



SAN FRANCISCO PLANNING DEPARTMENT

Executive Summary Conditional Use Authorization & Office Development Authorization

HEARING DATE: OCTOBER 24, 2013

Date: October 17, 2013
Case No.: **2013.0226BC**
Project Address: **665 3rd Street**
Zoning: SLI (Service/Light Industrial) Zoning District
South End Landmark District
65-X Height and Bulk District
Block/Lot: 3788/013
Project Sponsor: James Schafer
665 Third Street Associates
3 Elm Avenue
Kentfield, CA 94904
Staff Contact: Richard Sucre – (415) 575-9108
richard.sucre@sfgov.org
Recommendation: **Approval with Conditions**

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PROJECT DESCRIPTION

The proposed project is a change in use of up to 123,700 gsf from printing use (PDR-Production, Distribution and Repair) to office use. The proposed project would retain approximately 3,800 gsf of PDR use.

As outlined in Planning Code Section 803.9(a), the Project Sponsor created a Historic Building Maintenance Plan (HBMP) to assist in the feasibility of preserving the historic resource and justify the conversion to office use. To further support the preservation of the subject building, the HBMP outlines a maintenance and restoration program for: regular cyclical maintenance; repair of the roof, windows, exterior paint, and signage; and, restoration of the ground floor windows.

SITE DESCRIPTION AND PRESENT USE

The proposed project is located on a generally rectangular lot (measuring approximately 150-ft by 160-ft for a lot area of 24,430± sq ft) on the east side of 3rd Street between Brannan and Townsend Streets. Currently, the subject lot contains a five-story reinforced concrete light industrial property. Originally constructed in 1916, 665 3rd Street was designed for the M.J. Brandenstein Co. by noted architect, G. Albert Langsburgh, and builder, George Wagner. The building features a concrete foundation, reinforced concrete walls, a stucco exterior, steel-sash industrial windows, and a tabbed parapet and cornice. The property is a contributing resource to the South End Historic District, which is listed in Article 10 of the San Francisco Planning Code.

SURROUNDING PROPERTIES AND NEIGHBORHOOD

The project site is located in the SLI (Service/Light Industrial) Zoning District along a largely commercial corridor within the East SoMA Area Plan and is approximately one block south of South Park. The immediate neighborhood consists of two- to-six-story tall, older brick or reinforced-concrete warehouses (largely converted into office or commercial space). Other properties in the area are residential, commercial or light industrial in nature. To the north of the project site is a narrow two-story commercial building and an older four-story former brick warehouse (now office), while to the south is a similar five-story reinforced concrete former warehouse and a smaller two-story commercial building. Other zoning districts in the vicinity of the project site include: MUO (Mixed Use Office); SPD (South Park District); and, MB-RA (Mission Bay South Redevelopment Plan).

ENVIRONMENTAL REVIEW

The Project is exempt from the California Environmental Quality Act (“CEQA”) as a Class 1 Categorical Exemption.

HEARING NOTIFICATION

TYPE	REQUIRED PERIOD	REQUIRED NOTICE DATE	ACTUAL NOTICE DATE	ACTUAL PERIOD
Classified News Ad	20 days	October 4, 2013	October 2, 2013	22 days
Posted Notice	20 days	October 4, 2013	October 4, 2013	20 days
Mailed Notice	20 days	October 4, 2013	October 4, 2013	20 days

The proposal does not require Section 312 Neighborhood notification, since the subject property is located within the SLI Zoning District.

PUBLIC COMMENT

As of October 17, 2013, the Department has received one inquiry regarding the proposal. This correspondence has not expressed either support or opposition to the proposed project; rather, this correspondence expressed concern over the environmental review and the release of the staff case report.

ISSUES AND OTHER CONSIDERATIONS

- General Plan: The Urban Design Element of the General Plan contains objectives and policies, which encourage the retention and reuse of notable landmarks and areas of historic, architectural, or aesthetic value. The proposal would retain and reuse an existing historic resource with a compatible new use.
- East SoMa Plan: The Land Use Chapter of the East SoMa (South of Market) Area Plan contains objectives and policies that encourage the retention of smaller-scale, flexible office spaces throughout East SoMa. Although the East SoMa Area Plan did not revise the land use controls for the SLI Zoning District, the plan does permit limited office space throughout East SoMa, in order to support a flexible space for all types of office users. The proposal would establish new

office use within a landmark property. This office use would be consistent with the immediate area’s mixed use character, and would promote a flexible space for all types of office users.

- Preservation of Historic Buildings within South of Market Mixed Use Districts: The subject building is able to use Planning Code Section 803.9(a), since the subject building is a contributing resource to the South End Historic District (which is locally designated as noted in Article 10 of the San Francisco Planning Code) and is located outside of the SSO (Service/Secondary Office) Zoning District, and since the proposal would include an aggregate gross square footage in excess of 25,000 gsf.
- Historic Preservation Commission: The Project was reviewed by the Historic Preservation Commission (HPC) on October 2, 2013. The HPC determined that the proposed project would enhance the feasibility of preserving the existing building, as noted in HPC Resolution No. 0713.
- Office Development Authorization: The Project would change the use of up to 123,700 gsf of printing use to office use. Within the SLI (Service/Light Industrial) Zoning District, office use is only permitted within landmark properties, pursuant to Planning Code Section 803.9(a) and 817.48. As of October 17, 2013, there is approximately 2.4 million square feet of “Large” Cap Office Development available under the Section 321 office allocation program.
- Existing Office Use: As noted by the Project Sponsor, 665 3rd Street has been in use as offices, since at least 2007. In January 2012, the Project Sponsor applied for legitimization pursuant to Planning Code Section 179.1. Based upon correspondence with the Department, the project was determined ineligible for legitimization. Subsequently in February 2013, the Project Sponsor filed a Conditional Use Authorization and Office Development Authorization to legalize the existing office space, pursuant to Planning Code Section 303, 321, 803.9(a), and 817.48.
- Development Impact Fees: The Project would be subject to the following development impact fees, which are estimated as follows:

FEE TYPE	PLANNING CODE SECTION/FEE	AMOUNT
Transit Impact Development Fee (123,700 gsf – Change In Use from PDR to Office)	411 (@ \$5.84)	\$ 722,408
Jobs-Housing Linkage (123,700 gsf – Change in Use from PDR to Office)	413 (@ \$6.72)	\$831,264
Child Care Development In-Lieu Fee (123,700 gsf – New Office Development)	414 (@ \$1.11)	\$137,307
Eastern Neighborhoods Impact Fee (Tier 1-Change In Use from PDR to Non-Residential - 123,700 gsf)	423 (@ \$3.32)	\$410,684
Alternative Means of Satisfying Open Space Requirement in SoMa Mixed-Use Districts (Approx. 1,374 sq ft of open space required for 123,700 of office use)	425 (@ \$0.88)	\$1,209
Bicycle Parking In-Lieu Fee - (4) Four Required Class 2 Bicycle Parking Spaces)	430 (@ \$400 per Class 2 space)	\$1,600
	TOTAL	\$2,104,472

Please note that these fees are subject to change between Planning Commission approval and approval of the associated Building Permit Application, as based upon the annual updates managed by the Development Impact Fee Unit of the Department of Building Inspection.

REQUIRED COMMISSION ACTION

In order for the project to proceed, the Commission must grant Conditional Use Authorization to allow office use (up to 123,700 gsf) within the SLI Zoning District, pursuant to Planning Code Sections 303, 803.9(a), and 817.48.

In addition, the Commission must authorize an Office Development Authorization of up to 123,700 gsf of office space pursuant to Planning Code Section 321.

BASIS FOR RECOMMENDATION

- The Project maintains and promotes office use, which is encouraged throughout the East SoMa area of the City.
- The Project would be consistent with the historic character of the immediate neighborhood, would be consistent with the uses found within the immediate vicinity, and would assist in maintaining the area's diverse economic base.
- The Project meets all applicable requirements of the Planning Code.
- The Project is desirable for, and compatible with the surrounding neighborhood.
- The Project has the support of the Historic Preservation Commission, as documented in HPC Resolution No. 0713.
- The Project represents an allocation of approximately five percent of the large cap office space currently available for allocation.
- The authorization of the office space will allow for new businesses in the area, which will contribute to the economic activity in the neighborhood.
- At current rates, the project will produce approximately \$2,104,472 in fees that will benefit the community and City.

RECOMMENDATION: Approval with Conditions
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Attachments:

Draft Motions

Exhibits:

- Parcel Map
- Sanborn Map
- Zoning Map
- Aerial Photos

- Site Photos

Architectural Drawings:

- Historic Building Maintenance Plan
- Floor Plans
- Elevations

Historic Preservation Commission Resolution No. 0713

Public Correspondence

Attachment Checklist

- | | |
|---|---|
| <input checked="" type="checkbox"/> Executive Summary | <input checked="" type="checkbox"/> Project sponsor submittal |
| <input checked="" type="checkbox"/> Draft Motion | Drawings: <u>Existing Conditions</u> |
| <input type="checkbox"/> Environmental Determination | <input checked="" type="checkbox"/> Check for legibility |
| <input checked="" type="checkbox"/> Zoning District Map | Drawings: <u>Proposed Project</u> |
| <input checked="" type="checkbox"/> Height & Bulk Map | <input checked="" type="checkbox"/> Check for legibility |
| <input checked="" type="checkbox"/> Parcel Map | <input type="checkbox"/> Health Dept. Review of RF levels |
| <input checked="" type="checkbox"/> Sanborn Map | <input type="checkbox"/> RF Report |
| <input checked="" type="checkbox"/> Aerial Photo | <input type="checkbox"/> Community Meeting Notice |
| <input type="checkbox"/> Context Photos | <input type="checkbox"/> Inclusionary Affordable Housing Program:
Affidavit for Compliance |
| <input checked="" type="checkbox"/> Site Photos | |

Exhibits above marked with an "X" are included in this packet

RS_____

Planner's Initials

RS: G:\Documents\Conditional Use Authorization\2013.0226C 665 3rd St\ExecutiveSummary_665 3rd St.doc



SAN FRANCISCO PLANNING DEPARTMENT

Subject to: (Select only if applicable)

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

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Planning Commission Draft Motion

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Recommendation: **Approval with Conditions**

ADOPTING FINDINGS RELATING TO THE APPROVAL OF CONDITIONAL USE AUTHORIZATION PURSUANT TO SECTIONS 303, 803.9(A), AND 817.48 OF THE PLANNING CODE TO CONVERT UP TO 123,700 GSF OF PDR USE TO OFFICE USE AT 665 3RD STREET, LOT 041 IN ASSESSOR'S BLOCK 3788 WITHIN THE SLI (SERVICE/LIGHT INDUSTRIAL) DISTRICT, SOUTH END LANDMARK DISTRICT, AND A 65-X HEIGHT AND BULK DISTRICT.

PREAMBLE

On February 28, 2013, Caroline Guibert of Coblenz, Patch, Duffy and Bass, LLP (hereinafter "Project Sponsor"), on behalf of James Schafer of 665 Third Street Associates (Property Owner) filed an application with the Planning Department (hereinafter "Department") for Conditional Use Authorization under Planning Code Sections 303 and 803.9(a) of the Planning Code to change the use of up to 123,700 gsf of PDR space to office use within the SLI (Service/Light Industrial) Zoning District, South End Landmark District, and a 65-X Height and Bulk District.

On October 2, 2013, the San Francisco Historic Preservation Commission conducted a duly noticed public hearing at a regularly scheduled meeting on Conditional Use Application No. 2013.0226C, in order to provide a recommendation to the San Francisco Planning Commission on the project's feasibility to

preserve the subject building. The HPC determined that the proposed project would enhance the feasibility of preserving the existing building, as noted in HPC Resolution No. 0713.

On October 24, 2013, the San Francisco Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting on Conditional Use Application No. 2013.0226C.

The project is exempt from the California Environmental Quality Act ("CEQA") as a Class 1 Categorical Exemption.

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

MOVED, that the Commission hereby authorizes the Conditional Use requested in Application No. 2013.0226C, subject to the conditions contained in "EXHIBIT A" of this motion, based on the following findings:

FINDINGS

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

1. The above recitals are accurate and constitute findings of this Commission.
2. **Site Description and Present Use.** The proposed project is located on a generally rectangular lot (measuring approximately 150-ft by 160-ft for a lot area of 24,430± sq ft) on the east side of 3rd Street between Brannan and Townsend Streets. Currently, the subject lot contains a five-story reinforced concrete light industrial building. Originally constructed in 1916, 665 3rd Street was designed for the M.J. Brandenstein Co. by noted architect, G. Albert Langsburgh, and builder, George Wagner. The building features a concrete foundation, reinforced concrete walls, a stucco exterior, steel-sash industrial windows, and a tabbed parapet and cornice. The property is a contributing resource to the South End Historic District, which is listed in Article 10 of the San Francisco Planning Code.
3. **Surrounding Properties and Neighborhood.** The project site is located in the SLI (Service/Light Industrial) Zoning District along a largely commercial corridor within the East SoMA Area Plan and is approximately one block south of South Park. The immediate neighborhood consists of two- to six-story tall, older brick or reinforced-concrete warehouses (largely converted into office or commercial space). Other properties in the area are residential, commercial or light industrial in nature. To the north of the project site is a narrow two-story commercial building and an older four-story former brick warehouse (now office), while to the south is a similar five-story reinforced concrete former warehouse and a smaller two-story commercial building. Other zoning districts in the vicinity of the project site include: MUO (Mixed Use Office); SPD (South Park District); and, MB-RA (Mission Bay South Redevelopment Plan).

4. **Project Description.** The proposed project is a change in use of up to 123,700 gsf from printing use (PDR-Production, Distribution and Repair) to office use. The proposed project would retain approximately 3,800 gsf of PDR use.

As outlined in Planning Code Section 803.9(a), the Project Sponsor created a Historic Building Maintenance Plan (HBMP) to assist in the feasibility of preserving the historic resource and justify the conversion to office use. To further support the preservation of the subject building, the HBMP outlines a maintenance and restoration program for: regular cyclical maintenance; repair of the roof, windows, exterior paint, and signage; and, restoration of the ground floor windows.

5. **Public Comment.** The Department has received one correspondence regarding the proposal. This correspondence has not expressed either support or opposition to the proposed project; rather, this correspondence expressed concern over the environmental review and the release of the staff case report.
6. **Planning Code Compliance:** The Commission finds that the Project is consistent with the relevant provisions of the Planning Code in the following manner:

A. **Commercial Uses in Mixed Use Districts.** Planning Code Section 803.9(a) states that any use which is permitted as a principal or conditional use within the SSO (Service/Secondary Office) Zoning District, excluding nighttime entertainment, may be permitted as a conditional use in "a contributory building which is proposed for conversion to office use of an aggregate gross square footage of 25,000 or more per building and which is located outside the SSO District yet within a designated historic district." For all such buildings the following conditions shall apply:

- (1) the provisions of Sections 316 through 318 of this Code must be met;
- (2) in addition to the conditional use criteria set out in Sections 303(c)(6) and 316 through 316.8, it must be determined that allowing the use will enhance the feasibility of preserving the landmark, significant or contributory building; and
- (3) the landmark, significant or contributory building will be made to conform with the San Francisco Building Code standards for seismic loads and forces which are in effect at the time of the application for conversion of use.

