



EXECUTIVE SUMMARY

CONDITIONAL USE AUTHORIZATION

HEARING DATE: NOVEMBER 5, 2020

Record No.: 2019-015642CUA
Project Address: 201 2nd Street
Zoning: C-3-O(SD) (Downtown - Office (Special Development)) Zoning District
350-S Height and Bulk District
Transit Center Special Use District & Transbay Special Use District
Block/Lot: 3736/097
Project Sponsor: Reuben Junius & Rose
One Bush Street, Suite 600
San Francisco, CA 94103
Property Owner: 201 2nd Street, LLC
1605 Montgomery Street
San Francisco, CA 94111
Staff Contact: Carolyn Fahey – (628) 652-7367
Carolyn.Fahey@sfgov.org

Recommendation: Approval with Conditions

Project Description

The Project proposes a two (2)-year temporary use authorization for 17 standard parking spaces, one (1) compact parking space, one (1) accessible parking space, four (4) Class II bicycle parking spaces, a 25 square foot ticket booth, and site screening and landscaping within the C-3-O(SD) Zoning District.

Required Commission Action

In order for the Project to proceed, the Commission must grant a Conditional Use Authorization, pursuant to Planning Code Sections 156 and 303 to allow a two (2)-year temporary authorization of surface parking lot as a principal use in the C-3-O(SD) Zone District.

Issues and Other Considerations

- **Public Comment & Outreach.**
 - **Support/Opposition:** The Department has not received any letters in support or in opposition to the Project.
- **Review Comments:** The project has changed in the following significant ways since the original submittal to the Department:
 - Reduced the number of proposed parking spaces by one (1), for a current total of 19;
 - Installed four (4) approximately one (1) square foot planters for temporary landscaping purposes.

Environmental Review

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

Basis for Recommendation

The Department finds that the Project is, on balance, consistent with the Downtown Area Plan and the Objectives and Policies of the General Plan. Although the Project supports vehicle dependency in the short term, the Project is temporary and is dedicated to supporting the development of key sustainable transit infrastructure through the installation of high-speed regional rail, which is a goal of the City’s. The Department also finds the project to be necessary, desirable, and compatible with the surrounding neighborhood, and not to be detrimental to persons or adjacent properties in the vicinity.

Attachments:

Draft Motion – Conditional Use Authorization with Conditions of Approval
Exhibit B – Plan and Site Photos
Exhibit C – Environmental Determination
Exhibit D – Land Use Data
Exhibit E – Maps and Context Photos
Exhibit F – Planning Commission Motion No. 19829
Exhibit G – Project Sponsor Brief



PLANNING COMMISSION DRAFT MOTION

HEARING DATE: NOVEMBER 5, 2020

Record No.: 2019-015642CUA
Project Address: 201 2nd STREET
Zoning: C-3-O(SD) (Downtown - Office (Special Development)) Zoning District
350-S Height and Bulk District
Transit Center Special Use District & Transbay Special Use District
Block/Lot: 3736/097
Project Sponsor: Reuben Junius & Rose, LLP
One Bush Street, Suite 600
San Francisco, CA 94104
Property Owner: 201 2nd Street, LLC
1605 Montgomery Street
San Francisco, CA 94111
Staff Contact: Carolyn Fahey – (628) 652-7367
Carolyn.Fahey@sfgov.org

ADOPTING FINDINGS TO APPROVE CONDITIONAL USE AUTHORIZATION PURSUANT TO PLANNING CODE SECTIONS 156 AND 303 TO ABATE NON-COMPLIANCE AND PERMIT A TWO-YEAR EXTENSION OF AN EXISTING, TEMPORARY PUBLIC PARKING LOT USE LOCATED AT 201 2ND STREET, LOT 097, IN ASSESSOR'S BLOCK 3736, WITHIN THE C-3-O (SD) DISTRICT, THE TRANSBAY C-3 SPECIAL USE DISTRICT, THE TRANSIT CENTER C-3-O(SD) COMMERCIAL SPECIAL USE DISTRICT, AND 350-S HEIGHT AND BULK DISTRICT, AND ADOPTING FINDINGS UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.

PREAMBLE

On August 27, 2014, Reuben, Junius & Rose filed a Conditional Use Authorization application with the Planning Department for the temporary renewal of a parking lot permitting a two (2)-year temporary use authorization for 18 standard parking spaces, one (1) compact parking space, one (1) car share space, four (4) Class II bicycle parking spaces, and 25 square foot ticket booth. On January 12, 2017 the Planning Commission heard and granted the request under Motion No. 19829 subject to conditions of approval (see Exhibit G for Motion No. 19829 for full conditions of approval and project site plan). This unvested approval expired on January 12, 2019.

On August 12, 2019, Mark Osorio (hereinafter "Operator") filed Application No. 2019-015642CUA (hereinafter "Application") with the Planning Department (hereinafter "Department") for a Conditional Use Authorization for the temporary renewal of a public parking lot with no site plan (hereinafter "Project") at 201 2nd Street, Block 3736 Lot 097 (hereinafter "Project Site").

On February 26, 2020, Planning Enforcement Case No. 2020-002913ENF was opened due the failure to comply with the conditions of approval prescribed by Planning Commission Motion No. 19829. The required compact parking space has been converted to a "Spot Hero" space; no car share, bike parking, site screening, or landscaping has been implemented; and unpermitted signage and accessory uses have been found onsite.

In July 2020 Reuben, Junius & Rose (hereinafter "Project Sponsor") took over case representation.

On September 15, 2020, site photographs were submitted to the Planning Department to demonstrate compliance with landscape requirements. On October 1, 2020, a site plan was submitted documenting 17 standard parking spaces, one (1) compact parking space, one (1) accessible parking space, four (4) Class II bicycle parking spaces, a 25 square foot ticket booth, and site screening and landscaping.

The Project is exempt from the California Environmental Quality Act ("CEQA") as a Class 1 categorical exemption.

On November 5, 2020, the Commission conducted a duly noticed public hearing at a regularly scheduled meeting on Conditional Use Application No. 2015-000123CUA.

The Planning Department Commission Secretary is the custodian of records; the File for Record No. 2019-015642CUA is located at 49 South Van Ness Avenue, Suite 1400, San Francisco, California.

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

MOVED, that the Commission hereby authorizes the Conditional Use as requested in Application No. 2019-015642CUA, 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. Project Description.** Project proposes a two (2)-year temporary use authorization for 17 standard vehicle parking spaces, one (1) compact parking space, one (1) accessible parking space, four (4) Class II bicycle parking spaces, a 25 square foot ticket booth, and site screening and landscaping within the C-3-O(SD) Zoning District.
- 3. Site Description and Present Use.** The Project is located on Lot 097 of Assessor's Block 3736, a 4,887 square foot corner lot, on the southeast corner of the Howard and 2nd Street intersection. The site is developed with asphalt surface paving, partial chain link perimeter fence, and 25 square foot ticket booth for the principal use of public parking lot. Principal use surface parking became a nonconforming use in 2014; in 2015 an abandonment ordinance with a sunset provision was adopted by the City. The sunset provision allows for existing principal-use parking lots a temporary extension for a period of up to five (5) years with an approved Conditional Use Authorization.
- 4. Surrounding Properties and Neighborhood.** The Project Site is located within the C-3-O(SD) Zoning Districts in the Downtown Area Plan and the Transbay and Transit Center Special Use Districts, as well as the Transbay Zone 2 Redevelopment Area. The immediate context is mixed in character with a wide variety of office, retail, hotel, and multi-family residential uses. The immediate neighborhood includes predominately low- to mid-rise office buildings and construction staging for larger development, regional transit hub with high speed rail extension planned in the vicinity. The Project Site is subject to eminent domain to allow for the installation of a portion of the subterranean highspeed rail extension. The extension, as proposed, is a subterranean tunnel; the top of the tunnel will be approximately 10 feet below existing grade and will require full site excavation to construct. Across Howard Street to the north is the Transit Center and Salesforce Tower; Dwight D Eisenhower Highway (aka Interstate-80) is located to the east beyond Tehama Street ; to the northwest across on Market Street is the Montgomery Street BART Station; the Moscone Center, Yerba Buena Gardens, and the SFMOMA are across 3rd Street to the southwest; and to the south mid-rise office housing businesses such as LinkedIn and Apple. Other zoning districts in the vicinity of the project site include C-3-O(SD) (Downtown-Office (Special Development)) and P (Public).
- 5. Public Outreach and Comments.** The Department has not received public correspondence related to the project.
- 6. Planning Code Compliance.** The Commission finds that the Project is consistent with the relevant provisions of the Planning Code in the following manner:
 - A. Use.** Planning Code Section 210.2 states that a parking lot—as a principal use—is not permitted in the C-3-O(SD) Zoning District. Planning Code Section 156 states no principal use parking lots are permitted in the C-3 Zone District. Temporary Lots may be approved as Conditional Uses for a two (2)-year extension, for a period not to exceed five (5) years from the date of approval.

Existing principal use parking lots may be approved as a temporary use for up to a two (2)-year period with an individual Conditional Use Authorization, not to exceed a cumulative total of five (5) years pursuant to Planning Code Section 156.

The requirement for a Conditional Use Authorization went into effect on March 22, 2015. On January 12, 2017, the subject property obtained a Conditional Use Authorization for a temporary two (2)-year extension (Motion No. 19829). On August 5, 2019 an application to obtain a second two (2)-year Conditional Use Authorization was submitted to the Planning Department.

- B. Screening.** Planning Code Section 156 requires parking lots with parking for ten (10) or more vehicles be screening in accordance with Section 142.

The screening requirements of Section 142 are only triggered in instances where an existing parking lot is resurfaced or increased in intensity. The project reduces intensity by reducing the number of vehicle parking spaces from 20 standard vehicle spaces to 19, and does not include resurfacing in the project's scope of work.

- C. Artificial Lighting.** Planning Code Section 156 requires that direct rays from site lighting fall entirely within the parking lot.

The project proposal includes one (1) existing light fixture at the 2nd Street entry. The fixture is oriented to ensure no light trespass onto public right-of-way.

- D. Dead Storage, Dismantling, or Repair.** Planning Code Section 156 requires that no dead storage or vehicle repair be permitted.

The project proposal does not include dead storage, nor does it propose any vehicle maintenance on site.

- E. Interior Landscaping and Street Trees.** Planning Code Section 156 requires one (1) tree per five (5) parking spaces within the interior of the parking lot to result in a tree canopy of 50% and a minimum of 20 percent permeable surface paving so that stormwater can infiltrate. If a site permit has been approved to construct a building that would replace the surface parking lot, then the required trees may be planted in movable planters.

The Department has determined that the Project Sponsor may install landscaping in movable planters is sufficient to meet that above requirements given that the Transbay Joint Powers Authority (TJPA) and Office of Community Infrastructure and Investment (OCII) intend to enact eminent domain on this property for the installation of a high-speed rail tunnel. The Commission previously approved this accommodation under Motion No. 19829 (see Exhibit G).

Public Parking Lots are considered Vehicle Use Areas per Planning Code Section 102. Given that there are two street frontages greater than 25 linear feet (each), the Project is subject to the screening and greening of parking and vehicle use areas, pursuant to Sections 142(c) and 156(c). While the existing Public Parking Lot contains one street tree. The lot is lacking street trees, landscaping, permeability, screening.

A condition of approval (Condition No. 5) has been added requiring the Project Sponsor to maintain landscaping on the subject property, as well as the street tree along the 2nd Street frontage in an attractive manner, and promptly replacing any dead plant material in a timely manner.

- F. Car Share Spaces.** Planning Code Sections 156 and 166 require a minimum of one parking space for car sharing vehicles be provided for every 20 spaces in parking lots within the C-3-O(SD) District.

The existing Public Parking Lot is striped for 20 independent parking spaces. The proposal reduces the total number of vehicle spaces to 19, thereby eliminating the requirement to provide a car share space.

- G. Bicycle Parking.** Planning Code Sections 155.1 and 156 require a minimum of two (2) Class 2 bicycle parking spaces for every 50 linear feet of frontage in a highly visible area on the property adjacent to a public sidewalk or approval attained from the appropriate City agencies to install such bicycle parking on a public sidewalk on the same block.

