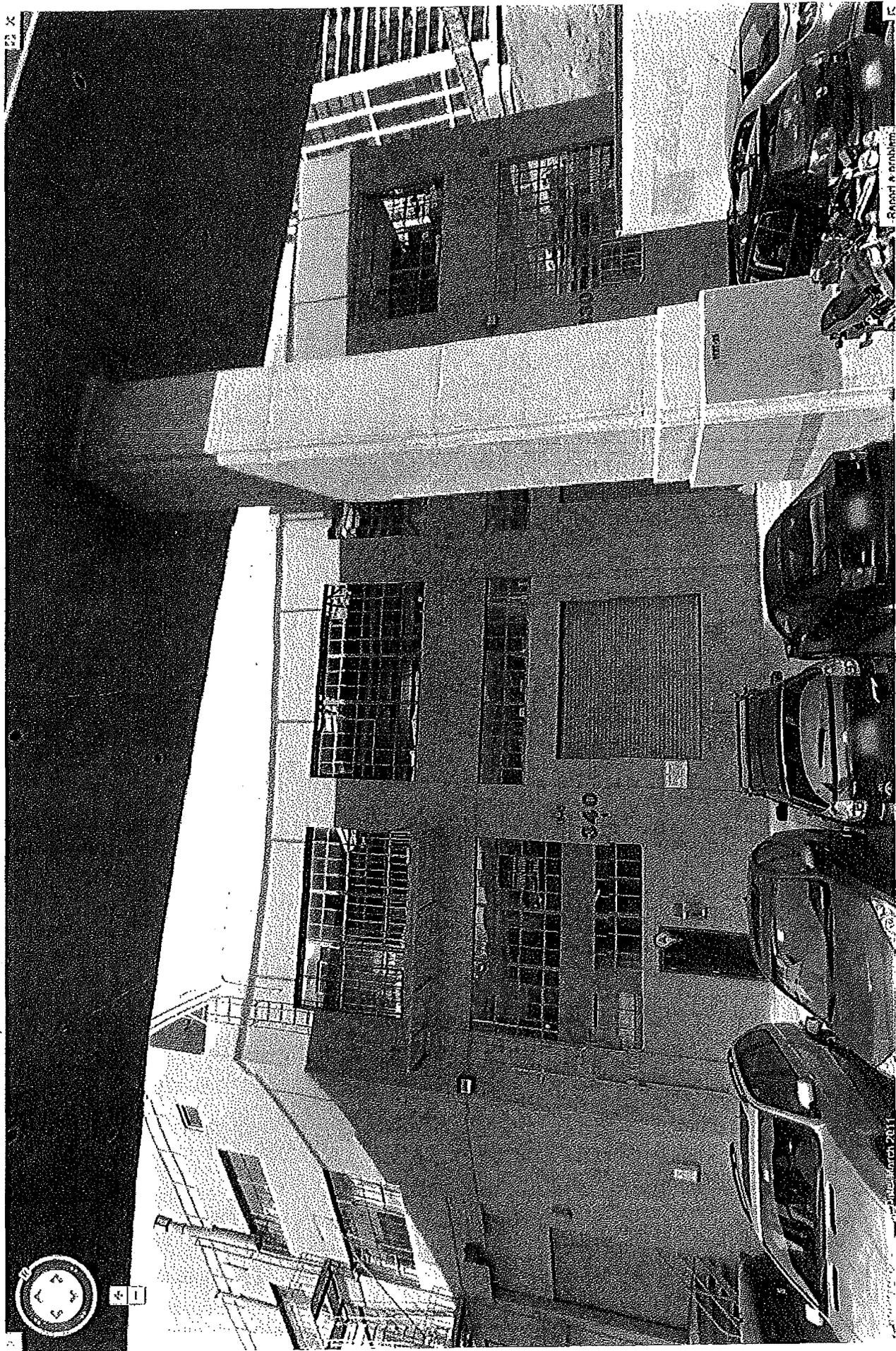
Aerial Photo (project site shaded, location and direction of subsequent photos shown with numbered arrows) - June 2014



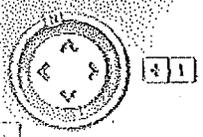
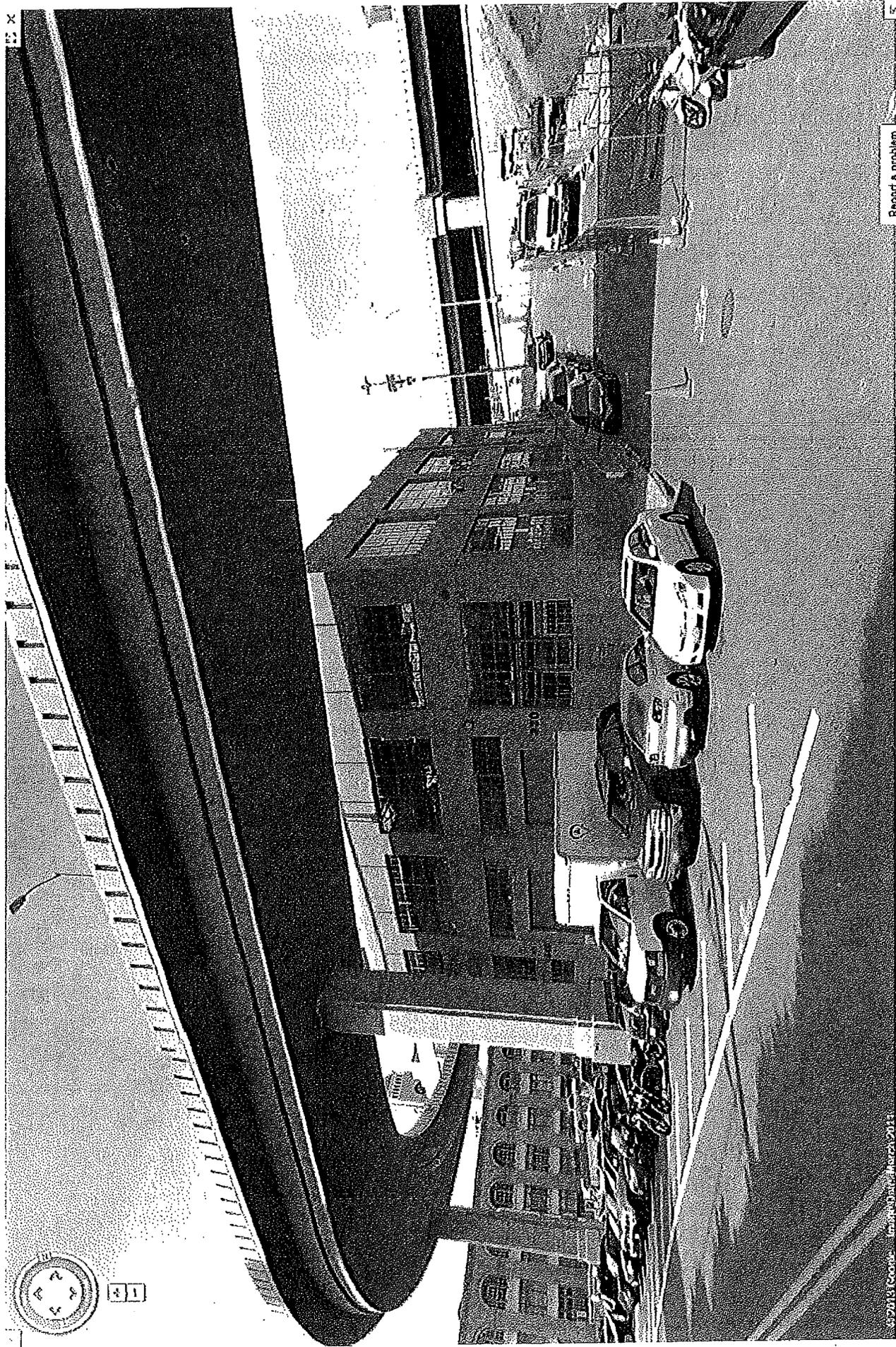
Report a problem