665 3rd Street is a contributing resource to the South End Landmark District, which is listed in Article 10 of the San Francisco Planning Code. It is located within the SLI Zoning District, which is outside of the SSO (Service/Secondary Office) Zoning District, and includes a proposal which will result in a conversion to office use of an aggregate gross floor area in excess of 25,000 sf.

Further, the proposal has been reviewed by the Historic Preservation Commission on December 7, 2011, and was determined to enhance the feasibility of preserving the subject building, as documented in HPC Resolution No. 0713.

- B. **Useable Open Space.** Planning Code Section 135.3 states that 1 sq. ft. per 90 sq. ft. of occupied floor area of new, converted or added square footage will be required for office uses, as defined in Planning Code Section 890.70, in South of Market Mixed Use Districts.

The Project is required to provide 1,374 sq ft of useable open space for the 123,700 gsf of new office use. Pursuant to Planning Code Section 425, the proposed project will apply for a waiver authorized by the Zoning Administrator, and will provide a payment to the Open Space Fund.

- C. **Off-Street Parking.** Within the SLI Zoning District (which is part of the SOMA Mixed Use Districts), Planning Code Section 151.1 states there is no required off-street parking.

Currently, the subject building does not possess any off-street parking spaces. As a contributing resource to a designated local historic district listed in Article 10 of the San Francisco Planning Code, there is no minimum off-street parking requirement for the subject building, per Planning Code Section 161(k).

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

As a contributing resource to a designated local historic district listed in Article 10 of the San Francisco Planning Code, there is no minimum off-street freight loading requirement for the subject building, per Planning Code Section 161(k).

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

The proposed project includes up to 123,700 gsf of office use, thus requiring at least twenty-five (25) Class 1 bicycle parking spaces, and four (4) Class 2 bicycle parking spaces. The proposed project includes twenty-five (25) Class 1 bicycle parking spaces and will pay the in-lieu fee for the Class 2 bicycle parking spaces; therefore, the proposed project complies with Planning Code Section 155.2.

- F. **Shower Facility and Clothes Locker Requirement.** Planning Section 155.4 of the Planning Code requires at least four showers and twenty-four clothes lockers when gross square footage exceeds 50,000 square feet of the office use floor area.

As outlined within Planning Code Section 155.4(d), the Project Sponsor shall seek an exemption from the Zoning Administrator to provide arrangements for shower and locker facilities at a health club or other facility within three blocks of the building, which will be available to tenants at no cost to the building employees; therefore, the proposed project would comply with Planning Code Section 155.3.

- G. **Transportation Management Program.** Planning Section 163 requires the Project Sponsor to execute an agreement with the Planning Department for the provision of on-site

transportation brokerage services and preparation of a transportation management program to be approved by the Director of Planning and implemented by the provider of transportation brokerage services for projects within the SOMA Mixed Use District, where the gross square feet of new, converted or added floor area for office use equals at least 100,000 square feet.

The proposed project includes up to 123,700 gsf of office use, thus the Project Sponsor must execute an agreement to provide on-site transportation brokerage services. The agreement will be reviewed by the Planning Department prior to the issuance of a temporary certificate of occupancy, in accordance with Planning Code Section 163.

- H. **Office Development Authorization.** Planning Code Section 321 outlines the requirements for an Office Development Authorization from the Planning Commission for new office space in excess of 25,000 gsf.

The proposed project has submitted an application for an Office Development Authorization. The proposed project will seek an office development authorization for up to approximately 123,700 gsf of office space from the Planning Commission. See Case No. 2013.0226B.

- I. **Jobs-Housing Linkage Program.** Planning Code Section 413 applies the Jobs-Housing Linkage Fee to any project that increases by at least 25,000 gross square feet the total amount of any combination of entertainment use, hotel use, Integrated PDR use, office, research and development use, retail use, and/or Small Enterprise Workspace use.

The proposed project includes a change in use of up to 123,700 gsf from PDR to office use and is subject to the Jobs-Housing Linkage Program, as outlined in Planning Code Section 413. The Project Sponsor may elect between the Housing Requirement option, the Payment to Housing Developer option, the In-Lieu Fee Payment option or compliance by combination payment to Housing Developer and payment of In-Lieu Fee at the time of building permit issuance. The Project Sponsor has elected to satisfy this requirement through payment of an in-lieu fee.

- J. **Child Care Requirements for Office Development Projects.** Planning Code Section 414 applies the Child Care Requirements for Office Development Projects to any project that increases by at least 50,000 gross square feet the total amount of office space.

The proposed project includes 123,700 gsf of office use and is subject to the Child Care Requirements for Office Development Projects Requirement. Prior to issuance of the first construction document, the Project Sponsor will elect between compliance by providing an on-site child-care facility, compliance in conjunction with the sponsors of other development projects to provide an on-site child care facility at another project, compliance in conjunction with the sponsors of other development projects to provide a child-care facility within one mile of the development projects, compliance by payment of an in-lieu fee, compliance by combining payment of an in-lieu fee with construction of a child care facility or compliance by entering into an arrangement with a non-profit organization. The Project Sponsor shall pay the in-lieu fee to comply with this requirement.

- K. **Eastern Neighborhood Infrastructure Impact Fees.** Planning Code Section 423 is applicable to any development project within the Eastern Neighborhoods Area Plan that results in the addition of gross square feet of non-residential space.

The proposed project includes a change in use of up to 123,700 gsf from PDR to office use. These uses are subject to Eastern Neighborhood Infrastructure Impact Fees, as outlined in Planning Code Section 423. These fees shall be paid prior to the issuance of the building permit application.

- L. **Bicycle Parking In-Lieu Fee.** Planning Code Section 430 outlines the requirements for an in-lieu fee for required Class 2 bicycle parking spaces. The amount of the in-lieu fee shall be \$400 per Class 2 bicycle parking space.

The proposed project shall pay the in-lieu fee for the required four (4) Class 2 bicycle parking spaces. These fees must be paid prior to the issuance of the building permit application.

7. **Planning Code Section 303** establishes criteria for the Planning Commission to consider when reviewing applications for Conditional Use approval. On balance, the project does comply with said criteria in that:

- (1) The proposed new uses and building, at the size and intensity contemplated and at the proposed location, will provide a development that is necessary or desirable, and compatible with, the neighborhood or the community.

The proposed use is in keeping with other uses on the block face. The immediate block along 3rd Street features a variety of uses, including light industrial, general commercial, and multi-story residential, as well as professional office. The office use will complement the mix of goods and services currently available in the surrounding district and will contribute to the economic vitality of the neighborhood by expanding office square footage at this location. Currently, the surrounding district features a number of former light industrial and warehouse properties that have been converted to office use. The project will support the continued maintenance of the historic resource, which is a positive contribution to the neighborhood.

- (2) That such use or feature as proposed will not be detrimental to the health, safety, convenience or general welfare of persons residing or working in the vicinity, or injurious to property, improvements or potential development in the vicinity, with respect to aspects including but not limited to the following:

- i. Nature of proposed site, including its size and shape, and the proposed size, shape and arrangement of structures;

The height and bulk of the existing building will remain the same and the proposal will not alter the existing appearance or character of the project vicinity. The proposed work includes a maintenance and restoration program, which will eventually include exterior alterations that will remove incompatible alterations to the ground floor. These exterior alterations would

be subject to a Certificate of Appropriateness, and would be reviewed by the Historic Preservation Commission at the time of application.

- ii. The accessibility and traffic patterns for persons and vehicles, the type and volume of such traffic, and the adequacy of proposed off-street parking and loading;

The Planning Code does not require parking for the proposed use. The project is in close proximity to numerous transit options, including the proposed Central Subway, Caltrain, and Muni bus lines, which could offer alternatives to private vehicles.

- iii. The safeguards afforded to prevent noxious or offensive emissions such as noise, glare, dust and odor;

The proposed project will comply with the City's requirements to minimize noise, glare, odors, or other harmful emissions. Conditions of approval are included to address potential issues.

- iv. Treatment given, as appropriate, to such aspects as landscaping, screening, open spaces, parking and loading areas, service areas, lighting and signs;

The proposed change of use does not require any additional exterior tenant improvements. The proposal will not include loading or service areas. The Project Sponsor will not alter the existing street trees. Screening and open space requirements will be met. Signage will comply with Planning Code requirements.

- (3) That the use as proposed will comply with the applicable provisions of the Planning Code and will not adversely affect the General Plan.

The Project complies with all relevant requirements and standards of the Planning Code and is consistent with objectives and policies of the General Plan as detailed below.

- (4) That the use as proposed would provide development that is in conformity with the purpose of the applicable Neighborhood Commercial District.

The proposed project is not located within a Neighborhood Commercial District.

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

COMMERCE AND INDUSTRY

Objectives and Policies

OBJECTIVE 2:

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

Policy 2.1:

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

The Project will enhance an existing commercial use and will enhance the diverse economic base of the City.

URBAN DESIGN

Objectives and Policies

OBJECTIVE 2:

CONSERVATION OF RESOURCES WHICH PROVIDE A SENSE OF NATURE, CONTINUITY WITH THE PAST, AND FREEDOM FROM OVERCROWING.

Policy 2.4:

Preserve notable landmarks and areas of historic, architectural or aesthetic value, and promote the preservation of other buildings and features that provide continuity with past development.

Policy 2.5:

Use care in remodeling of older buildings, in order to enhance rather than weaken the original character of such buildings.

The Project will preserve and reuse a contributing resource to a designated historic district.

EAST SOMA AREA PLAN

LAND USE

Objectives and Policies

OBJECTIVE 1.1:

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

Policy 1.1.2:

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

OBJECTIVE 1.4:

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

Policy 1.4.1:

Permit limited office space throughout East SoMa to support a flexible space for all types of office users.

HISTORIC RESOURCES

Objectives and Policies

OBJECTIVE 8.2:

PROTECT, PRESERVE, AND REUSE HISTORIC RESOURCES WITHIN THE EAST SOMA AREA PLAN.

Policy 8.2.3:

Promote and offer incentives for the rehabilitation and adaptive reuse of historic buildings in the East SoMa area plan.

Generally, the East SoMa Area Plan encourages the reuse of the historic buildings and the production of small, flexible office space. The proposed project is consistent with the policies and objectives of the East SoMa Area Plan. The proposed project will contribute to the economic diversity and mixed-use character of the neighborhood and will reuse a contributing building in a designated historic district.

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

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

The proposal would not significantly affect any neighborhood serving retail uses, as numerous retail uses would still be present in the area. Currently, the project does not include any retail use.

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

The proposal will not impact the existing housing or neighborhood character. The surrounding neighborhood has a mixed character composed of residential, commercial, office, and light industrial uses.

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

The proposal will not impact any of the existing housing.

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

The proposal will not alter the existing commuter traffic patterns. The existing building is well-served by public transportation options. The location of the site will enable employees and visitors to the building to walk or use public transit. Parking is not required per Planning Code Sections 151.1 and 161(k).

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

The proposed project will assist in maintaining a diverse economic base by enhancing a commercial use.

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

The project will conform to the structural and seismic safety requirements of the City Building Code. This proposal will not impact the property's ability to withstand an earthquake.

- G. That landmarks and historic buildings be preserved.

The existing building is located in the South End Landmark District, and the proposal would enhance the feasibility to preserve the existing building by allowing office use at the ground floor level and below.

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

The project will have no negative impact on existing parks and open spaces. The Project does not have an impact on open spaces.

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

11. The Commission hereby finds that approval of the Conditional Use Authorization would promote the health, safety and welfare of the City.

DECISION

That based upon the Record, the submissions by the Applicant, the staff of the Department and other interested parties, the oral testimony presented to this Commission at the public hearings, and all other written materials submitted by all parties, the Commission hereby **APPROVES Conditional Use Application No. 2013.0226C** subject to the following conditions attached hereto as "EXHIBIT A" in general conformance with plan on file, dated February 26, 2013, and stamped "EXHIBIT B", which is incorporated herein by reference as though fully set forth.

APPEAL AND EFFECTIVE DATE OF MOTION: Any aggrieved person may appeal this Conditional Use Authorization to the Board of Supervisors within thirty (30) days after the date of this Motion No. XXXXX. The effective date of this Motion shall be the date of this Motion if not appealed (After the 30-day period has expired) OR the date of the decision of the Board of Supervisors if appealed to the Board of Supervisors. For further information, please contact the Board of Supervisors at (415) 554-5184, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102.

I hereby certify that the Planning Commission ADOPTED the foregoing Motion on October 24, 2013.

Jonas P. Ionin
Acting Commission Secretary

AYES:

NAYS:

ABSENT:

ADOPTED: October 24, 2013

EXHIBIT A

AUTHORIZATION

This authorization is for a conditional use to allow office use located at 665 3rd Street, Block 3788, Lot 041, pursuant to Planning Code Section(s) 303 and 803.9(a) within the SLI District and a 65-X Height and Bulk District; in general conformance with plans, dated February 26, 2013, and stamped "EXHIBIT B" included in the docket for Case No. 2013.0226C and subject to conditions of approval reviewed and approved by the Commission on October 24, 2013 under Motion No XXXXXX. This authorization and the conditions contained herein run with the property and not with a particular Project Sponsor, business, or operator.

RECORDATION OF CONDITIONS OF APPROVAL

Prior to the issuance of the building permit or commencement of use for the Project the Zoning Administrator shall approve and order the recordation of a Notice in the Official Records of the Recorder of the City and County of San Francisco for the subject property. This Notice shall state that the project is subject to the conditions of approval contained herein and reviewed and approved by the Planning Commission on October 24, 2013 under Motion No XXXXXX.

PRINTING OF CONDITIONS OF APPROVAL ON PLANS

The conditions of approval under the 'Exhibit A' of this Planning Commission Motion No. XXXXXX shall be reproduced on the Index Sheet of construction plans submitted with the site or building permit application for the Project. The Index Sheet of the construction plans shall reference to the Conditional Use authorization and any subsequent amendments or modifications.

SEVERABILITY

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

CHANGES AND MODIFICATIONS

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

Conditions of Approval, Compliance, Monitoring, and Reporting

PERFORMANCE

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

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

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

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

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

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

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

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

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

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

Additional Project Authorization. The Project Sponsor must obtain an Office Development Authorization under Planning Code Section 321 to allocate office square footage and satisfy all the conditions thereof. The conditions set forth below are additional conditions required in connection with the Project. If these conditions overlap with any other requirement imposed on the Project, the more restrictive or protective condition or requirement, as determined by the Zoning Administrator, shall apply.

