



EXECUTIVE SUMMARY

LARGE PROJECT AUTHORIZATION/ OFFICE DEVELOPMENT AUTHORIZATION/VARIANCE

HEARING DATE: September 9, 2021

Record No.: 2020-005610ENX/OFA/VAR
Project Address: 490 BRANNAN STREET
Zoning: CMUO (Central SoMa Mixed Use Office) Zoning District
200-CS Height and Bulk District
Central SoMa Special Use District
Block/Lot: 3776/025
Project Sponsor: Strada Investment Group
101 Mission, Suite 420
San Francisco, CA 94105
Property Owner: 490 Brannan LLC/Estrin Family
San Francisco, CA 94107
Staff Contact: Xinyu Liang – (628) 652-7316
xinyu.liang@sfgov.org

Recommendation: Approval with Conditions

Project Description

The Project includes demolition of the existing building on the project site, and new construction of a twelve-story, 185-foot tall, mixed-use office building (approximately 355,630 square feet total) with a total of 269,296 square feet of Office use, approximately 12,506 square feet of Art Activities (considered to be a Production, Distribution and Repair (PDR) use) use, 5,391 square feet of Child Care Facility use, 3,272 square feet of Retail use, and 24 off-street below-grade parking spaces, 6 off-street loading and service vehicle spaces, and 60 Class 1 and 26 Class 2 bicycle parking spaces. The Project also includes 5,602 square feet of Privately-Owned Public Open Space (POPOS).

Required Commission Action

In order for the Project to proceed, the Commission must grant a Large Project Authorization (LPA) pursuant to Planning Code Section 329 to allow construction of a new building greater than 85 feet in height or for new construction of over 50,000 gross square feet in the Central SoMa Special Use District (SUD) and to grant exceptions from certain Planning Code Requirements (see below for details).

The Commission must also grant an Office Development Authorization under the Central SoMa Incentive Reserve Program, which is part of the Annual Office Development Limitation Program, pursuant to Planning Code Sections 321 and 322, that would authorize up to 269,296 gross square feet of office space.

Issues and Other Considerations

- **Qualified Amenity – Key Sites.** Identified as Key Site No. 6 in the Central SoMa Area Plan, per Planning Code Section 329(e)(3)(A), the Project will provide 12,506 square feet of PDR use, at least 10,000 square feet of which will be provided at 60% of comparable market rent for no less than 30 years. The Project Sponsor has entered into an agreement with the City and County of San Francisco to limit the rent charged under Planning Code Section 321(a)(6)(C).
- **Large Project Authorization within the Central SoMa Special Use District.** The Commission must grant the LPA to allow construction of a twelve-story, 185-foot tall, approximately 355,630 square-foot, mixed-use office building. As part of the LPA, the Commission may grant exceptions from certain Planning Code requirements for projects that exhibit outstanding overall design, provide Qualified Amenities in excess of what is required by the Code, and for Key Site development projects. The project is seeking exceptions from:
 - 1) Building Setback and Streetwall Articulation requirements of Planning Code Section 132.4,
 - 2) Privately-Owned Public Open Space design standards of Planning Code Section 138,
 - 3) Wind Control and Ground Floor Height requirements of Planning Code Section 249.78,
 - 4) Mid-Block Alley controls of Planning Code Section 261.1, and
 - 5) Central SoMa Bulk Controls of Planning Code Section 270.

The requested exceptions are necessary to provide all the amenities on-site as well as to maximize development while also providing significantly greater light and air on Freelon Street than would be provided in a Code-compliant 200-foot-tall Tower building.

- **Office Development Allocation under the Central SoMa Incentive Reserve.** Currently, the “Large Cap” has a negative balance (-134,499 gsf) in the City. However, the Planning Commission may approve up to an additional 1,700,000 square feet in total of office space located in the Central SoMa SUD, provided specific criteria are satisfied. To date, a total of 211,601 square feet has been allocated from the Central SoMa Incentive Reserve, leaving a balance of 1,488,399 square feet in the reserve. The Project meets all the criteria

to draw from the Central SoMa Incentive Reserve for a total of 269,296 gross square feet of office space.

- **Variance.** The Project is also seeking a Variance from the Zoning Administrator to address the Planning Code requirements for Parking and Loading Entrances under Section 145.1 and Ground Floor Height under Sections 145.1 and 249.78
- **Development Impact Fees.** The Project will be subject to development impact fees, including the Central SoMa Community Services Facility Fee, Eastern Neighborhoods Infrastructure Impact Fees, Eastern Neighborhoods Affordable Housing Fee, Transportation Sustainability Fee and Jobs-Housing Linkage Fee.
- **Public Comment & Outreach.**
 - 1) **Support/Opposition:** The Department has received several letters of support, including from the San Francisco Building and Construction Trades Council, Tenants and Owners Development Corporation (TODCO), and surrounding property owners at 41 Freelon St, 458 and 466 Brannan Street. The Department also received 6 letters of opposition from the residents nearby. The opposition to the Project is centered on the potential disruption of the loading and parking for residents at 555 4th Street (“the Palms”), over supply of large-scale office space in the downtown area, the scale of the proposed building being out of context, and the constant disruption from the surrounding construction.
 - 2) **Outreach:** Over the last four years, the Project Sponsor has conducted extensive neighborhood outreach, including meetings with individual stakeholders and separate community outreach forums. The Pre-Application Meeting was held on March 10, 2020. According to the Project Sponsor, the Sponsor also met with residents of the Palms condominium building located directly to the north of the Proposed Project. Additionally, the Sponsor began discussions with SOMA Pilipinas in summer 2020 to create space on a portion of the ground floor and mezzanine of the building for a live performance dance theater. The Sponsor and an affiliate of SOMA Pilipinas, the Filipino American Foundation, are finalizing a Letter of Intent for a 30-year lease of the space. The facilities manager for the dance theater will be the Asian Pacific Islander Cultural Center (APICC), and Kularts will be the program manager.
- **Open Space/Recreation and Parks Commission.** The Project does not cast new shadows upon any existing property owned and operated by the Recreation and Parks Commission. Therefore, Planning Code Section 295 (Height Restrictions on Structures Shadowing Property under the Jurisdiction of the Recreation and Park Commission) is not applicable to the project site.

Environmental Review

Pursuant to the Guidelines of the State Secretary of Resources for the implementation of the California Environmental Quality Act (CEQA), on August 26, 2021, the Planning Department of the City and County of San Francisco determined that the proposed application was exempt from further environmental review under Section 15183 of the CEQA Guidelines and California Public Resources Code Section 21083.3. The Project is consistent with the adopted zoning controls in the Central SoMa Area Plan and was encompassed within the analysis contained in the EIR. Since the EIR was finalized, there have been no substantive changes to the Central SoMa Area Plan and no substantive changes in circumstances that would require major revisions to the EIR due to the involvement of new significant environmental effects or an increase in the severity of previously identified significant impacts, and there is no new information of substantial importance that would change the conclusions set forth in the Final EIR.

Basis for Recommendation

The Department believes this project is approvable for the following reasons:

- 1) The Department finds that the Project is, on balance, consistent with the Central SoMa Plan and the relevant Objectives and Policies of the General Plan.
- 2) The site is currently underutilized. The Project produces a new mixed-use development with significant site updates, including street landscaping and POPOS. Per the Central SoMa Plan, these elements will substantially improve the surrounding neighborhood and enliven the surrounding streets.
- 3) The project will expand diverse employment opportunities including office, institutional (childcare), PDR, and retail jobs for city residents. These uses will help to retain existing commercial and industrial activity and accommodate significant opportunities for job growth within the Central SoMa SUD.
- 4) The Project will provide 12,506 square feet of PDR use, 10,000 square feet of which will be provided at 60% of comparable market rent for no less than 30 years.
- 5) The Project is desirable for, and compatible with the vision for the neighborhood.