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EXH 2A



EXH 2B

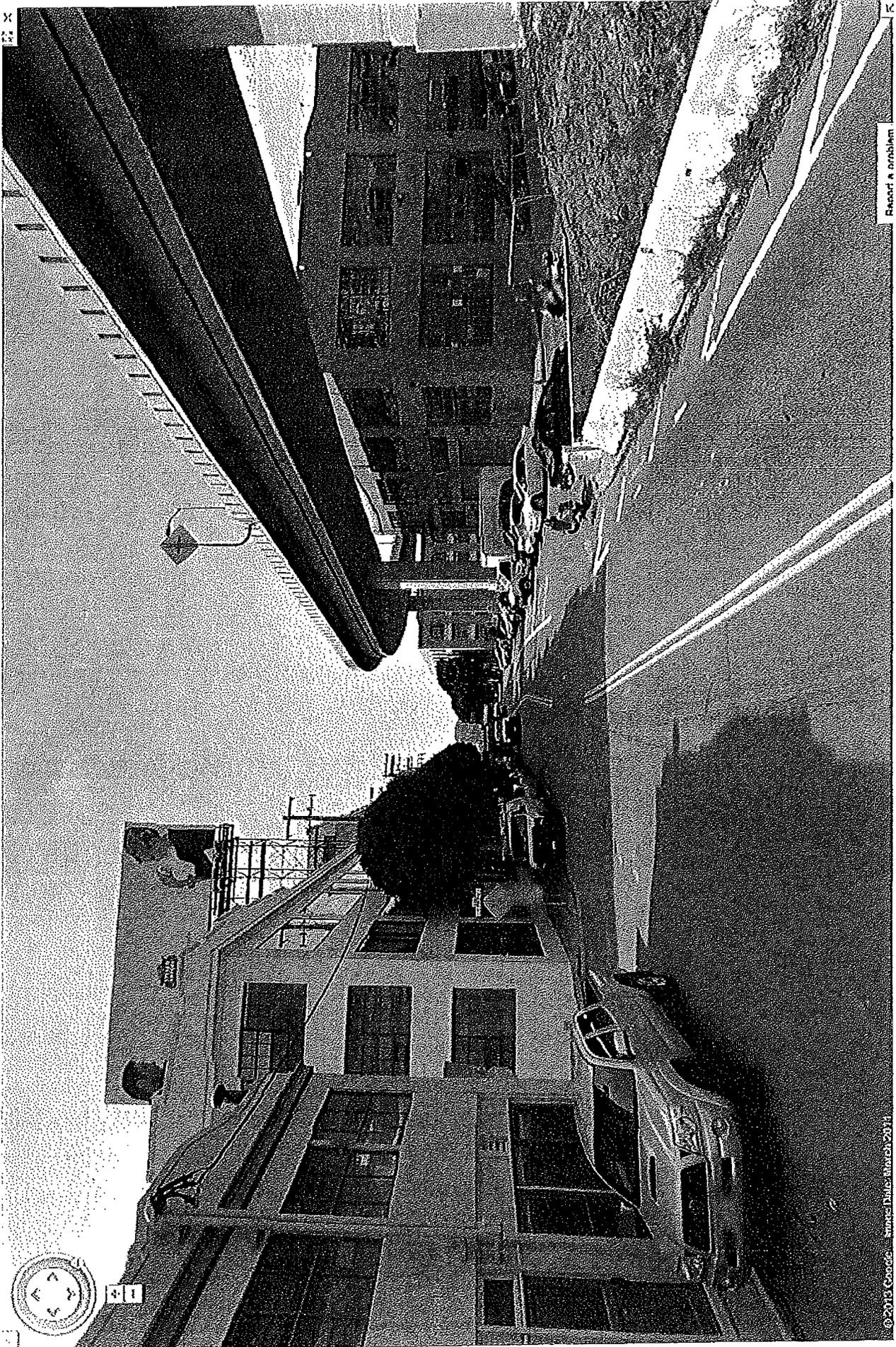


Resort & Mithran

3/27/13 (Coops - Group) 11:54 AM 2/20/13

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EXH 2C



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Report & Analysis

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exu 2D

January 8, 2015 - Planning Commission Hearing
SFGTV "transcript" - at 3:38

ERIKA JACKSON

you have a request to allocate 5 hundred thousand joonet secret plus through an authorization at bryant street

the project is located south of market neighborhood within a mixed use office zoning district **bound by rimcon alley and other locations** the square feet lot has approximately, six 2 thousand 50 feet it was industrial, however, the building was vacate since 2013,

the total request secret represents four percentage of the small cap office space since the publication the department received conditions that the project is consistent with the zoning district it's a designed to courage the office unit as well as the small-scale art facilities and permits office use the project is located out of the selma plan and not subject to the pdr xheshgs the project represents the allocation of approximately 4 percent of the small cap office space for allocation

it retains the pdr space on the ground floor of the building approximately 16 thousand 5 hundred square feet that project will appraise fees that will benefit the city and is in compliance that concludes my presentation.

>> project sponsor please.

JOHN KEVLIN

good afternoon john with rubens and rose on behalf of the project sponsor this proposes the conversion at bryant street with the ground floor as pdr use there's obviously been a significant incision.

>> I'm sorry that's distracting agency heck thank you.

>> sorry. >> go ahead.

there's a lot of decision regarding the pdr conversion in the eastern neighborhoods I want to make clear about what zoning restrictions apply the city-state site a mixed use it is principally permits to the prop m allocation and the eastern silver sub plan also courageous the office use in the district the property is not subject to pdr restrictions

there's a number out there isle you've got the s l l to protect against housing and office development and the pdrs are allowed you've got 63 reading street another office conversion they were coming before you seeking an exception and this is not 63 reading no restriction or expectations there's pdr zoning sdriksz districts that are expressly to prevent the pdr only some are permitted and again, an accepted that's the pen trees building I think that most are well aware we're not seeking an expectation we were an office principally permitted district and san francisco historic preservation commission has infected or the sponsor of the moratorium of the central plan area this project is no the in the central selma area the second zone highly produced area is no subject to pdr measures

we've benefit lvns to the commission very careful and the developing censures skefrnz of the commission as a result we're maintaining a ground floor of pdr as part of the project that's 14 thousand 5 hundred square feet of pdr square space

swore been working to identify the pdr tenants it is not easy but we did identify two, that will occupy the balance of the space the first one is an electronic car charging company they work with retailers and malls and local governments to small electric cars stations for free getting paid by the advertising on the car and they'll be conducting those on site and have a schoerl showroom to represent tare products and the rest of the space will be right now, we're working with a wine wholesaler that will be connecting the wine industry and the commercial storage of wine for over flow and possible educational opportunity for folks in winemaking

I also want to mention that keeping the ground floor on pdr this brings up it outside of the large allocation for prop m so this project will not be taking office that's it space that's obviously visa expensive and as major projects come your way

I do want to speak to the previous tenants in the building that's been brought up by folks the project sponsor is sensitive to their needs and generous all tenants received 8 months of the project sponsors intentions to renovate the building most were allowed to stay throughout the period of this notice period the project sponsor loud other tenants to leave their leases early without punishment or keeping on the hook for rent and also there's an a significant amount of unpaid back rent the sponsors forgave and illustrating that you've got a in front of you sdais their concerns this is a legal change of use all impact fees are going to be paid n this includes all the eastern neighborhood fees over \$800,000 will be paid no new contradiction the fees will apply and this brings the building in consistent with the planning code so one of the other things and that's been brought up the issue of permitting in this building so I wish Mr. Sanchez we are here this is stripping not that uncommon south of market and the eastern neighborhoods before the eastern neighborhoods plan was adapted in 2009 much of that was m zion p that allowed everything so the old sty industrial district so what happened, you have a lot of old industrial buildings where back when there was innovate as much pressure it was not on the radar the tenants would move in if it says projecting office they allowed for the tenant improvements to take place this is a greater concern we're looking at the permits a legal change of use hadn't necessarily happened even if it is an office notice all over it I've gotten calls from people saying oh, it's an office building no, it's at complex analysis that the zoning administrator does to see if there's an existing legal use this has to show proposed office use and it's designed by planning and most of the time has plans that show where the office space is in the building it's a technical analysis there are buildings owners that are not sophisticated or savvy to the process this is not the exception 24 is how it came up we're looking at the building others were looking at the building and they've looked you know they've talked to someone that's been there before and there are office permits so what we did was filled the environmental operation getting this in line with the code and maintaining the ground floor as pdr

I wanted to speak briefing to the continuance issue this project has now been subject to 3 notices over the 13 months which is quite a long time for a conversion preapplication meeting frmentd out to united states neighborhood and groups and now the planning commission notice went out to the group I'm not aware of the issues that have not been assessable or available to the public for several months we feel if there's not strong digestion for continuing this hearing today, we'll obviously defer to the planning commission we're looking at the upper 3 floors of the building it is say is being maintained to the ground floor pdr they've identified two tenant floor the project sponsor has been sensitivity to previous tenant and we'll pay all the office fees with respect to that we ask you approve that.

>> we have one speaker card

JIM HERON

put on my glasses thank you, thank you commissioner President Wu and commissioners I'm jim an architect and former tenants of 340 brilliant street when I opened my own practice in 991 I was fortunate to find a location I was the second longest it is not necessary e tenant in the building having been there for 21 years I hope this contributes to the conversation I think the letter I've sent to the planning staff was referred to as a letter of support but first of all, I must clarify one point at the beginning of last year, I was briefing involved in an e-mail challenge I made the inaccurate characterization I've been evicted from my space only in the general sense of being required to leave not have my choose the truth is my leases and all the leases in the building as far as I know had been terminated at the end of 2012 we were all given more accurate notice I'll characterize this as fair secondly, speaking as an architecture architect with a strong connection to the building I'm interested in that building I'm hopeful it preserves the natural qualities

I was pleased to see for example, the steel small pain windows being ma kically reglazed and the costs antiquated technology that defines the character of the building it shows generous rooms and the space previously divided into small cubicles I was pleased to see the roof terrace the roof which we bstantiates were not allowed access to but saw the sites I'm optimistic the design is appropriate to the building and neighborhood I'll urge you to approve the project.

SUE HESTOR

a photo on these sue hester I have a shirt on from one of the evict tests

I'm asking for this to the continued

I don't think there ever was a preapplication meeting it's not in the files I've gone through all the files and talked to the attendance right across the street is a whole lot of residents back in second street

those are h o v lanes to get onto the bridge down on main street up to second street how do you walk up to this building it is literally surround by freeway I have to walk across the freeway they're to having have people riding bicycles

how is there not two week report that enables the public to submit the documents in a timely manner all the notes come out over christmas and new year's break they were mailed on the 17th pardon me on that building you can't get to swms a newspaper notice the mailing was the following minimum wage week it came to me on December 27th and the environmental issue was on the 23rd of December this screams christmas break it's innovate a break the document for your consideration was issued on the 31st of December

we have and then eastern neighborhood it didn't have a process for community meeting e meeting if there was no one that was effected knew about 2 I meet with the residents I've been dealing with the proposal for the last couple of years those people were involved in it I met about what is happening in their neighborhood I

May be about 3 months ago they've been trying to meet with the owner were not getting phone calls returned those people would have been there at the meeting believe me they were frustrated the tenant that were evicted that t-shirt company used to be at this location and sold t-shirts on columbus

I'm asking you to do know and continue this case two weeks and let people submit documents and due say you, cheat.

JOHN ELBERLING

good afternoon john taco group we certainly support the staff recommendation and the commission willingness to use attire ability to limit the prop m allocation to chief a policy goal in this case to preserve pdr south of market

I know that the central selma plan is more addressing the issues but this tool is what we feed to use now I'm grateful to see the commission really do that I'm going to turn it over to our general proposal is in south of market the service sally district should be one hundred percent replacement of any pdr converted or not no conversion at you will and what remains of the s l r i like 63 reading to maintain 60 percent but not only east selma and the district to otherwise maintain 25 percent of a converted building as pdr

I know over the long term and for assembly approach the flower mart will maintain one half p a million square feet that's an outstanding accomplishment for the long-term now there are some issues to figure out in the central selma plan the relocation xofts for the businesses that can't return needs to be addressed I know that staff is aware of that and especially the loss of space for arts organizations is a critical problem that the south of market arts community is being decimated the people can't afford the mandating for pdr we need to clearly fourth a system of direct or indirect subsidize of art spaces in the context of the pdr preservation in selma this is a good step there's a long way to go from here but this is a good step thank you.