The Site is a corner lot with street frontage along 2nd Street measuring approximately 58 linear feet in length, and 86 linear feet along Howard Street, there by requiring a minimum of four (4) bicycle parking spaces. The proposal includes four (4) Class II bicycle parking spaces; two (2) on Howard Street and two (2) on 2nd Street in the public right-of-way.

- H. Rate Structure.** Planning Code Section 155 requires that off-street parking spaces within C-3 zoning districts be priced in a manner that discourages long term commuter parking.

Rates for the existing Public Parking Lots are presently structured such that the rate for four hours of parking is no greater than four times the rate for the first hour, and the rate for eight or more hours of parking is no less than ten times the amount of the rate for the first hour. The Project Sponsor is responsible for maintaining the pricing structure as regulated by Planning Code Section 155(g). Therefore, a condition of approval (Condition No. 10) has been added to Motion No. 20781 for Case No. 2019-020048CUA, requiring the Project Sponsor maintain the pricing structure in conformity with Planning Code Section 155(g).

A condition of approval (Condition No. 11) has also been added requiring a one-year report back to the Planning Commission to enable the Project Sponsor to demonstrate full compliance with applicable sections of the Planning Code.

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

- A. 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 Project would permit the continued, temporary operation of a relatively small-scale Public Parking Lot, which will provide parking for the retail, office, and entertainment uses in the vicinity. The parking lot will serve as a suitable interim use, pending the future development of the property.

B. The proposed project will not be detrimental to the health, safety, convenience or general welfare of persons residing or working in the vicinity. There are no features of the project that could be detrimental to the health, safety or convenience of those residing or working the area, in that:

- (1) Nature of proposed site, including its size and shape, and the proposed size, shape and arrangement of structures;

The Site is accessible to vehicles via existing curb cuts along Howard Street to the north and 2nd Street to the west. The existing Public Parking Lot is presently striped to accommodate 19 vehicles in a non-tandem configuration. City transportation planners found no preferable alternative to the existing configuration. There is no change proposed to the existing configuration.

- (2) 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 Site is accessible from two access points: Malden Alley to the northeast and 2nd Street to the southwest. City transportation planners found no preferable alternative to the existing configuration. There is no change proposed to the existing configuration.

- (3) The safeguards afforded to prevent noxious or offensive emissions such as noise, glare, dust and odor;

There are no structures on Site that would cause excessive glare. The existing Public Parking Lot is paved, and therefore does not generate dust from vehicular movements. Some noise and odor may be generated by the operation of vehicles on the Site; however, these impacts will be relatively minor given the small size and intensity of the lot. No accessory uses have been proposed as part of this project.

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

The existing Public Parking Lot is currently landscaped along both street frontages, as well as within the interior of the Site. Conditions of approval have been added requiring that the Project Sponsor maintain the Site to include the required number of street trees, landscaping, and screening of the Vehicle Use Area. The Conditions require that the plantings and landscaping shall be maintained for the duration of this approval in a manner that is attractive.

- C. 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 in Section 8.

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

The Project conforms to all relevant goals and policies of the Transit Center District Plan as detailed in Section 8.

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

TRANSPORTATION ELEMENT

Objectives and Policies

OBJECTIVE 31

ESTABLISH PARKING RATES AND OFF-STREET PARKING FARE STRUCTURE TO REFLECT THE FULL COSTS, MONETARY AND ENVIRONMENTAL, OF PARKING IN THE CITY.

Policy 3.1

Set rates to encourage short-term over long-term automobile parking.

TRANSIT CENTER DISTRICT PLAN

Objectives and Policies

OBJECTIVE 4.43

LIMIT THE CONTINUANCE OF SURFACE PARKING LOTS AND ENSURE THAT LOTS CONTRIBUTE TO THE PUBLIC REALM.

Policy 4.56

Require that temporary surface parking lots, as a condition of any re-authorization, include facilities for other non-private auto modes, including parking for car sharing vehicles and bicycles.

The proposal is to permit the second two (2)-year renewal of an existing temporary principal use parking lot within the C-3-O(SD) Zone District. The proposal includes minor site improvements—such as site screening, bike parking, and landscaped planters—in addition to the de-intensification of the principal parking use by removing one (1) existing vehicle parking space. The site improvements contribute to the public realm by improving the pedestrian experience along both the Howard and 2nd Street frontages. The addition of bike parking supports alternative travel modes. The rate structure encourages short-term retail user parking over long-term commuter parking.

- 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 complies 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 Project will not displace any existing retail uses. The pricing for the Public Parking Lot has been structured in a manner that favors short-term parking over long-term commuter parking. Therefore, the availability of parking for patrons of retail and restaurant uses in the vicinity may help to bolster the viability of these establishments.

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

The Project would allow the continued operation of an existing Public Parking Lot on a temporary basis. Such parking lots can be found in the vicinity, on properties that could be developed with future permanent uses. The temporary presence of this parking lot is not detrimental to the character of the neighborhood.

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

The Project would not displace any housing given the Site contains only non-residential uses.

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

The existing Public Parking Lot is a relatively small, low-intensity operation that is not expected to draw substantial volumes of traffic to the area. The presence of the off-street parking spaces should alleviate pressure on the use of on-street parking spaces in the neighborhood.

- 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 Project will not displace any service or industry establishment. The Project will not affect industrial or service sector uses or related employment opportunities.

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

The Project does not involve any interior tenant improvements. This Project will not impact the property's ability to withstand an earthquake.

- G. That landmarks and historic buildings be preserved.

Currently, the Project Site does not contain any City Landmarks or historic buildings.

- 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 proposed 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.
- 12.** 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.
- 13.** 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. 2019-015642CUA** subject to the following conditions attached hereto as “EXHIBIT A” in general conformance with plans on file, dated October 1, 2020, 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. 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.

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

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

I hereby certify that the Planning Commission ADOPTED the foregoing Motion on November 5, 2020.

Jonas P. Ionin
Commission Secretary

AYES:

NAYS:

ABSENT:

ADOPTED: November 5, 2020

EXHIBIT A

Authorization

This authorization is for a conditional use to allow a principal use parking lot (d.b.a. **Mile Hi Valet Service**) located at 201 2nd Street, Block 3736, Lot 097 pursuant to Planning Code Section(s) **156** and **303** within the **C-3-O(SD)** District and a **350-S** Height and Bulk District; in general conformance with plans, dated **October 1, 2020**, and stamped “EXHIBIT B” included in the docket for Record No. **XXXXXX** and subject to conditions of approval reviewed and approved by the Commission on **November 5, 2020** 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 **November 5, 2020** 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

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

For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, www.sfplanning.org

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

For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, www.sfplanning.org

- 3. 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 628.652.7463, www.sfplanning.org

- 4. 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 628.652.7463, www.sfplanning.org

Design – Compliance at Plan Stage

- 5. Interior Landscaping and Street Trees.** Pursuant to Planning Code Section 138.1, the Project Sponsor shall continue to work with Planning Department staff, in consultation with other City agencies, to refine the design and programming of the Streetscape Plan so that the plan generally meets the standards of the Better Streets Plan and all applicable City standards. The Project Sponsor shall complete final design of all required street improvements, including procurement of relevant City permits, prior to issuance of first architectural addenda, and shall complete construction of all required street improvements prior to issuance of first temporary certificate of occupancy.

For information about compliance, contact the Case Planner, Planning Department at 628.652.7367, www.sfplanning.org

- 6. Landscaping, Screening of Parking and Vehicular Use Areas.** Pursuant to Planning Code Section 142, the Project Sponsor shall submit a site plan to the Planning Department prior to Planning approval of the building permit application indicating the design and location of the landscaping that shall be as approved by the Planning Department. The size and species of plant materials shall be as approved by the Department of Public Works. Landscaping shall be maintained and replaced as necessary.

For information about compliance, contact the Case Planner, Planning Department at 628.652.7367, www.sfplanning.org

Parking and Traffic

- 7. Bicycle Parking.** Pursuant to Planning Code Sections 155.1 and 155.4, the Project shall provide no fewer than **four (4)** Class 1 or Class 2 bicycle parking spaces. SFMTA has final authority on the type, placement and number of Class 2 bicycle racks within the public ROW. Prior to issuance of first architectural addenda, the project sponsor shall contact the SFMTA Bike Parking Program at bikeparking@sfmta.com to coordinate the installation of on-street bicycle racks and ensure that the proposed bicycle racks meet the SFMTA's bicycle parking guidelines. Depending on local site conditions and anticipated demand, SFMTA may request the project sponsor pay an in-lieu fee for Class II bike racks required by the Planning Code.

For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, www.sfplanning.org

- 8. Rate Structure.** Pursuant to Planning Code Section 155(g), the parking lot shall be for short-term users only. The rate or fee structure for the parking spaces shall be such that the rate charge for four hours of parking duration is no more than four times the rate charge for the first hour, and the rate charge for eight or more hours of parking duration is no less than 10 times the rate charge for the first hour. Additionally, no discounted parking rate shall be permitted for weekly, monthly, or similar time-specific periods.

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

Monitoring - After Entitlement

- 9. 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 628.652.7463, www.sfplanning.org

- 10. 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 628.652.7463, www.sfplanning.org

- 11. One-Year Review.** After the temporary Public Parking Lot has been operating under these conditions for a period of one (1) year from the date of approval of Motion No. XXXXX, Department staff shall prepare a report documenting the conditions and operations for the Commission. The Commission may hold a public hearing to review the establishment's adherence to these conditions.

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

Operation

- 12. Sidewalk Maintenance.** The Project Sponsor shall maintain the main entrance to the building and all sidewalks abutting the subject property in a clean and sanitary condition in compliance with the Department of Public Works Streets and Sidewalk Maintenance Standards.

For information about compliance, contact Bureau of Street Use and Mapping, Department of Public Works, 628.271.2000, www.sfpublishworks.org

- 13. 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 and all registered neighborhood groups for the area with written notice of the name, business

address, and telephone number of the community liaison. Should the contact information change, the Zoning Administrator and registered neighborhood groups 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 628.652.7463, www.sfplanning.org