Attachments:

Draft Motion – Large Project Authorization with Conditions of Approval (Exhibit A)

Draft Motion – Office Development Allocation with Conditions of Approval

Exhibit B – Plans and Renderings

Exhibit C – Environmental Determination with MMRP

Exhibit D – Land Use Data

Exhibit E – Maps and Context Photos

Exhibit F - Project Sponsor Brief

Exhibit G – First Source Hiring Affidavit

Exhibit H - Agreement to Limit Rent Charge for PDR Space



PLANNING COMMISSION DRAFT MOTION

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ADOPTING FINDINGS RELATING TO A LARGE PROJECT AUTHORIZATION PURSUANT TO PLANNING CODE SECTION 329, TO ALLOW EXCEPTIONS FROM THE 1) BUILDING SETBACK AND STREETWALL ARTICULATION REQUIREMENTS OF PLANNING CODE SECTION 132.4, 2) PRIVATELY-OWNED PUBLIC OPEN SPACE DESIGN STANDARDS OF PLANNING CODE SECTION 138, 3) WIND CONTROL AND GROUND FLOOR HEIGHT REQUIREMENTS OF PLANNING CODE SECTION 249.78, 4) MID-BLOCK ALLEY CONTROLS OF PLANNING CODE SECTION 261.1, AND 5) CENTRAL SOMA BULK CONTROLS OF PLANNING CODE SECTION 270, AS PART OF A PROJECT THAT WOULD DEMOLISH AN ONE-STORY COMMERCIAL BUILDING AND CONSTRUCT A NEW TWELVE-STORY, 185-FT TALL, MIXED-USE OFFICE BUILDING (APPROXIMATELY 355,630 SQUARE FEET TOTAL) WITH 269,296 SQUARE FEET OF OFFICE USE, 12,506 SQUARE FEET OF PDR USE, 5,391 SQUARE FEET OF CHILDCARE FACILITY USE, 3,272 SQUARE FEET OF RETAIL USE, AND 24 OFF-STREET PARKING SPACES, LOCATED AT 490 BRANNAN STREET, LOT 025 IN ASSESSOR'S BLOCK 3776, WITHIN THE CMUO (CENTRAL SOMA MIXED USE OFFICE) ZONING DISTRICT, THE CENTRAL SOMA SPECIAL USE DISTRICT, AND A 200-CS HEIGHT AND BULK DISTRICT, AND ADOPTING FINDINGS UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.

PREAMBLE

On June 12, 2020, Clarke Miller of Strada Investment Group (hereinafter "Project Sponsor") filed Application No. 2020-005610ENX (hereinafter "Application") with the Planning Department (hereinafter "Department") for a Large Project Authorization to construct a new twelve-story, 185-foot tall, mixed-use office building with 269,296 square feet of Office use, 12,506 square feet of Production, Distribution, and Repair ("PDR") use, 5,391 square feet of Child Care Facility use, and 3,272 square feet of Retail use (hereinafter "Project") at 490 Brannan Street, Block 3776 Lot 025 (hereinafter "Project Site").

The environmental effects of the Project were fully reviewed under the Final Environmental Impact Report for the Central SoMa Plan (hereinafter "EIR"). The EIR was prepared, circulated for public review and comment, and, at a public hearing on May 10, 2018, by Motion No. 20182, certified by the San Francisco Planning Commission as complying with the California Environmental Quality Act (Cal. Pub. Res. Code Section 21000 et. seq., (hereinafter "CEQA") the State CEQA Guidelines (Cal. Admin. Code Title 14, section 15000 et seq., (hereinafter "CEQA Guidelines") and Chapter 31 of the San Francisco Administrative Code (hereinafter "Chapter 31"). The San Francisco Planning Commission has reviewed the EIR, which has been available for this Commission's review as well as public review.

The Central SoMa Plan EIR is a Program EIR. Pursuant to CEQA Guideline 15168(c)(2), if the lead agency finds that no new effects could occur or no new mitigation measures would be required of a proposed project, the agency may approve the project as being within the scope of the project covered by the program EIR, and no additional or new environmental review is required. In approving the Central SoMa Plan, the Commission adopted CEQA findings in its Resolution No. 20183 and hereby incorporates such Findings by reference.

Additionally, State CEQA Guidelines Section 15183 provides a streamlined environmental review for projects that are consistent with the development density established by existing zoning, community plan or general plan policies for which an EIR was certified, except as might be necessary to examine whether there are project-specific effects which are peculiar to the project or its site. Section 15183 specifies that examination of environmental effects shall be limited to those effects that (a) are peculiar to the project or parcel on which the project would be located, (b) were not analyzed as significant effects in a prior EIR on the zoning action, general plan or community plan with which the project is consistent, (c) are potentially significant off-site and cumulative impacts which were not discussed in the underlying EIR, or (d) are previously identified in the EIR, but which are determined to have more severe adverse impact than that discussed in the underlying EIR. Section 15183(c) specifies that if an impact is not peculiar to the parcel or to the proposed project, then an EIR need not be prepared for that project solely on the basis of that impact.

On August 26, 2021, the Department determined that the Project did not require further environmental review under Section 15183 of the CEQA Guidelines and Public Resources Code Section 21083.3, as set forth in the Memorandum dated August 26, 2021 and contained in the Application file. The Commission concurs in this determination. The Project is consistent with the adopted zoning controls in the Central SoMa Area Plan and was encompassed within the analysis contained in the EIR. Since the EIR was finalized, there have been no substantive changes to the Central SoMa Area Plan and no substantive changes in circumstances that would require major revisions to the EIR due to the involvement of new significant environmental effects or an increase in the severity of previously identified significant impacts, and there is no new information of substantial importance that would change the conclusions set forth in the Final EIR. The file for this Project, including the Central SoMa Area Plan EIR

and the Community Plan Exemption certificate, is available for review at the San Francisco Planning Department, 49 South Van Ness Avenue, Suite 1400, San Francisco, California.

Planning Department staff prepared a Mitigation Monitoring and Reporting Program (“MMRP”) setting forth mitigation measures that were identified in the Central SoMa Plan EIR that are applicable to the Project. These mitigation measures are set forth in their entirety in the MMRP attached to the Motion as EXHIBIT C.

On September 9, 2021, the San Francisco Planning Commission (hereinafter “Commission”) conducted a duly noticed public hearing at a regularly scheduled meeting on Large Project Authorization Application No. 2020-005610ENX.

On September 9, 2021, the Commission adopted Motion No. XXXX approving an Office Development Authorization for the Project (Office Development Authorization Application No. 2020-005610OFA). Findings contained within that motion are incorporated herein by this reference thereto as if fully set forth in this Motion.

On September 9, 2021, the Zoning Administrator conducted a duly noticed public hearing on Variance Application No. 2020-005610VAR, indicating an intent to grant the requested variances for the Project. Findings contained within said approval are incorporated herein by this reference thereto as if fully set forth in this Motion.