ALICE ROGERS

good afternoon. I'm alice rogers I'm here as a member of the south beach.mission bay retail task force we talked to you a couple of weeks ago

I'm basically here to commend the change in office use to pdr on the bottom of this project I royals it's outside of the selma plausibleness but an important john said first step to recognize we can't can't have mono0 culture in the central selma area there's too much diversity and we that need to preserve that on the ground floor the second floor and up that's fine but the mous zoning does nothing to incentive intents the utility of the ground floor and especially the offices are adapting the customs of o pack walls and turning their backs on the sidewalk in their not good additions to the community so I think this is a really great first step that we're having a developer willfully change a ground floor to a more active use and being here over the next many, many months to work with you to improve the ground floor throughout the selma plan thank you.

JIM MEKO

good afternoon commissioners and happy new year jim from south of market I was never visited to my preopening meeting neither my south park neighborhoods here's an interesting timely in the heaters commission April 4th, 2013, it reads I'm responding on behalf of tom he's the culture affairs director I building the studio in question is 340 bryant street which was a large are industrial building that provides studio space for over one hundred and 50 artists many for over 20 years a developer made an offer on the space after inviting the studios in 2012 and evicted everyone from the, as of January 1st, 2013, to turn it into market rate tech offices

please let us know if you have any further questions it's from kate patterson for the san francisco arts

commission so speaking of collaborating with other parts the city family somehow that didn't make it into the staff report one hundred and 50 artists were evicted to create more is a space for high tech offices and they're not mentioned this is all perfectly legal but is it right your preceding over the heart and soul of the city thanks.

opening to you supervisors commissioner antonini.

MICHAEL ANTONINI

I don't see any need for a continuance this is a simple issue and been spoken of if I could ask staff a question there was some talk about the so-called evicts is, in fact, with our research the leases did expire and the tenants were informed with adequate amounts of time they'll not been able to be tenant there and

ERIKA JACKSON

perhaps john can speak but my understanding they were given notice something in the project sponsor in our packet.

MICHAEL ANTONINI

that's what it looked like to me.

ERIKA JACKSON

I don't have any copies of the leases so in terms of what the leases actually ended.

MICHAEL ANTONINI

okay. Thank you I mean this is mou means memorandum of understanding it means mixed use office in the eastern slam was approved it is in eastern selma I know there's discussions about the discussions of central selma and the pdr use this is in a district where office is principally permitted and encouraged if we're you know not approving that we're going against what we said we spent years on eastern neighborhoods trying to set rules and finally after many years we passed the rules and that conforms with the rules exactly, in fact, it actually gives some help to pdr by having a first floor or pdrs that doesn't currently have and will have in the future and it brings it below the cap of the large office space which helps the whole situation with prop m allocations it does a lot of good things their finding pdr tenant for that lower space bring in \$1.5 million in development fees f this is a good project I mean, I think that even though we got the paperwork on the 31st of December it didn't making take too long to figure out what's going on here and it so you would it is a good project I'm very much in favor of that and hope we can get it done.

RICH HILLIS

a question for staff could this be converted could the ground floor could the project sponsor come back and convert the ground floor to office space or request that conversion.

ERIKA JACKSON

they'll have to go through another application.

JOHN RAHAIM

we couldn't approve that.

RICH HILLIS

I was looking through the conditions of approval I mean, I appreciate the ground floor being kept as pdr I think that's important but I like to make that part of the condition I don't see it in the conditions in granting the top two floors E.R. The conversion that we're part of the recognizing of the conversion the recontamination of the pdr as a use.

JONAS IONIN

Is that a motion.

RICH HILLIS

I want to see if that's possible.

JULIAN BANALES

May I have you can put the condition it's similar to the case before you it will not necessarily for preventing someone from coming back in the future.

RICH HILLIS

we want to recognize what the project sponsor is saying and the staff is saying that's an important you know it's important precedent as we look forward to other conversions or the central selma plan this is part of the-it was important to us in granting the conversion of the ground floor kept as pdr so I don't know if you made a motion we'll see what the other folks talk about I'll make a motion to approve the project one way or the other without a condition of recognizing the first floor as pdr.
second

CHRISTINE JOHNSON

thank you very much some of-commissioner hillis that was what I was going to say the second thing this is my main issue with the project the issue with the straight improvements I live in that area I ride up second street and 340 bryant was probably a fantastic section before the I 80 entrance maybe the project sponsor or staff could come up and talk about whether or not there's plan improvements to the straight in area or other traffic measures or otherwise-

ERIKA JACKSON

one thing that's unique about the site the property line is right around the building I don't know if there's a place to do the improvement but it will have to be approved by the director ample it was not hopefully, I was hopefully hoping this it seems like there's needs to be additional changes in addition to the internal tenant improvements to the this making it useful for office.

ERIKA JACKSON

the timing of the t m a we'll look at.

JOHN RAHAIM

that plan the transportation management plan has to include the **pedestrian improvements around the building that presumably includes the sidewalks** typically they're not public property but right-of-way we can work on that that dpw in the transportation plan phase.

CHRISTINE JOHNSON

I'd like to add that as a finding as well and the reason I mean because it probably won't come back to us I said we've spoken that the sidewalk are part of the public realm and **the property line is around the**

building 24 is a special circumstance we've having had many, many projects where the design is part of the conditions of approval in some ways I know this is space particularly needs this this conversion of office space changes the type of people that are coming in and out of that place I have friends that work in the area or work at the building across the street I want to see that.

JONAS IONIN

is that amenable to the maker of the motion.

DENNIS RICHARDS

just a couple of things, sir a question for you how do the 25 percent number come about as you support versus 50 or the 50 in the I r I and

JOHN ELBERLING

we in our community planning process we took a good look at the existing buildings that had pdr and few if any are above 4 stories and so it was simply, you know, there were a good number of 4 stories with pdr content anticipate it is to simplify the genius to find the department staff told us it was so marred or hard to monitor they need to deal with whole floors frankly the 50 percent system works well with the four story buildings and those are practical.

DENNIS RICHARDS

another thing as I read the san francisco chronicle the space the craft breweries and the chocolate makers are leaving the city do you think that one half a million says that a good.

JOHN ELBERLING

it will, of course, still existing today it is very substantial amount our data should have the number it is half million.

JOHN RAHAIM

we have that.

JOHN ELBERLING

there are still some that remain wisp talking to the staff there's further nicole's techniques to insensitive vices this it is not this approach alone.

DENNIS RICHARDS

I guess one last point commissioner moore and I went to take into account it and it is the most unusually located building in the world and commissioner richards point something has to be done about pedestrians we nearly got flattened crossing the street.

JOHN KEVLIN

the benefit of the planning code that requires straight improvements it's written broadly and done so on a case by case basis we've work with the staff the project sponsor is obviously in favor of making 24 building safe for its tenants I think we understand that and we're supportive of that.

DENNIS RICHARDS

it's included in the motion as a finding thank you commissioner moore.

KATHRIN MOORE

there's always an upside and down side the strong concern of the diminishing pdr of all costs is of great concern some say contradictory and it is quite objective with you go on the web it can happen to anybody someone can buy a building people have legally been existed termed or whatever where the rubber meets the road the approval here should be only the point of the construction and many of the things that happen quite a while back the huge alternatives on a train moving forward with a readaptation of a building the adaptation is done it's fabulous, sir answer the question we're talking about an industrial building sitting in asphalt with no. You curve delineating the properties from the surrounding public transportation network so the question I'm asking you how will be you u be using the additional space around the building currently there's porta pots there are homeless people that are use it for their residence and in addition a number of cars parked there are you attending of intending to park there.

JOHN KEVLIN

thank you for the question commissioner if we can get the overhead here's the site plan this black line is the property line everything else is state property caltrain so there is not the project sponsor did not have control over that so it makes it for an awkward site to make less awkward.

KATHRIN MOORE

that side is currently being used to the extent of the curb with cars parking and the porta pots and people residing there I think the planning department needs to totally stay on top in order to integrate this awkward geotry is the best word I can find into a safe building the first thing I would do is working on the project so talk with the fire department and emergency access by a this with this occupancy not to talk about the dual use of industrial pdr and office there are other rules that come into play the architects with older colleagues of mine I think the department needs to track that we're encouraging wanting pdrs to be on the ground floor we need to understand the interplay between the uses in order to create a new building type surrounded by retail, etc. In order to that to function the straight xhochlsz everybody talked about we indeed had a hard time getting across there's a whole other slew of this no man's land how we're integrating it into a more reasonable network of local and caltrain access rams.

JOHN KEVLIN

if I could add commissioner just to give you some comfort we've been in contact with caltrain, in fact, a lot of this they need to be aware of what we are doing we've been in touch with them in fact, our contract person has been in contact and that's absolutely we can insure that all groups are coordinating together.

KATHRIN MOORE

the other thing I'll ask ultimately the department be engaged in when we hear selma and other people speak about streetscape and kind of a people friendly environment as we're making it a multi use part of the city I I would like to know who's more suitable to be in what pdr space which-the building itself participate in different ways in the streetscape because which it's curved geotry the curve is less visible from the south eastern part I want to see that the most attractive people oriented part of the pdr is indeed in that portion where the public is participant to see what's going on in the building that's making it more as pa gentle listed statement we have those questions the industrial building are 4 sided building for industrial use as we're converting them to a new kind of pdr I want to have pdr perimeter in the pedestrian side of the building.

JOHN RAHAIM

just want to make sure from the straight up of the scion of approval you're adding with respect to the first floor the reason for doing that is it character and location lends itself to the pdr of the first floor it will be helpful to put that on the record as for another motion of approval.

MICHAEL ANTONINI

yeah. I'm fine we need finding and those findings reflect about the pdr continue to be pdr, of course, in terms of the other access issue that is a finding not a condition did you have something to add Mr. Calvin an a on a solution possible solution across the crosswalk.

JOHN KEVLIN

you can't I don't want to speak to the streetscape aspect we need to work on counterfeiting it one thing I want to add to respond to commissioner moore's last comment those pdr tenants we've identified fortunately have a dual heavier industrial wine storage wine and then in the front around the street the intent to the showroom for the car charging will be there and the wine tenant having a wine taifrt room a small delhi something to activate it street we've fortunately identified tenants.