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

PARKING AND TRAFFIC

Bicycle Parking. Pursuant to Planning Code Section 155.2, the Project shall provide no fewer than 25 Class 1 bicycle parking spaces.

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

Showers and Lockers. Pursuant to Planning Code Section 155.4(d), the Project shall seek an exemption from the Zoning Administrator to provide arrangements for shower and locker facilities at a health club or other facility within three blocks of the building, which will be available to tenants at no cost to the building employees.

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

PROVISIONS

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

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

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

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

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

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

Childcare Requirements for Office and Hotel Development Projects. Pursuant to Section 414 (formerly 314), the Project Sponsor shall pay the in-lieu fee as required. The net addition of gross floor area subject to the fee shall be determined based on drawings submitted with the Building Permit Application.

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

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

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

SoMa Mixed-Use Usable Open Space In Lieu Fee. Pursuant to Planning Code Section 425, in South of Market Mixed Use Districts, the open space requirement for non-residential requirements shall be satisfied through payment of a fee in accordance with Article 4.

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

Bicycle Parking In Lieu Fee. Pursuant to Planning Code Section 430, the Project Sponsor shall pay the in-lieu fee as required for the Class 2 Bicycle Parking Requirements in accordance with Article 4.

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

MONITORING - AFTER ENTITLEMENT

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

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

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

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

OPERATION

Community Liaison. Prior to issuance of a building permit to construct the project and implement the approved use, the Project Sponsor shall appoint a community liaison officer to deal with the issues of concern to owners and occupants of nearby properties. The Project Sponsor shall provide the Zoning Administrator with written notice of the name, business address, and telephone number of the community liaison. Should the contact information change, the Zoning Administrator shall be made

aware of such change. The community liaison shall report to the Zoning Administrator what issues, if any, are of concern to the community and what issues have not been resolved by the Project Sponsor.

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



SAN FRANCISCO PLANNING DEPARTMENT

Subject to: (Select only if applicable)

- | | |
|---|---|
| <input type="checkbox"/> Affordable Housing (Sec. 415) | <input checked="" type="checkbox"/> First Source Hiring (Admin. Code) |
| <input checked="" type="checkbox"/> Jobs Housing Linkage Program (Sec. 413) | <input checked="" type="checkbox"/> Child Care Requirement (Sec. 414) |
| <input type="checkbox"/> Downtown Park Fee (Sec. 412) | <input checked="" type="checkbox"/> Other (EN Impact Fees) |
| <input checked="" type="checkbox"/> Transit Impact Development Fee (Sec. 411) | |

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

Planning Commission Draft Motion

HEARING DATE: OCTOBER 24, 2013

Date: October 24, 2013
Case No.: **2013.0226BC**
Project Address: **665 3rd Street**
Zoning: SLI (Service/Light Industrial) Zoning District
South End Landmark District
65-X Height and Bulk District
Block/Lot: 3788/013
Project Sponsor: James Schafer
665 Third Street Associates
3 Elm Avenue
Kentfield, CA 94904
Staff Contact: Richard Sucre – (415) 575-9108
richard.sucre@sfgov.org
Recommendation: **Approval with Conditions**

ADOPTING FINDINGS RELATING TO AN ALLOCATION OF OFFICE SQUARE FOOTAGE UNDER THE 2013 – 2014 ANNUAL OFFICE DEVELOPMENT LIMITATION PROGRAM PURSUANT TO PLANNING CODE SECTION 321 THAT WOULD AUTHORIZE UP TO 123,700 GROSS SQUARE FEET OF OFFICE USE AT 665 3RD STREET, LOT 041 IN ASSESSOR'S BLOCK 3788, WITHIN THE SLI (SERVICE/LIGHT INDUSTRIAL) ZONING DISTRICT, SOUTH END LANDMARK DISTRICT, AND A 65-X HEIGHT AND BULK DISTRICT.

PREAMBLE

On February 28, 2013, Caroline Guibert of Coblentz, Patch, Duffy and Bass, LLP (hereinafter "Project Sponsor"), on behalf of James Schafer of 665 Third Street Associates (Property Owner) filed an application with the Planning Department (hereinafter "Department") for an Office Development Authorization to establish up to 123,700 gsf of office use at 665 3rd Street (Block 3788 Lot 041) in San Francisco, California.

The project is exempt from the California Environmental Quality Act ("CEQA") as a Class 1 Categorical Exemption.

On October 24, 2013, the Commission adopted Motion No. XXXXX, approving a Conditional Use Authorization for the Proposed Project (Conditional Use Application No. 2013.0226C). Findings contained within said motion are incorporated herein by this reference thereto as if fully set forth in this Motion.

On October 24, 2013, the Planning Commission ("Commission") conducted a duly noticed public hearing at a regularly scheduled meeting on Office Allocation Application No. 2013.0226B.

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

MOVED, that the Commission hereby authorizes the Office Development Authorization requested in Application No. 2013.0266B, subject to the conditions contained in "EXHIBIT A" of this motion, based on the following findings:

FINDINGS

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

1. The above recitals are accurate and constitute findings of this Commission.
2. **Site Description and Present Use.** The proposed project is located on a generally rectangular lot (measuring approximately 150-ft by 160-ft for a lot area of 24,430± sq ft) on the east side of 3rd Street between Brannan and Townsend Streets. Currently, the subject lot contains a five-story reinforced concrete light industrial building. Originally constructed in 1916, 665 3rd Street was designed for the M.J. Brandenstein Co. by noted architect, G. Albert Langsburgh, and builder, George Wagner. The building features a concrete foundation, reinforced concrete walls, a stucco exterior, steel-sash industrial windows, and a tabbed parapet and cornice. The property is a contributing resource to the South End Historic District, which is listed in Article 10 of the San Francisco Planning Code.
3. **Surrounding Properties and Neighborhood.** The project site is located in the SLI (Service/Light Industrial) Zoning District along a largely commercial corridor within the East SoMA Area Plan and is approximately one block south of South Park. The immediate neighborhood consists of two- to-six-story tall, older brick or reinforced-concrete warehouses (largely converted into office or commercial space). Other properties in the area are residential, commercial or light industrial in nature. To the north of the project site is a narrow two-story commercial building and an older four-story former brick warehouse (now office), while to the south is a similar five-story reinforced concrete former warehouse and a smaller two-story commercial building. Other zoning districts in the vicinity of the project site include: MUO (Mixed Use Office); SPD (South Park District); and, MB-RA (Mission Bay South Redevelopment Plan).

4. **Project Description.** The proposed project is a change in use of up to 123,700 gsf from printing use (PDR-Production, Distribution and Repair) to office use. The proposed project would retain approximately 3,800 gsf of PDR use.

As outlined in Planning Code Section 803.9(a), the Project Sponsor created a Historic Building Maintenance Plan (HBMP) to assist in the feasibility of preserving the historic resource and justify the conversion to office use. To further support the preservation of the subject building, the HBMP outlines a maintenance and restoration program for: regular cyclical maintenance; repair of the roof, windows, exterior paint, and signage; and, restoration of the ground floor windows.

5. **Public Comment.** The Department has received one correspondence regarding the proposal. This correspondence has not expressed either support or opposition to the proposed project; rather, this correspondence expressed concern over the environmental review and the release of the staff case report.
6. **Office Development Authorization.** Planning Code Section 321 establishes standards for San Francisco's Office Development Annual Limit. In determining if the proposed Project would promote the public welfare, convenience and necessity, the Commission considered the seven criteria established by Code Section 321(b)(3), and finds as follows:

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

Currently, there is approximately 2.4 million gross square feet of available "Large Cap" office space in the City. Additionally, the proposed project is subject to various development fees that will benefit the surrounding community and the city. The Project is located in close proximity to many public transportation options, including a number of Muni and transit lines. Therefore, the Project will help maintain the balance between economic growth, housing, transportation and public services.

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

The proposed project is consistent with the General Plan, as outlined in Section 8 below.

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

The proposed project offers high quality design for the proposed office development, which is consistent and compatible with the neighborhood's overall massing and form. In particular, the proposed project is sensitive to the surrounding South End Landmark District, and provides a maintenance and rehabilitation plan to ensure the preservation of the subject property, as noted in Historic Preservation Commission Resolution No. 0713.

IV. THE SUITABILITY OF THE PROPOSED OFFICE DEVELOPMENT FOR ITS LOCATION, AND ANY EFFECTS OF THE PROPOSED OFFICE DEVELOPMENT SPECIFIC TO THAT LOCATION.

- a) Use. *The proposed project is located within the SLI (Service/Light Industrial) Zoning District, which permits office use in landmark properties pursuant to Planning Code Sections 803.9(a) and 817.48. The subject lot is located in an area primarily characterized by commercial and light industrial development. There are several office use buildings on the subject block, and on blocks to the east and south of the project site.*
- b) Transit Accessibility. *The area is served by a variety of transit options. The project site is within a quarter-mile of various Muni routes, including the 10-Townsend, 30-Stockton, 45-Union/Stockton, and 76X-Marin Headlands Express, as well as the N-Judah and KT-Ingleside/Third Street Rail Lines. Further, the project site is located within two blocks of the Caltrain Station on King and 4th Streets, and the proposed Central Subway.*
- c) Open Space Accessibility. *The Project will pay the in-lieu fee for the required on-site useable open space, and is located within one block of open space at South Park.*
- d) Urban Design. *The proposed project reinforces the surrounding landmark district by providing a Historic Building Maintenance Plan for 665 3rd Street. This HBMP provides a program for regular maintenance and rehabilitation and assists in rectifying inappropriate alterations to the subject property, thus providing a benefit to the larger city through appropriate historic preservation. The Historic Preservation Commission approved this HBMP, as noted by the Historic Preservation Commission Resolution No. 0713.*
- e) Seismic Safety. *The proposed project would be designed in conformance with current seismic and life safety codes as mandated by the Department of Building Inspection. In 1987, the subject property was seismically upgraded.*

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

- a) Anticipated Employment Opportunities. *The Project includes a total of 123,700 gross square feet of office space. As noted by the Project Sponsor, the additional office square footage will create new opportunities for employment.*
- b) Needs of Existing Businesses. *The Project will supply office space in the East SoMa area, which allows office use in landmark properties within SLI Zoning District. The existing building will provide office space with high ceilings and large floor plates, which are characteristics desired by emerging technology businesses. This building type offers flexibility for new businesses to further grow in the future. Currently, almost all of the existing office space is already occupied by existing businesses.*

c) Availability of Space Suitable for Anticipated Uses. *The Project will provide large open floor plates, which will allow for quality office space that is suitable for a variety of office uses and sizes.*

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

Currently, the existing building is leased to a variety of office tenants and an industrial tenant.

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

The Project does not include any Transfer of Development Rights.

7. **General Plan Consistency.** The General Plan Consistency Findings set forth in Motion No. **XXXXX**, Case No. 2013.0226C (Conditional Use Authorization, pursuant to Planning Code Sections 303, 803.9(a), and 817.48) apply to this Motion, and are incorporated herein as though fully set forth.

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

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

The proposal would not significantly affect any neighborhood serving retail uses, as numerous retail uses would still be present in the area. Currently, the project does not include any retail use.

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

The proposal will not impact the existing housing or neighborhood character. The surrounding neighborhood has a mixed character composed of residential, commercial, office, and light industrial uses.

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

The proposal will not impact any of the existing housing.

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

The proposal will not alter the existing commuter traffic patterns. The existing building is well-served by public transportation options. The location of the site will enable employees and visitors to the

building to walk or use public transit. Parking is not required per Planning Code Sections 151.1 and 161(k).

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

The proposed project will assist in maintaining a diverse economic base by enhancing a commercial use.

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

The project will conform to the structural and seismic safety requirements of the City Building Code. This proposal will not impact the property's ability to withstand an earthquake.

- G. That landmarks and historic buildings be preserved.

The existing building is located in the South End Landmark District, and the proposal would enhance the feasibility to preserve the existing building by allowing office use at the ground floor level and below.

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

The project will have no negative impact on existing parks and open spaces. The Project does not have an impact on open spaces.

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

10. The Commission hereby finds that approval of the Office Development Authorization would promote the health, safety and welfare of the City.

DECISION

That based upon the Record, the submissions by the Applicant, the staff of the Department and other interested parties, the oral testimony presented to this Commission at the public hearings, and all other written materials submitted by all parties, the Commission hereby **APPROVES Office Development Application No. 2013.0226B** subject to the conditions attached hereto as Exhibit A, which is incorporated herein by reference as though fully set forth, in general conformance with the plans stamped Exhibit B and dated February 26, 2013, on file in Case Docket No. 2013.0226B.

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

I hereby certify that the Planning Commission ADOPTED the foregoing Motion on October 24, 2013.

Jonas P. Ionin
Acting Commission Secretary

AYES:

NAYS:

ABSENT:

ADOPTED: October 24, 2013

EXHIBIT A

AUTHORIZATION

This authorization is for an Office Development Authorization to authorize up to 123,700 gross square feet of office use located at 665 3rd Street, Lot 041 in Assessor's Block 3788 pursuant to Planning Code Section 321 within the SLI (Service Light Industrial) Zoning District and a 65-X Height and Bulk District; in general conformance with plans, dated February 26, 2013, and stamped "EXHIBIT B" included in the docket for Case No. 2013.0226BC and subject to conditions of approval reviewed and approved by the Commission on **October 24, 2013** under Motion No. **XXXXX**. This authorization and the conditions contained herein run with the property and not with a particular Project Sponsor, business, or operator.

COMPLIANCE WITH OTHER REQUIREMENTS

The Conditions of Approval set forth in Exhibit B of Motion No. **XXXXX**, Case No. 2013.00226C (Conditional Use Authorization Under Sections 303 and 803.9(a)) apply to this approval, and are incorporated herein as though fully set forth, except as modified herein.

RECORDATION OF CONDITIONS OF APPROVAL

Prior to the issuance of the building permit or commencement of use for the Project the Zoning Administrator shall approve and order the recordation of a Notice in the Official Records of the Recorder of the City and County of San Francisco for the subject property. This Notice shall state that the project is subject to the conditions of approval contained herein and reviewed and approved by the Planning Commission on October 24, 2013 under Motion No. **XXXXX**.