The Planning Department Commission Secretary is the Custodian of Records; the File for Record No. 2020-005610ENX 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 Large Project Authorization as requested in Application No. 2020-005610ENX, 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.** The Project includes demolition of the existing building on the project site, and new construction of a twelve-story, 185-ft tall, mixed-use office building (approximately 355,630 square feet total) with a total of 269,296 square feet of Office use, approximately 12,506 square feet of PDR use (Arts Activity), 5,391 square feet of Child Care Facility use, 3,272 square feet of Retail use, and 24 off-street below-grade parking spaces, 6 off-street loading and service vehicle spaces, and 60 Class 1 and 26 Class 2 bicycle parking spaces. The Project also includes 5,602 square feet of Privately-Owned Public Open Space (POPOS).
3. **Site Description and Present Use.** Identified as Key Site No. 6 in the Central SoMa Area Plan, the Project site (Assessor's Block 3776, Lot 025) is located on the north side of Brannan Street, east side of 4th Street, and south side of Freelon Street. The site has an area of 36,000 square feet and has approximately 160-foot of frontage along 4th Street and 225-foot of frontage along Brannan and Freelon Streets. The Project Site contains one existing 6,048 square foot commercial building and a large parking lot. The building was previously occupied by Wells Fargo bank and Starbucks and has been vacant since 2019.
4. **Surrounding Properties and Neighborhood.** The Project site is located in the South of Market Neighborhood, within the CMUO (Central SoMa Mixed Use Office) Zoning District and Central SoMa Special Use District. The SoMa neighborhood is a high-density downtown neighborhood with a mixture of low-to mid-rise development containing commercial, office, industrial, and residential uses, as well as several undeveloped or underdeveloped sites. The Project Site is located at the intersection of Brannan, Freelon, and 4th Streets. Immediately north of the site along Freelon Street is a mid-rise residential condominium development with ground floor retail. South of the site along Brannan Street are office and residential developments. East and west of the site are a variety of low-rise commercial, mixed-use, and residential buildings. Other zoning districts in the vicinity of the project site include: P (Public) and MUG (Mixed-Use General) Zoning Districts.
5. **Public Outreach and Comments.** Over the last four years, the Project Sponsor has conducted extensive neighborhood outreach, including meetings with individual stakeholders and separate community outreach forums. The Pre-Application Meeting was held on March 10, 2020. According to the Project Sponsor, the Sponsor also met with residents of the Palms condominium building located directly to the north of the Proposed Project. Additionally, the Project Sponsor began discussions with SOMA Pilipinas in summer 2020 to create space on a portion of the ground floor and mezzanine of the building for a live performance dance theater. The Sponsor and an affiliate of SOMA Pilipinas, the Filipino American Foundation, are finalizing a Letter of Intent for a 30-year lease of the space. The facilities manager for the dance theater will be the Asian Pacific Islander Cultural Center (APICC), and Kularts will be the program manager. To date, the Department has received several letters of support, including from the San Francisco Building and Construction Trades Council, Tenants and Owners Development Corporation (TODCO), and surrounding property owners at 41 Freelon St, 458 and 466 Brannan Street. The Department

also received 6 letters of opposition from the residents nearby. The opposition to the Project is centered on the potential disruption of the loading and parking for residents at 555 4th Street (“the Palms”), over supply of large-scale office space in the downtown area, the scale of the proposed building being out of context, and the constant disruption from the surrounding construction.

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. Permitted Uses in the CMUO Zoning District.** Planning Code Section 848 states that office; most retail; institutional (except for hospital and medical cannabis dispensary); residential; and certain Production, Distribution, and Repair uses are principally permitted within the CMUO Zoning District.

The Project would include Office, PDR (Art Activities), Child Care Facility, and Retail uses, which are principally permitted within the CMUO Zoning District; therefore, the Project complies with Planning Code Section 848.

- B. Floor Area Ratio and Transferrable Development Rights (TDR).** Planning Code Section 124 establishes basic floor area ratios (FAR) for all zoning districts. However, the CMUO Zoning District has no maximum FAR limit. Rather, Section 249.78(e)(3) requires ‘Tier C’ projects in the Central SoMa SUD that contain new construction or an addition of 50,000 square feet or more of non-residential development and have an FAR of a 3 to 1 or greater, to acquire TDR from a Transfer Lot in order to exceed an FAR of 3 to 1, up to an FAR of 4.25 to 1. Above an FAR of 4.25 to 1, the acquisition of additional TDR is not required.

The Project consists of new non-residential construction that is greater than 50,000 square feet, with an FAR of greater than 4.25 to 1. The Project site is classified as Tier C. As such, the Project must acquire TDR to develop from an FAR of 3 to 1 to 4.25 to 1. The Project Sponsor will be required to purchase TDR to develop the Project as a condition of approval (See Exhibit A).

- C. Setbacks, Streetwall Articulation, and Tower Separation.** Planning Code Section 132.4 outlines setback, streetwall articulation, and tower separation controls in the Central SoMa SUD. Section 132.4(d)(1) requires that buildings within the Central SoMa SUD be built to the street-or alley-facing property line up to 65 feet in height, subject to the controls of Section 261.1 with certain exceptions including: to the extent necessary to accommodate any setback required by the Planning Code; for publicly-accessible open space built pursuant to the requirements of Section 138; or for building façade architectural articulation and modulation up to a maximum depth of 8 feet. For towers in the CS Bulk District, along all property lines, a 15-foot setback is required for the tower portion for the entire frontage. This setback may be reduced for obstructions permitted according to Section 136. Along 4th Street between Bryant Street and Townsend Street, building facades on new development must be set back from the street-facing property line by a minimum depth of five feet to a minimum height of 25 feet above sidewalk grade. Section 132.4 also provides setback and separation controls between “tower” developments above a height of 160 feet in the Central SoMa SUD.

The Project does not provide setbacks for the entire frontage and thus, is not fully compliant with the 15-foot setback requirement at a height of 85 feet. The Project will provide a 5-foot setback along the entire frontage of 4th Street, but portions of the Project only provide setback on the ground floor with an

overhead height clearance of 17 feet. The Project is seeking exceptions from certain streetwall, setback and clearance requirements of Section 132.4 as part of the Large Project Authorization (See Below).

- D. **Non-Residential Usable Open Space in the Eastern Neighborhoods.** Per Planning Code Section 135.3, within the Eastern Neighborhoods Mixed Use Districts, retail, eating and/or drinking establishments, wholesale, home and business services, arts activities, institutional and like uses must provide 1 square foot of open space per each 250 square feet of occupied floor area of new or added square footage. Office uses must provide 1 square foot of open space per each 50 square feet of occupied floor area of new, converted or added square footage. However, these requirements do not apply to projects within the Central SoMa SUD, which are instead subject to privately-owned public open space requirement pursuant to Section 138(a)(2).

The Project is located within the Central SoMa SUD and subject to privately-owned public open space requirement (POPOS) per Planning Code Section 138(a)(2). Therefore, the Project is not subject to a non-residential usable open space requirement per Section 135.3.

- E. **Privately-Owned Publicly Accessible Open Space.** Per Planning Code Section 138, projects in the Central SoMa Special Use District proposing new construction of 50,000 gross square feet or more of non-residential use must provide privately owned publicly-accessible open space (“POPOS”) at a ratio of one square foot per 50 gross square feet of all uses. Retail, institutional, and PDR uses in the Central SoMa Special Use District are exempt from the requirements. This public open space may be located on the same site as the building, either indoors or outdoors, or within 900 feet of it. Under Section 138 (d)(2), all outdoor open space must be open to the sky, except for obstructions permitted by Section 136; up to 10% of space that may be covered by a cantilevered portion of the building if the space has a minimum height of 20 feet; any buildings on the subject property that directly abut the open space shall meet the active space requirements of Section 145.1; and the open space shall be maximally landscaped with plantings on horizontal and vertical surfaces, subject to the appropriate design for circulation routes and any recreational or public amenities provided.

The Project is required to provide 5,386 square feet of POPOS. The Project will provide 5,602 square feet of POPOS through a mid-block alley and various open spaces along the perimeter of the site on all frontages. The open space meets the requirements of 138(d)(2) except that more than 10% of the POPOS is not open to the sky. Therefore, the Project is seeking an exception as part of the Large Project Authorization (See Below). All ground floor spaces that abut the open spaces will meet the transparency and design requirements Section 145.1.

- F. **Streetscape and Pedestrian Improvements.** Planning Code Section 138.1 establishes a number of requirements for the improvement of public rights-of-way associated with development projects. Projects that are on a lot greater than half an acre, include more than 50,000 square feet of new construction, containing 150 feet of total lot frontage on one or more publicly-accessible rights-of-way, or has a frontage that encompasses the entire block face between the nearest two intersections, must provide streetscape and pedestrian improvements. Development projects are required to conform to the Better Streets Plan to the maximum extent feasible. Features such as widened sidewalks, street trees, lighting, and street furniture are required. In addition, one street tree is required for each 20 feet of frontage of the Property along every street and alley, connected by a soil-

filled trench parallel to the curb.