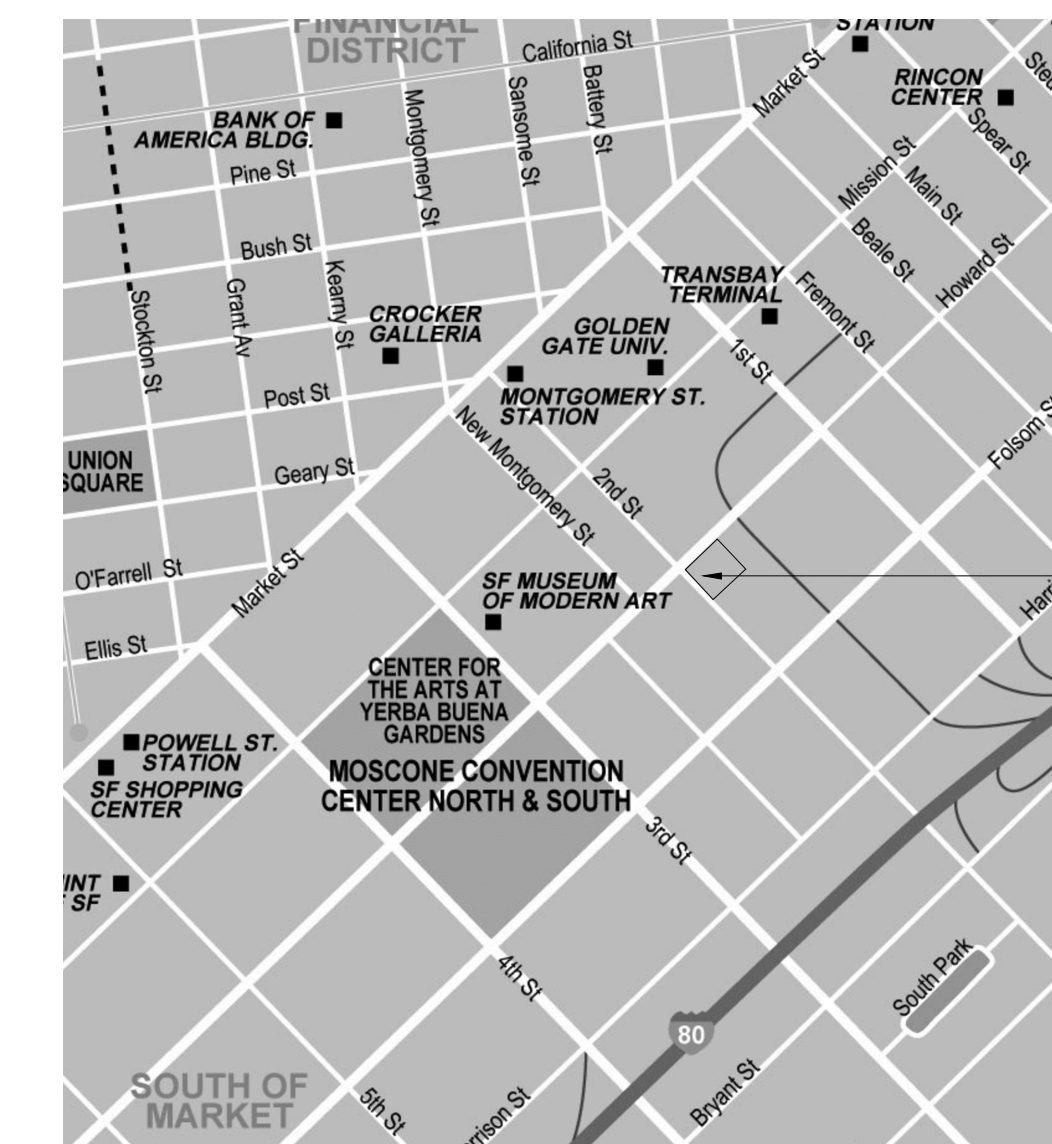
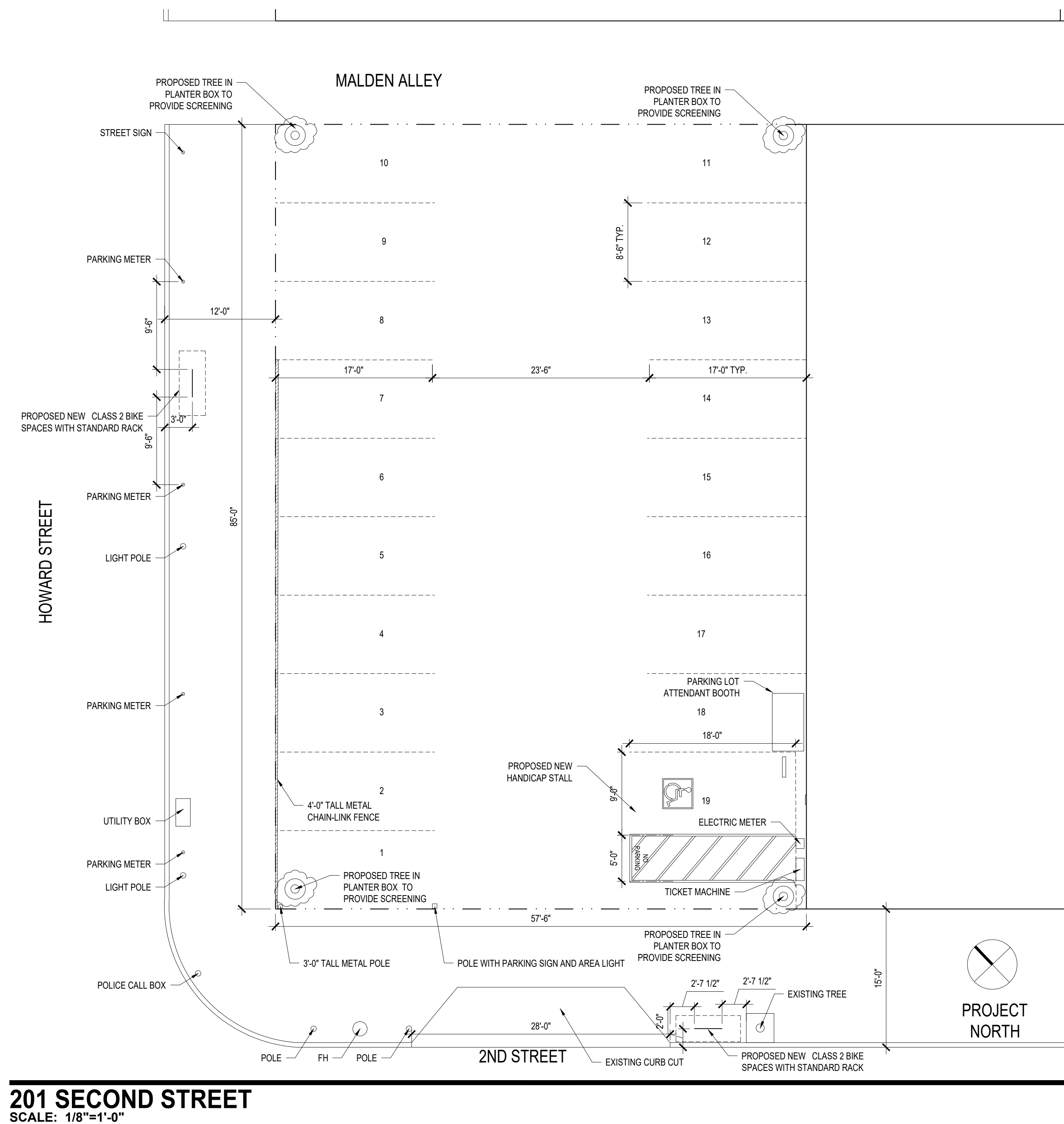
- 14. Lighting.** All Project lighting shall be directed onto the Project site and immediately surrounding sidewalk area only, and designed and managed so as not to be a nuisance to adjacent residents. Nighttime lighting shall be the minimum necessary to ensure safety, but shall in no case be directed so as to constitute a nuisance to any surrounding property.

For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, www.sfplanning.org

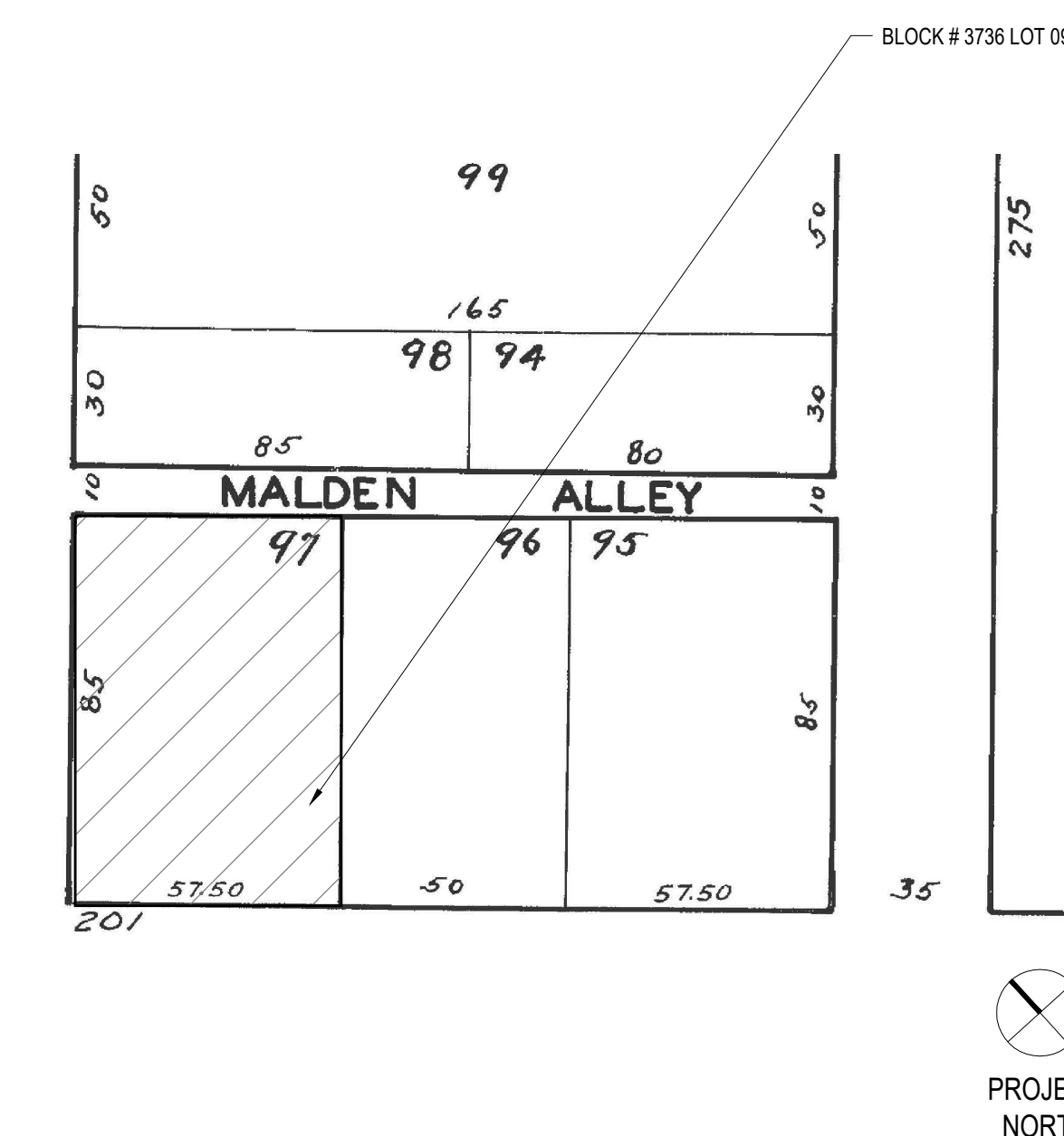
201 2ND STREET SAN FRANCISCO

201 Second Street

201 Second Street LLC,
Birmingham Development LLC,
1605 Montgomery Street,
San Francisco, California 94111



Location Plan
SCALE: nts



APP: Block 3736 - Lot 097
SCALE: NTS

studio
TMT

planning / architecture / interiors

4131 Los Arabis Drive
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Tel: 925.385.1950
Fax: 925.299.8821

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Issues	Date
Planning Review	10.01.2020

Sheet Title
Site Plan

Project No	20005.00
Scale	AS NOTED
Drawn	cm
Checked	cm
Sheet No.	

A00.1











CEQA Categorical Exemption Determination

PROPERTY INFORMATION/PROJECT DESCRIPTION

Project Address		Block/Lot(s)
201 02ND ST		3736097
Case No.		Permit No.
2019-015642PRJ		
<input checked="" type="checkbox"/> Addition/ Alteration	<input type="checkbox"/> Demolition (requires HRE for Category B Building)	<input type="checkbox"/> New Construction
<p>Project description for Planning Department approval. Conditional Use Authorization for a two-year extension of temporary 20-space parking lot in the C-3-O(SD) District pursuant to Planning Code Section 156(h). The subject parking lot received Conditional Use Authorization for a two-year period between January 12, 2017 and January 12, 2019 under Planning Commission Motion No. 19829.</p>		

STEP 1: EXEMPTION CLASS

The project has been determined to be categorically exempt under the California Environmental Quality Act (CEQA).	
<input checked="" type="checkbox"/>	Class 1 - Existing Facilities. Interior and exterior alterations; additions under 10,000 sq. ft.
<input type="checkbox"/>	Class 3 - New Construction. Up to three new single-family residences or six dwelling units in one building; commercial/office structures; utility extensions; change of use under 10,000 sq. ft. if principally permitted or with a CU.
<input type="checkbox"/>	<p>Class 32 - In-Fill Development. New Construction of seven or more units or additions greater than 10,000 sq. ft. and meets the conditions described below:</p> <p>(a) The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations.</p> <p>(b) The proposed development occurs within city limits on a project site of no more than 5 acres substantially surrounded by urban uses.</p> <p>(c) The project site has no value as habitat for endangered rare or threatened species.</p> <p>(d) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.</p> <p>(e) The site can be adequately served by all required utilities and public services.</p> <p>FOR ENVIRONMENTAL PLANNING USE ONLY</p>
<input type="checkbox"/>	Class _____