CHANGES AND MODIFICATIONS

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

Conditions of Approval, Compliance, Monitoring, and Reporting

PERFORMANCE

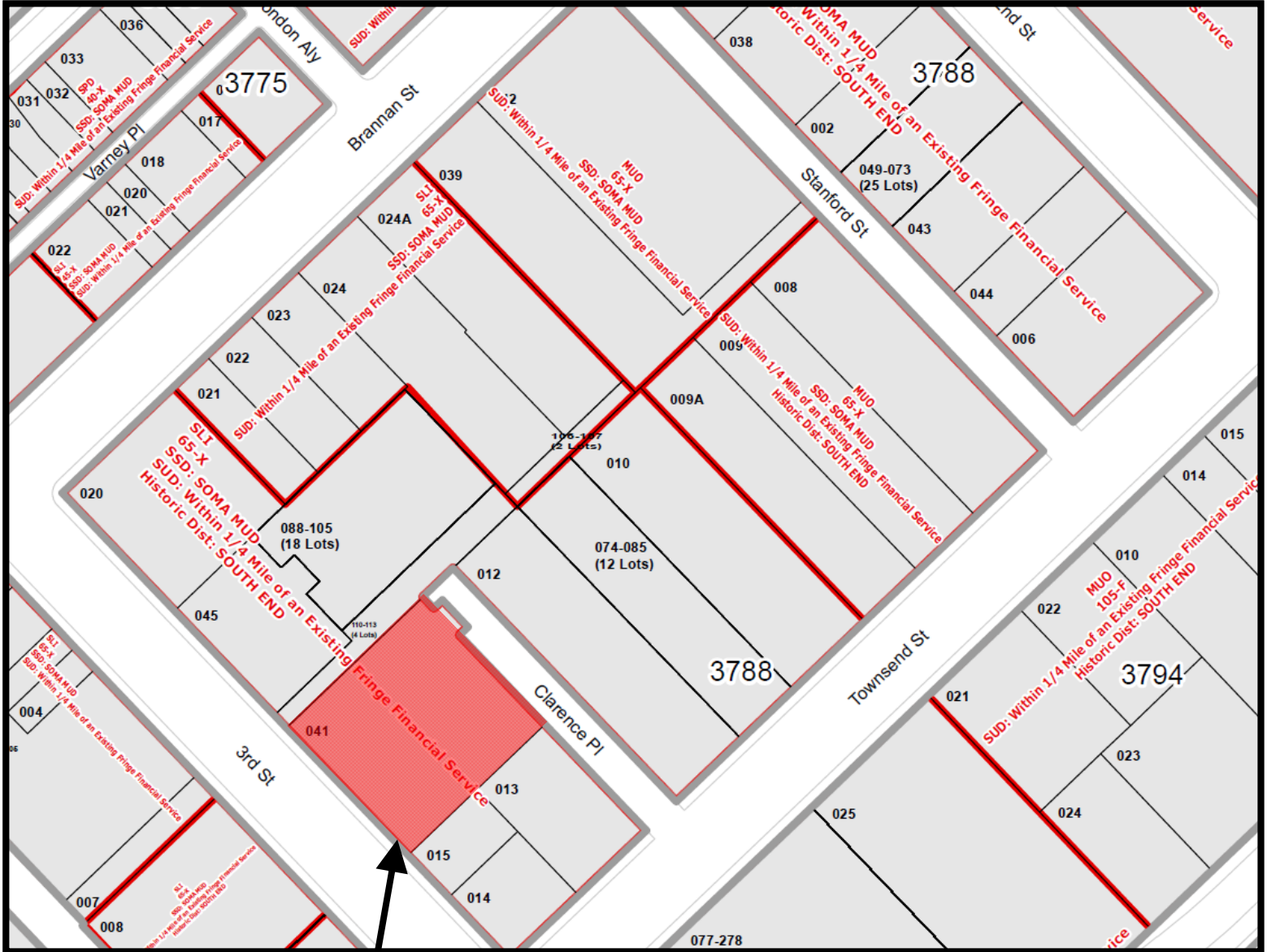
1. Development Timeline - Office. Pursuant to Planning Code Section 321(d)(2), construction of an office development shall commence within eighteen months of the date of this Motion approving this Project becomes effective. Failure to begin work within that period or to carry out the development diligently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

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

2. Extension. This authorization may be extended at the discretion of the Zoning Administrator only where failure to issue a permit by the Department of Building Inspection to perform said construction is caused by a delay by a local, State or Federal agency or by any appeal of the issuance of such permit(s).

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

Parcel Map

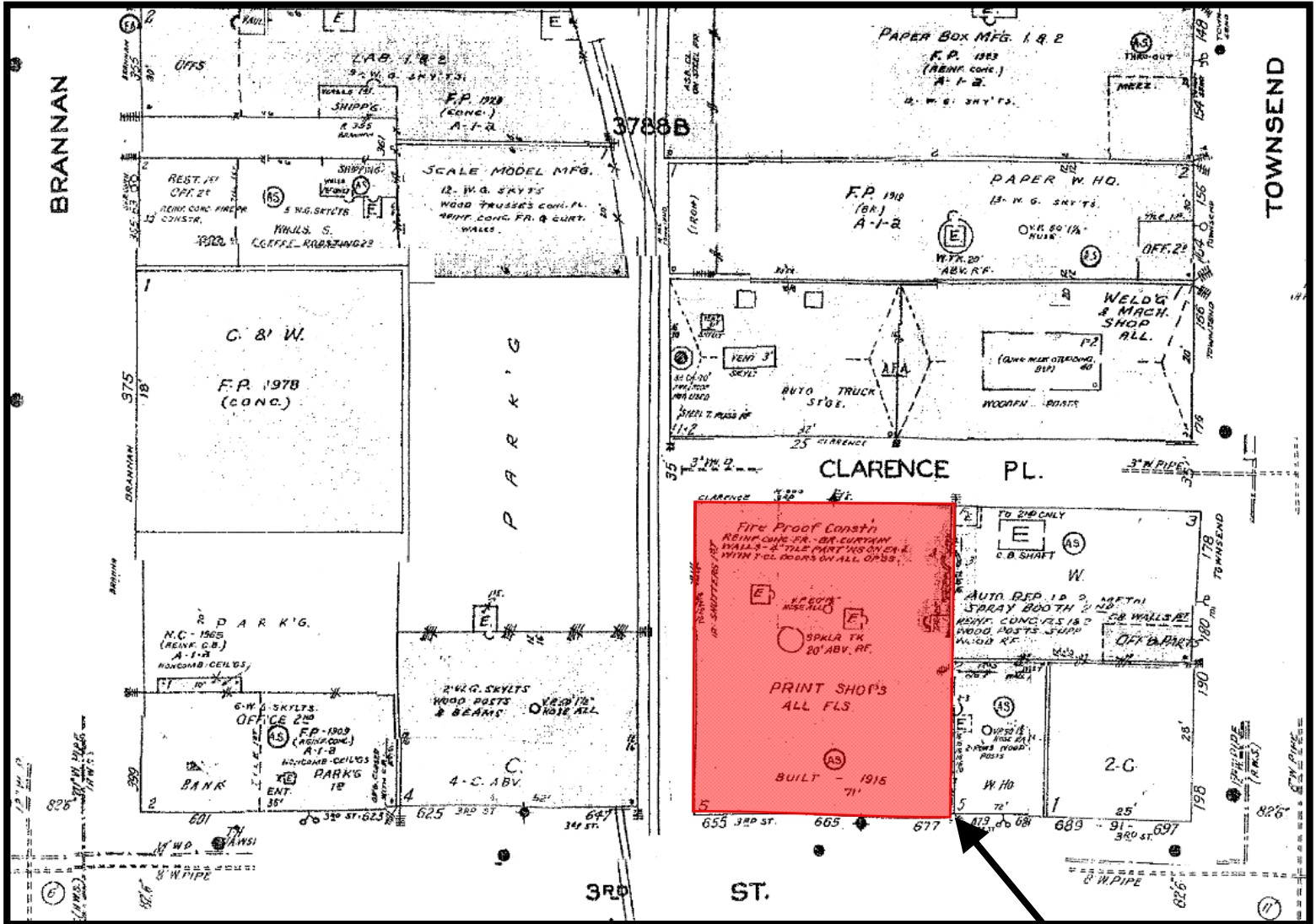


SUBJECT PROPERTY



Conditional Use Authorization &
Office Development Authorization Hearing
Case Number 2013.0226BC
665 3rd Street

Sanborn Map*



*The Sanborn Maps in San Francisco have not been updated since 1998, and this map may not accurately reflect existing conditions.

SUBJECT PROPERTY



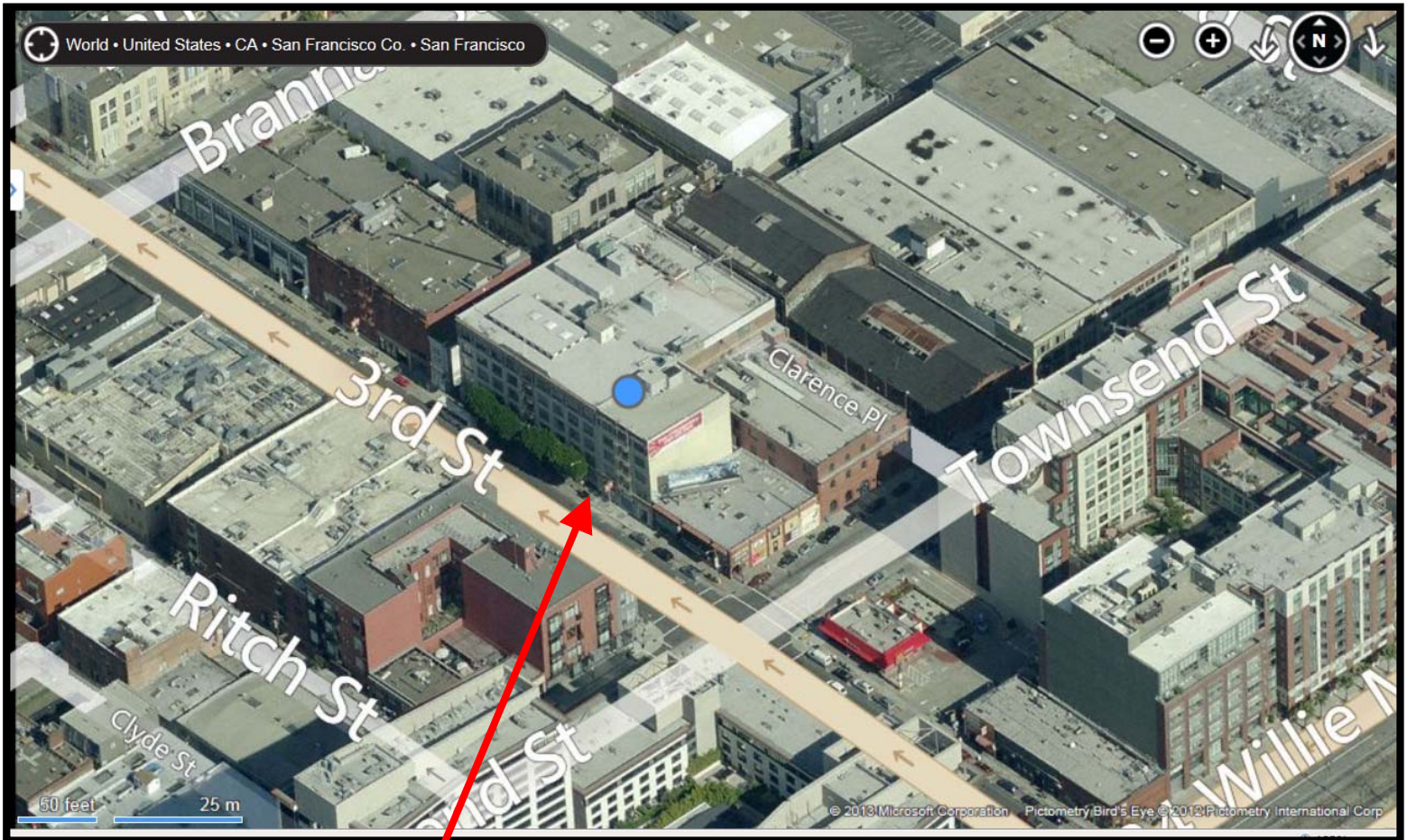
Conditional Use Authorization &
Office Development Authorization Hearing
Case Number 2013.0226BC
665 3rd Street

Zoning Map



Conditional Use Authorization &
Office Development Authorization Hearing
Case Number 2013.0226BC
665 3rd Street

Aerial Photo



665 3rd Street



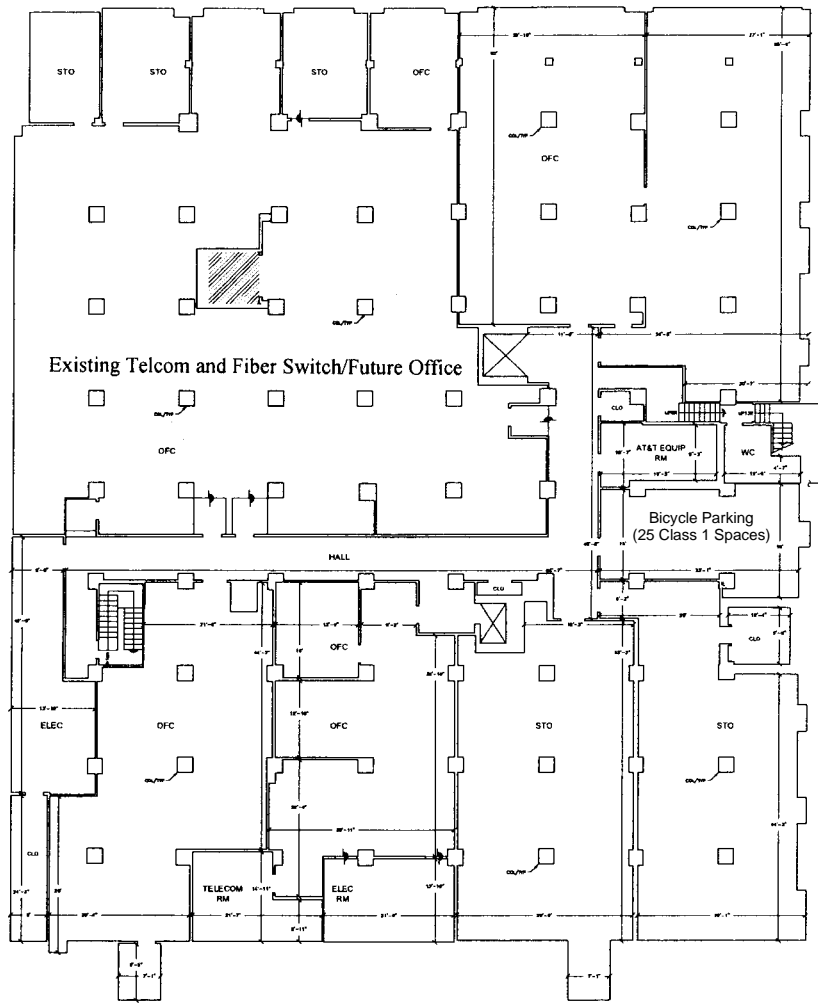
Conditional Use Authorization &
Office Development Authorization Hearing
Case Number 2013.0226BC
665 3rd Street

Site Photo



665 3rd Street, View along 3rd Street

Conditional Use Authorization &
Office Development Authorization Hearing
Case Number 2013.0226BC
665 3rd Street



◊ DATUM

1 EXISTING BASEMENT LEVEL FLOOR PLAN
AS SHOWN IS MEASURED TO EXISTING WALL PLANE

February 26, 2013

EXHIBIT B

THIS IS AN AS-BUILT FLOOR PLAN. NO INTERIOR ELEMENTS SHOWN, UNLESS OTHERWISE NOTED.