The Project meets the minimum criteria of Section 138.1, as it is 0.8 acres in size, includes more than 50,000 square feet of new construction, and has lot frontage of over 150 feet on a public right-of-way. The Project Sponsor has worked extensively with Streetscape Design Advisory Team and other City Agencies to create a streetscape plan that meets the Better Streets Plan.

The Project includes sidewalk and street improvements on Brannan, Freelon, and 4th Streets. New accessible sidewalk ramps, bike racks, and street trees will be installed. The Project also includes extending the Brannan Street sidewalk from 10 feet to 15 feet along the Project frontage. The proposed Better Streets Plan also includes 12 new street trees and the retention of three existing street trees. An in-lieu fee will be paid for any required street trees that are unable to be provided. Therefore, the Project complies with Planning Code Section 138.1.

- G. **Bird Safety.** Planning Code Section 139 outlines the standards for bird-safe buildings, including the requirements for location-related and feature-related hazards. Section 139 outlines façade-related hazards to birds throughout the City, which apply to certain freestanding glass walls and other building elements that have unbroken glazed segments that are 24 square feet and larger in size. New construction with glazed building elements such as free-standing glass walls, wind barriers, skywalks, balconies, and greenhouses on rooftops shall treat 100% of the glazing with bird-safe glazing treatments to reduce the potential impacts to bird mortality.

The Project site is not located within nor is it in close proximity to an Urban Bird Refuge. However, the Project will meet the requirements of feature-related standards. The Project's glass balconies are larger than 24 feet in size and therefore, the Project will be treated with feature-related bird-safe glazing treatments.

- H. **Rooftop Screening.** In EN Mixed-Use Districts, Section 141 requires that rooftop mechanical equipment and appurtenances used in the operation or maintenance of a building be arranged so as not to be visible from any point at or below the roof level of the subject building. This requirement shall apply in construction of new buildings, and in any alteration of mechanical systems of existing buildings that results in significant changes in such rooftop equipment and appurtenances. The features so regulated shall in all cases be either enclosed by outer building walls or parapets, or grouped and screened in a suitable manner, or designed in themselves so that they are balanced and integrated with respect to the design of the building. Minor features not exceeding one foot in height shall be exempted from this regulation.

The rooftop mechanical equipment and appurtenances used in the operation or maintenance of the Project buildings will be fully screened by 15-foot tall screening walls. Therefore, the Project complies with Planning Code Section 141.

- I. **Parking and Loading Entrances.** Under the street frontage controls of Planning Code Section 145.1(c)(2), no more than one-third of the width or 20 feet, whichever is less, of any given street frontage of a new structure parallel to and facing a street may be devoted to parking and loading ingress or egress.

The Project's off-street vehicular parking and loading access is intentionally consolidated on secondary Freelon Street. Since the off-street parking and loading entrances exceed 20 feet in width, the Project Sponsor is requesting a Variance from the Zoning Administrator (See Record No. 2020-005610VAR).

- J. **Active Uses.** Per Planning Code Sections 145.1 and 249.78(c)(1), with the exception of space allowed for parking and loading access, building egress, and access to mechanical systems, active uses—i.e. uses which by their nature do not require non-transparent walls facing a public street—must be located within the first 25 feet of building depth on the ground floor and 15 feet on floors above facing a street at least 30 feet in width. Active uses are also required along any outdoor POPOS within the Central SoMa SUD. Lobbies are considered active, so long as they are not longer than 40 feet or 25% of the building's frontage, whichever is larger. Within the Central SoMa SUD, office use is not considered an active use at the ground floor.

Except for allowable parking and loading access, building egress, access to mechanical systems, and lobbies meeting the Planning Code's size limitations, the Project will provide active uses along all subject street frontages and POPOS areas. The Project will provide PDR, retail, and child care uses on the ground floor. Therefore, the Project meets the requirements of Planning Code Sections 145.1. and 249.78(c)(1).

- K. **Street Face Ground Level Spaces.** Planning Code Section 145.1(c)(5) requires that the floors of street-fronting interior spaces housing non-residential active uses and lobbies shall be as close as possible to the level of the adjacent sidewalk at the principal entrances to these spaces.

The active uses along the ground floor are at the same level as the adjacent sidewalks and walkways or POPOS and, therefore, meet the requirements for ground-level street-facing spaces of Planning Code Section 145.1 and 145.4, discussed below.

- L. **Transparency and Fenestration.** Per Planning Code Sections 145.1(c)(6) and 249.78(c)(1)(F), building frontages with active uses must be fenestrated with transparent windows and doorways for no less than 60% of the street frontage at the ground level and allow visibility to the inside of the building. In the Central SoMa SUD, street frontages greater than 50 linear feet with active PDR uses must be fenestrated with transparent windows and doorways for no less than 30% of the street frontage at the ground level and allow visibility into the building. The use of dark or mirrored glass does not count towards the required transparent area.

The Project meets all requirements for transparency and fenestration of building frontages.

- M. **Ground Floor Heights.** Planning Code Sections 145.1(c)(4) and 249.78(d)(10) require that all ground floor spaces in the CMUO Districts have a ground floor ceiling height of 14 feet for the first 25 feet of lot frontage on a street. PDR space that is subject to the requirements of Section 202.8 or 249.78 (Central SoMa SUD) shall have a minimum floor-to-floor ceiling height of 17 feet.

The Project proposes 21-foot floor-to-floor height on the ground floor within the first 25 feet of the street frontage, and therefore meets the 14-foot ground floor ceiling height requirement. For the PDR space,

out of 12,506 square feet, 6,355 square feet will have the full 21-foot floor-to-floor height, and the rest will have a floor-to floor height of 10'-6" on the mezzanine level. Therefore, the Project requires a variance from the Zoning Administrator (See Record No. 2012.1384VAR).

- N. Ground Floor Commercial.** Planning Code Section 145.4 states that in the Central SoMa SUD, a project whose street frontage is subject to Section 145.4, may locate Privately-Owned Public Open Space (POPOS) along such street frontage, provided that the ground floor of the building facing the POPOS is lined with active commercial uses.

At the Project Site, ground floor commercial uses are required along the 4th Street and Brannan Street frontages per Section 145.4. A narrow strip of POPOS lines most of the street frontages; however, active commercial PDR and retail uses are provided on the ground floor facing the POPOS, in compliance with Section 145.4.

- O. Shadows on Publicly-Accessible Open Spaces.** Planning Code Section 147 states that new buildings in the EN Mixed Use Districts exceeding 50 feet in height must be shaped, consistent with the dictates of good design and without unduly restricting the development potential of the site, to reduce substantial shadow impacts on public plazas and other publicly-accessible spaces other than those under the jurisdiction of the Recreation and Parks Department. The following factors shall be taken into account: (1) the amount of area shadowed; (2) the duration of the shadow; and (3) the importance of sunlight to the type of open space being shadowed.

A shadow analysis determined that the Project has no shadow impacts on public plazas or POPOS, as detailed in the Community Plan Exemption (CPE) prepared for the Project, which is incorporated herein by reference. Therefore, Project complies with Section 147.

- P. Off-Street Parking.** Off-street parking is not required for any use in the CMUO Zoning District. Planning Code Section 151.1 allows off-street parking at a maximum ratio of up to one car per 3,500 square feet of Occupied Floor Area (OFA) of office use. The maximum ratio for retail uses is one for each 1,500 square feet of Gross Floor Area. The maximum ratio for PDR arts activities uses is one car for each 200 square feet of Occupied Floor Area. Child care facilities may provide one car for each 25 children.

The Project includes approximately 266,260 OFA of office use, 12,506 gross square feet of PDR use, 5,391 gross square feet of childcare use serving up to 40 students, and 3,272 gross square feet of retail space. The Project is allowed to have up to 140 parking spaces. The Project will provide up to 24 parking spaces, which is well below the principally permitted amount. Therefore, the Project complies with the maximum permitted accessory parking limitations of Planning Code Section 151.1.