STEP 2: CEQA IMPACTS

TO BE COMPLETED BY PROJECT PLANNER

<input type="checkbox"/>	<p>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 Exposure Zone? Does the project have the potential to emit substantial pollutant concentrations (e.g., backup diesel generators, heavy industry, diesel trucks, etc.)? (refer to EP_ArcMap > CEQA Catex Determination Layers > Air Pollution Exposure Zone)</p>
<input type="checkbox"/>	<p>Hazardous Materials: If the project site 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 50 cubic yards or more of soil disturbance - or a change of use from industrial to residential?</p> <p>Note that a categorical exemption shall not be issued for a project located on the Cortese List if the applicant presents documentation of enrollment in the San Francisco Department of Public Health (DPH) Maher program, a DPH waiver from the Maher program, or other documentation from Environmental Planning staff that hazardous material effects would be less than significant (refer to EP_ArcMap > Maher layer).</p>
<input type="checkbox"/>	<p>Transportation: Does the project involve a child care facility or school with 30 or more students, or a location 1,500 sq. ft. or greater? 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?</p>
<input type="checkbox"/>	<p>Archeological Resources: 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? If yes, archeo review is required (refer to EP_ArcMap > CEQA Catex Determination Layers > Archeological Sensitive Area)</p>
<input type="checkbox"/>	<p>Subdivision/Lot Line Adjustment: Does the project site involve a subdivision or lot line adjustment on a lot with a slope average of 20% or more? (refer to EP_ArcMap > CEQA Catex Determination Layers > Topography). If yes, Environmental Planning must issue the exemption.</p>
<input type="checkbox"/>	<p>Slope = or > 25%: Does the project involve any of the following: (1) square footage expansion greater than 500 sq. ft. outside of the existing building footprint, (2) excavation of 50 cubic yards or more of soil, (3) new construction? (refer to EP_ArcMap > CEQA Catex Determination Layers > Topography) If box is checked, a geotechnical report is required and Environmental Planning must issue the exemption.</p>
<input type="checkbox"/>	<p>Seismic: Landslide Zone: Does the project involve any of the following: (1) square footage expansion greater than 500 sq. ft. outside of the existing building footprint, (2) excavation of 50 cubic yards or more of soil, (3) new construction? (refer to EP_ArcMap > CEQA Catex Determination Layers > Seismic Hazard Zones) If box is checked, a geotechnical report is required and Environmental Planning must issue the exemption.</p>
<input type="checkbox"/>	<p>Seismic: Liquefaction Zone: Does the project involve any of the following: (1) square footage expansion greater than 500 sq. ft. outside of the existing building footprint, (2) excavation of 50 cubic yards or more of soil, (3) new construction? (refer to EP_ArcMap > CEQA Catex Determination Layers > Seismic Hazard Zones) If box is checked, a geotechnical report will likely be required and Environmental Planning must issue the exemption.</p>
<p>Comments and Planner Signature (optional): Carolyn Fahey</p>	

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

PROPERTY IS ONE OF THE FOLLOWING: (refer to <i>Property Information Map</i>)	
<input type="checkbox"/>	Category A: Known Historical Resource. GO TO STEP 5.
<input type="checkbox"/>	Category B: Potential Historical Resource (over 45 years of age). GO TO STEP 4.
<input checked="" type="checkbox"/>	Category C: Not a Historical Resource or Not Age Eligible (under 45 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 type="checkbox"/>	2. Regular maintenance or repair to correct or repair deterioration, decay, or damage to building.
<input type="checkbox"/>	3. Window replacement that meets the Department's <i>Window Replacement Standards</i> . Does not include storefront window alterations.
<input type="checkbox"/>	4. 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"/>	5. Deck, terrace construction, or fences not visible from any immediately adjacent public right-of-way.
<input type="checkbox"/>	6. Mechanical equipment installation that is not visible from any immediately adjacent public right-of-way.
<input type="checkbox"/>	7. Dormer installation that meets the requirements for exemption from public notification under <i>Zoning Administrator Bulletin No. 3: Dormer Windows</i> .
<input type="checkbox"/>	8. 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 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 PROJECT PLANNER

Check all that apply to the project.	
<input 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 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 type="checkbox"/>	8. Other work consistent with the <i>Secretary of the Interior Standards for the Treatment of Historic Properties</i> (specify or add comments):
<input type="checkbox"/>	9. Other work that would not materially impair a historic district (specify or add comments): <i>(Requires approval by Senior Preservation Planner/Preservation Coordinator)</i>
<input type="checkbox"/>	10. Reclassification of property status. <i>(Requires approval by Senior Preservation Planner/Preservation)</i> <input type="checkbox"/> Reclassify to Category A a. Per HRER or PTR dated b. Other <i>(specify)</i> : <input type="checkbox"/> Reclassify to Category C <i>(attach HRER or PTR)</i>
Note: If ANY box in STEP 5 above is checked, a Preservation Planner MUST sign below.	
<input type="checkbox"/>	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.
Comments (optional):	
Preservation Planner Signature:	

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

<input checked="" type="checkbox"/>	No further environmental review is required. The project is categorically exempt under CEQA. There are no unusual circumstances that would result in a reasonable possibility of a significant effect.	
	Project Approval Action: Planning Commission Hearing	Signature: Carolyn Fahey 09/23/2020
<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 approval action.</p> <p>Please note that other approval actions may be required for the project. Please contact the assigned planner for these approvals.</p>		

STEP 7: MODIFICATION OF A CEQA EXEMPT PROJECT

TO BE COMPLETED BY PROJECT PLANNER

In accordance with Chapter 31 of the San Francisco Administrative Code, when a California Environmental Quality Act (CEQA) exempt project changes after the Approval Action and requires a subsequent approval, the Environmental Review Officer (or his or her designee) must determine whether the proposed change constitutes a substantial modification of that project. This checklist shall be used to determine whether the proposed changes to the approved project would constitute a "substantial modification" and, therefore, be subject to additional environmental review pursuant to CEQA.

MODIFIED PROJECT DESCRIPTION

Modified Project Description:

DETERMINATION IF PROJECT CONSTITUTES SUBSTANTIAL MODIFICATION

Compared to the approved project, would the modified project:

- | | |
|--------------------------|--|
| <input type="checkbox"/> | Result in expansion of the building envelope, as defined in the Planning Code; |
| <input type="checkbox"/> | Result in the change of use that would require public notice under Planning Code Sections 311 or 312; |
| <input type="checkbox"/> | Result in demolition as defined under Planning Code Section 317 or 19005(f)? |
| <input type="checkbox"/> | Is any information being presented that was not known and could not have been known at the time of the original determination, that shows the originally approved project may no longer qualify for the exemption? |

If at least one of the above boxes is checked, further environmental review is required.

DETERMINATION OF NO SUBSTANTIAL MODIFICATION

- | | |
|--------------------------|---|
| <input type="checkbox"/> | The proposed modification would not result in any of the above changes. |
|--------------------------|---|

If this box is checked, the proposed modifications are categorically exempt under CEQA, in accordance with prior project approval and no additional environmental review is required. This determination shall be posted on the Planning Department website and office and mailed to the applicant, City approving entities, and anyone requesting written notice. In accordance with Chapter 31, Sec 31.08j of the San Francisco Administrative Code, an appeal of this determination can be filed within 10 days of posting of this determination.

Planner Name:

Date:



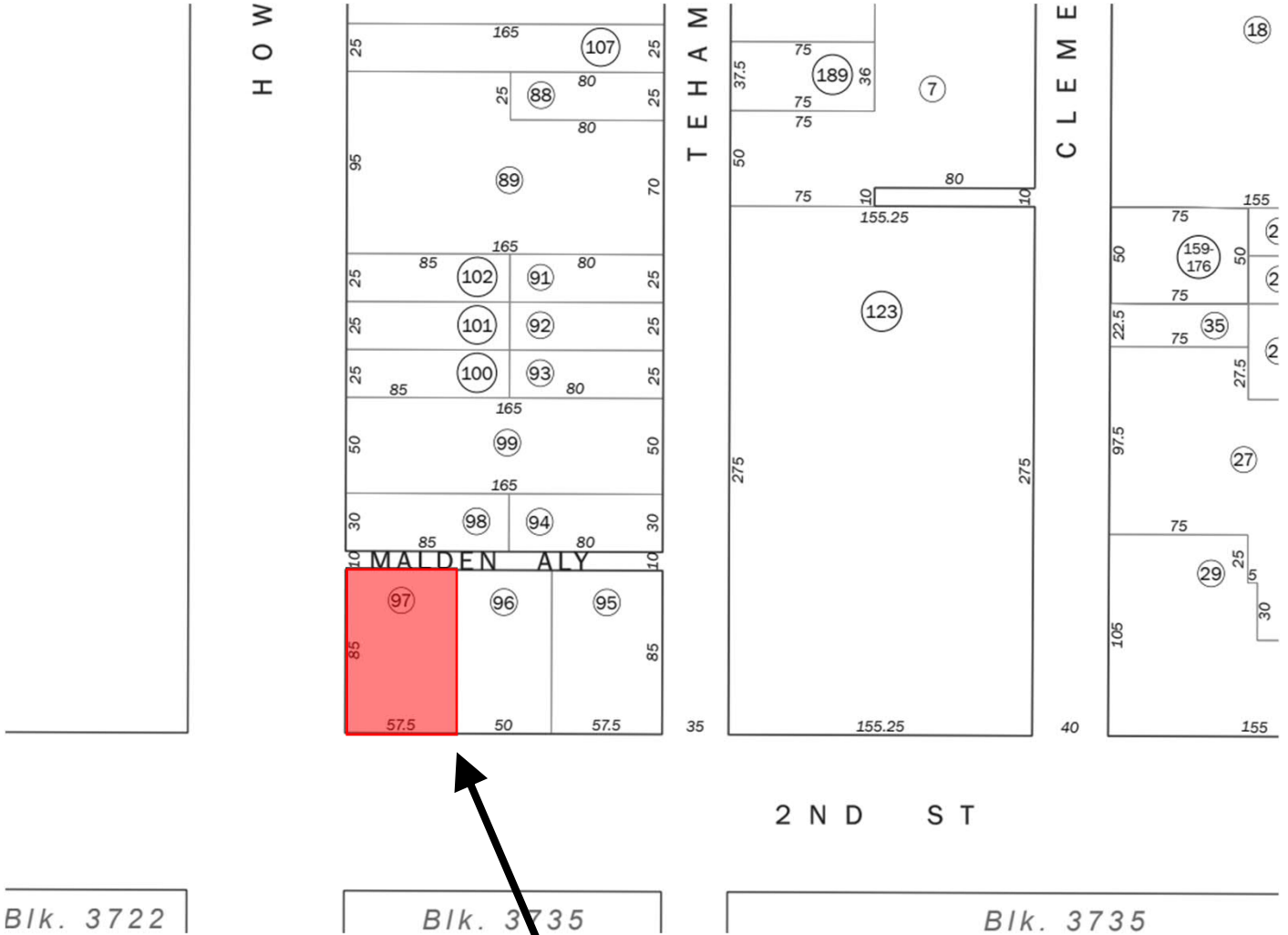
LAND USE INFORMATION

PROJECT ADDRESS: 201 02ND STREET
RECORD NO.: 2019-015642CUA

	EXISTING	PROPOSED	NET NEW
GROSS SQUARE FOOTAGE (GSF)			
Parking GSF	4888	4888	0
Residential GSF	0	0	0
Retail/Commercial GSF	0	0	0
Office GSF	0	0	0
Industrial/PDR GSF <i>Production, Distribution, & Repair</i>	0	0	0
Medical GSF	0	0	0
Visitor GSF	0	0	0
CIE GSF	0	0	0
Usable Open Space	0	0	0
Public Open Space	0	0	0
Other ()			
TOTAL GSF	4888	4888	0
	EXISTING	NET NEW	TOTALS
PROJECT FEATURES (Units or Amounts)			
Dwelling Units - Affordable	0	0	0
Dwelling Units - Market Rate	0	0	0
Dwelling Units - Total	0	0	0
Hotel Rooms	0	0	0
Number of Buildings	1	0	1
Number of Stories	0	0	0
Parking Spaces	20	19	(1)
Loading Spaces	0	0	0
Bicycle Spaces	0	4	4
Car Share Spaces	0	0	0
Other ()			

	EXISTING	PROPOSED	NET NEW
LAND USE - RESIDENTIAL			
Studio Units	0	0	0
One Bedroom Units	0	0	0
Two Bedroom Units	0	0	0
Three Bedroom (or +) Units	0	0	0
Group Housing - Rooms	0	0	0
Group Housing - Beds	0	0	0
SRO Units	0	0	0
Micro Units	0	0	0
Accessory Dwelling Units	0	0	0