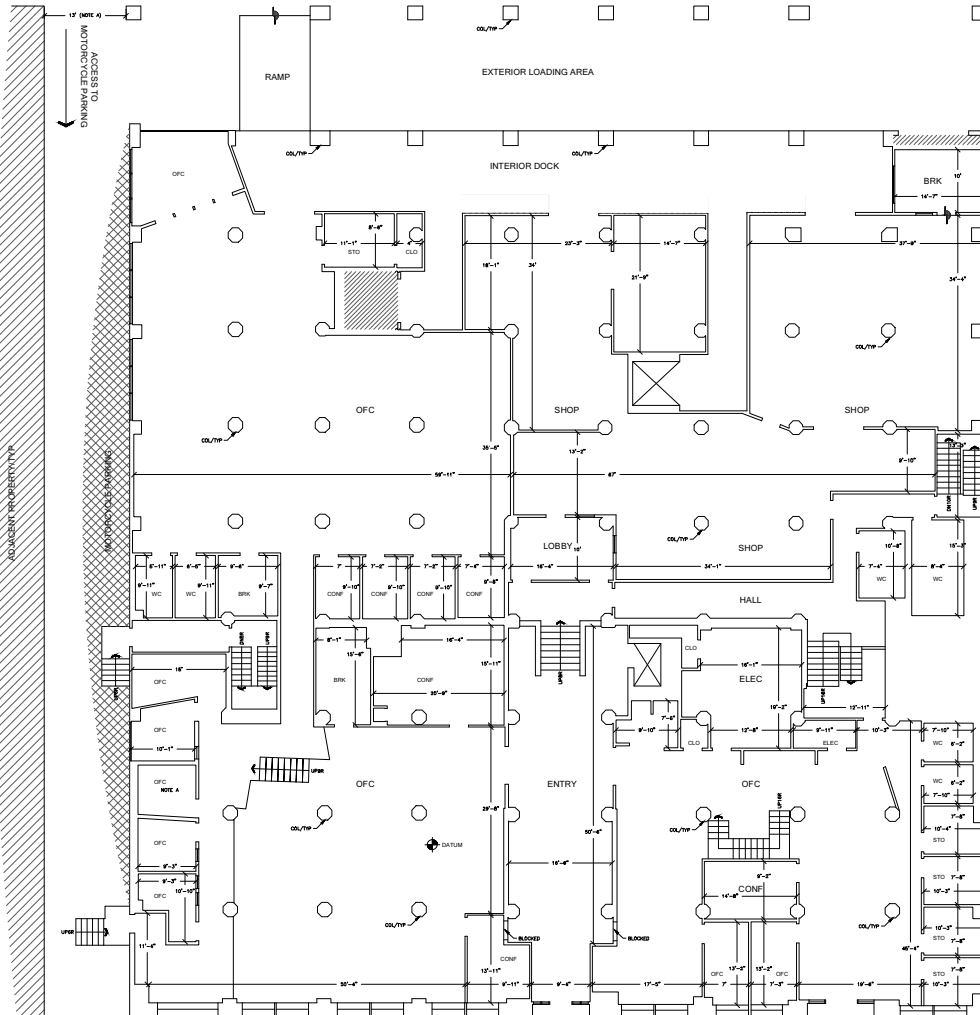
665 3RD STREET
 SAN FRANCISCO, CA 94107

<small>THIS DOCUMENT IS THE PROPERTY OF BUILT SERVICES. IT IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED IN THIS AGREEMENT. NO PART OF THIS DOCUMENT IS TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF BUILT SERVICES.</small>		<small>FOR THE RECORD SINCE 1999</small> <small>1-800-919-8099</small> WWW.BUILTSERVICES.COM
		<small>ESTABLISHED SINCE 1999</small> <small>1-800-919-8099</small> WWW.BUILTSERVICES.COM

EXISTING BASEMENT LEVEL FLOOR PLAN

<small>REV: 001</small> <small>DATE: 02/26/13</small> <small>DESIGNED BY: JON</small> <small>APPROVED BY: JON</small>	<small>SHEET 025</small> <small>SCALE: 1/8" = 1'-0"</small> <small>FIELD SUPPORT</small> <small>607199110000011</small>	<p>A-101</p> <p><small>1 OF 4</small></p>
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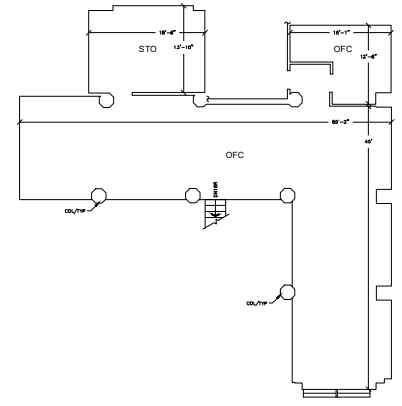
CLARENCE PLACE



1 EXISTING ENTRY LEVEL FLOOR PLAN
 7,375 SQFT MEASURED TO EXTERIOR WALL PLANE
 4,523 SQFT MEASURED EXTERIOR SURFACES



THIRD STREET



1 EXISTING ENTRY LEVEL LOFT FLOOR PLAN
 734 SQFT MEASURED TO EXTERIOR WALL PLANE



February 26, 2013

EXHIBIT B

NOTE A: THIS ELEMENT NOT MEASURED, ILLUSTRATORS RENDERING

THESE ARE BASIC FLOOR PLANS, NO INTERIOR ELEMENTS SHOWN, UNLESS OTHERWISE NOTED.

NOTE A: MEASUREMENT TAKEN FROM I.S. SURVEY, NOT MEASURED OR VERIFIED BY ASBUILT SERVICES.



665 3RD STREET
 SAN FRANCISCO, CA 94107

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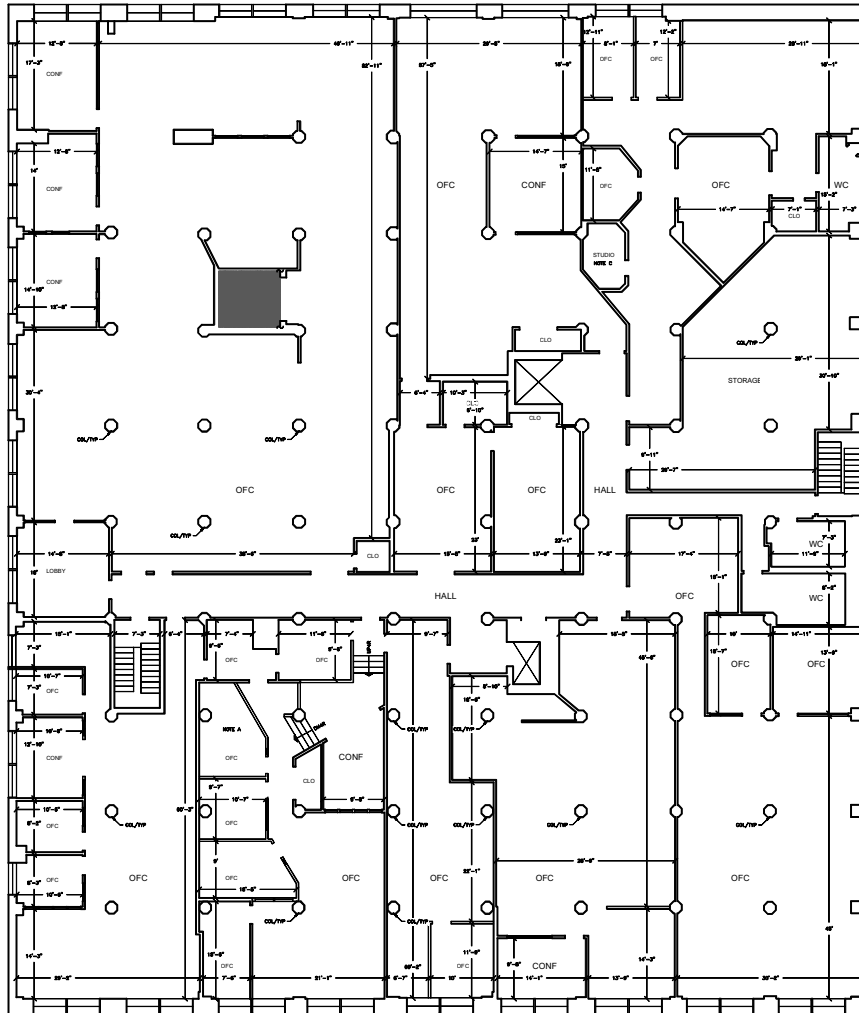
ASBUILT SERVICES
 PER THE RECORD SINCE 1998
 1-800-518-0899 WWW.ASBUILTSERVICES.COM

EXISTING ENTRY LEVEL FLOOR PLAN

REF: 665_SF
 REV: 1
 DRAWN BY: GN
 CHECKED BY: GN

SHEET SIZE: 30x42
 SCALE: 1/8"=1'-0"
 FIELD SURVEY
 2013.02.15/2013.02.13

A-102
 2 OF 2



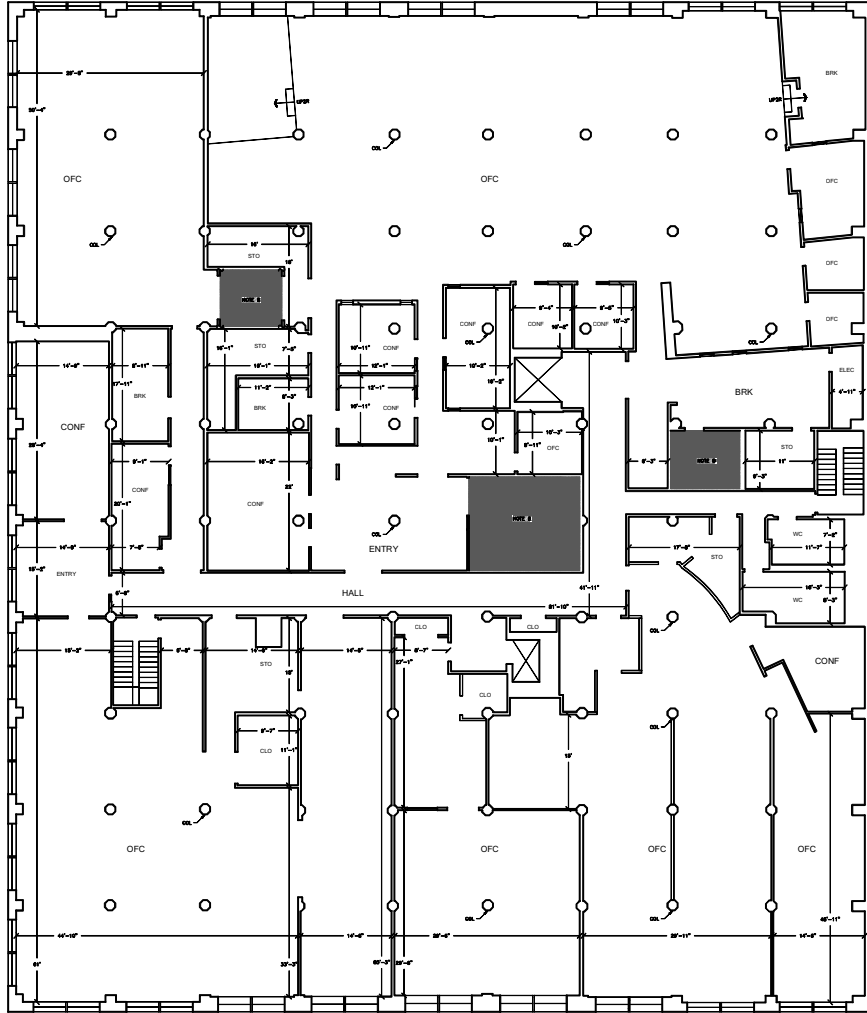
1 EXISTING SECOND LEVEL FLOOR PLAN
 1/8" = 1'-0" (NOT MEASURED TO EXTERIOR WALL PLANE)

February 26, 2013

EXHIBIT B

- NOTE A
THIS ELEMENT NOT MEASURED, ILLUSTRATORS RENDERING
- NOTE B
DUE TO DEVIATIONS IN WALL ANGLES AND SURFACES, SOME WALL LENGTHS ARE REPRESENTED AS TYPICAL
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EXISTING SECOND LEVEL FLOOR PLAN	
REF: 665_SF REV: 0 DRAWN BY: GN CHECKED BY: CB	SHEET SIZE: 30x42 SCALE: 1/8" = 1'-0" FLD SURVEY 10/06/2013 10:46:21
AX-103	