- Q. Off-Street Freight Loading.** Per Planning Code Section 152.1, in the EN Mixed Use Districts, the number of off-street required loading spaces for Non-Retail Sales and Service Uses, which include office use, is 0.1 space per 10,000 square feet of Occupied Floor Area ("OFA"). No loading spaces are required for Retail or PDR uses below 10,000 OFA. No loading spaces are required for Institutional uses, such as child care facilities, below 100,000 OFA. In the CMUO District, substitution of two service vehicle spaces for each required off-street freight loading space may be made, provided that a minimum of 50 percent of the required number of spaces are provided for freight loading.

The Project includes approximately 269,296 gross square feet of office use, 12,506 gross square feet of PDR use, 5,391 gross square feet of childcare use, and 3,272 gross square feet of retail space. The Project is required to provide four loading spaces (three for the office use and one for the PDR use). The Project provides two freight loading spaces and four service vehicle spaces, in compliance with Section 152.1.

- R. **Parking Dimensions.** Per Planning Code Section 154(b), every required off-street freight loading space must have a minimum length of 35 feet, a minimum width of 12 feet, and a minimum vertical clearance including entry and exit of 14 feet. However, the first such required loading space for any use may have a minimum width of 10 feet, a minimum length of 25 feet, and a minimum vertical clearance of 12 feet. Each substituted service vehicle space provided under Section 153(a)(6) of the Planning Code shall have a minimum width of eight feet, a minimum length of 20 feet, and a minimum vertical clearance of seven feet. Per Planning Code Section 154(a), off-street parking spaces in the Eastern Neighborhoods Mixed Use Districts, including the CMUO District, shall have no minimum area or dimension requirements, except as required elsewhere in the Building Code for spaces specifically designated for persons with physical disabilities.

The Project is providing two off-street loading spaces and four service vehicle spaces; the four service vehicles count as two off-street loading spaces, for a total of four off-street loading spaces. All of these spaces will meet the dimensional requirements under the Code. Therefore, the Project will comply with the off-street freight loading dimension requirements under Section 154(b).

- S. **Private Service Driveway.** Per Planning Code Section 155(d), all off-street freight loading and service vehicle spaces in the CMUO District shall be completely enclosed, and access from a public Street or Alley shall be provided by means of a private service driveway that is totally contained within the structure.

The proposed off-street freight loading and service vehicle spaces will be completely enclosed, and access from Freelon Street will be provided by means of a private service driveway that is totally contained within the structure.

- T. **Rates for Long-Term Office Parking.** Planning Code Section 155(g) states that to discourage long-term commuter parking, off-street parking spaces provided for all uses other than residential or hotel must be offered pursuant to the following rate structure: (1) the rate charged for four hours of parking cannot be more than four times the rate charged for the first hour; (2) the rate charged for eight hours of parking cannot be less than ten (10) times the rate charged for the first hour; and (3) no discounted parking rates are allowed for weekly, monthly, or similar time-specific periods.

The Project will comply with the rate structure outlined in the Code and regulated by the City. Compliance is required as a condition of approval (See Exhibit A).

- U. **Curb Cut Restrictions.** Planning Code Section 155(r) does not permit curb cuts along Brannan Street between 2nd Street to 6th Street and 4th Street from Folsom Street to Townsend Street.

The Project solely proposes curb cuts along Freelon Street in compliance with Section 155(r).

- V. **Driveway Loading and Operations Plan in the Central SoMa SUD.** Planning Code Section 155(u) requires a Driveway and Loading Operations Plan (“DLOP”) for projects in the Central SoMa SUD that provide more than 100,000 new gross square feet. The DLOP is meant to reduce potential conflicts between driveway and loading operations and pedestrians, bicycles, and vehicles, to maximize reliance of on-site loading spaces to accommodate new loading demand, and to ensure that off-site loading activity is considered in the design of new buildings. Applicable projects shall prepare a DLOP for review and approval by the Planning Department, in consultation with the San Francisco Municipal Transportation Agency (“SFMTA”).

The Project is over 100,000 square feet in size and has prepared a DLOP. The building operator will implement the DLOP measures into the operations and design of the Project. The building operator or owner will designate appropriate staff contact(s) for the implementation of the DLOP measures. The DLOP is required a condition of approval (See Exhibit A).

- W. **Bicycle Parking.** Planning Code Section 155.2 establishes bicycle parking requirements for new developments, depending on use. For office uses, one Class 1 space is required for every 5,000 occupied square feet, and two Class 2 spaces are required for the first 5,000 gross square feet; minimum two Class 2 spaces, plus one Class 2 space for each additional 50,000 occupied square feet. For PDR arts activities uses, one Class 1 space for every 5,000 square feet of OFA; minimum two Class 2 spaces or one Class 2 space for every 2,500 square feet of publicly accessible or exhibition space. For child care facility uses, minimum two Class 1 spaces or one space for every 20 children; one Class 2 space for every 20 children. For Retail Sales and Services uses, one Class 1 space is required for every 7,500 square feet of office space; minimum two Class 2 spaces.

The Project provides 266,260 square feet of office use, requiring 53 Class 1 and 7 Class 2 bicycle spaces. The Project provides 12,506 square feet of OFA of PDR use, requiring 3 Class 1 bicycle spaces and 2 Class 2 bicycle spaces. The Project provides child care space for up to 40 children, requiring 2 Class 1 bicycle spaces and 2 Class 2 bicycle spaces. The Project provides 3,272 square feet of OFA of retail use, requiring 0 Class 1 bicycle spaces and 2 Class 2 bicycle spaces. In total, the Project requires 58 Class 1 and 13 Class 2 bicycle spaces. The Project will provide 60 Class 1 and 26 Class 2 bicycle spaces, which meets the minimum bicycle parking requirements for all uses within the Project and thus complies with Planning Code Section 155.2.

- X. **Showers and Lockers.** Planning Code Section 155.4 requires that showers and lockers be provided in new buildings. Non-Retail Sales and Service, Entertainment, Institutional, and Industrial uses require four showers and 24 clothes lockers where the occupied floor area exceeds 50,000 square feet. Retail uses require one shower and six clothes lockers where the occupied floor area exceeds 25,000 square feet but is no greater than 50,000 square feet.

The Project contains greater than 50,000 square feet of combined occupied floor area of non-retail sales and services, institutional, and entertainment uses, and will therefore be required to provide four showers and 24 clothes lockers. No requirement applies to the Project’s 3,272 square feet of retail area. The Project will provide showers and locker facilities in the basement level. Therefore, the Project complies with Section 155.4.

- Y. **Car Share.** Planning Code Section 166 requires non-residential development containing 25 or more off-street parking spaces to provide a ratio of one car-share space, plus one additional car-share space for every 50 parking spaces over 50.

The Project does not provide more than 25 parking spaces and is therefore not required to provide car-share parking spaces. However, the Project includes four car-share spaces.

- Z. **Transportation Management Program.** Per Planning Code Section 163, a Transportation Management Program is intended to ensure that adequate services are undertaken to minimize the transportation impacts of added office employment and residential development by facilitating the effective use of transit, encouraging ridesharing, and employing other practical means to reduce commute travel by single-occupant vehicles. In the Central SoMa Special Use District where the occupied square feet of new, converted or added floor area for office use equals at least 25,000 square feet, the property owner shall be required to provide on-site transportation brokerage services for the lifetime of the project. Prior to the issuance of a temporary permit of occupancy, the property owner shall execute an agreement with the Planning Department for the provision of on-site transportation brokerage services.

The Project is adding over 25,000 square feet of office area and must comply with this Section, which is listed as a condition of approval (See Exhibit A). The Project Sponsor will be required to execute an agreement with the Planning Department for the provision of on-site brokerage services prior to the issuance of a temporary certificate of occupancy for each phase of the Project.