Parcel Map

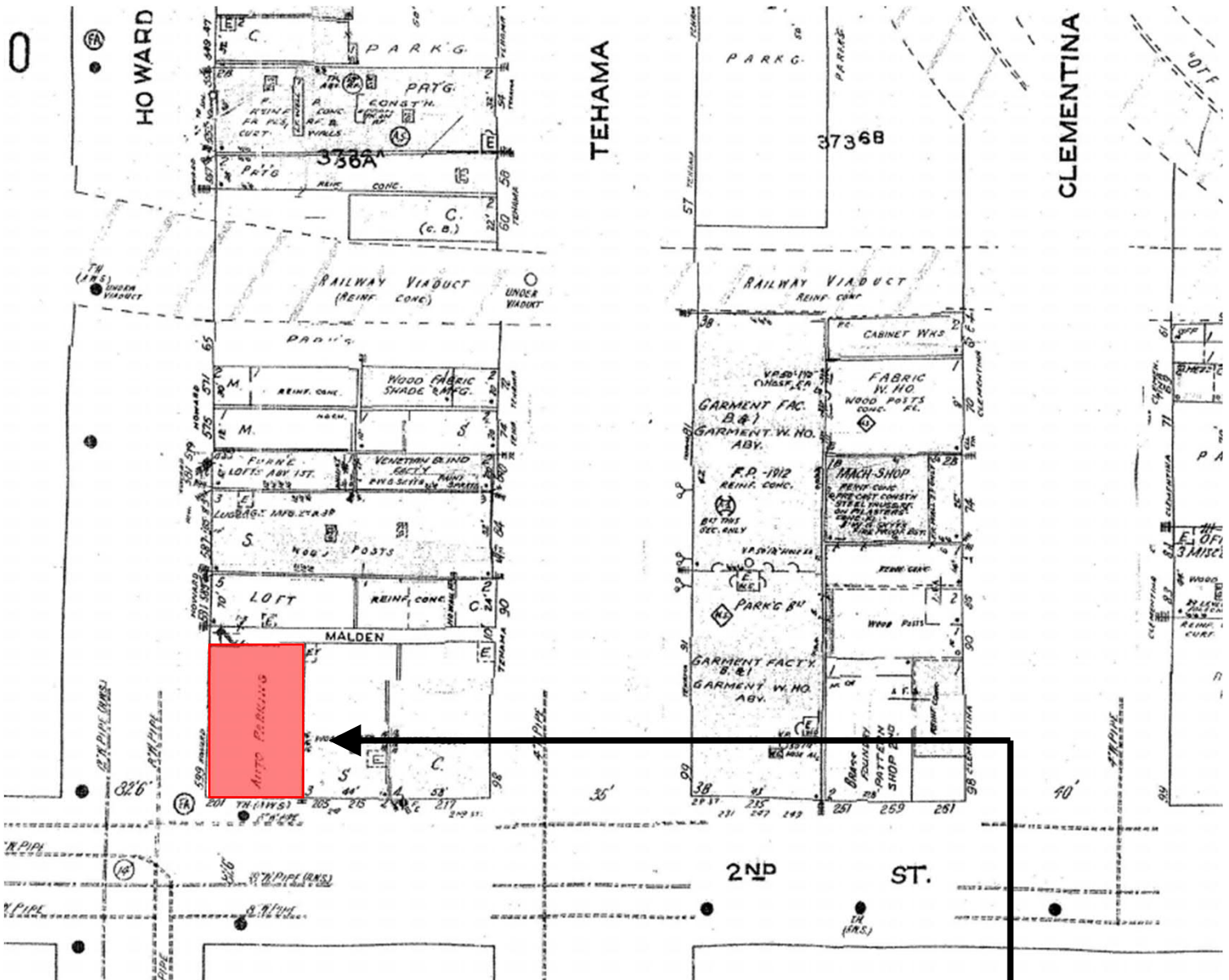


SUBJECT PROPERTY



Conditional Use Authorization
 Case Number 2019-2019-015642CUA
 201 2nd Street Street

Sanborn Map*



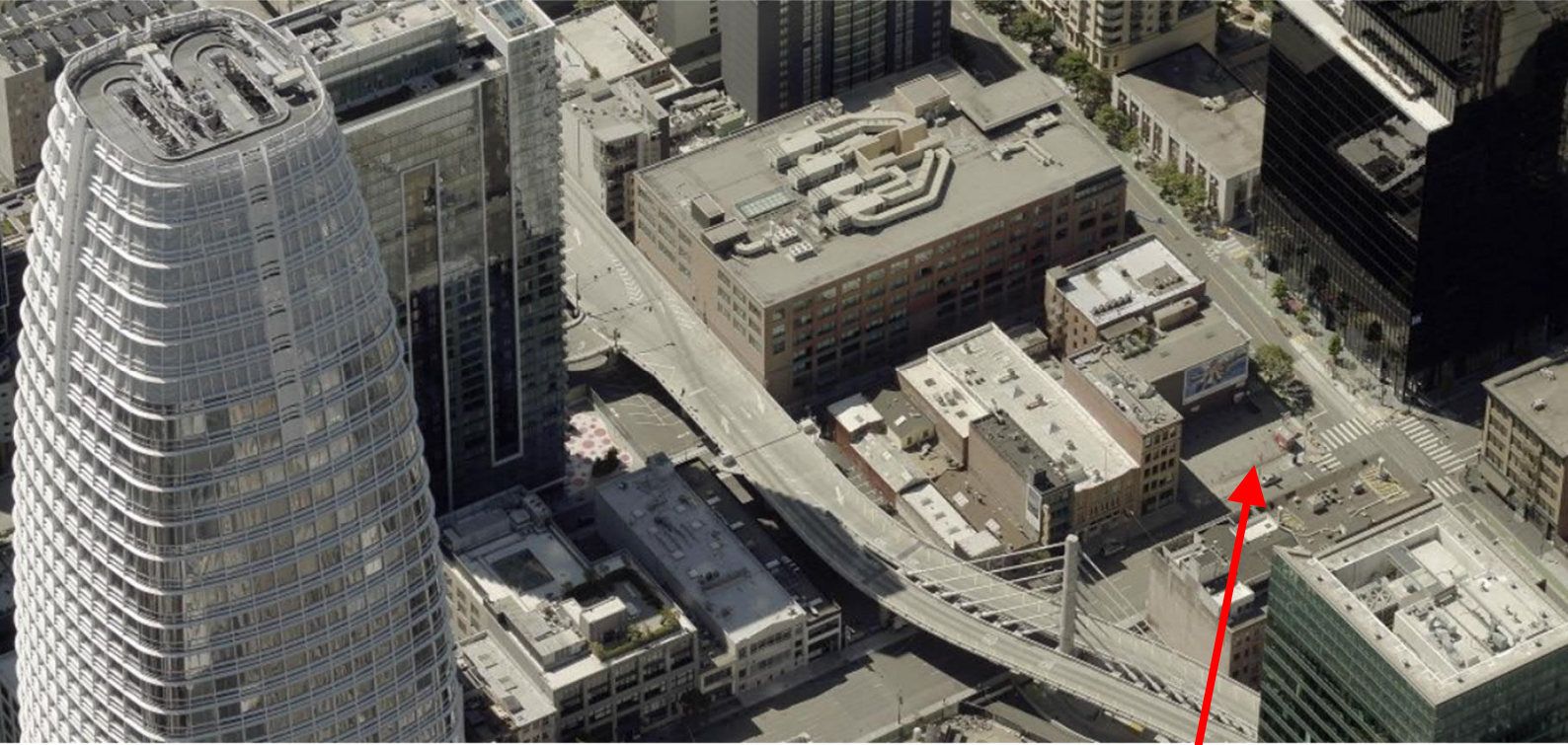
*The Sanborn Maps in San Francisco have not been updated since 1998, and this map may not accurately reflect existing conditions.

SUBJECT PROPERTY



Conditional Use Authorization
 Case Number 2019-2019-015642CUA
 201 2nd Street Street