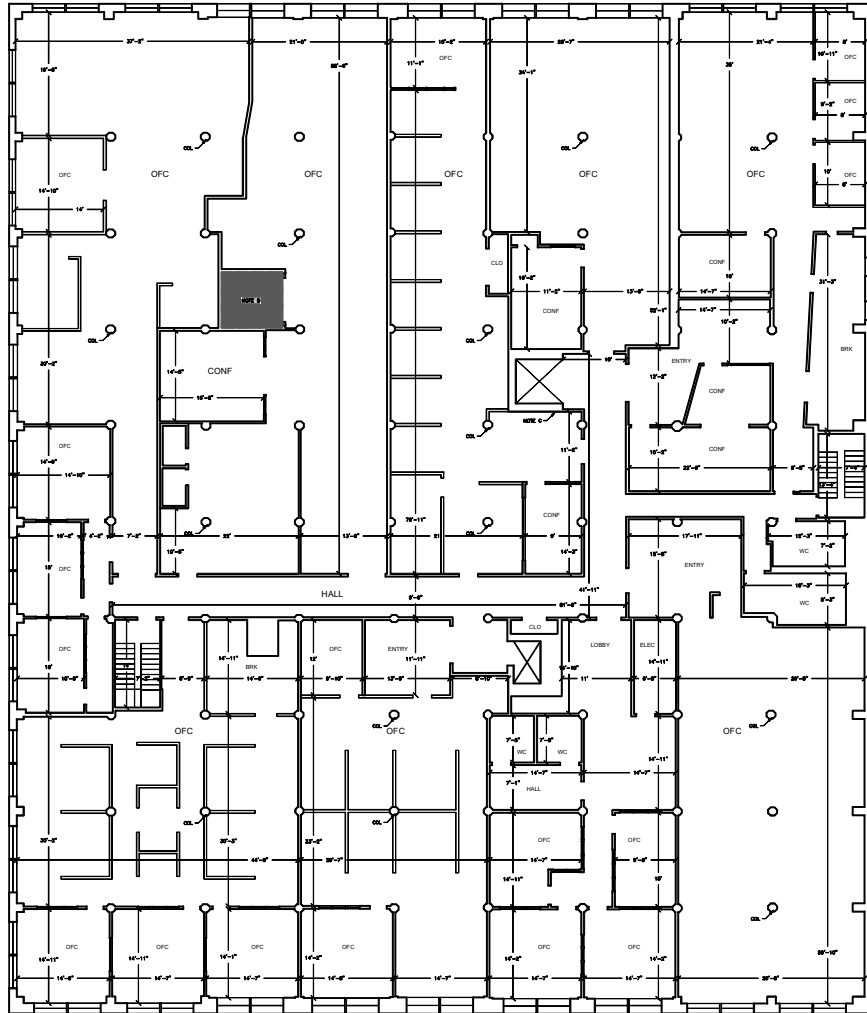
1 EXISTING THIRD LEVEL FLOOR PLAN
 22,525 SQFT MEASURED TO EXTERIOR WALL PLANE

February 26, 2013

EXHIBIT B

- NOTE A:
THIS ELEMENT NOT MEASURED, ILLUSTRATORS RENDERING
- NOTE B:
THIS AREA NOT ACCESSIBLE AT TIME OF DATA ACQUISITION, AREA NOT MEASURED
- NOTE C:
DUE TO DEVIATIONS IN WALL ANGLES AND SURFACES, SOME WALL LENGTHS ARE REPRESENTED AS TYPICAL.
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EXISTING THIRD LEVEL FLOOR PLAN	
REF: 605_SF REV: 0 DRAWN BY: GJ CHECKED BY: GJ	SHEET SIZE: 30x42 SCALE: 1/8"=1'-0" FOLD SURVEY 10/06/2013 14:00:02
AX-104	



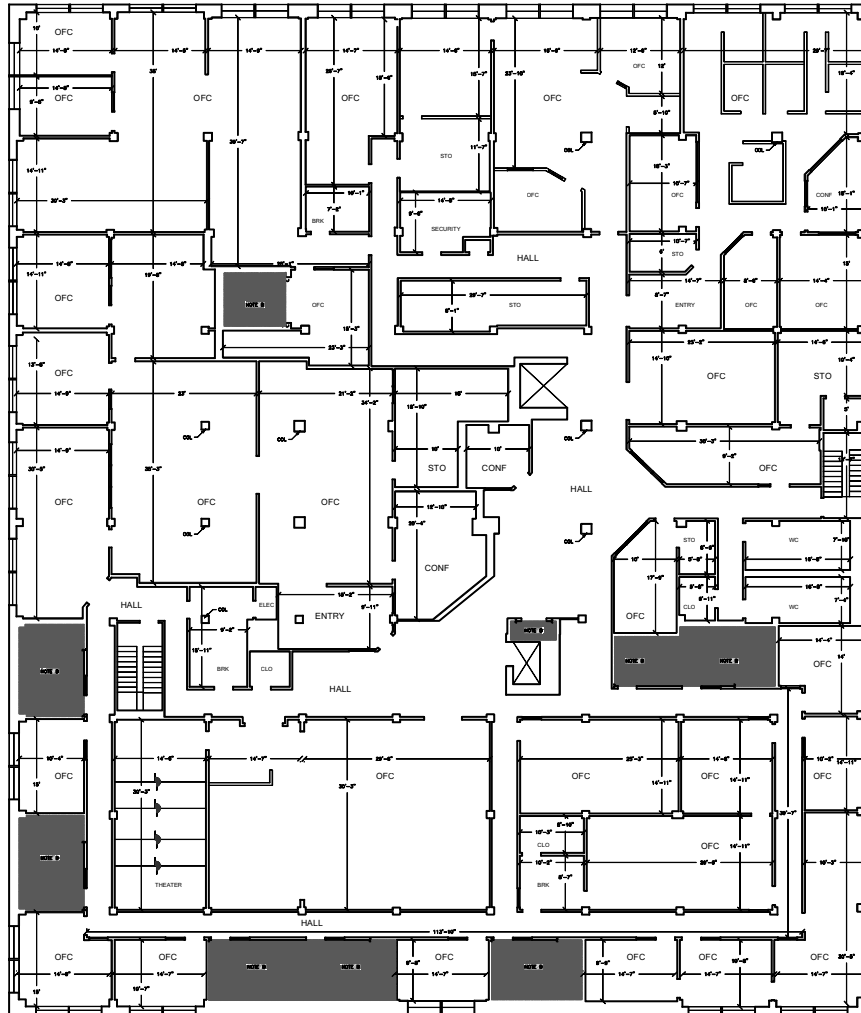
1 EXISTING FOURTH LEVEL FLOOR PLAN
 22,025 SQ FT MEASURED TO EXTERIOR WALL PLANE

February 26, 2013

EXHIBIT B

- NOTE B:
THIS AREA NOT ACCESSIBLE AT TIME OF DATA ACQUISITION, AREA NOT MEASURED.
- NOTE C:
DUE TO DEVIATIONS IN WALL ANGLES AND SURFACES, SOME WALL LENGTHS ARE REPRESENTED AS TYPICAL.
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EXISTING FOURTH LEVEL FLOOR PLAN	
REF: 665_SF REV: 0 DRAWN BY: GN CHECKED BY: CB	SHEET SIZE: 30x42 SCALE: 1/8"=1'-0" FIELD SURVEY DATE: 02/21/2013
AX-104	



EXISTING FIFTH LEVEL FLOOR PLAN
 22,825 SQFT MEASURED TO EXTERIOR WALL PLANE

February 26, 2013

EXHIBIT B

NOTE B:
 THIS AREA NOT ACCESSIBLE AT TIME OF DATA ACQUISITION.
 AREA NOT MEASURED.

THESE ARE BASIC FLOOR PLANS. NO INTERIOR ELEMENTS SHOWN.
 SEE ALL UNDERGROUND UTILITIES.

665 3RD STREET SAN FRANCISCO, CA 94107	
FOR THE RECORD SINCE 1998 1-800-818-0899 WWW.ASBUILTSERVICES.COM	
EXISTING FIFTH LEVEL FLOOR PLAN	
REF: 605_SF REV: 0 DRAWN BY: GN CHECKED BY: CB	SHEET SIZE: 30x42 SCALE: 1/8"=1'-0" FIELD SURVEY 10/06/2012 10:46:20
AX-104 <small>SCALE</small>	

Historic Building Maintenance Plan Summary

Roof

Inspected and repaired annually and replaced every 20 to 25 years.

Exterior Paint

Inspected annually and repainted every 7 to 10 years. A historic paint analysis will be performed within two years to determine the historical color scheme. Planning Department Preservation Staff will be consulted on the historical color scheme before the building is repainted next.

Exterior Signage

No new exterior signage is proposed. The project sponsor has a policy of not allowing tenant signage on the exterior of the building.

Ground Level Exterior

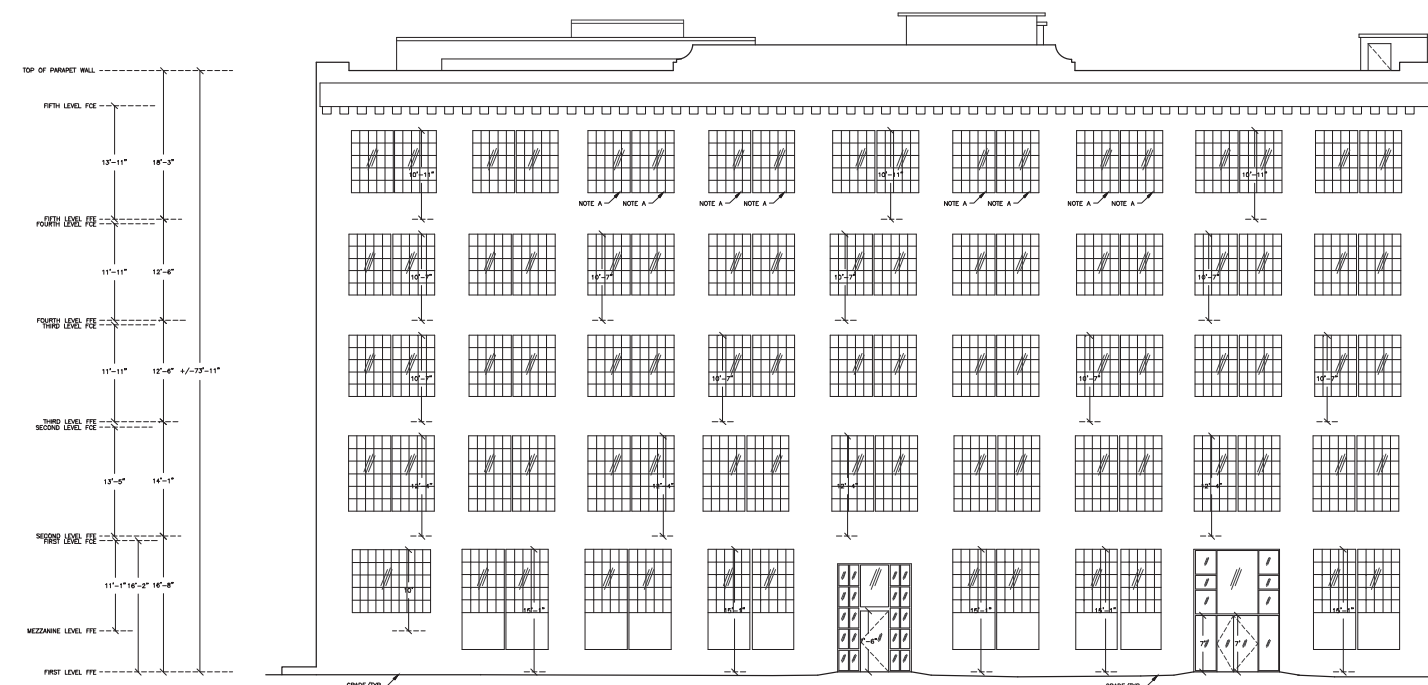
The contemporary window systems and contemporary entry systems on the ground floor level along Third Street will be replaced within two years. As required under Article 10 of the Planning Code, a Certificate of Appropriateness will be obtained for all exterior changes requiring a city permit.

Windows, Floors 2 through 5

Inspected and repaired annually. Multi-lite steel sash windows are repaired as necessary to extend the life of the window system as long as possible. If the multi-lite steel sash cannot be repaired and replacement is necessary, new metal sash windows will be installed that match the muntin pattern, sash profile, and divided lite counts on the existing multi-lite steel sash windows.

Lobby

Historical background information will be displayed in the building lobby to assist in educating tenants and visitors about the history of the MJB Coffee building and the South End Historic District.



1 EXISTING EAST ELEVATION



THESE ARE BASIC ELEVATIONS.
NO BUILDING ORNAMENTATION SHOWN.

NOTE A:
THIS ELEMENT NOT MEASURED, ILLUSTRATORS RENDERING.

665 3RD STREET
SAN FRANCISCO, CA 94107

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OF SPACES OR ARTIFACTS FOUND HEREIN FOR
ANY PURPOSE.
EXTERIOR ELEMENTS HAVE BEEN MEASURED AND
DRAWN FOR REFERENCE ONLY. THIS IS NOT A
SURVEY.



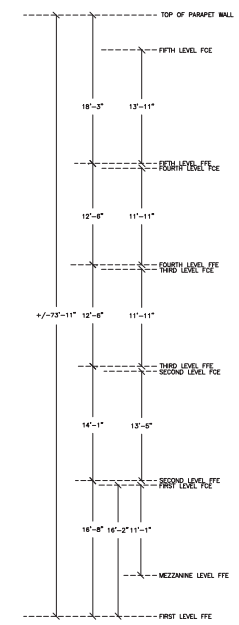
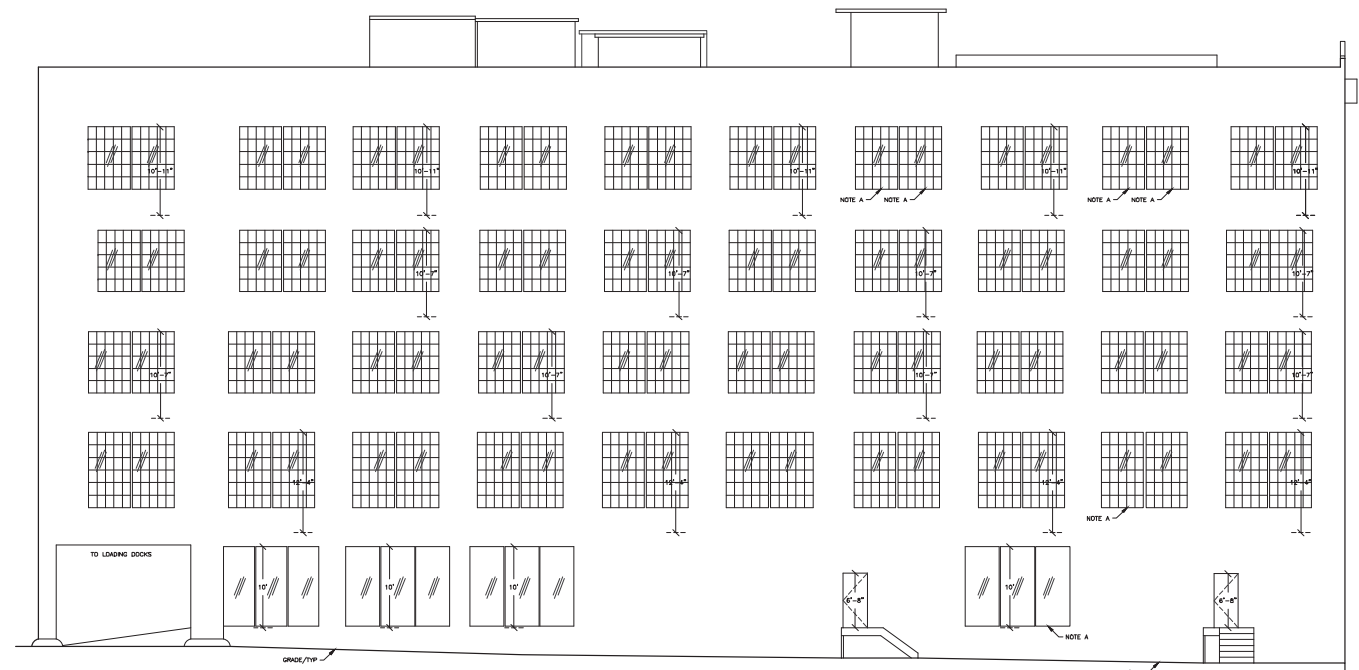
1-800-318-0099 WWW.ASBUILTSERVICES.COM