- AA. **Transportation Demand Management (TDM) Plan.** Pursuant to Planning Code Section 169 and the TDM Program Standards, the Project shall finalize a TDM Plan prior Planning Department approval of the first Building Permit or Site Permit. As currently proposed, the Project must achieve a target of 14 points for the office use (which for TDM purposes, includes Office and Child Care uses), 3 points for the PDR Arts Activities Uses.

As currently proposed, the Project will achieve its target through the following TDM measures:

Office (includes Child Care) use:

- *Improve Walking Conditions (Option A)*
- *Bicycle Parking (Option A)*
- *Showers and Lockers*
- *On-Site Childcare*
- *Multimodal Wayfinding Signage*
- *Parking Supply (Option I)*

PDR Arts Activities uses:

- *Bicycle Parking (Option A)*
- *Showers and Lockers*

- *Multimodal Wayfinding Signage*

BB. PDR Requirement in Central SoMa SUD. Per Planning Code Section 249.78(c)(5), any newly constructed project that contains at least 50,000 gross square feet of office must provide the greater of either (1) the square footage of PDR replacement space required by the controls of Section 202.8 (where applicable); or (2) on-site (i.e., anywhere on the subject project lot or lots) space dedicated for PDR uses (or Community Building Space or a combination thereof) equivalent to 40% of the lot area. Community Building Space includes Institutional Community uses such as Child Care Facilities.

Under Section 249.78(c)(5), the following is exempted from the calculation of lot area: land dedicated to affordable housing as defined in Section 401; area dedicated to publicly accessible open space and mid-block alleys that are open to the sky, except for permitted obstructions and 10% of space that may be situated under a cantilevered portion of a building; and ground floor space dedicated to a child care facility.

The Project is proposing over 50,000 square feet of office space and is required comply with Section 249.78(c)(5). The Property does not include any existing PDR uses, and is therefore not subject to 202.8. Therefore, the Project must provide on-site PDR and Community Building Space equivalent to 40% of the lot area. The lot area, after the permitted exclusions for POPOS together with 10% of space that's under the cantilever, and the Child Care Facility, results in 26,648 square feet. The 40% requirement is therefore approximately 10,659 square feet. The Project exceeds this requirement by providing 12,506 square feet of PDR space.

CC. Central SoMa SUD, Active Uses Required Along POPOS. Under Section 249.78(c)(1)(A), the controls of Section 145.1 and 145.4 shall apply, except as specified in 249.78(c)(1)(A-F). This requires active uses to be located at the ground floor of POPOS.

The Project complies with the active use controls under 145.1 and 145.4 to the extent modified by Section 249.78(c)(1). Active uses, as defined by this section, are provided along all street frontages and POPOS, and the PDR uses will meet the transparency requirements. See discussions of compliance with Sections 145.1, 145.4, and 249.78(c)(1)(E).

DD. Micro-Retail in Central SoMa SUD. Per Planning Code Section 249.78(c)(4), within the Central SoMa SUD, new development projects on sites of 20,000 square feet or more must provide micro-retail spaces at a rate of one micro-retail space for every 20,000 square feet of lot area, rounded to the nearest unit. All Micro-Retail units must be no less than 100 square feet or larger than 1,000 square feet in size, be located on the ground floor, independently and directly accessed from a public right-of-way or POPOS, and designed to be accessed and operated independently from other spaces or uses on the subject property. Formula retail uses are not permitted in the micro-retail spaces.

The Project site is 36,000 square feet and therefore two micro-retail spaces are required. The Project provides three retail spaces, two of which are micro-retail spaces at 684 square feet and at 953 square feet.

EE. Central SoMa SUD, Prevailing Building Height and Density. Under Section 249.78 (d)(1), a project may

exceed the Prevailing Building Height and Density Limits of subsection (B) up to the maximum height and density otherwise permitted in the Code and the Zoning Map where the project sponsor participates in the Central SoMa Community Facilities District (“CFD”) Program under Section 434.

The Project will participate in the Central SoMa CFD, allowing it to exceed the Prevailing Height and Density Limits up to the maximum height and density permitted under the Planning Code. This requirement is listed as a condition of approval (See Exhibit A).

- FF. Solar and Living Roof Requirements in the Central SoMa SUD.** Per Planning Code Section 249.78(d)(4), solar and living roof requirements apply to lots of at least 5,000 square feet within the Central SoMa SUD where the proposed building constitutes a Large or Small Development Project under the Stormwater Management Ordinance and is 160 feet or less. Under Public Works Code Section 147.1, a Large Development Project is “any construction activity that will result in the creation and/or replacement of 5,000 square feet or more of impervious surface, measured cumulatively, that is located on a property that discharges or will discharge Stormwater to the City’s Separate or Combined Sewer System.” For such projects, at least 50% of the roof area must be covered by one or more Living Roofs. Such projects must also comply with Green Building Code Section 5.201.1.2., which requires that 15% of all roof area up to 160 feet be covered with solar photovoltaic systems and/or solar thermal systems. Finally, these projects must commit to sourcing electricity from 100% greenhouse gas-free sources. Projects with multiple buildings may locate the required elements of this section on any rooftops within the project, so long as an equivalent amount of square footage is provided.

The Project will comply with the City’s Stormwater Management Ordinance. However, only Projects that have a building height of 160 feet or less must meet the Living Roof and Solar requirements. The Project’s proposed building height is 185-feet, and is exempt from this requirement. Since the building exceeds 160 feet in height, the aforementioned Living Roof and Solar requirements do not apply.

- GG. Central SoMa SUD, Renewable Energy.** Under Section 249.78(d)(5), all projects shall commit, as a condition of approval, to fulfilling all on-site electricity demands through any combination of on-site generation of 100% greenhouse gas-free electricity and purchase of electricity from 100% greenhouse gas-free sources for a period of not less than 25 years from the issuance of entitlement.

The Project is required to source electricity from 100% greenhouse gas-free sources, pursuant to this code section. The Project is required to comply with the renewable energy requirements as a condition of approval (See Exhibit A).

- HH. Central SoMa SUD, Controls for Wind Comfort and Hazards.** Per Section 249.78(d)(9), projects in the Central SoMa SUD that are over 85 feet in height may not result in wind speeds that exceed the Comfort Level at any location unless an exception is granted. “Comfort Level” means ground-level equivalent wind speeds of 11 miles per hour in areas of substantial pedestrian use and seven miles per hour in public seating areas between 7:00 a.m. and 6:00 p.m. when occurring for more than 15 percent of the time year-round. Further, projects may not cause a Substantial Increase in wind speed at any location where the existing or resulting wind speed exceeds the Comfort Level. “Substantial Increase” means an increase in wind speeds of more than six miles per hour for more than 15 percent of the time year-round. Lastly, projects shall not result in net new locations with an exceedance of the

One-Hour Hazard Criterion, defined as a ground-level equivalent wind speed of 26 miles per hour for more than one hour per year per test location. Projects that exceed these thresholds may seek an exception from the Commission as a part of a Large Project Authorization.

The Project's wind study determined that it will result in test locations exceeding the standards set forth in Section 249.78(d)(9) under the comfort criterion. The Project will not result in any exceedances of the hazard criterion. The Project is seeking an exception from the comfort criterion, pursuant to Planning Code Section 329(d)(13)(D), as part of the Large Project Authorization for projects within the Central SoMa SUD (See Below).

- II. **Central SoMa SUD, TDR Requirements for Large Development Sites.** Section 249.78(e)(3) requires 'Tier C' projects in the Central SoMa SUD that contains new construction or an addition of 50,000 square feet or more of non-residential development and has an FAR of a 3 to 1 or greater, to acquire TDR from a Transfer Lot in order to exceed an FAR of 3 to 1, up to an FAR of 4.25 to 1. Above an FAR of 4.25 to 1, the acquisition of additional TDR is not required.

The Project will comply with TDR requirements as discussed above under Planning Code Section 128 and 249.78(e)(3).