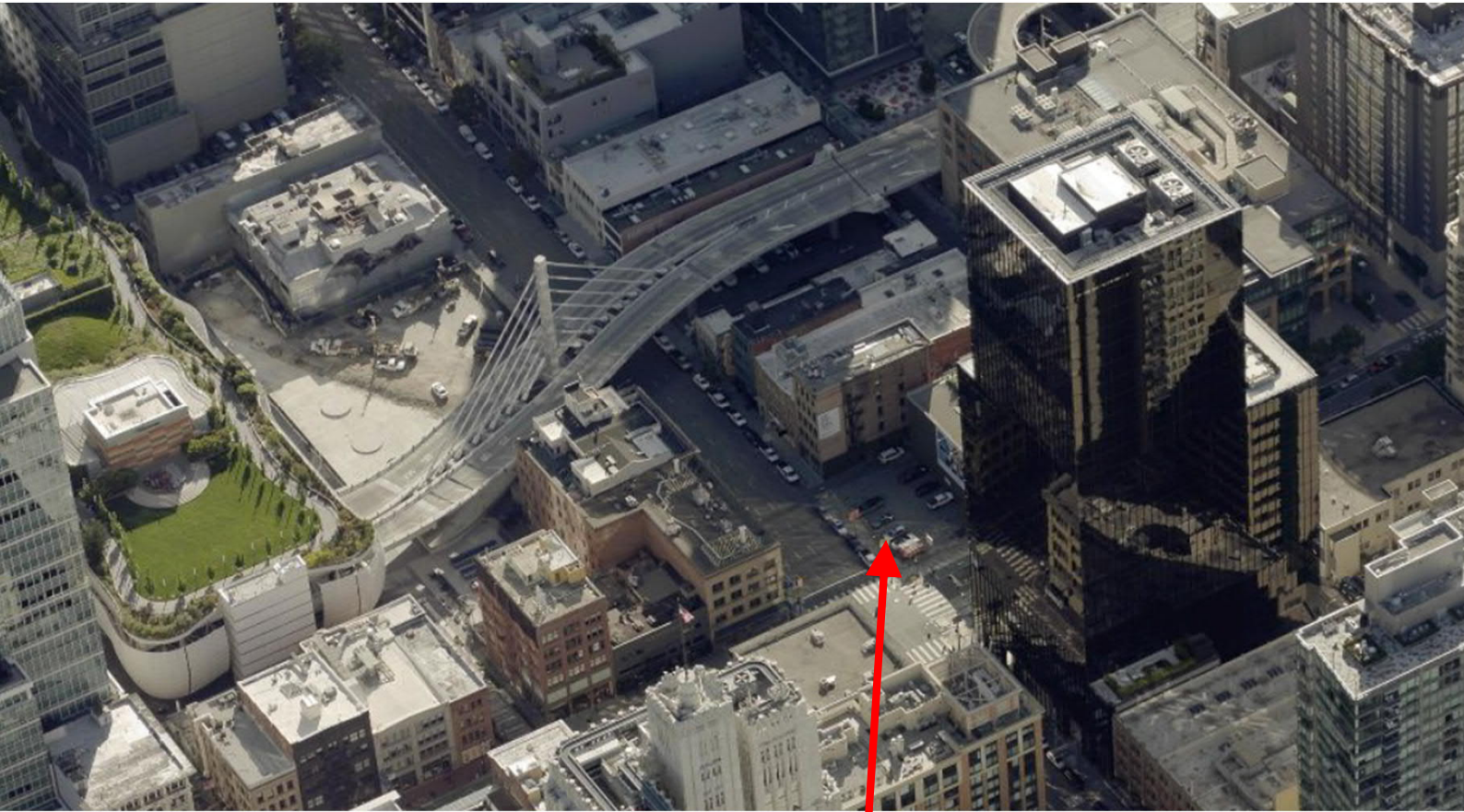
Aerial Photo – View 1



SUBJECT PROPERTY



Aerial Photo – View 2

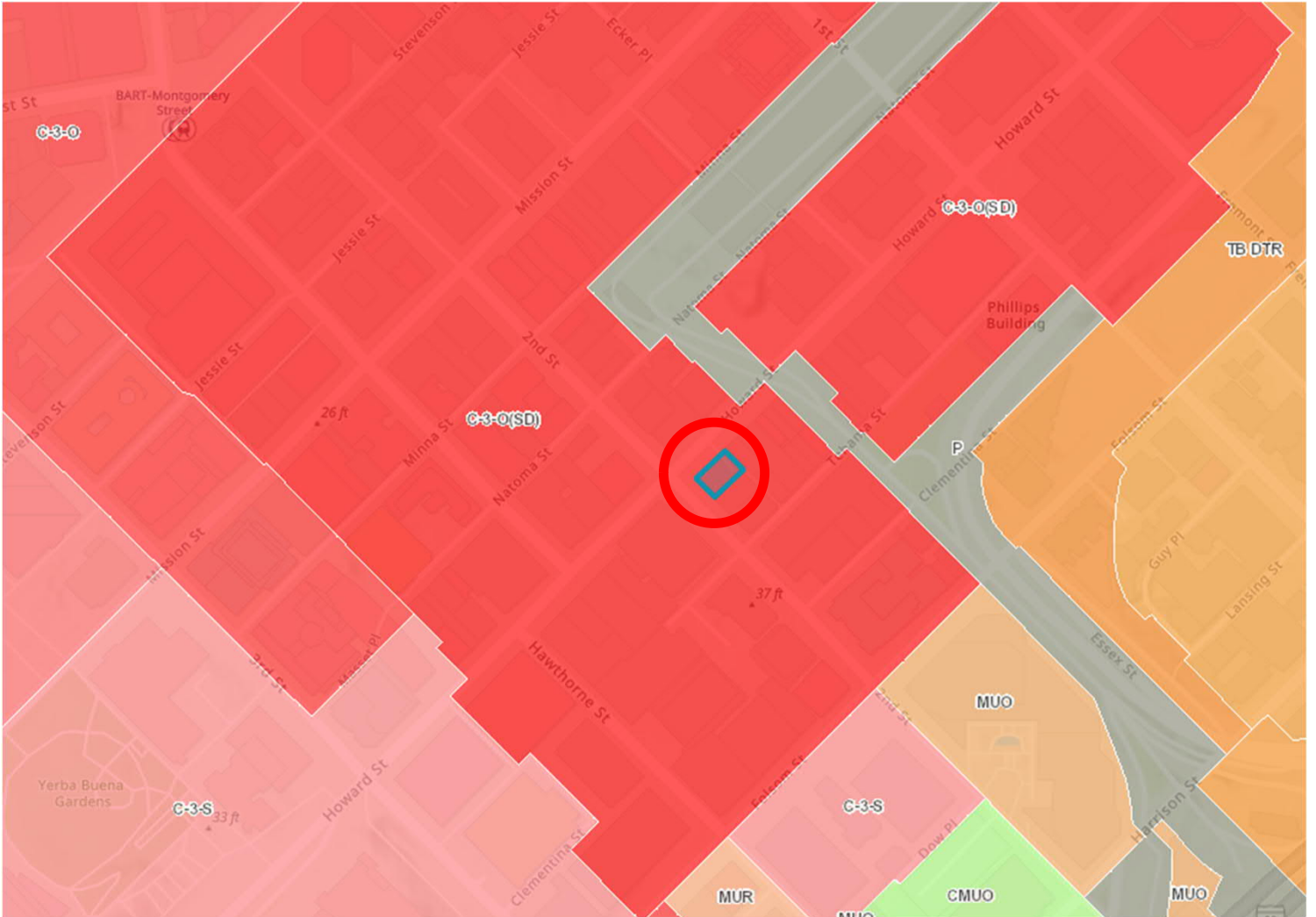


SUBJECT PROPERTY

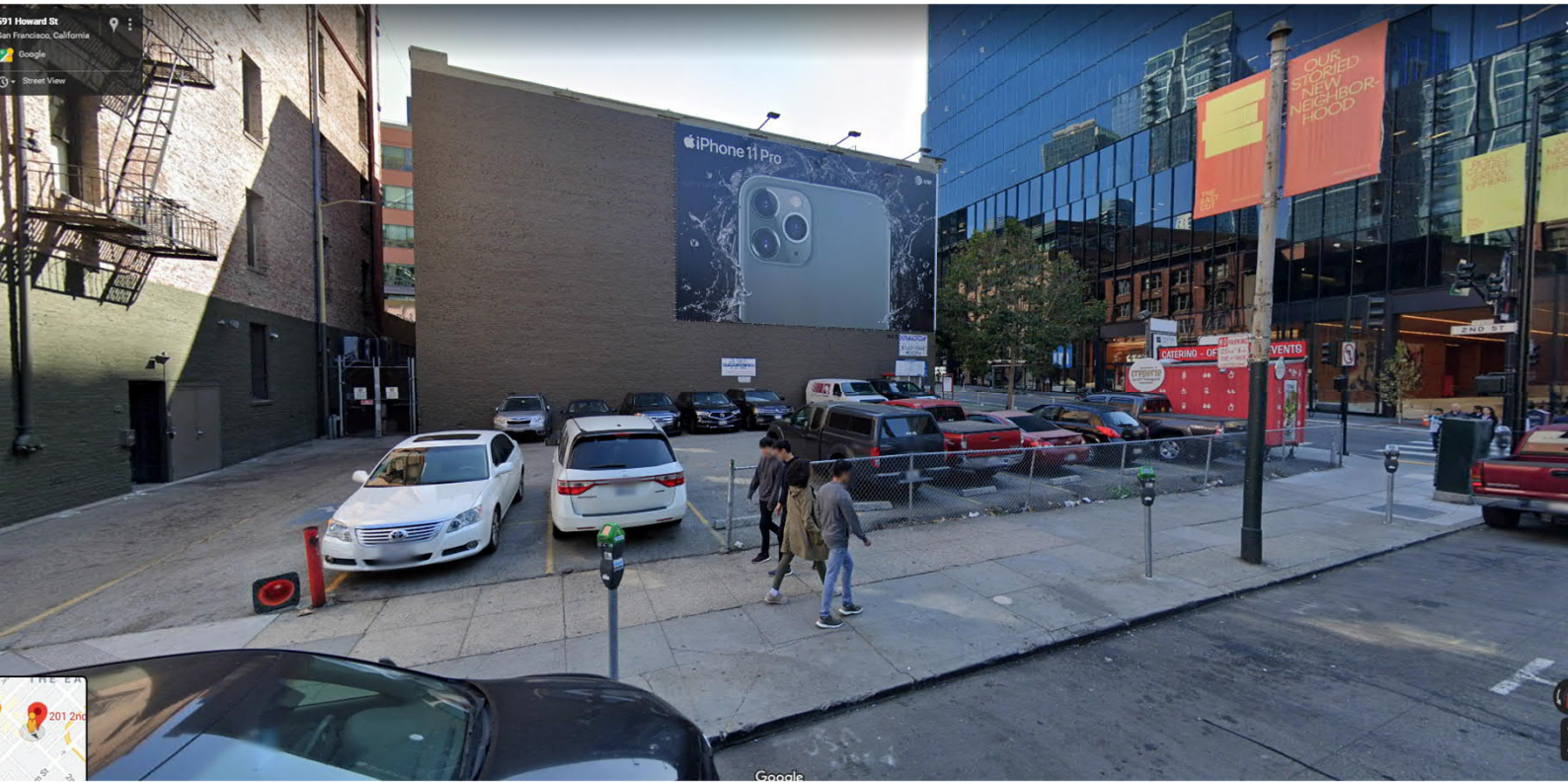


Conditional Use Authorization
Case Number 2019-2019-015642CUA
201 2nd Street Street

Zoning Map



Site Photo



* View from Howard Street looking southeast toward 2nd Street.

Conditional Use Authorization
Case Number 2019-2019-015642CUA
201 2nd Street Street

Site Photo



**View from 2nd Street looking northwest toward Howard Street.*

Conditional Use Authorization
Case Number 2019-2019-015642CUA
201 2nd Street Street



SAN FRANCISCO PLANNING DEPARTMENT

Planning Commission Motion No. 19829

HEARING DATE: JANUARY 12, 2017

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

Case No.: **2014.1316C**
Project Address: **201 2nd Street**
Zoning: C-3-O(SD) - (Downtown Office – Special Development)
Transbay C3 Special Use District
Transit Center C-3-O(SD) Commercial Special Use District
350-S Height and Bulk District
Block/Lot: 3736/097
Project Sponsor: David Weber
Mile Hi Valet Services
One Park Place, Suite 200
Annapolis, MD 21401
Staff Contact: Carly Grob – (415) 575-9138
carly.grob@sfgov.org

ADOPTING FINDINGS RELATING TO THE APPROVAL OF CONDITIONAL USE AUTHORIZATION PURSUANT TO SECTIONS 156 AND 303 OF THE PLANNING CODE TO ALLOW THE CONTINUED OPERATION OF A TEMPORARY SURFACE PARKING LOT WITHIN THE C-3-O(SD) (DOWNTOWN OFFICE, SPECIAL DEVELOPMENT) DISTRICT, THE TRANSBAY C-3 SPECIAL USE DISTRICT, THE TRANSIT CENTER C-3-O(SD) COMMERCIAL SPECIAL USE DISTRICT, AND THE 350-S HEIGHT AND BULK DISTRICT.

PREAMBLE

On February 27, 2013, Brett Gladstone, acting on behalf of American West Parking Services, Inc. filed an application with the Planning Department (“Department”) for Conditional Use Authorization under Planning Code Section (“Section”) 156 and 303 to allow the continued operation of an existing temporary surface parking lot within the C-3-0(SD) (Downtown Office, Special Development) District, the Transbay C-3 Special Use District, the Transit Center C-3-O(SD) Commercial Special Use District, and the 350-S Height and Bulk District.

On April 4, 2016, Mark Norwicz on behalf of Mile Hi Valet Services (hereinafter “Project Sponsor”) revised the application with the Department to reflect the change in operator at the subject property since the application was filed.

On January 12, 2017, the San Francisco Planning Commission (hereinafter “Commission”) conducted a duly noticed public hearing at a regularly scheduled meeting on Conditional Use Application 2014.1316C.

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. 2014.1316C, subject to the conditions contained in "EXHIBIT A" of this motion, based on the following findings:

FINDINGS

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

1. The above recitals are accurate and constitute findings of this Commission.
2. **Site Description and Present Use.** The Project Site is located on the south side of Howard Street, between First and Second Streets and adjacent to Malden Alley, Block 3736, Lot 097. The property is located within the C-3-0(SD) (Downtown Office, Special Development) District, the Transbay C-3 Special Use District, the Transit Center C-3-O(SD) Commercial Special Use District, and the 350-S Height and Bulk District. The property is developed with a surface parking lot with 20 automobile parking spaces and a ticket booth. Several developments have been proposed and approved on the site, including a 22-story building with residential and office uses (Case No. 2000.098), a 10-story building with residential uses, a 12-story building with office and ground floor retail (2000.190BEKX), and a 19-story residential building with ground floor retail (Case No. 2004.0664CKVX). No building permits were filed related to Cases 200.098 and 2000.190, and the building permit associated with Case No. 2004.0664 was cancelled due to inactivity in February, 2010.
3. **Surrounding Properties and Neighborhood.** The Project Site is located within the Downtown Core, and more specifically, within the Transit Center District Plan area. This area consists of a wide variety of office, retail, hotel, and residential uses. The recently approved project located at 524 Howard is located across the street to the northeast from the subject property. The Transit Center is under construction to the north of the project site, and the future Transbay Tower is under construction beyond the Terminal further to the north. A number of bar, restaurant, and other entertainment uses are located on the subject block and in the vicinity. High density residential uses are located further to the south along First Street, within the Rincon Hill area.
4. **Project Description.** The Project Sponsor proposes to continue the operation of the existing surface parking lot for an additional two years, which is the maximum length of entitlement for a temporary surface parking lot within the C-3-O(SD) District, as regulated by Section 156(f). The lot is presently striped to accommodate 20 vehicles in a non-tandem configuration.
5. **Public Comment.** The Department has not received any public comment regarding the project.

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

A. **Surface Parking Lot Use.** Pursuant to Section 156(h), no new surface parking lots may be approved within the C-3-O(SD) District. However, existing temporary parking lots within the C-3-O(SD) District may be extended for a two-year term through Conditional Use Authorization.

The Project Sponsor is requesting Conditional Use Authorization to continue operation of the existing surface parking lot.

B. **Screening.** Section 156(e) requires parking lots with parking for 10 or more automobiles to be screened in accordance with Section 142 ("Screening and Greening of Parking and Vehicle Use Areas").