KATHRIN MOORE

sir I'm not saying that I believe in looking at manufacturing is part of the enhanced vibrant city people do what they do I'm not necessarily looking at the both tick of the space relate to the space of what's happening and leaving it visible to the street I want people in the city to know in general pdr as pdr is preserving.

DENNIS RICHARDS

one other things to the gentleman's point this residential building I'll treat this as an eviction it's legal and that's where I industrial I want to acknowledge there are probably people that would be there if not asked to leave thank you.

VOTE

commissioners there's a we have a motion and a second to **approve as amended to include the ground floor be retained with pdr with with support of the condition as well as the management** commissioner antonini commissioner hillis commissioner johnson commissioner moore commissioner richards

commissioner President Wu commissioner fong so moved, commissioners, that motion passes national anthem 6 to zero

TEXT IS DIRECTLY OFF SFGTV SITE (caption). With additions of name of speaker inserted.

The type and distribution of land uses in the Eastern Neighborhoods also contribute to their visual character. The project area includes many production, distribution, and repair (PDR; generally, light industry) uses in portions of East SoMa, the Northeast Mission Industrial Zone (NEMIZ), Showplace Square, and throughout most of the Central Waterfront. These areas exhibit an industrial aesthetic, generally characterized by bulky single- and multi-story buildings with large floor plates, industrial sash windows, roll-up garage doors and delivery bays, saw-toothed roofs, and smooth plaster finishes.

The Eastern Neighborhoods also include visually distinctive neighborhood commercial corridors—frequently with residential units above ground-floor commercial space—such as along Mission, Valencia, 16th, and 24th streets in the Mission District; 18th and 20th Streets on Potrero Hill; 22nd Street in the Central Waterfront; and in the mixed-use district surrounding South Park in East SoMa.

While exclusive residential neighborhoods exist throughout much of the Mission District and on Potrero Hill, and residential enclaves exist in other locations, there are many areas in the Eastern Neighborhoods where residential uses are adjacent or very close to commercial and PDR uses. A mixed-use development pattern with varied building styles is one of the defining characteristics of the Eastern Neighborhoods.

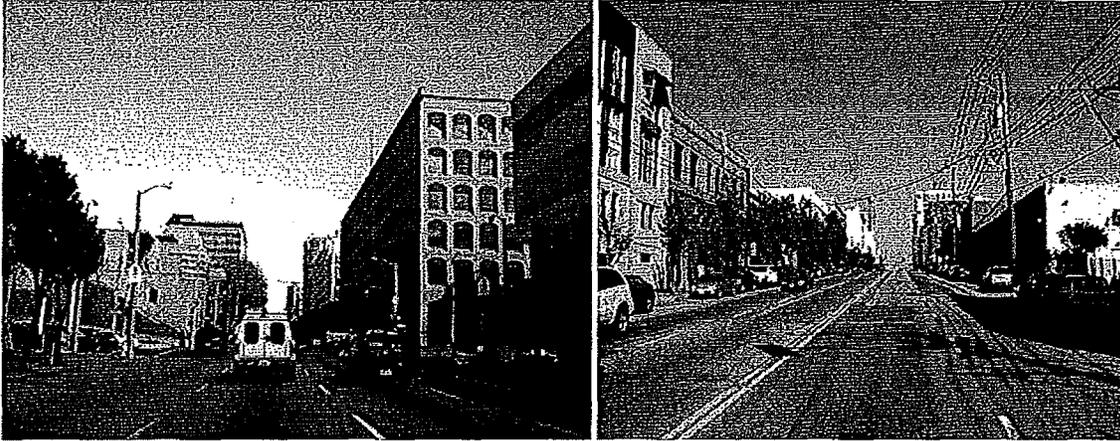
Other elements that contribute to the baseline visual setting of the project area include street patterns and street widths, right-of-way elements (such as street furniture, signage, and vegetation), parks and open spaces, building heights and setbacks, building age and architectural styles, and visual resources unique to the specific subareas in the project area. The following section describes these elements in each neighborhood.

East SoMa

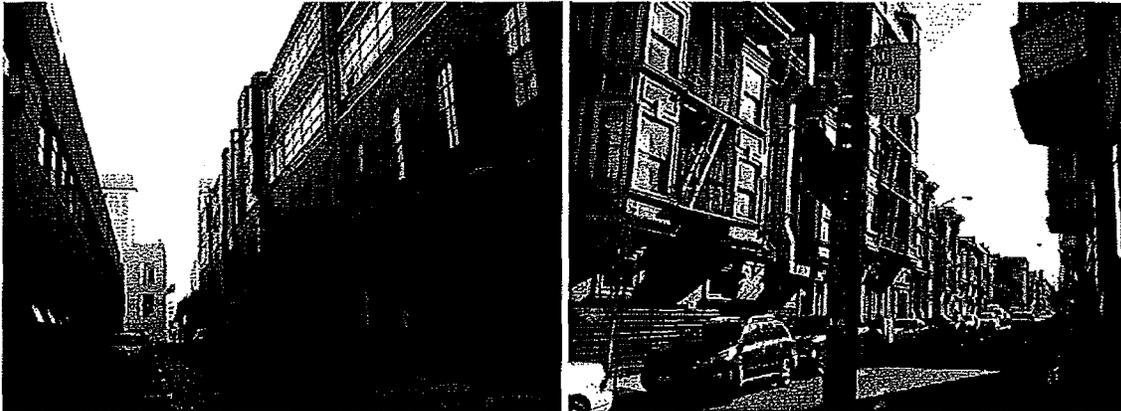
Streets and Street Pattern

The large scale of streets and blocks contributes to the visual character of East SoMa. A grid of very long blocks—ranging from 550 feet to as long as 825 feet—is intersected by mid-block alleys.⁶⁴ The primary streets are wide (e.g., about 80 feet) and accommodate up to five lanes of traffic. East-west oriented streets, such as Howard, Folsom, Harrison, Bryant, Brannan, and Townsend Streets, carry one-way traffic for much of their length through the project area, as do major north-south couplets such as Third and Fourth Streets. These streets are flanked by sidewalks, overhead utility wires, and often lack street trees and other pedestrian amenities. The pedestrian corridor is narrow in relation to the overall right-of-way, resulting in a relative lack of visual boundary between the street and the pedestrian realm, which tends to lack landscaping,

⁶⁴ The term “alley” is used to denote minor streets between the multi-lane major streets in East SoMa. Although most are not technically alleys as defined in the Planning Code (by which an alley is a right-of-way less than 30 feet), these minor mid-block streets are commonly referred to as such, and are distinguished from the major streets by their relatively narrow widths.



Wide streets and long blocks establish the urban pattern and contribute to a sense of large scale in East SoMa.



Alleys are part of the urban fabric in East SoMa.

street furniture, or other definition. A set of freeway on- and off-ramps is located immediately adjacent to the district (at Fourth, Fifth, Harrison, and Bryant Streets, and additional ramps are located nearby). These factors contribute to a vehicular rather than pedestrian orientation along the primary streets in East SoMa. The long blocks and wide rights-of-way also contribute to the impression of a large development scale and greater domination of the streetscape by the automobile, relative to other parts of San Francisco. The prevailing visual experience is one of vast expanses of asphalt, sparse landscaping, street parking, bulky buildings at the street edge. By contrast, the narrow alleys that intersect the primary street grid, and the development around South Park, and in the other residential enclaves in the eastern portion of East SoMa display a finer pattern. South Park's unique street pattern, focused on the oval park, is a vestige of an early-day fashionable neighborhood in 19th-century San Francisco.

The I-80 freeway runs in an east-west direction through East SoMa. With its structure reaching up to 50 feet above street grade, the elevated freeway creates a visual edge along Harrison and Bryant Streets, obscuring north-south views.

cause of death and injury in the United States, and that pedestrians represented 12 percent of all fatalities in motor vehicle accidents in 2005. Beyond direct injuries and deaths, as matter of public health, DPH states that increased pedestrian safety can encourage walking, which in turn can have direct health benefits such as reducing obesity and indirect benefits such as improved air quality resulting from lesser traffic volumes.

According to data prepared by DPH, the four Eastern Neighborhoods have a substantially greater rate of pedestrian injury collisions, on a population-weighted basis, than does the City as a whole: whereas the number of accidents involving pedestrian injury citywide is approximately 100 per 100,000 population, the comparable rates in the Eastern Neighborhoods range from approximately 150 per 100,000 population in the Mission to 700 per 100,000 population in the Central Waterfront.¹⁰⁹ The rate in the Eastern SoMa is approximately 415 per 100,000 population, while in Showplace Square/Potrero Hill, it is about 265 per 100,000 population. San Francisco as a whole has a substantially greater number of pedestrian injury accidents on a population-weighted basis than the national average, largely because there is much more pedestrian activity than most comparably sized cities.

Among the five intersections in San Francisco where 10 or more vehicle-pedestrian collisions occurred during the period from 2001-2005, four are in the study area: 16th Street and Potrero Avenue (14 accidents), 16th and Mission Streets (13), 18th and Mission Streets (10), and Sixth and Mission Streets (10).¹¹⁰

In general, the number of pedestrian injury collisions citywide (including fatalities) has declined over the last 10 years, from 1,035 in 1996 to 718 in 2005.¹¹¹

Pedestrian risk factors particular to each of the four Eastern Neighborhood are discussed below.

East SoMa

East SoMa generally contains adequate pedestrian facilities. Almost all signalized intersections include crosswalks and pedestrian signal heads, and most crossings include countdown timers. Sidewalks are present on almost all the major streets and most side streets, and are typically 10 feet in width. Only a few alleyways have sidewalks on one side of the street only. Townsend Street is the only major street that lacks sidewalks, with no north-side sidewalk between Fourth

¹⁰⁹ The Mission had the greatest total number of accidents of the four neighborhoods, 93 per year over a five-year period analyzed, but because this neighborhood has by far the greatest population of the four Eastern Neighborhoods, its rate of accidents per population is lower. The very high rate in the Central Waterfront is reflective, in part, of the very low resident population: much of the daily activity in this neighborhood is commercial activity by workers and employers, whose numbers are not counted in the "population" that is the basis of the accident rate. This neighborhood had by far the lowest total number of accidents, about nine per year. In East SoMa, the number of accidents is 82 per year, while for Showplace Square/Potrero Hill, it was about 57 per year. All accident rates are based on census tract population, which does not correlate precisely with the boundaries of the four Eastern Neighborhoods, and thus should be considered order-of-magnitude figures.