- JJ. **Child Care Facilities.** Planning Code Sections 249.78(e)(4) (Central SoMa SUD) requires that, prior to issuance of a building or site permit for a development project subject to the requirements of Section 414.4, the sponsor of an Office or Hotel project on a Key Site within the Central SoMa SUD shall elect its choice of the options for providing Child Care Facilities as described in subsection (A), (B) and (E) of Section 414.4(c)(1) to fulfill any requirements imposed pursuant to Section 414.4 as a condition of approval.

The Project will meet the Child Care Facility requirements by providing a 5,391-square foot Child Care Facility on the ground floor, with an accompanying open playground area located contiguous to the mid-block alley. These spaces will meet all City regulations for Child Care Facilities. The Project anticipates electing compliance option under Section 414.4(c)(1)(A) to "provide a child care facility on the premises for the life of the project." The Project will include an on-site child care facility, at least 2,693 square feet of which must be provided to a licensed nonprofit child care provider without charge for rent, utilities, property taxes, building services, repairs, or any other charges of any nature, as evidenced by a lease and an operating agreement between the sponsor and the provider with minimum terms of three years. A notice of special restriction will be recorded stating that the development project is subject to Section 414.1 et seq. and is in compliance by providing a child-care facility on the premises.

- KK. **Shadows on Parks.** Section 295 requires any project proposing a structure exceeding a height of 40 feet to undergo a shadow analysis in order to determine if the project will result in the net addition of shadow to properties under the jurisdiction of the Recreation and Park Department.

A shadow analysis prepared for the CPE for the Project determined that the Project would not cast shadow on any property owned by the San Francisco Recreation and Parks Department.

- LL. **Mass Reduction and Bulk Limits.** Planning Code Sections 261.1 and 270(h) apply massing standards

to development at the Project site, including the following standards:

Narrow Alley and Mid-Block Passage Controls (Section 261.1). Section 261.1 sets out setback requirements for certain frontages along narrow streets and mid-block passages, excluding Freelon Street. Per Section 261.1(d)(4), frontages abutting a mid-block passage of 40 feet or less provided pursuant to Section 270.2 must provide upper story setbacks as follows: for mid-block passages between 20-30 feet in width, a setback of not less than 10 feet above a height of 25 feet (applicable here); mid-block passages between 30 and 40 feet in width, a setback of not less than 5 feet above a height of 35 feet.

Narrow Street Control for Freelon Street does not apply to this Project Site. For mid-block passage control, this Section requires that the façade of the building that fronts the new 30-foot wide mid-block alley that connects Freelon and Brannan Streets provide a setback of 10 feet above a height of 25 feet. The Project is not providing a 10-foot setback above a height of 25 feet along the mid-block alley; therefore, the Project is seeking an exception from the setback requirement along the mid-block alley under the Large Project Authorization (See Below).

Bulk (Section 270(h)). Section 270(h)(2) states that projects on all sides of a “major street” and above the 160-foot height are not required to provide Apparent Mass Reduction for the Tower Portion (85-ft and above), but must provide 80% apparent mass reduction for the remainder of the Mid-Rise Portion at 85 feet and above, up to a height of 160 feet. Section 270(h)(3) includes additional requirements for Bulk Controls for Towers. These controls apply the following to the Tower Portion of a building (1) a maximum floorplate of 17,000 square feet, (2) an average floorplate of 15,000 square feet, (3) a maximum plan length dimension of 150 feet, and (4) a maximum diagonal dimension of 190 feet.

The Apparent Mass Reduction does not apply to the proposed Tower development. *The Project has been designed to be evaluated pursuant to the Mid-Rise building bulk control, and therefore does not comply with the Tower controls with (1) an maximum floorplate of 23,390 square feet, (2) an average floorplate of 22,102 square feet, 3) a maximum plan length dimension of approximately 183 feet, and (4) a maximum diagonal dimension of approximately 224 feet. Therefore, the Project Sponsor is seeking exceptions from the bulk requirements under Section 270(h) pursuant to the Large Project Authorization (See Below).*

MM.Horizontal Mass Reduction. Planning Code Section 270.1 outlines the requirements for the horizontal mass reduction on large lots within the Eastern Neighborhoods Mixed Use Districts. For projects with street frontage greater than 200-ft in length, one or more mass reduction breaks must be incorporated to reduce the horizontal scale of the building into discrete sections not more than 200-ft in length. Specifically, the mass reduction must 1) be not less than 30-ft in width; 2) be not less than 60-ft in depth from the street-facing building façade; 3) extend up to the sky from a level not higher than 25-ft above grade or the third story, whichever is lower; and, 4) result in discrete building sections with a maximum plan length along the street frontage not greater than 200-ft.

The Project is required to provide a horizontal mass break if its length exceeds 200 feet along any street frontage. The building façade along Brannan and Freelon Streets never exceeds 200 feet and therefore Section 270.1 does not apply.

NN. Mid-Block Alley Requirements. Under Section 270.2, projects located in the Central SoMa SUD that have one or more street or alley frontages of over 200 linear feet on a block face longer than 400 feet between intersections are required to provide a publicly-accessible mid-block alley for the entire depth of the property. New mid-block alleys must meet the following requirements: generally be located in the middle of the of the subject block face, perpendicular to the subject frontage and connecting to any existing streets and alleys; it must be open to pedestrians; provide no or limited vehicular access; have a minimum depth of 20 feet; have a minimum clear walking width of 10 feet free of any obstructions in the case of a pedestrian-only right-of-way; have at least 60 percent of the area of the alley or pathway open to the sky, with obstructions permitted within setbacks pursuant to Section 136 may be located within the portion of the alley or pathway that is required to be open to the sky; and be fronted with active uses pursuant to Section 145.1. New buildings abutting mid-block alleys provided pursuant to this Section 270.2 shall feature upper story setbacks according to the provisions of Section 261.1. Section 261.1 also sets forth setback requirements for subject frontages along narrow streets. See the Section 261.1 discussion above.

The Project is providing a mid-block alley that meets and exceeds the requirements of Section 270.2. The mid-block alley will provide a direct connection from Brannan Street to Freelon Street. It will be approximately 30 feet in width, and more than 60 percent open to the sky. It will provide a minimum clear walking path of 10 feet. The alley fronts the Child Care and PDR uses, as well as a small portion of the loading operations use.

As proposed, the building is not providing an upper story setback along the mid-block pedestrian alley. Therefore, the Project is seeking an exception from the upper-story setback controls along the mid-block alley pursuant to Section 261.1 as part of the Large Project Authorization. See the Section 261.1 discussion above and the discussion of the exception below.

OO. Transportation Sustainability Fee (“TSF”) (Section 411A). The TSF applies to the construction of a new non-residential use in excess of 8,000 gross square feet and to new construction of a PDR use in excess of 1,500 gross square feet.

The Project Sponsor will comply with this Section by paying the applicable TSF fee to the city.

PP. Jobs Housing Linkage Fee. Planning Code Section 413 outlines the requirements for the Jobs-Housing Linkage Fee, which applies to any project resulting in a net addition of at least 25,000 gsf certain uses, including office and retail. Credits are available for existing uses on site.

The Project would contain more than 25,000 gross square feet of uses subject to the Jobs-Housing Linkage Fee, and would therefore be subject to the requirements of Section 413.

QQ. Eastern Neighborhoods Infrastructure Impact Fee. Planning Code Section 423 outlines the requirements for the Eastern Neighborhoods Infrastructure Impact Fee, which applies to all new construction within the Eastern Neighborhoods Plan Area.

The Project is located within the Eastern Neighborhoods Plan Area, and would result in new construction. The Project is subject to Eastern Neighborhoods Infrastructure Impact Fee requirements, as outlined in Section 423.

- RR. Public Art.** Planning Code Section 429 outlines the requirements for public art. In the case of construction of a new non-residential use area in excess of 25,000 square feet on properties located in the CMUO Zoning District and located north of Division/Duboce/13th Streets, a project is required to include works of art costing an amount equal to one percent of the construction cost of the building.