The screening requirements of Section 142 are only triggered instances where an existing parking lot is resurfaced or increased in intensity.

C. **Landscaping.** Section 156(i) requires parking lots within the C-3-O(SD) to comply with interior landscaping requirements of Section 156(h), which requires one tree per five parking spaces and a minimum of 20 percent permeable surfaces. If a site permit has been approved to construct a building which would replace the surface parking lot, then the required trees may be planted in movable planters.

The subject property is above the estimated location of the train box for the CalTrans rail extension. Given that this could impact the development potential of the site, the Transbay Joint Powers Authority (TJPA) and Office of Community Infrastructure and Investment (OCII) are currently evaluating the development capacity of the site. Since permeable pavement and landscaping is costly to install, the Department has determined that the sponsor may install landscaping in movable planters until other city agencies determine if constructing a building is feasible on the site.

D. **Car Share Spaces.** Section 156(i) requires that one parking space for car sharing vehicle be provided for every 20 spaces for the extension of use as a surface parking lot within the C-3-O(SD) District.

Conditions of approval have been added to require the provision of one parking space for car share vehicles.

E. **Bicycle Parking.** Section 156(i) requires that one Class 2 bicycle parking space be installed for every 50 linear feet of frontage of the parking lot, either adjacent to the public sidewalk, or within the public sidewalk upon approval by appropriate City agencies.

The subject lot has 85 linear feet of frontage along Howard and 57.5 linear feet of frontage along 2nd Street. Conditions of approval have been added to require the provision of four Class 2 bicycle parking spaces, two along Howard Street and two along 2nd Street.

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:

- A. 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 Project would allow the continued, temporary operation of a relatively small-scale surface parking lot, which will provide parking for the retail, office, and entertainment uses in the vicinity. The parking lot will serve as a suitable interim use, pending the future development of the property.

- B. The proposed project will not be detrimental to the health, safety, convenience or general welfare of persons residing or working in the vicinity. There are no features of the project that could be detrimental to the health, safety or convenience of those residing or working the area, in that:

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

The Project Site can be accessed by vehicles via an curb cut on Howard Street, and exit via a curb cut on Malden Alley. The lot is presently striped to accommodate 20 vehicles in a non-tandem configuration, and is not excessively sized in a manner that would draw substantial automobile traffic to the area or conflict with surrounding traffic movements.

- 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 entry to the existing parking lot is located along 2nd Street, with the exit onto Malden Alley. The movement of vehicles to and from the lot should not cause substantial disruption of traffic flow.

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

There are no structures on the site that would cause excessive glare. The parking lot is paved, and therefore does not generate dust from vehicular movements. Some noise and odor may be generated by the operation of vehicles on the site, however, these impacts will be relatively minor given the small size and intensity of the lot.

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

Conditions of approval have been added to require the planting of four trees within these planters to provide canopy screening as the trees mature. Screening, parking areas, lighting, and signs will remain the same, as the parking lot use is not being intensified.

- C. 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.

- D. 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 consistent with the stated purposes of NC-1 Districts in that the intended use is located at the ground floor, will provide a compatible convenience service for the immediately surrounding neighborhoods during daytime hours.

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

TRANSPORTATION

Objectives and Policies

OBJECTIVE 31:

ESTABLISH PARKING RATES AND OFF-STREET PARKING FARE STRUCTURES TO REFLECT THE FULL COSTS, MONETARY AND ENVIRONMENTAL, OF PARKING IN THE CITY.

Policy 31.1:

Set rates to encourage short-term over long term automobile parking.

While policies within the General Plan generally discourage the provision of additional parking within Downtown, the proposed parking lot would be operated as a temporary, interim use pending future development of the Project Site. The pricing for parking at the lot has been structured in a manner that discourages long-term commuter parking, in favor of short-term use by shoppers or visitors to the area.

TRANSIT CENTER DISTRICT PLAN

Objectives and Policies

OBJECTIVE 4.43:

LIMIT THE CONTINUANCE OF SURFACE PARKING LOTS AND ENSURE THAT LOTS CONTRIBUTE TO THE PUBLIC REALM.

Policy 4.54:

Do not permit any new surface parking lots in the district, including as temporary uses.

Policy 4.56:

Require that temporary surface parking lots, as a condition of any re-authorization, include facilities for other non-private auto modes, including parking for car sharing vehicles and bicycles.

The Project involves the continuation of an existing surface parking lot, and would not create any new surface parking area. The project sponsor would provide parking for bicycles and car-share vehicles as a condition of approval.

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 Project will not displace any existing retail uses. The pricing for the parking lot as been structured in a manner that favors short-term parking over long-term commuter parking. Therefore, the availability of parking for patrons of retail and restaurant uses in the vicinity may help to bolster the viability of these establishments.

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

The Project would allow the continued operation of an existing temporary surface parking lot. Such lots can be found in the vicinity, on properties that could be developed with future permanent uses. The temporary presence of this surface parking lot is not detrimental to the character of the neighborhood.

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

No housing is removed for this Project.

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

The parking lot is a relatively small, low-intensity operation that is not expected to draw substantial volumes of traffic to the area. The presence of the off-street parking spaces should alleviate pressure on the use of on-street parking spaces in the neighborhood.

- 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 Project will not displace any service or industry establishment. The project will not affect industrial or service sector uses or related employment opportunities.

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

The Project Site is not occupied by structures, with the exception of a small attendant's shed. The Project will not have an impact on seismic safety.

- G. That landmarks and historic buildings be preserved.

A landmark or historic building does not occupy the Project site.

- 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.

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. 2014.1316C** subject to the following conditions attached hereto as "EXHIBIT A" in general conformance with plans on file, dated June 24, 2015, 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. 19829. 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.

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

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

I hereby certify that the Planning Commission **ADOPTED** the foregoing Motion on January 12, 2017.


Jonas P. Ionin
Commission Secretary

AYES: Hillis, Richards, Koppel, Melgar, Moore

NAYS: None

ABSENT: Fong, Johnson

ADOPTED: January 12, 2017

EXHIBIT A

AUTHORIZATION

This authorization is for a conditional use to allow the continued operation of a temporary surface parking lot (d.b.a. **Mile Hi Valet Services**) located at 201 2nd Street, Block 3736, Lot 097, pursuant to Planning Code Section(s) 156 and 303 within the **C-3-O(SD) (Downtown Office, Special Development)** District and a **350-S** Height and Bulk District; in general conformance with plans, dated **June 24, 2015**, and stamped "EXHIBIT B" included in the docket for Case No. 2014.1316C and subject to conditions of approval reviewed and approved by the Commission on **January 12, 2017** under Motion No 19829. This authorization and the conditions contained herein run with the property and not with a particular Project Sponsor, business, or operator.

RECORDATION OF CONDITIONS OF APPROVAL

Prior to the issuance of the building permit or commencement of use for the Project the Zoning Administrator shall approve and order the recordation of a Notice in the Official Records of the Recorder of the City and County of San Francisco for the subject property. This Notice shall state that the project is subject to the conditions of approval contained herein and reviewed and approved by the Planning Commission on **January 12, 2016** under Motion No 19829.

PRINTING OF CONDITIONS OF APPROVAL ON PLANS

The conditions of approval under the 'Exhibit A' of this Planning Commission Motion No. 19829 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

1. **Validity.** The authorization and right vested by virtue of this action is valid for three (3) years from the effective date of the Motion. The Department of Building Inspection shall have issued a Building Permit or Site Permit to construct the project and/or commence the approved use within this three-year period.
For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org
2. **Expiration and Renewal.** Should a Building or Site Permit be sought after the three (3) year period has lapsed, the project sponsor must seek a renewal of this Authorization by filing an application for an amendment to the original Authorization or a new application for Authorization. Should the project sponsor decline to so file, and decline to withdraw the permit application, the Commission shall conduct a public hearing in order to consider the revocation of the Authorization. Should the Commission not revoke the Authorization following the closure of the public hearing, the Commission shall determine the extension of time for the continued validity of the Authorization.
For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org
3. **Diligent pursuit.** Once a site or Building Permit has been issued, construction must commence within the timeframe required by the Department of Building Inspection and be continued diligently to completion. Failure to do so shall be grounds for the Commission to consider revoking the approval if more than three (3) years have passed since this Authorization was approved.
For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org
4. **Extension.** All time limits in the preceding three paragraphs may be extended at the discretion of the Zoning Administrator where implementation of the project is delayed by a public agency, an appeal or a legal challenge and only by the length of time for which such public agency, appeal or challenge has caused delay.
For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org
5. **Conformity with Current Law.** No application for Building Permit, Site Permit, or other entitlement shall be approved unless it complies with all applicable provisions of City Codes in effect at the time of such approval.
For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

PARKING AND TRAFFIC

6. **Car Share.** Pursuant to Planning Code Section 166, no fewer than **one** car share space shall be made available, at no cost, to a certified car share organization for the purposes of providing car share services for its service subscribers.

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

7. **Bicycle Parking.** Pursuant to Planning Code Sections 155.1 and 155.4., the Project shall provide no fewer than four Class 2 bicycle parking spaces.

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

DESIGN

8. **Interior Trees.** Pursuant to Planning Code Section 156(l)(C), the Project Sponsor shall plant a minimum of four (4) trees within the landscape planters within the interior of the lot. The trees shall be evenly distributed throughout the planters, with the intent of achieving a minimum canopy coverage of 50% of the parking lots' hardscape within 15 years of the installation of these trees. *For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org*

OPERATION

9. **Sidewalk Maintenance.** The Project Sponsor shall maintain the main entrance to the building and all sidewalks abutting the subject property in a clean and sanitary condition in compliance with the Department of Public Works Streets and Sidewalk Maintenance Standards.

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

MONITORING - AFTER ENTITLEMENT

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

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

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

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

REUBEN, JUNIUS & ROSE, LLP

Justin A. Zucker
jzucker@reubenlaw.com

October 24, 2020

Delivered Via E-Mail (carolyn.fahey@sfgov.org)

Joel Koppel, Commission President
San Francisco Planning Commission
49 South Van Ness Ave., Suite 1400
San Francisco, CA 94103

Re: 201 2nd Street
Planning Case Number: 2019-015642CUA
Hearing Date: November 5, 2020
Our File No.: 1875.05

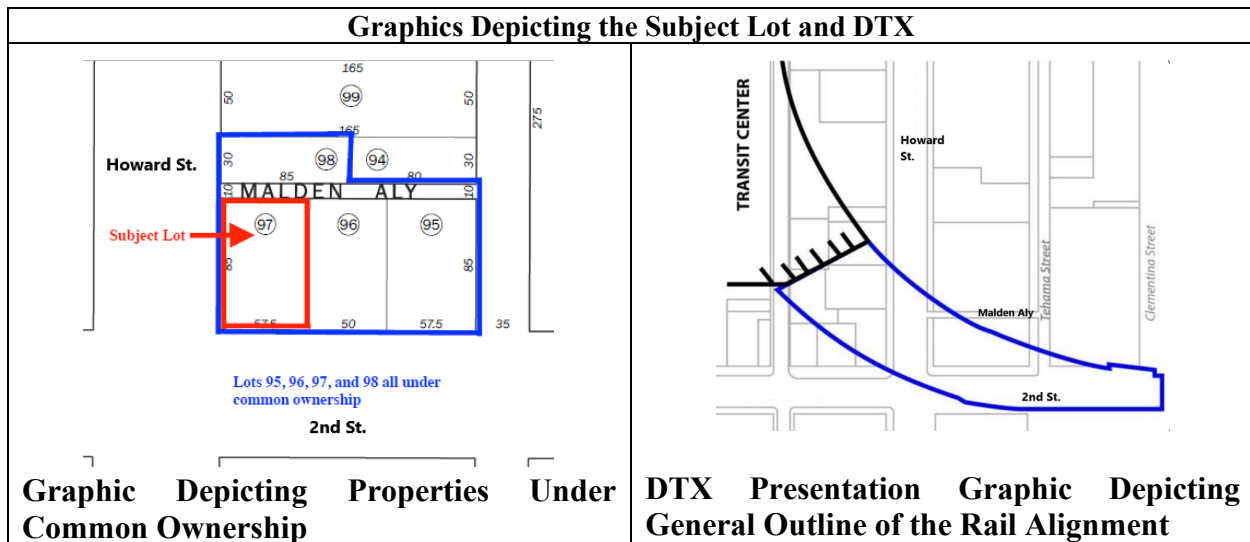
Dear President Koppel and Commissioners:

This office is working with 201 Second Street LLC (“**Project Sponsor**”), the owner of a small 4,888 square foot lot at 201 2nd Street (the “**Property**”) used as a surface parking lot. The Property is at the corner of 2nd and Howard Streets, and in the Downtown-Office (Special Development) (C-3-O(SD)) zoning district and Transit Center C-3-O(SD) Commercial and Transbay C3 Special Use Districts. Project Sponsor seeks Conditional Use Authorization to continue operation of a temporary surface parking lot for two (2) years. The Property has been identified by the Transbay Joint Powers Authority as a site to be taken by eminent domain for construction of the Downtown Rail Extension (“**DTX**”). Because the Property has been identified to be taken for the DTX, it sits in limbo unable to be developed until the DTX is completed or modified to no longer impact the Property. To keep this small Property activated, Project Sponsor seeks to continue the existing surface parking lot operation or else it would sit vacant due to inability to develop it.