¹¹⁰ Department of Parking and Traffic, *San Francisco 2005 Collision Report*, July 19, 2006; Table 6.

¹¹¹ Department of Parking and Traffic, *San Francisco 2005 Collision Report*, July 19, 2006; Figures 3 and 4.

and Seventh Streets. Barriers to pedestrian access include Rincon Hill (between Second and Beale Streets) and three intersections with freeway on- and off-ramps (Bryant/Fourth Streets, Harrison/Fourth Streets, and Harrison/Fifth Streets) that do not allow pedestrian crossing on one or more legs of the intersection. Pedestrian volumes are generally low to moderate, except near the Caltrain station where volumes are higher when trains arrive and depart. Sidewalks are generally adequately in width to accommodate existing pedestrian circulation. The one major pedestrian generator in East SoMa is AT&T Park, which attracts high pedestrian volumes before and after ballgames and other events.

Pedestrian conditions in East SoMa are largely dictated by the particular street grid of the neighborhood. As noted above, blocks within the South of Market neighborhood in general are typically twice the length of those north of Market Street. The result of this larger-than-normal street grid is that pedestrians typically have to walk farther to reach a crosswalk than do pedestrians in other parts of the City. Moreover, because most of the major streets in East SoMa (and in the South of Market generally) are wider than the typical San Francisco street, because many of these same streets carry one-way traffic only, and because many East SoMa streets (and those in the South of Market generally) serve as access routes to and from the elevated I-80 freeway, the street grid in East SoMa is generally not conducive to pedestrians. An additional factor contributing to adverse pedestrian conditions in Eastern SoMa is the fact that many vehicle travel at relative higher speeds, both because of the prevalence of multi-lane one-way streets (e.g., Howard, Folsom, Harrison, Bryant, Third, and Fourth Streets) and because many of these same streets, and others, such as Fifth and Sixth Streets, serve as connections to and from freeway on- and off-ramps. Finally, Eastern SoMa has a relatively large transient population, including homeless persons and those temporarily resident in various shelter facilities; some of these individuals may be suffering and/or recovering from substance abuse or other conditions that may make them particularly vulnerable to pedestrian accidents.

Bicycle routes with separate bike lanes (Class II route) are on The Embarcadero and King, Seventh, Eighth, Folsom, and Howard (west of Fremont) Streets. Class III routes, where bicycles share the roadway with vehicle traffic, exist on Second, Third, Fifth, Harrison, Division, Townsend, and Howard (east of Fremont) Streets. Also, Market Street, just north of East SoMa, is a major Class III bicycle route. Bicycle volumes in the East SoMa subarea in general were observed to be low to moderate. During field surveys, a substantial number of bicyclists were observed on Folsom Street (Route #30) and on Division Street (Route #36).

Mission District

Most of Mission District streets have sidewalks and crosswalks and pedestrian volumes are generally low to moderate in residential and industrial areas and moderate to high in the core of the commercial areas. Many signalized intersections in the residential areas have separate pedestrian signals on only some legs of the intersection or not at all, while many other

fatalities in California as a whole is 40 per 100,000 based on 2005 data from the California Highway Patrol. In part, the city's pedestrian injury rate of 104 per 100,000 residents reflects a higher level of pedestrian activity than most comparably sized cities; however, DPH and other research s indicate that this explains only a part of the difference. Based on analysis of data from 68 California cities, the effect of pedestrian activity in San Francisco on the relative pedestrian injury rate can be estimated by the relationship that the number of pedestrian collisions increases at approximately 0.4 power of the number of people walking to work.¹¹⁸ Using this empirically derived relationship and publicly-available data from the U.S. Census on the proportion of

- workers walking to work in California (2.9 percent) and in San Francisco (9.4 percent), one would expect San Francisco to have about 1.6 times more pedestrian collisions than comparable cities (i.e., $(9.4/2.9)^{0.4}=1.60$ percent). This adjustment also shows that while 60 percent more collisions per resident (a rate of 64 per 100,000) may be expected based on greater pedestrian activity, the degree of pedestrian activity does not fully account for the high rate of collisions in parts of the City, particularly in the Eastern Neighborhoods. San Francisco's relatively high rate of collisions may also be influenced by the increased exposure associated with a 50 percent increase in its daytime population relative to its resident population due to an influx
- of commuters into its job centers, although the injury model identified no statistically significant correlation between injuries and the number of workers per census tract.

Among the five intersections in San Francisco where 10 or more vehicle-pedestrian collisions occurred during the period from 2001-2005, four are in the study area: 16th/Potrero (14 collisions), 16th/Mission (13 collisions), 18th/Mission (10 collisions), and Sixth/Mission (10 collisions).¹¹⁹ In general, the number of pedestrian injury collisions citywide (including fatalities) has declined over the last 10 years, from 1,035 in 1996 to 718 in 2005.¹²⁰ Based on previous San Francisco research,¹²¹ the influence of alcohol or substance abuse may be contributing factors to high numbers of pedestrian collisions at the 16th/Mission, 18th/Mission and Sixth/Mission locations.

There are a number of factors that contribute to increased pedestrian-vehicle collisions, and the number of collisions at an intersection is a function of the traffic volume, travel speeds, intersection configuration, traffic control, surrounding land uses, location, and number of pedestrians. DPH has developed a "pedestrian injury model" that attempts to predict the change in accidents involving pedestrian injury on the basis of a number of different factors, including vehicular traffic volume, resident population, proportion of occupied housing units without auto access,¹²² proportion of the population that uses transit to travel to and from work, proportion of arterial streets without Muni access in the neighborhood, and land area of the neighborhood.

¹¹⁸ Jacobsen PL. Safety in numbers: more walkers and bicyclists, safer walking and bicycling. *Injury Prevention* Sep;9(3):205-9. This relationship between injuries and the proportion walking to work can be summarized with the following equation: % change in injury = (% change in walking)^{0.4}.

¹¹⁹ Department of Parking and Traffic, *San Francisco 2005 Collision Report*, July 19, 2006; Table 6.

¹²⁰ Department of Parking and Traffic, *San Francisco 2005 Collision Report*, July 19, 2006; Figures 3 and 4.

¹²¹ LaScala, EA, Gerber D, and Gruenewald PJ, Demographic and environmental correlates of pedestrian injury collisions: a spatial analysis. *Accident Analysis & Prevention* 2000 (32): 651-658.

¹²² Units that do not have access to at least one automobile tend to be more reliant on pedestrian travel.

Based on this model, DPH projects that the number of pedestrian injury collisions in the project area could increase, from 2000 conditions, by between 14 and 24 percent by 2025 with implementation of the proposed rezoning and community plans (under Option B). The greatest percentage increase would be in the Central Waterfront (24 percent), largely because of the relatively few existing accidents, while the smallest percentage increase would be in the Mission (14 percent), which would also see the smallest relative increase in population because this neighborhood has the largest existing population. The rate of increase in Showplace Square/Potrero Hill would be 21 percent, and in East SoMa it would be 20 percent. For the Eastern Neighborhoods as a whole, the predicted increase in pedestrian injury accidents under Option B, according to the DPH model, would be 17 percent, or essentially the same as the 16 percent increase in residential population under Option B.

Under current conditions, all neighborhoods affected by neighborhood plans currently have high annual population-based rates of pedestrian injury collisions (ranging from 170 per 100,000 residents in the Central Waterfront, to 410 per 100,000 in East SoMa – compared to a much lower citywide average rate of 100 per 100,000 residents. Based on the DPH model, the number of accidents involving pedestrian injury would increase throughout the project area. This result is consistent with what would be anticipated with an increase in both vehicle traffic and population (and thus residents) throughout the study area. The outcome predicted by the DPH model may, however, be tempered by the influence of “safety in numbers” in a number of the Eastern Neighborhoods, presently characterized by low volumes of pedestrians in industrial settings, as increases in the numbers of both residents and pedestrians have the effect that drivers exercise more care when they expect to and see many pedestrians than when they see few pedestrians.

As indicated above, the number of pedestrian collisions at an intersection is a function of the traffic volume, travel speed, intersection configuration, traffic control, surrounding land uses, location, and number of pedestrians. The DPH pedestrian injury model is one approach to evaluating pedestrian hazards, and is intended to compliment more traditional methods of pedestrian hazards analysis. The DPH employs a health risk assessment analytic approach to the presentation of existing areawide conditions and the forecasting of areawide trends that focuses on area-level factors such as traffic volumes and population. It differs from the traditional traffic engineering approach to accident analysis, which is focused more closely on specific locations; that is, traffic engineers tend to examine specific locations (generally, intersections) where a relatively large number of accidents are noted and to examine potential operational solutions (e.g., installation of new traffic signals, signal re-timing, sidewalk widening (bulbouts), and the like) in an effort to alleviate site-specific traffic hazards. The traditional approach also goes beyond a simple compilation of accident volumes to include a detailed examination of the causes of accidents at specific locations.

Because the City of San Francisco has not established criterion of significance and has not thoroughly evaluated various analysis tools for pedestrian injury collisions, it cannot be

concluded that the proposed project would result in a significant effect with regard to pedestrian conditions.

East SoMa

Pedestrians

The increase in pedestrian trips is projected to be similar between the rezoning options, with the greatest increase projected to occur under Option C. Including cumulative (2025 No-Project) growth, East SoMa would experience the greatest overall increase in pedestrian trips, from baseline conditions, among the four neighborhoods. Trips to and from transit stops, and to and from parking facilities would result in an increase in pedestrian volumes on the study area sidewalks. Increases in pedestrian volumes would be most noticeable in the immediate vicinity of subsequent individual development projects. Because all three rezoning options would result in an increase in housing units in East SoMa, pedestrian activities during the night-time and overnight hours would be expected to increase, as well.