EXISTING EAST ELEVATION

REF: 665r_SF
REV. 1
DRAWN BY: GN
AUDITED BY: GN

SHEET SIZE: 36x42
SCALE: 1/8"=1'-0"
FIELD SURVEY
05/21/2013 05:06:2013

A-201
7 OF 9



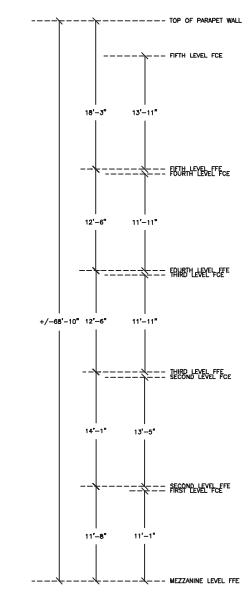
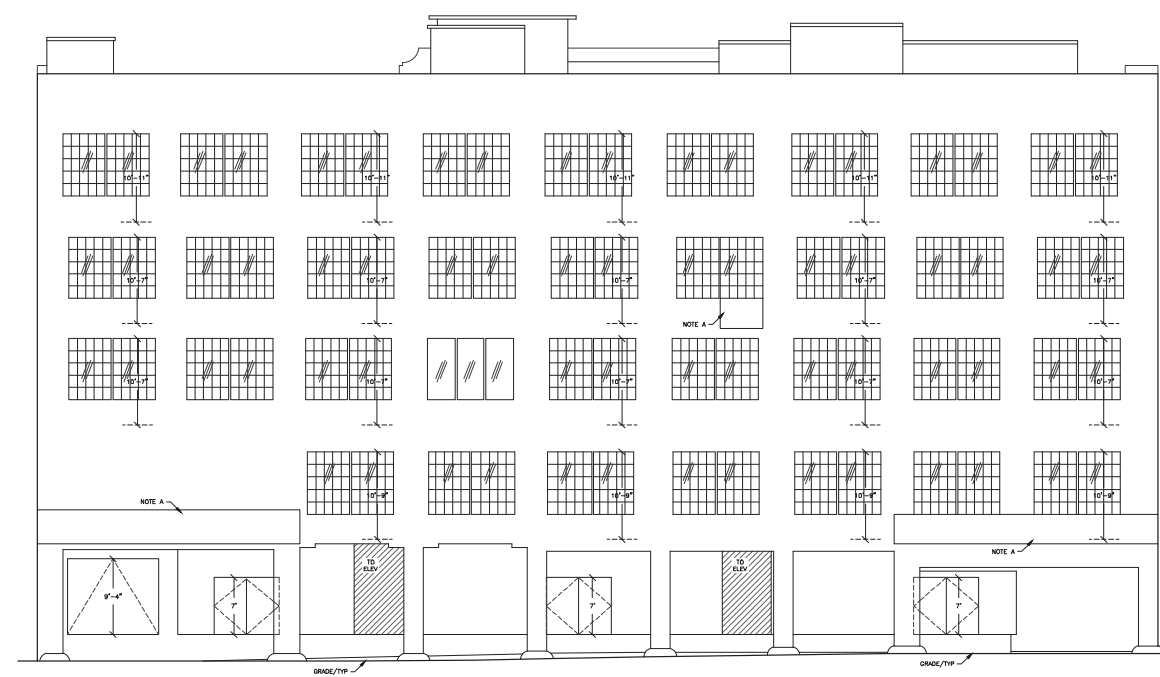
1 EXISTING SOUTH ELEVATION

DATUM

THESE ARE BASIC ELEVATIONS.
NO BUILDING ORNAMENTATION SHOWN.

NOTE A:
THIS ELEMENT NOT MEASURED, ILLUSTRATOR'S RENDERING.

665 3RD STREET SAN FRANCISCO, CA 94107	
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 <small>FOR THE RECORD SINCE 1998</small>	
<small>1-800-318-0099 WWW.ASBUILTSERVICES.COM</small>	
EXISTING SOUTH ELEVATION	
<small>REF: 665r_SF REV. 1 DRAWN BY: GN AUDITED BY: GN</small>	<small>SHEET SIZE: 36x42 SCALE: 1/8"=1'-0" FIELD SURVEY 02/21/2013-02/26/2013</small>
<h1>A-202</h1> <small>8 OF 9</small>	



1 EXISTING WEST ELEVATION



THESE ARE BASIC ELEVATIONS.
NO BUILDING ORNAMENTATION SHOWN.

NOTE A:
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665 3RD STREET SAN FRANCISCO, CA 94107	
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 FOR THE RECORD SINCE 1998 1-800-318-0099 WWW.ASBUILTSERVICES.COM	
EXISTING WEST ELEVATION	
REF: 665r_Sf REV. 1 DRAWN BY: GN AUDITED BY: GN	SHEET SIZE: 36x42 SCALE: 1/8"=1'-0" FIELD SURVEY 02/21/2013 05:06:2013
A-203	
9 OF 9	



SAN FRANCISCO PLANNING DEPARTMENT

Historic Preservation Commission Resolution No. 0713

HEARING DATE: October 2, 2013

Date: October 2, 2013
Case No.: **2013.0226BC**
Project Address: **665 3rd Street**
Historic Landmark: South End Landmark District
Zoning: SLI (Service/Light Industrial) Zoning District
Block/Lot: 3788/041
Project Sponsor: Caroline Guibert, Coblentz, Patch, Duffy and Bass, LLP
Staff Contact: Richard Sucre – (415) 575-9108
richard.sucre@sfgov.org
Reviewed By: Tim Frye, Preservation Coordinator
tim.frye@sfgov.org

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

ADOPTING FINDINGS RELATED TO THE FEASIBILITY OF PRESERVING THE SUBJECT PROPERTY FOR THE PROPOSED CHANGE IN USE FROM PDR TO OFFICE USE AT 665 3RD STREET (ASSESSOR'S BLOCK 3788, LOT 041), LOCATED WITHIN SLI (SERVICE/LIGHT INDUSTRIAL) ZONING DISTRICT, SOUTH END LANDMARK DISTRICT, AND 65-X HEIGHT AND BULK DISTRICT.

PREAMBLE

1. WHEREAS, on February 28, 2013, the Project Sponsor (Caroline Guibert, Coblentz, Patch, Duffy and Bass, LLP) filed a Conditional Use Application and Office Development Authorization with the San Francisco Planning Department for 665 3rd Street (Block 3788, Lots 041).
2. WHEREAS, the proposed project intends to utilize Planning Code Section 803.9(a) to allow a change in use of up to approximately 123,700 sf from PDR to office use at 665 3rd Street. Pursuant to Planning Code Section 803.9(a), the following provision is intended to support the economic viability of buildings of historic importance within a South of Market Mixed Use District:
 - (a) Preservation of Landmark Buildings, Significant or Contributory Buildings Within the Extended Preservation District and/or Contributory Buildings Within Designated Historic Districts within the South of Market Mixed Use Districts. Within the South of Market Mixed Use District, any use which is permitted as a principal or conditional use within the SSO District, excluding nighttime entertainment use, may be permitted as a conditional use in
 - (a) a landmark building located outside a designated historic district,
 - (b) a contributory building which is proposed for conversion to office use of an aggregate gross square footage of 25,000 or more per building and which is located outside the SSO District yet within a designated historic district, or

(c) a building designated as significant or contributory pursuant to [Article 11](#) of this Code and located within the Extended Preservation District.

For all such buildings the following conditions shall apply:

- (1) the provisions of Sections [316](#) through [318](#) of this Code must be met;
- (2) in addition to the conditional use criteria set out in Sections [303](#)(c)(6) and [316](#) through [316.8](#), it must be determined that allowing the use will enhance the feasibility of preserving the landmark, significant or contributory building; and
- (3) the landmark, significant or contributory building will be made to conform with the San Francisco Building Code standards for seismic loads and forces which are in effect at the time of the application for conversion of use.

A contributory building which is in a designated historic district outside the SSO District may be converted to any use which is a principal use within the SSO District provided that:

- (1) such use does not exceed an aggregate square footage of 25,000 per building; and
 - (2) prior to the issuance of any necessary permits the Zoning Administrator
 - (a) determines that allowing the use will enhance the feasibility of preserving the contributory building; and
 - (b) the contributory building will be made to conform with the San Francisco Building Code standards for seismic loads and forces which are in effect at the time of the application for conversion of use.
3. WHEREAS, City Charter 4.135 established the Historic Preservation Commission. All duties and responsibilities of the Landmarks Preservation Advisory Board ("LPAB") are under the purview and responsibility of the Historic Preservation Commission.
4. WHEREAS, on October 2, 2013, the Department presented the proposed project to the Historic Preservation Commission. The Commission's comments on the compliance of the proposed project with the Secretary of the Interior's Standards for Rehabilitation and the ability of the proposed project to enhance the feasibility of the historic resource through implementation of a Historic Building Maintenance Plan (HBMP) would be forwarded to the Planning Commission for consideration under Planning Code Section 803.9(a).

THEREFORE BE IT RESOLVED that the Historic Preservation Commission has reviewed the proposed project at 665 3rd Street, on Lots 041 in Assessor's Block 3788, and this Commission has provided the following comments:

- The Historic Building Maintenance Plan appropriately outlines a program for cyclical maintenance, repair and restoration, and proactively seeks to rectify inappropriate alterations to the subject property, thus reinforcing the building's contribution to the surrounding landmark district.

BE IT FURTHER RESOLVED that the Historic Preservation Commission hereby directs its Recording

Resolution No. 0713
Hearing Date: October 2, 2013

CASE NO. 2013.0226BC
665 3rd Street

Secretary to transmit this Resolution, and other pertinent materials in the Case File No. 2013.0226BC to the Planning Commission.

I hereby certify that the foregoing Resolution was ADOPTED by the Historic Preservation Commission at its regularly scheduled meeting on October 2, 2013.

Jonas P. Ionin
Acting Commission Secretary

PRESENT: Hasz, Hyland, Johnck, Johns, Pearlman and Wolfram

ABSENT: Matsuda

ADOPTED: October 2, 2013

665 Third Street Historic Building Maintenance Plan

This plan provides a cycle of maintenance to be performed on the historic MJB Coffee building, which is a contributor to Article 10 South End Historic District. Annual inspections are performed to assess the needs for maintenance as well as planning for any larger capital needs. The building underwent a full seismic retrofit in 1987 so no additional seismic work is necessary.

Roof

A new roof was installed in 2004. The roof is inspected and repaired annually to preserve seals and prevent water intrusion. The roof will be replaced every 20 to 25 years, depending on the condition of the roof.

Exterior Paint

There is an annual inspection of the integrity of the paint and concrete plaster on the exterior of the building. The building was most recently painted in July and August of this year. The building will be repainted and caulked every 7 to 10 years using the historical color scheme, which will reinforce the building's relationship to the surrounding historic district. A historic paint analysis, which will include information about the building's historic color, will be performed within two years to determine the historical color scheme. Planning Department Preservation Staff will be consulted on the historical color scheme before the building is repainted next.

Exterior Signage

With the exception of the blade sign, there is no exterior signage on the building. The blade sign was installed prior to 1978, at which time it was moved from the south end of the building to the north end of the building with Planning Department approval. The blade sign, which pre-dates the South End Historic District controls, was repainted this year at a cost of approximately \$20,000. If repairs are required in the future, the project sponsor will consider removing rather than repairing the blade sign, depending on which option would be most compatible with the historic building, as determined by the Planning Department. Depending on the extent of the work, a Certificate of Appropriateness may be required should the sign be removed in the future.

No new exterior signage is proposed. The project sponsor has a policy of not allowing tenant signage on the exterior of the building.

Ground Level Exterior

Graffiti on the ground floor level is removed as necessary. A sealer is applied to the graffiti before the graffiti is painted over with paint matching the existing color of the building. No historic building materials are damaged in the process.

The contemporary window systems on the ground floor level along Third Street will be replaced within the next two years with new systems that closely match the historic windows in terms of configuration, material, and exterior profiles and dimensions. This work will be based on physical or photographic evidence,

665 Third Street Historic Building Maintenance Plan

consistent with the Secretary of the Interior's Standards. As required under Article 10 of the Planning Code, a Certificate of Appropriateness will be obtained for all exterior changes requiring a city permit.

In addition, the contemporary entry systems on the ground floor level along Third Street will be replaced within the next two years with new systems that closely match the historic entryway/doors in terms of configuration, material, and exterior profiles and dimensions, to the extent that ADA standards will still be met. This work will be based on physical or photographic evidence, consistent with the Secretary of the Interior's Standards. As required under Article 10 of the Planning Code, a Certificate of Appropriateness will be obtained for all exterior changes requiring a city permit.

Windows, Floors 2 through 5

Windows are inspected annually. The annual inspection and repair includes rust abatement, caulking and repair of functional issues. Multi-lite steel sash windows are repaired as necessary to extend the life of the window system as long as possible. If the multi-lite steel sash cannot be repaired and replacement is necessary, new metal sash windows will be installed that match the muntin pattern, sash profile, and divided lite counts on the existing multi-lite steel sash windows. See above regarding contemporary window systems on the ground floor level.

Basement Level

Inspections are done annually at the basement level to look for evidence of water intrusion on the west side of the building along Third Street, on the east side of the building along Clarence Place, and the north side of the building in the alley between Clarence Place and Third Street. In the event of water intrusion the source is located and sealed.

Historic Documentation and Display

Within the next six months, a qualified historian or architectural historian will be retained to assemble historical background information relevant to the building and its setting. The historical background information, including photographs of the historic MJB Coffee building, will be displayed in the building lobby within six months thereafter to assist in educating tenants and visitors about the history of the MJB Coffee building and the South End Historic District.

Sucre, Richard

From: Sue Hestor <hestor@earthlink.net>
Sent: Saturday, September 28, 2013 7:46 PM
To: rich.sucre@sfgov.org
Cc: Ionin, Jonas; Sanchez, Scott
Subject: 665 3rd Street - IMMEDIATE DISCLOSURE REQUEST - OFFICE ALLOCATION

As soon as the staff report for the office allocation goes to the Planning Commission or is released in compliance with the San Francisco Sunshine Ordinance or the Public Records, I request that it be immediately released to me, both by email and a copy placed in the 4th floor pickup bin.

This matter is currently set for hearing **October 24, 2013**.

I continue to assert that **office allocations** are complicated cases which, according to Planning Commission Rules, require that the staff report and developer's submission must be released two weeks before the Commission hearing.