The Property is one (1) of four (4) parcels on this block owned by the Project Sponsor. Project Sponsor owns the two parcels to the south of the Property – 205-215 2nd Street (Lot 96) and 217 2nd Street (Lot 95) – and the parcel to the east – 589-591 Howard Street (Lot 98). (Assessor’s Block Map attached as **Exhibit A.**) The Project Sponsor also owns 235 2nd Street that is improved with an approximate 252,00 square foot building, which approximately encompasses the western third of the block south of the Property bounded by 2nd, Tehama, 1st, and Clementina Streets. (Street view of 235 2nd Street attached as **Exhibit B.**)

As currently planned, the DTX will have six (6) rail tracks accommodated below the corner of Howard and Second Street underneath the Property as well as the other parcels owned by the Project Sponsor. (July 9, 2020, Correspondence from TJPA Engineering Manager to SF Planning

Regarding DTX attached as **Exhibit C.**) The DTX will extend Caltrain commuter rail from its current terminus at Fourth and King Streets to the new Transbay Center. The DTX will also deliver the future high-speed rail service to the Transit Center. The DTX will be constructed principally below grade and includes utility relocation and rail systems work. Due to the planned DTX, Project Sponsor is unable to pursue other development options for the Property at this time.



The purpose of the Transit Center C-3-O(SD) zoning district as set forth in Planning Code Section 248, is stated as such: “There are limited remaining development sites in the core of the downtown large enough to be feasibly developed with workplace-oriented uses, particularly adjacent to the regions premier concentration of regional and local public transit infrastructure, such as the Transbay Transit Center . . . so it is important to ensure that the few sites large enough for high-density workplace uses in the Transit Center are preserved primarily for that purpose.” (Planning Code Section 248(c).) Project Sponsor has spent considerable time piecing together four (4) separate small adjacent parcels to establish a 16,575 square foot space to make it programmatically feasible to erect a tower at the site. About six (6) to seven (7) years ago, the Transbay Joint Powers Authority first indicated of their taking the Property for the DTX, precluding development on the Property. Until the proposed DTX is completed or adjusted to no longer impact the four (4) properties under Project Sponsor’s control, no high-density development can proceed here.

The existing public surface parking lot contains twenty (20) off-street parking spaces. The Project would not create any new surface parking area and there will be no intensification of the use. No construction or extension of hours are proposed by the Project. The parking lot is accessed from two (2) existing curb cuts: one on 2nd Street and another on Howard Street. No new curb cuts are proposed. This small parking lot provides parking spaces for employees and customers of nearby establishments, including neighborhood restaurants, retail stores, office buildings, entertainment uses and the nearby Moscone Center and San Francisco Museum of Modern Art. Approval of the two- (2) year operation period will continue to reduce demand for on-street

President Joel Koppel
San Francisco Planning Commission
October 24, 2020
Page 3 of 3

parking in the area, a part of San Francisco that is traditionally heavily trafficked by cars and over-packed.

The Project is necessary and desirable in that will keep a corner lot in a bustling neighborhood activated with a temporary surface parking lot while it cannot be otherwise developed due to the Transbay Joint Powers Authority's Downtown Rail Extension. Therefore, we respectfully request that this Commission approve the Conditional Use permit. If you have any questions, please do not hesitate to contact me at (415) 567-9000 or jzucker@reubenlaw.com. Thank you.

Very truly yours,

REUBEN, JUNIUS & ROSE, LLP



Justin A. Zucker

Enclosures: Exhibits

cc:

Kathrin Moore, Vice President
Deland Chan, Commissioner
Sue Diamond, Commissioner
Frank S. Fung, Commissioner
Theresa Imperial, Commissioner
Patty Henderson (*via email only*)

EXHIBIT A

Bik. 3720

Bik. 3737

Bik. 3748

1 S T S T

Bik. 3721

H O W A R D S T

T E H A M A S T

C L E M E N T I N A S T

F O L S O M S T

Bik. 3749

Bik. 3749

S S E X S T

Subject Lot

Lots 95, 96, 97, and 98 all under common ownership

2 N D S T

Bik. 3722

Bik. 3735

Bik. 3735

Bik. 3750

SAN FRANCISCO CITY & COUNTY ASSESSOR'S BLOCK MAP

DISCLAIMER: THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSES ONLY. ASSESSOR'S PARCELS MAY NOT COMPLY WITH LOCAL LOT-SPLIT OR BUILDING SITE ORDINANCES.

REVISED 2019

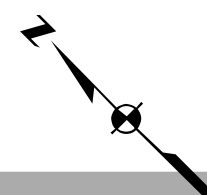


EXHIBIT B

235 2nd Street



EXHIBIT C

Justin A. Zucker

From: Ed Sum <ESum@tjpa.org>
Sent: Thursday, July 9, 2020 8:55 AM
To: Fahey, Carolyn (CPC)
Cc: Skip Sowko; Transbay Info
Subject: RE: 201 2nd Street - Eminent Domain

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Hi Carolyn,

Please be advised that Joyce Oishi is no longer with the Transbay Program team. The TJPA is currently in the procurement phase for soliciting a general engineering consultant to update preliminary designs.

Our current plans can be found at the found box.com file sharing link:

<https://transbaycenter.app.box.com/s/hwn3uh65iq2bxcmyqh4soogszgjmzp1k/folder/114250107418>

For environmental documents, refer to following links:

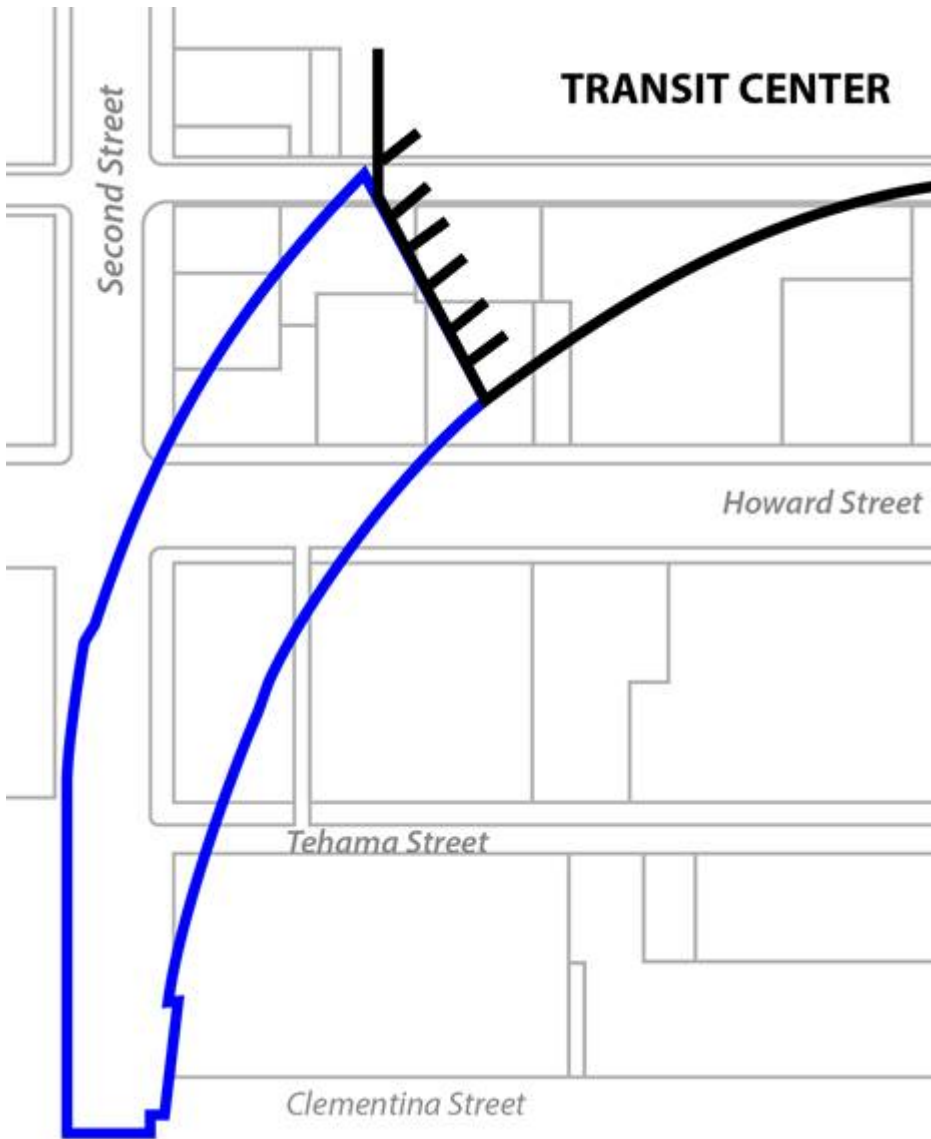
https://tjpa.org/uploads/2009/11/FEIS_Ch5_Part-I.pdf

In particular, see pages 5-29 and 5-30, Tables 5.2-3 and 5.2-4 and Figure 5.2-5.

https://tjpa.org/uploads/2015/12/Vol-1-TJPA-Final-SEIS-EIR_11-18.pdf

In particular, see page 2-196, Table 3.4-15 for summary of additional land acquisitions.

I am also including a presentation graphic depicting a general outline of the rail alignment below with the corner of Howard and Second Street. Approximately six sets of rail tracks will be accommodated in this area.



Thank you,

Edmond Sum, PE CCM

Engineering Manager
Transbay Joint Powers Authority
425 Mission Street, Suite 250
San Francisco, CA 94105

esum@tipa.org

O 415.597.4040

C 650.996.3942

www.tipa.org



 Please consider the environment before printing this message.

From: Fahey, Carolyn (CPC) <carolyn.fahey@sfgov.org>

Sent: Wednesday, July 8, 2020 2:31 PM

To: Ed Sum <ESum@tjpa.org>; Joishi@TransbayCenter.org

Subject: 201 2nd Street - Eminent Domain

CAUTION: This email originated from outside of the TJPA. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Ed and Joyce,

Nick Foster gave me your contact information for the TJPA. I am trying to get a hold of the most recent plans showing the work on 201 2nd Street and immediately adjacent properties. The owner has an application in the Planning Department, and the applicant says the property will be taken thru eminent domain. Can you provide more of the specific plans for this? I am trying to figure out what the development potential on this property will be after the TJPA takes a portion of the property. Ideally, if there is a site plan showing what TJPA plans to take, that would be most helpful to the Planning review.

Let me know if a call would be helpful.

Thank you!

Carolyn Fahey, Planner

AICP, MURP, PhD

Southwest Team | Current Planning Division

Planning Department, City and County of San Francisco
1650 Mission Street, Suite 400, San Francisco, CA 94103

Direct: 415-575-9139 | www.sfplanning.org

<http://propertymap.sfplanning.org>

The Planning Department is open for business during the Stay Safe at Home Order. Most of our staff are working from home and we're [available by e-mail](#). Our [Public Portal](#), where you can file new applications, and our [Property Information Map](#) are available 24/7. The Planning and Historic Preservation Commissions are convening remotely and [the public is encouraged to participate](#). The Board of Appeals, Board of Supervisors, and Planning Commission are [accepting appeals](#) via e-mail despite office closures. All of our in-person services at 1650 and 1660 Mission Street are suspended until further notice. [Click here for more information](#).