Since baseline pedestrian volumes within East SoMa are relatively low, the character of interactions between pedestrians and vehicles may change substantially. Currently, there are high volumes of vehicles and relatively high number of collisions between vehicles and pedestrians even though the number of pedestrians is relatively low. With increased residential development, increases in the number of pedestrian would likely outpace the substantial increases in the number of vehicles in the area. For future conditions, the amount of conflicts between pedestrians and vehicles would likely increase, but the presence of increased number of pedestrians may also affect driver behavior. New residential settings coupled with substantial increases in foot traffic may partially offset risks associated with increased pedestrian-vehicle conflicts, as “safety in numbers” causes drivers to expect and adapt to increased interactions with pedestrians. The addition of pedestrian trips associated with the rezoning options would likely change the character of the area’s pedestrian environment, but would not be expected to significantly affect baseline pedestrian conditions. While the addition of vehicle trips associated with the rezoning options would increase the potential for pedestrian-vehicle conflicts, traffic engineering, pedestrian safety, and traffic calming strategies to enhance pedestrian travel are included in improvement measures in Chapter V. The Draft East SoMa Plan contains objectives and policies that would serve to encourage travel by public transit and other non-auto modes, and enhance pedestrian travel and safety within East SoMa.

Bicycles

Because the baseline bicycle volumes on these routes are relatively low, it is not expected that the added bicycle trips would cause significant bicycle impacts. However, depending on the design of the new development projects, there may be added conflicts with garage access along these bicycle routes.



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

SELECTED PAGES

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

PLANNING CODE SECTION 163 - TRANSPORTATION MANAGEMENT

SEC. 163. TRANSPORTATION MANAGEMENT PROGRAMS AND TRANSPORTATION BROKERAGE SERVICES IN COMMERCIAL AND MIXED USE DISTRICTS.

(a) **Purpose.** This Section is intended to assure that adequate measures are undertaken and maintained to minimize the transportation impacts of added office employment in the downtown and South of Market area, in a manner consistent with the objectives and policies of the General Plan, by **facilitating the effective use of transit, encouraging ridesharing, and employing other practical means to reduce commute travel by single-occupant vehicles.**

(b) **Applicability.** The requirements of this Section apply to any project meeting one of the following conditions:

- (1) In Commercial and Mixed Use Districts, projects where the gross square feet of new construction, conversion, or added floor area for office use equals at least 100,000 square feet;
- (2) In the C-3-O(SD) District, where new construction, conversion, or added floor area for residential use equals at least 100,000 square feet or 100 dwelling units;
- (3) In the C-3-O(SD) District, projects where the gross square feet of new construction or added floor area for any non-residential use equals at least 100,000 square feet; or
- (4) In the case of the SSO, WMUO, or MUO District, where the gross square feet of new, converted or added floor area for office use equals at least 25,000 square feet.

(c) **Requirement.** For all applicable projects, the project sponsor shall be required to provide **on-site transportation brokerage services** for the actual lifetime of the project, as provided in this Subsection. Prior to the issuance of a temporary permit of occupancy (for this purpose Section 149(d) shall apply), the project sponsor shall 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 transportation management program and transportation brokerage services shall be designed:**

- (1) To promote and coordinate effective and efficient use of transit by tenants and their employees, including the **provision of transit information and sale of transit passes on-site;**
- (2) To promote and coordinate **ridesharing activities** for all tenants and their employees within the structure or use;
- (3) To **reduce parking demand** and assure the proper and most efficient use of on-site or off-site parking, where applicable, such that all provided parking conforms with the requirements of Article 1.5 of this Code and project approval requirements;
- (4) To promote and encourage the provision and proliferation of **car-sharing** services convenient to tenants and employees of the subject buildings in addition to those required by Section 166, and to promote and encourage those tenants and their employees to prioritize the use of car-share services for activities that necessitate automobile travel, including the promotion and sale of individual and business memberships in certified car-sharing organizations, as defined by Section 166(b)(2).
- (5) To promote and encourage project occupants to adopt a coordinated **flex-time or staggered work hours** program designed to more evenly distribute the arrival and departure times of employees within normal peak commute periods;
- (6) To participate with other project sponsors in a **network of transportation brokerage services** for the respective downtown, South of Market area, or other area of employment concentration in Mixed Use Districts;
- (7) To carry out other activities determined by the Planning Department to be appropriate to meeting the purpose of this requirement.

Subject: Bicycle fatality - Bryant and Rincon - 10/22/14
From: Sue Hestor <hestor@earthlink.net>
Date: 3/23/2015 8:30 AM
To: hestor <hestor@earthlink.net>

S.F. traffic fatalities dip, but not bad behavior

By Heather Knight
January 9, 2015 Updated: January 10, 2015 5:56pm

MAP OF SF - shows Bicycle fatality - Bryant and Rincon Streets - 10/22/14 - 12:28 pm

Last January, this column proposed a rather modest, practical citywide New Year's resolution: "However you traverse the city's streets — be it in a car, on a bicycle or using your own two feet — calm down. Look around. Pay attention. Be considerate."

After all, 21 pedestrians and four bicyclists were killed on the city's streets in 2013, the highest total since 2001.

So how'd we do? Like probably most resolution makers, the city did a little bit better — but not a whole lot.

In 2014, 17 pedestrians and three bicyclists died, according to the San Francisco Police Department. Nine people on motorcycles or in cars also died.

Last year, we griped about the inconsiderate behavior of all users of our streets where speeding, honking, blowing through red lights and stop signs, swearing, showing off a certain finger, using a cell phone and just being completely oblivious seem increasingly to be the norm.

Police Commander Mikail Ali keeps records of all the traffic collisions and deaths and said the majority of them share something in common.

"A lot of it is just really, really bad behavior," he said.

He said he's been accused of blaming the victim in the cases of those pedestrians and bicyclists who caused their own deaths, but said showing the truth behind these collisions rather than lumping them together as statistics is important.

"If we play this kind of sterile, numbers-only game, people surmise that it's fairly innocuous behavior that's causing these fatalities when in fact it's very clear what the behaviors are," he said. "The hope is that the public will change their behavior voluntarily."

He shared a Police Department list of the circumstances behind each traffic death in San Francisco in 2014, and it's true. The behavior — by drivers, bicyclists and pedestrians alike — is often downright shocking.

The list also makes clear that while many city drivers are awful, the collisions are not only their fault. The Police Department found that in the 17 pedestrian deaths, drivers were responsible for eight and pedestrians were responsible for nine. Bicyclists were responsible in all three instances when they died.

On Jan. 7, 2014, a pedestrian ran "through heavy traffic, zigzagging across six lanes before being struck in the seventh lane," according to the Police Department's description. This was on busy Van Ness Avenue near Grove Street.

On Feb. 20, a pedestrian died on Fillmore Street near California Street when she stepped in front of a motor vehicle momentarily stopped in traffic. "In this case the motor vehicle was a cement truck with a hood that measured 72 inches from the ground. The pedestrian stood 65 inches."

Another pedestrian died on Nov. 3 on Mission Street near 16th Street after the pedestrian "sprinted into the roadway from between two parked curbside vehicles."

EXH 7

Bicyclists, too, took major risks. One was eating as he rode his bike into oncoming traffic. Another was "going fast and lost control of his bicycle" — there was no car involved. A third was speeding downhill, failed to stop at a stop sign and was carrying a water bottle containing alcohol.

None of the three who died were wearing helmets.

Drivers were also at fault, failing to stop for pedestrians in crosswalks, speeding and, on several occasions, fleeing the scene.

Surely the worst behavior of the year in San Francisco traffic was that of 25-year-old Anthony Wisner who, while on a meth-fueled rampage on July 28, police said, committed multiple traffic violations in a stolen Dodge minivan. He then crashed into a taxi, injuring two of its occupants, at Post and Jones streets. The impact sent the vehicles onto a sidewalk where bystanders were struck.

Wisner tried to flee on a Muni bus but was apprehended by police. Zach Watson, a 29-year-old exhibit developer at the Exploratorium who had been walking his bike on the sidewalk, was critically injured and taken off life support a few weeks later. Wisner has been charged with murder and several other felonies.

While it's unlikely that city officials could do anything to prevent some of these terrible events, they have spent 2014 finally coming to grips with all of the deaths happening on city streets after mostly ignoring the problem for years.

In early 2014, the mayor and supervisors adopted a Vision Zero plan that calls for eliminating traffic fatalities by 2024, and Mayor Ed Lee in the fall hired a staff member to focus specifically on reaching that goal.

The San Francisco Municipal Transportation Agency is slowly but steadily making improvements to the city's streets — including installing new stop lights and removing parking spaces at corners to improve visibility. The passage of Proposition A in November to fund street improvements is expected to hasten that process.

The Police Department is issuing more citations for traffic violations, and the Department of Public Health has hired an epidemiologist to aggregate and study all data related to traffic injuries and deaths.

Christine Falvey, spokeswoman for Lee, said that the huge numbers of new jobs and new residents in the city make for more crowded streets — and that the boom in construction projects and people's obsessions with cell phones only exacerbate the problem.

She said better engineering, more enforcement and public education are all key.

"The mayor's not into blaming people, but he wants people to have more of a consciousness on the city streets," she said.

Nicole Schneider, director of Walk San Francisco, which advocates for pedestrians, said she thinks the city is moving in the right direction — but a lot more needs to be done.

"It's more of a priority than it was a year ago," she said, adding that other cities that have adopted Vision Zero are moving much more quickly and making bigger changes, such as New York City's recent change from a 30 mph speed limit to 25 mph.

"When we compare ourselves to New York City, I feel like we haven't done enough," Schneider said.

Ali said all the pieces of Vision Zero are important and that the city is "on the right path." But in the end, he said, people must be a lot more responsible when it comes to protecting their own lives and well-being.

"This is not 'Star Trek,' where some invisible force field is going to be created around people by the likes of city government," he said. "The public has to do its part, and that means adhering to the rules of the road."

He said he hears constantly from people who say that they cross streets against the light or commit otherwise seemingly minor infractions.

"It's kind of like playing Russian roulette," he said. "Eventually something bad does happen."