The right to receive documents in accordance with Planning Commission Rules does not belong exclusively to the Planning Commission. It is a right that also belongs to the PUBLIC so that the PUBLIC has time respond to the staff analysis of the project. Unlike a **311 or 312 project** for which plans and staff determination are mailed out at least two months before any hearing, and unlike a project that has received a formal Zoning Administrator determination, there are no plans or analyses which are sent to nearby property owners or others. They have a right to receive those documents at least two weeks before the hearing and BEFORE the staff report is provided to the Planning Commission one week before the hearing. Nearby property owners are entitled to receive building plans for all 312 projects along with a brief staff summary. At least 30 days before a hearing.

This project requires an **office allocation** because of a vote of the people of San Francisco in November 1986. It also requires 312 notice (p.2 of staff report), although NO PLANS have been sent out as for all other 312 projects. Such plans would have been received over one month before any hearing. NO BUILDING PERMIT APPLICATION and plans for 270 Brannan are on file with the Department of Building Inspection.

Projects in the East Soma, including 665 3rd Street, receive an environmental exemption based on the Eastern Neighborhoods Plan EIR. Contrary to the assertion that

"Since the Final EIR was finalized, there have been no substantial changes to the Eastern Neighborhoods Area Plan and no substantial changes in circumstances that would require major revisions to the Final EIR due to the involvement of new significant environmental effects or an increase in the severity of previously identified significant impacts, and there is no new information of substantial importance that would change the conclusions set forth in the Final EIR. "

Since that Final EIR was approved, a major project has been proposed in both the Eastern Soma and the adjacent piers. **2012.0718E is the Event Center and Mixed Use Development at Pier 30-32 and Seawall Lot 330.**

SWL 330 is within the boundaries of the Eastern Soma Plan area. It contains a major hotel, highrise housing

which does not comply with the Eastern Neighborhoods or Eastern Soma Area Plan or their underlying zoning controls. The project requires revisions to the Eastern Soma Area Plan, and therefore the Eastern Neighborhoods Plan EIR. It also requires revisions to the Planning Code provisions which implement those plans.

The event center is a arena for year-round conventions, musical and other events and basketball games. It requires amendment of various plans and of the zoning.

An EIR for that project is currently being prepared and will include a transit study and evaluation of the impacts of both the event center and its significant associated parking.

The above assertion regarding the Eastern Neighborhoods Plan EIR is incorrect and out of date.

Please print this out and include this in the project file.

Sue Hestor
870 Market Street #1128
San Francisco CA 94102



SAN FRANCISCO PLANNING DEPARTMENT

CEQA Categorical Exemption Determination

PROPERTY INFORMATION/PROJECT DESCRIPTION

Project Address		Block/Lot(s)	
665 Third Street		3788/041	
Case No.	Permit No.	Plans Dated	
2013.0226E		N/A	
<input checked="" type="checkbox"/> Addition/ Alteration	<input type="checkbox"/> Demolition (requires HRER if over 50 years old)	<input type="checkbox"/> New Construction	<input type="checkbox"/> Project Modification (GO TO STEP 7)
Project description for Planning Department approval. Legalize existing office use. Change of use (7,616 sq. ft.) from PDR (telecom switch & terminal facility) to office. Only physical change would be associated with Historic Building Maintenance Plan; no expansion of building			

STEP 1: EXEMPTION CLASS

TO BE COMPLETED BY PROJECT PLANNER

Note: If neither class applies, an <i>Environmental Evaluation Application</i> is required.	
<input checked="" type="checkbox"/>	Class 1 – Existing Facilities. Interior and exterior alterations; additions under 10,000 sq. ft.; change of use if principally permitted or with a CU.
<input type="checkbox"/>	Class 3 – New Construction. Up to three (3) new single-family residences or six (6) dwelling units in one building; commercial/office structures; utility extensions.
<input type="checkbox"/>	Class__

STEP 2: CEQA IMPACTS

TO BE COMPLETED BY PROJECT PLANNER

If any box is checked below, an <i>Environmental Evaluation Application</i> is required.	
<input type="checkbox"/>	Transportation: Does the project create six (6) or more net new parking spaces or residential units? Does the project have the potential to adversely affect transit, pedestrian and/or bicycle safety (hazards) or the adequacy of nearby transit, pedestrian and/or bicycle facilities?
<input type="checkbox"/>	Air Quality: Would the project add new sensitive receptors (specifically, schools, day care facilities, hospitals, residential dwellings, and senior-care facilities) within an air pollution hot spot? (refer to EP_ArcMap > CEQA Catex Determination Layers > Air Pollution Hot Spots)
<input type="checkbox"/>	Hazardous Materials: Any project site that is located on the Maher map or is suspected of containing hazardous materials (based on a previous use such as gas station, auto repair, dry cleaners, or heavy manufacturing, or a site with underground storage tanks): Would the project involve soil disturbance of any amount or a change of use from industrial to commercial/residential? If yes, should the applicant present documentation of a completed Maher Application that has been submitted to the San Francisco Department of Public Health (DPH), this box does not need to be checked, but such documentation must be appended to this form. In all other circumstances, this box must be checked and the project applicant must submit an Environmental Application with a Phase I Environmental Site Assessment and/or file a Maher Application with DPH. (refer to EP_ArcMap > Maher layer.)

<input type="checkbox"/>	Soil Disturbance/Modification: Would the project result in soil disturbance/modification greater than two (2) feet below grade in an archeological sensitive area or eight (8) feet in a non-archeological sensitive area? (refer to EP_ArcMap > CEQA Catex Determination Layers > Archeological Sensitive Area)
<input type="checkbox"/>	Noise: Does the project include new noise-sensitive receptors (schools, day care facilities, hospitals, residential dwellings, and senior-care facilities) fronting roadways located in the noise mitigation area? (refer to EP_ArcMap > CEQA Catex Determination Layers > Noise Mitigation Area)
<input type="checkbox"/>	Subdivision/Lot Line Adjustment: Does the project site involve a subdivision or on a lot with a slope average of 20% or more? (refer to EP_ArcMap > CEQA Catex Determination Layers > Topography)
<input type="checkbox"/>	Slope = or > 20%: Does the project involve excavation of 50 cubic yards of soil or more, square footage expansion greater than 1,000 sq. ft., shoring, underpinning, retaining wall work, or grading on a lot with a slope average of 20% or more? <i>Exceptions: do not check box for work performed on a previously developed portion of site, stairs, patio, deck, or fence work.</i> (refer to EP_ArcMap > CEQA Catex Determination Layers > Topography) If box is checked, a geotechnical report is required and a Certificate or higher level CEQA document required
<input type="checkbox"/>	Seismic: Landslide Zone: Does the project involve excavation of 50 cubic yards of soil or more, square footage expansion greater than 1,000 sq. ft., shoring, underpinning, retaining wall work, grading –including excavation and fill on a landslide zone – as identified in the San Francisco General Plan? <i>Exceptions: do not check box for work performed on a previously developed portion of the site, stairs, patio, deck, or fence work.</i> (refer to EP_ArcMap > CEQA Catex Determination Layers > Seismic Hazard Zones) If box is checked, a geotechnical report is required and a Certificate or higher level CEQA document required
<input type="checkbox"/>	Seismic: Liquefaction Zone: Does the project involve excavation of 50 cubic yards of soil or more, square footage expansion greater than 1000 sq ft, shoring, underpinning, retaining wall work, or grading on a lot in a liquefaction zone? <i>Exceptions: do not check box for work performed on a previously developed portion of the site, stairs, patio, deck, or fence work.</i> (refer to EP_ArcMap > CEQA Catex Determination Layers > Seismic Hazard Zones) If box is checked, a geotechnical report will likely be required
<input type="checkbox"/>	Serpentine Rock: Does the project involve any excavation on a property containing serpentine rock? <i>Exceptions: do not check box for stairs, patio, deck, retaining walls, or fence work.</i> (refer to EP_ArcMap > CEQA Catex Determination Layers > Serpentine)
If no boxes are checked above, GO TO STEP 3. If one or more boxes are checked above, an <u>Environmental Evaluation Application</u> is required.	
<input checked="" type="checkbox"/>	Project can proceed with categorical exemption review. The project does not trigger any of the CEQA impacts listed above.
Comments and Planner Signature (optional): Laura Lynch <small>Digitally signed by Laura Lynch DN: cn=Laura Lynch, ou=SF Planning Department, ou=Environmental Planning, email=laura.lynch@sfplanning.org, c=US Date: 2013.02.16 11:22:49-0700</small>	
Legalize existing office use. Change of use (7,616 sq. ft.) from PDR (telecom switch & terminal facility) to office. No expansion of building, only physical change would be associated with Historic Building Maintenance Plan.	

**STEP 3: PROPERTY STATUS – HISTORIC RESOURCE
TO BE COMPLETED BY PROJECT PLANNER**

PROPERTY IS ONE OF THE FOLLOWING: (refer to Parcel Information Map)	
<input type="checkbox"/>	Category A: Known Historical Resource. GO TO STEP 5.
<input type="checkbox"/>	Category B: Potential Historical Resource (over 50 years of age). GO TO STEP 4.
<input type="checkbox"/>	Category C: Not a Historical Resource or Not Age Eligible (under 50 years of age). GO TO STEP 6.

**STEP 4: PROPOSED WORK CHECKLIST
TO BE COMPLETED BY PROJECT PLANNER**

Check all that apply to the project.	
<input type="checkbox"/>	1. Change of use and new construction. Tenant improvements not included.
<input checked="" type="checkbox"/>	3. Regular maintenance or repair to correct or repair deterioration, decay, or damage to building.
<input checked="" type="checkbox"/>	4. Window replacement that meets the Department's <i>Window Replacement Standards</i> . Does not include storefront window alterations.
<input type="checkbox"/>	5. Garage work. A new opening that meets the <i>Guidelines for Adding Garages and Curb Cuts</i> , and/or replacement of a garage door in an existing opening that meets the Residential Design Guidelines.
<input type="checkbox"/>	6. Deck, terrace construction, or fences not visible from any immediately adjacent public right-of-way.
<input type="checkbox"/>	7. Mechanical equipment installation that is not visible from any immediately adjacent public right-of-way.
<input type="checkbox"/>	8. Dormer installation that meets the requirements for exemption from public notification under <i>Zoning Administrator Bulletin No. 3: Dormer Windows</i> .
<input type="checkbox"/>	9. Addition(s) that are not visible from any immediately adjacent public right-of-way for 150 feet in each direction; does not extend vertically beyond the floor level of the top story of the structure or is only a single story in height; does not have a footprint that is more than 50% larger than that of the original building; and does not cause the removal of architectural significant roofing features.
Note: Project Planner must check box below before proceeding.	
<input checked="" type="checkbox"/>	Project is not listed. GO TO STEP 5.
<input type="checkbox"/>	Project does not conform to the scopes of work. GO TO STEP 5.
<input type="checkbox"/>	Project involves four or more work descriptions. GO TO STEP 5.
<input type="checkbox"/>	Project involves less than four work descriptions. GO TO STEP 6.

**STEP 5: CEQA IMPACTS – ADVANCED HISTORICAL REVIEW
TO BE COMPLETED BY PRESERVATION PLANNER**

Check all that apply to the project.	
<input checked="" type="checkbox"/>	1. Project involves a known historical resource (CEQA Category A) as determined by Step 3 and conforms entirely to proposed work checklist in Step 4.
<input type="checkbox"/>	2. Interior alterations to publicly accessible spaces.
<input type="checkbox"/>	3. Window replacement of original/historic windows that are not “in-kind” but are consistent with existing historic character.
<input checked="" type="checkbox"/>	4. Façade/storefront alterations that do not remove, alter, or obscure character-defining features.
<input type="checkbox"/>	5. Raising the building in a manner that does not remove, alter, or obscure character-defining features.
<input type="checkbox"/>	6. Restoration based upon documented evidence of a building’s historic condition, such as historic photographs, plans, physical evidence, or similar buildings.
<input type="checkbox"/>	7. Addition(s) , including mechanical equipment that are minimally visible from a public right-of-way and meet the <i>Secretary of the Interior’s Standards for Rehabilitation</i> .

<input checked="" type="checkbox"/>	<p>8. Other work consistent with the <i>Secretary of the Interior Standards for the Treatment of Historic Properties</i> (specify or add comments):</p> <p>Proposed Project involves a Historic Building Maintenance Plan (HBMP). COA will be required for any exterior work; All work would comply with Sec'y Standards.</p>
<input type="checkbox"/>	<p>9. Reclassification of property status to Category C. (Requires approval by Senior Preservation Planner/Preservation Coordinator)</p> <p>a. Per HRER dated: _____ (attach HRER)</p> <p>b. Other (specify):</p>
<p>Note: If ANY box in STEP 5 above is checked, a Preservation Planner MUST check one box below.</p>	
<input type="checkbox"/>	<p>Further environmental review required. Based on the information provided, the project requires an <i>Environmental Evaluation Application</i> to be submitted. GO TO STEP 6.</p>
<input checked="" type="checkbox"/>	<p>Project can proceed with categorical exemption review. The project has been reviewed by the Preservation Planner and can proceed with categorical exemption review. GO TO STEP 6.</p>
<p>Comments (optional):</p> <p>See HBMP in Case No. 2013.0226C</p>	
<p>Preservation Planner Signature: Richard Sucre <small>Digitally signed by Richard Sucre DN: cn=Richard Sucre, o=SF Planning, email=Richard.Sucre@sfgov.org Date: 2013.09.27 16:00:27 -07'00'</small></p>	

**STEP 6: CATEGORICAL EXEMPTION DETERMINATION
TO BE COMPLETED BY PROJECT PLANNER**

<input type="checkbox"/>	<p>Further environmental review required. Proposed project does not meet scopes of work in either (check all that apply):</p> <p><input type="checkbox"/> Step 2 – CEQA Impacts</p> <p><input type="checkbox"/> Step 5 – Advanced Historical Review</p> <p>STOP! Must file an <i>Environmental Evaluation Application</i>.</p>	
<input checked="" type="checkbox"/>	<p>No further environmental review is required. The project is categorically exempt under CEQA.</p>	
	<p>Planner Name: Laura Lynch</p>	<p>Signature or Stamp:</p> <p style="font-size: 2em; font-weight: bold;">Laura Lynch</p> <p><small>Digitally signed by Laura Lynch DN: cn=Laura Lynch, o=SF Planning Department, ou=Environmental Planning, email=laura.lynych@sfgov.org, c=US Date: 2013.09.27 13:35:36 -07'00'</small></p>
	<p>Project Approval Action: Planning Commission Hearing</p> <p><small>*If Discretionary Review before the Planning Commission is requested, the Discretionary Review hearing is the Approval Action for the project.</small></p>	
<p>Once signed or stamped and dated, this document constitutes a categorical exemption pursuant to CEQA Guidelines and Chapter 31 of the Administrative Code.</p> <p>In accordance with Chapter 31 of the San Francisco Administrative Code, an appeal of an exemption determination can only be filed within 30 days of the project receiving the first approval action.</p>		