Heather Knight is a San Francisco Chronicle staff writer who covers City Hall politics. E-mail: hknight@sfgate.com
Twitter: @hknightsf

Subject: Re: California Environmental Quality Act - Exemption Determination Appeal - 340 Bryant Street - Planning Department Appeal Response
From: Henry P Rogers <henryprogers@gmail.com>
Date: 3/16/2015 5:40 PM
CC: "hestor@earthlink.net" <hestor@earthlink.net>, "Givner, Jon (CAT)" <jon.givner@sfgov.org>, "Stacy, Kate (CAT)" <kate.stacy@sfgov.org>, "Byrne, Marlena (CAT)" <marlena.byrne@sfgov.org>, "Sanchez, Scott (CPC)" <scott.sanchez@sfgov.org>, "Jones, Sarah (CPC)" <sarah.b.jones@sfgov.org>, "Rodgers, AnMarie (CPC)" <anmarie.rodders@sfgov.org>, "Starr, Aaron (CPC)" <aaron.starr@sfgov.org>, "Tam, Tina (CPC)" <tina.tam@sfgov.org>, "Jackson, Erika" <erika.jackson@sfgov.org>, "Uchida, Kansai (CPC)" <kansai.uchida@sfgov.org>, "Ionin, Jonas (CPC)" <jonas.ionin@sfgov.org>, "jkevin@reubenlaw.com" <jkevin@reubenlaw.com>, BOS-Supervisors <bos-supervisors@sfgov.org>, BOS-Legislative Aides <bos-legislative_aides@sfgov.org>, "Goldstein, Cynthia (PAB)" <cynthia.goldstein@sfgov.org>, "Pacheco, Victor (PAB)" <victor.pacheco@sfgov.org>, "Calvillo, Angela (BOS)" <angela.calvillo@sfgov.org>, "Caldeira, Rick (BOS)" <rick.caldeira@sfgov.org>, "Somera, Alisa (BOS)" <alisa.somera@sfgov.org>, "Carroll, John (BOS)" <john.carroll@sfgov.org>, Sunny Angulo <sunny.angulo@sfgov.org>, Jane Kim <Jane.Kim@sfgov.org>
To: "BOS Legislation (BOS)" <bos.legislation@sfgov.org>

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

EXH B

Subject: Re: California Environmental Quality Act - Exemption Determination Appeal - 340 Bryant Street - Planning Department Appeal Response
From: Jim Lauer <jim@lauerjohnson.com>
Date: 3/16/2015 6:54 PM
CC: "BOS Legislation (BOS)" <bos.legislation@sfgov.org>, "hestor@earthlink.net" <hestor@earthlink.net>, "Givner, Jon (CAT)" <jon.givner@sfgov.org>, "Stacy, Kate (CAT)" <kate.stacy@sfgov.org>, "Byrne, Marlana (CAT)" <marlena.byrne@sfgov.org>, "Sanchez, Scott (CPC)" <scott.sanchez@sfgov.org>, "Jones, Sarah (CPC)" <sarah.b.jones@sfgov.org>, "Rodgers, AnMarie (CPC)" <anmarie.rodgers@sfgov.org>, "Starr, Aaron (CPC)" <aaron.starr@sfgov.org>, "Tam, Tina (CPC)" <tina.tam@sfgov.org>, "Jackson, Erika" <erika.jackson@sfgov.org>, "Uchida, Kansai (CPC)" <kansai.uchida@sfgov.org>, "Ionin, Jonas (CPC)" <jonas.ionin@sfgov.org>, "jkevin@reubenlaw.com" <jkevin@reubenlaw.com>, BOS-Supervisors <bos-supervisors@sfgov.org>, BOS-Legislative Aides <bos-legislative_aides@sfgov.org>, "Goldstein, Cynthia (PAB)" <cynthia.goldstein@sfgov.org>, "Pacheco, Victor (PAB)" <victor.pacheco@sfgov.org>, "Calvillo, Angela (BOS)" <angela.calvillo@sfgov.org>, "Caldeira, Rick (BOS)" <rick.caldeira@sfgov.org>, "Somera, Alisa (BOS)" <alisa.somera@sfgov.org>, "Carroll, John (BOS)" <john.carroll@sfgov.org>, Sunny Angulo <sunny.angulo@sfgov.org>, Jane Kim <Jane.Kim@sfgov.org>
To: Henry P Rogers <henryprogers@gmail.com>

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 of 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.

EXH 9

March 23, 2015

RE: 340 Bryant Street; Board of Supervisors File No. 150171

Dear Ms Lamug, The Board of Supervisors and San Francisco Planning Department,

I have been in a unique position to see the changes occurring at the Second and Bryant street area. I am not a resident, but I am a full-time employee at Management Practices Group which is in the 355 Bryant Building. I have watched 340 Bryant Street go from an industrial space which the tenants seemed to not have a lot of traffic going in and out of the building, to its current build out. When I saw action starting on the build out, my hope was it was being outfitted for some manufacturing because there is ABSOLUTELY NO WAY 165 plus people could get into and out of that building to not only go to work, but also for breaks, lunch, and running errands without it causing great problems. Those problems include traffic backing up for blocks all around the building, pedestrian/vehicle accidents, increase of noise pollution as more people honk at those crossing what I would call an ill-conceived cross walk and most air pollution as cars will need to be stopped at the onramp for a longer time period.

Let me first address the figure of workers in the building, because I think this is a huge issue. The report figured 276 - 288 sq ft. per worker to come up with approximately 165 workers being in the space. This number does not reflect what is industry standard nor the trends that are happening in SF and in the tech community. According to the CCIM Institute (a commercial real estate member organization) "in last year's CoreNet Global survey, corporate executives indicated they expect to reduce the amount of space they lease in the next five years to less than 100 sf of dedicated space per worker." - See more at: <http://www.ccim.com/cire-magazine/articles/310928/2013/05/how-much-space-do-we-need#sthash.DKr9wZuB.dpuf> . Although, this might seem a bit overinflated, it is common knowledge that Facebook has historically figured 125 sq.ft. per employee and other tech firms often look at 100-150 sq. ft. per. According to Felipe Gomez-Kraus, Vice President at CBRE - the world's largest commercial real estate services firm these lower figure are reasonable numbers. <http://www.hustlex.com/how-much-space-does-a-startup-need-for-an-office/> Even using 200 sq. ft. per person (which is more in keeping with Microsoft and Apple's figures) will lead to 238 employees. I do not think the companies that rent this space, will go against this trend, as they would not be able to compete with those companies that are following the numbers which are the norm today. It is fair considering the above, to figure closer to 250-300 people will be working in this building when it is fully leased out.

Now to get to the site itself: It is my understanding details such as the topography were left off of the planning map which would illustrate the true nature of the site. There is no way the planning department, unless they went and physically looked at the site, could see how flawed this project is in relation to traffic and pedestrian/vehicle traffic. This specific buildings inhabitants would back up traffic in SF for blocks upon blocks during time periods that traffic is already horrible. The impact will be felt all the way down to 4th street during commute time and I am uncertain how badly it will back up in the financial district if a cross walk and light must be put at Rincon. There is absolutely no question, after watching how people get onto the LAST bay bridge on ramp, and one that was impacted before all the new growth in the area, that 340 Bryant will impact the traffic for blocks. As it is now, from 2:30pm to 3:30pm the traffic gets blocked at 2nd street and extends down to 3rd street. It has been such a big issue, the City has spent a lot of time and money trying to figure out what to do with that intersection. Imagine what will happen when those who work (165-300 people) at the 340 Bryant office try to leave the building, crossing at the 3 lane on ramp. (Note: it is three lanes merging to two, however, often there are 5 vehicles that are trying to merge into those two lanes. Two lanes coming across 2nd street up to the on-ramp, one lane coming from the other direction; you must add the motorcycles that then zoom and weave in and out of traffic which often add another vehicle to the mix not including those cars and trucks that decide to, at the last minute, to cut in line by using the

EXH 10

triangle area that cars are not supposed to use. At times this creates 5 vehicles all trying for those two lanes at the "imaginary cross walk". I have seen near misses of pedestrians as one car driver waves a walker along, but does not realize someone is zooming, illegally, in a non-lane. I personally, have been honked and yelled at when trying to cross there.) As for people trying to cross at Rincon, they will cross on the side closest to 2nd street. This is at a BLIND HILL, where few stop because they cannot see anyone who is at the top. Pedestrians cannot see cars coming up the hill until it is too late. I use to park on Rincon and would try to cross there. It was a harrowing experience so I would walk down a bit and jaywalk so at least someone would have a chance at seeing me. It is worthy to also note, the speed limit approaching the bridge, from both directions, is often violated as people are picking up speed as they seem to think the approach is part of the onramp itself.

There is no parking at the building and parking in the area is pretty much at capacity. On Giants game days, the lack of parking sends people up Rincon, making uturns, going down Bryant and once realizing it is a one way, making an illegal u-turn in the above referenced triangle at the on-ramp. Add to this 165 people, and most likely up to double that amount of people, entering and leaving the building at least 3-4 times a day (coming/leaving work, lunch and breaks). You are creating a perfect storm which the City has been trying to avoid with all of its planning for bike lanes up 2nd, pedestrian plans for 2nd, and getting cars not to block intersections. All of those efforts, years of planning and money spent will be wasted if this building is allowed to go to office space. 340 Bryant was never intended for any other usage due to its placement in relation to the last bay bridge on-ramp.

Please do not allow the planners, who are paid for by the developers, get away with this deceptive plan. To ignore the access and egress for this building and how it will impact this entire region would be an error of the planning department. I can see it being costly for the City to add stop lights and more police to enforce vehicle code violations. Not to mention, it makes the research and plans for the above mentioned 2nd street projects no longer valid. But most importantly, the future legal ramifications for the City might be very costly as it will suffer the consequences defending civil suits from vehicle/pedestrian accidents, which the plaintiffs will claim San Francisco did not protect the public from the dangerous corner (actually, freeway onramp), and had previous knowledge on how dangerous that corner is, which the City is now fully aware of.

Thank you,

~Theresa Sawyer Schreiber
Business Manager/Paralegal
355 Bryant Street #207
San Francisco, CA 94107
925-788-6586 (cell)
415-268-0130 (office)

Subject: 340 Bryant observe WED pm peak - day and time EIR traffic studies measure

From: hestor@earthlink.net

Date: 3/4/2015 8:18 PM

To: "Sue Hestor" <hestor@earthlink.net>

Setting:

One HOV lane WESTbound on Bryant.. Drivers coming up hill from Beale.

TWO HOV lanes EASTbound on Bryant from 2nd St/Bryant traffic light. WESTbound lanes loop around 340 Bryant bldg.

All 3 HOV lanes merge onto Sterling St - the west boundary of 340 Bryant St lot. The merged lane/s loop around west and northwest edge of lot heading up grade to single lane on Bay Bridge.

OBSERVATION POINT:

Parked on west side of Bryant directly opposite Sterling Street merger of 3 HOV lanes. Have view in both directions of Bryant. Start just before 4:30 PST.

4:20 - glare in WESTbound Bryant opposite east end of 340 bldg. Drivers squinting because of sun in eyes - couldn't see peds if they were there in crosswalk. Glare patch of sunlight on Bryant about 15-20 minutes around 4:30. One HOV lane Westbound. Drivers coming up hill.

Motorcycle parking at curve where westbound cars - drivers walk thru traffic, mount Motorcycle and go directly onto Bridge

Two HOV lanes EASTbound on to Bridge on Bryant. Used by cars and VERY large trucks and busses EASTBOUND onto Bridge - take WIDE turn creating 3 lanes merging into one WEST bound onto bridge.

NO lighting outside 340 Bryant bldg on actual Bryant street/r-o-w- Very dark - couldn't see peds if they were there.

Almost no one crosses Sterling on north side of Bryant at curve onto Bridge west to east - crazy skate-boarder exception. Twice.

One bicyclist leaves parking lot and crosses traffic on bike.

WESTbound traffic really picks up around 4:50 and is steady no spacing until ...

Hwy Patrol Emergency w/ flasher works way thru jam onto Bridge.

Lot of motorcycles EASTbound onto bridge.

Only saw cars on WEST bound lane - no bug, no trucks + Brinks

Solid heavy flow from EAST bound before 5:15, after steady and SLOW but not as heavy.

A lot of illegal "create 3rd lane" traffic swinging into and confronting cars in SOLE WESTbound lane

Quite a few peds on sidewalks on south side of Bryant - walking uphill (home f "Fin Dist")

Intermittent heavy EASTbound NON-HOV traffic.

At least 3 autos do U turns in area across f 340 bldg - most go EAST down Bryant.

Peds who cross near bldg RUN thru cars.

EXH II

At 6:50 traffic heavy and crawling. Not as slow merging onto bridge as it was around 5.

Car parked in west area of 340 bldg - driver gets in car, drives thru gate in fence and heads EAST on Bryant

HOV lane ends at 7 pm - traffic still thick EASTbound onto Bridge. AND WESTbound. Regular Bryant St EASTbound traffic pretty fast.

Bicycle heading EAST down hill - very dark no real light to see him.

EASTbound traffic thinning out from west of 3rd St. Doesn't seem to be backed behind traffic light - unlike before. Still solid line heading WEST from Beale. 7pm

Just saw first BUS using WESTbound HOV lane onto bridge - 7:03

Just saw Emerg vehicle come up WESTbound Bryant onto Bridge - 7:09.

A THIRD Hwy Patrol car at 7:20 - into position facing EASTbound right next to (but not on) Bridge.

More busses going onto Bridge - EASTbound HOV lanes.

RAPID (speeding) truck heading in regular lane EASTbound on Bryant down hill towards Beale. 7:25

Still heavy, steady flow of traffic up hill from BEALE in HOV WESTbound lane onto Bridge. 7:30.

Increasing traffic on Bryant in non-HOV lane heading east. No break in EASTbound traffic onto Bridge. Even more traffic - it has really picked up at 7:39. No break in HOV lanes in either direction onto Bridge.

Traffic heading for Bridge backed up on far side of 2nd St intersection at 7:45. Three busses coming in WESTbound lane from Beale onto Bridge. Solid lanes EASTbound. Traffic in non-HOV lanes eastbound on Bryant both heavier AND faster. 7:47.

Car heading east on Bryant forces way through HOV lane to park in lot behind 340. Driver parks, walks thru HOV lanes and heads west. 7:55.

Traffic fast but kind of free-flowing in both EASTbound and WESTbound HOV lanes onto bridge. No backups. 8:15 - has been like this for past 10 minutes.
Sent from my BlackBerry® smartphone, powered by CREDO Mobile.

Subject: Traffic 340 bryant Wed 3/18 PDT
From: hestor@earthlink.net
Date: 3/18/2015 6:12 PM
To: "Sue Hestor" <hestor@earthlink.net>

4:35 sunlight coming down to where 340 bldg bends. Glares starts there. Sun to west goes all way back past 2nd Street

Traffic rolling west bound - slower eastbound. No crosswalk across Bryant.

A lot of non-HOV cars.

Steadt rolling cars. Light eastbound traffic on Bryant. Picking up at 4:45. Car coming f pkg lot into Westbound HOV onto Bridge.

Busses onto bridge from west on Bryant. Truck coming up hill to east heading for bridge. Sunlight flowing from west onto Bryant past 2nd Street to pylon opposite.

Hwy Patrol motorcycle pulling over car coming EAST from 2nd St.

Solid line of cars coming up hill WEST from Beale. Meeting solid lines of cars coming EAST to merge at Sterling.

No peds have crossed Bryant in past 15 minutes. Ped walking along Bryant on north side into Caltrans lot.

WESTbound traffic slow but steady creeping up hill.

Eastbound traffic on Bryant picks up. 4:55. Peds walking west up Bryant on south sidewalk.

Series of EASTbound busses coming onto Bridge. Traffic moving faster.

Motorcycle Hwy Patrol comes up hill to merge. WESTbound traffic moving faster. 5:05.

Still sunlight coming down Bryant Street . Hits eyes of WESTbound drivers just at 340. Traffic speed has increased a little - both directions.

Ped crossing Bryant south to north past Rincon - cars parked there.

More peds on southern sidewalk.

EASTbound car flow temp stopped. WESTbound still steady. Car speed EASTbound past HOV turn picking up - volume and speed. EASTbound bikes. 5:15

Only one EASTbound HOV - just disappeared, then moving a little faster. Steady pace of WESTbound cars up hill to get onto bridge.

Traffic heading east speeding on Bryant.

SFPD patrol car pulling over WESTbound truck w/only one in car. Motorcycles heading onto bridge from both directions.

2 cars in row w/only driver go from WESTbound HOV onto bridge. More sole drivers.

Another motorcycle Hwy Patrol into merge. 5:30. More sole drivers. Just noticed sticker on sole driver - HOV Ok because Hybrid.

Another sole driver pulled over by SFPD. 5:35. Steady stream of WESTbound cars coming up the hill.

EXW 12

Sole drivers looking over at SFPD and pulled over driver.

More fast traffic eastbound on Bryant heading down the hill.

Sole drivers noticing SFPD car. Traffic heavier WESTbound than heading EAST.

SFPD on north side of Bryant scanning cars coming up hill. People waving at cops.

No EASTbound traffic until light change. WEST still steady. Fast traffic heading east past 2nd. SFPD heads down hill. 5:45.

Sole drivers w/o sticker still at least 10%.

Another solo driver popped by SFPD. 5:50.

Heavy speeding traffic heading EAST + Hwy Patrol motorcycle, going around corner south on Rincon.

Solid line of WESTbound cars coming up hill.

Sun down Bryant disappeared about 10-15 min ago. 5:50. But streak of sunlight 15' wide from east end of 340 bldg across Bryant. Fast motorcycle heading east on Bryant.

Line of cars coming WEST up hill. Ticketed sole driver gets to go directly onto bridge.

SFPD squad car still here - appears to be getting into position again.

Another motorcycle cop heading EAST.

Line of WESTbound cars hasn't let up BUT going a little faster. 6:05

Fast traffic heading east down Bryant. Fast traffic WESTbound up the hill. Cars heading EASTbound onto Bridge fast. Ditto WESTbound. No slowups BUT fast traffic onto Bridge from both directions AND eastbound on Bryant. 6:10

Sent from my BlackBerry® smartphone, powered by CREDO Mobile.

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EDITORIAL *On Pedestrian Safety*

The city's dangerous streets

Within one day this week, San Francisco got a sampling of the dangers and solutions to its traffic-clogged streets. An 87-year man crossing ever-busy Geary Boulevard in the Richmond District was struck and killed, a fatal mishap followed the next day by Mayor Ed Lee pushing a painting machine to put down safety stripes on another Geary crosswalk.

The death underlines the familiar results when drivers and pedestrians face off on the city's wide, bustling streets. The fatality, though, was only the first of the year, and comes at a turning-point moment for residents, traffic planners and lawmakers all wondering just how far to go to make streets safer.

Officially these groups are on the same page. In November, voters approved a \$500 million bond measure with a major slice going to street safety touches ranging from traffic lights

to curb extensions. On the same ballot, a plan to kill transit policies targeting private vehicles was shot down.

Already the first steps are there to see. There are red-painted Muni-only lanes on Market and other streets. Curb bulbs to highlight crosswalks are going in at dozens of corners. Speed limits are dropping near schools and along speedster allies including Sunset Boulevard, where past fatal accidents have occurred.

The goal couldn't be



Sophia Germer / The Chronicle

Pedestrians cross San Francisco's Polk Street.

clearer. Pedestrians, buses and walkers will benefit over drivers, who will have to slow down and watch where they're going. Already, the mayor's office says police are writing 50 percent more traffic tickets, and, yes, bike riders are

getting their share.

Backers of the street safety plan known as Vision Zero want even more. Nicole Schneider, executive director of Walk SF, says the plan's goal of no pedestrian deaths by 2024 needs serious enforcement. The

city may have the money to improve its streets, but it needs the right attitude, she notes. A go-slow warning sign should be upgraded to a blinking warning light, she suggested as an example of how to strengthen the message.

This push may not come easy. Polk Street merchants are upset over plans to chop off parking slots for a bike lane. Drivers still puzzle over the thicket of plastic stanchions protecting bike riders and leave tire marks on traffic islands that have sprouted recently. It's a learning journey behind the wheel.

But San Francisco is headed in a promising direction. Its crowded, dangerous streets are getting attention at last, and that should make everyone safer.

51 nra