The Project is located in the CMUO Zoning District, located north of Division/ Duboce / 13th Streets, and will contain greater than 25,000 square feet of non-residential uses. The Project is subject to the public art requirement, as outlined in Section 429. The public art concept will be done in consultation with the San Francisco Arts Commission and presented to the Planning Commission at an informational hearing prior to being installed.

- SS. Central SoMa Community Services Facilities Fee (Section 432).** The proposed Central SoMa Community Facilities Fee would apply to any project within the Central SoMa SUD that is in any Central SoMa fee tier and would construct more than 800 square feet.

The Property is located in the Central SoMa SUD and is constructing more than 800 square feet, thus subject to this fee. The Project Sponsor will pay the applicable Central SoMa Community Services Facilities Fee.

- TT. Central SoMa Infrastructure Impact Fee (Section 433).** The Central SoMa Infrastructure Impact Fee would generally apply to new construction or an addition of space in excess of 800 gross square feet within the Central SoMa SUD. Specifically, in Central SoMa Fee Tier C, the fee only applies to Non-residential uses that are not seeking an Office Allocation of 50,000 gross square feet or more pursuant to the requirements of Planning Code Section 321.

The Property was rezoned to a height limit of 200-CS, which is classified as Tier C. The Project proposes more than 50,000 square feet of office use, and therefore is not subject to the Central SoMa Infrastructure Impact Fee.

- UU. Central SoMa Community Facilities District (Section 434).** Projects that proposed more than 25,000 square feet of new non-residential development on a Central SoMa Tier B or Tier C property, and which exceed the Prevailing Building Height and Density Controls established in Section 249.78(d)(1)(B), must participate in the Central SoMa Community Facilities District.

The Property was rezoned to a height limit of 200-CS, which is classified as Tier C, and the Project will exceed the Prevailing Building Height and Density Controls established by the SUD, as contemplated for this Key Site. Therefore, the Project will comply with this Section by participating in the Central SoMa Community Facilities District with the applicable rates for Tier C sites.

7. Large Project Authorization Design Review in Eastern Neighborhoods Mixed Use District. Planning

Code Section 329(c) lists nine aspects of design review in which a project must comply; the Planning Commission finds that the project is compliant with these nine aspects as follows:

- A. **Overall building mass and scale.** *The Project's mass and scale are appropriate for the large lot and surrounding context. The existing SoMa neighborhood is a high-density downtown neighborhood with a mixture of low- to mid-rise development containing commercial, office, industrial, and residential uses, as well as several undeveloped or underdeveloped sites, such as surface parking lots and single-story commercial buildings. The Project's massing has been designed to respect the scale and character of the evolving Central SoMa neighborhood, including the development of nearby towers on other Key Sites as contemplated under the Central SoMa Area Plan. The Project's proposed massing is also consistent with the Central SoMa Area Plan's vision for this Key Site. The 12-story, 185-foot-tall, 355,630-square-foot Project has been sculpted to maximize development while providing a pedestrian scale that is compatible with the surrounding context and provides ample light and air to the surrounding uses. The 30'x160' through-lot mid-block Alley provides a pedestrian connection between Brannan and Freelon Street and serves as a buffer between the adjacent low-rise buildings.*
- B. **Architectural treatments, facade design and building materials.** *The Project's architectural treatments, facade design, and building materials consist of 3 major elements: 1) unitized curtain wall that emulates "basalt" rock formation at the podium, 2) ribbed ceramic or cementitious panels at the street level, and 3) curtain wall with clear and translucent glazing at the tower portion of the building. The project is contemporary in its character and utilizes contrasting materials in addition to setbacks to break up the facade and provide a pedestrian scale. Overall, the Project offers high-quality architectural treatment, which provides for a unique and expressive design that is consistent and compatible with the buildings in the surrounding neighborhood.*
- C. **The design of lower floors, including building setback areas, commercial space, townhouses, entries, utilities, and the design and siting of rear yards, parking and loading access.** *The Project's ground floor is designed to provide predominantly retail, PDR, and institutional (child care) uses. A 21-foot tall ground floor is provided. The mid-block alley creates a pedestrian connection between Brannan and Freelon Streets and fronts the child care and PDR uses. The lobby for the office use is minimal in size and is located between the PDR and retail uses on Brannan Street. The ramp to the basement-level parking and the at-grade off-street loading are accessed from Freelon Street, a secondary street that is the only frontage where vehicular access is not prohibited.*
- D. **The provision of required open space, both on- and off-site.** *The Project provides open space on the publicly accessible mid-block alley and on the perimeter of the site on the ground floor. The Project also includes open space on the roof terraces for building tenants.*
- E. **The provision of mid-block alleys and pathways on frontages between 200 and 300 linear feet per the criteria of Section 270, and the design of mid-block alleys and pathways as required by and pursuant to the criteria set forth in Section 270.2.** *The Project is providing a mid-block alley that meets most of the mid-block alley requirements of Section 270.2. The mid-block alley will connect Brannan and Freelon Streets. It will be 30-feet wide and primarily open to the sky. Under Section 261.1, any new building that fronts the mid-block alley must provide a setback of 10 feet above 25 feet in height. As proposed, Project is providing a 12'-6" setback along the mid-block alley starting at 85 feet. This allows for the Project to*

maintain consistent massing on the podium level on all frontages. The Project Sponsor is therefore seeking an exception from the upper-story setback controls along the mid-block alley pursuant to Section 261.1 as part of the Large Project Authorization (See Below).

- F. **Streetscape and other public improvements, including tree planting, street furniture, and lighting.** *In compliance with Planning Code Section 138.1, the Project includes new streetscape elements, such as widened sidewalks, lighting, bike racks, and new street trees. Specifically, the streetscape along Brannan Street provides for a widened 15-foot sidewalk with new street trees, bike racks, and pedestrian scaled light fixtures within a 5-foot planting and furnishing zone and a 10-foot pedestrian throughway. The 15-foot sidewalk along 4th Street provides for new street trees, bike racks, and pedestrian scaled light fixtures within a 4-foot planting and furnishing zone, a 6-foot pedestrian throughway, and a 5-foot building frontage zone that is activated by POPOS and adjacent ground floor PDR space. The Freelon Street streetscape provides for a minimum 7-foot sidewalk with street trees and pedestrian scaled light fixtures within a 3-foot-6-inches furnishing zone and a minimum 4-foot pedestrian throughway with 6 inches setback within the property line. These improvements would vastly improve the public realm and surrounding streetscape.*
 - G. **Circulation, including streets, alleys and mid-block pedestrian pathways.** *The Project provides ample circulation in and around the project site through the streetscape improvement and construction of a publicly accessible mid-block alley. Automobile and loading access is limited to the secondary street, Freelon Street.*
 - H. **Bulk limits.** *The Project is subject to special bulk limits and setback requirements that apply in the Eastern Neighborhood Mixed-Use Districts. See the Section 261.1, 270(h), 270.1, and 270.2 discussions above, which are incorporated here by reference. The project seeks to be treated as a Mid-Rise Building for the purposes of massing and bulk controls. The project proposes a height of 185 feet, comparable to the 4th/Harrison and 88 Bluxome Street Key Sites developments that also were subject to Mid-Rise Building controls despite being 185 feet. Technically, the project is seeking an exception from the Tower controls that would otherwise apply to a Tower building at 185 feet.*
 - I. **Other changes necessary to bring a project into conformance with any relevant design guidelines, Area Plan or Element of the General Plan.** *The Project, on balance, meets the Objectives and Policies of the General Plan. See Below.*
- 8. Central SoMa Key Site Exceptions & Qualified Amenities (Section 329(d) and (e)).** Pursuant to Section 329(d), the Planning Commission may grant certain exceptions to the provisions of the Planning Code. Pursuant to Section 329(e), within the Central SoMa SUD, certain additional exceptions are available for projects on Key Sites that provide qualified amenities in excess of what is required by the Code. Qualified additional amenities that may be provided by these Key Sites include: affordable housing beyond what is required under Section 415et seq.; land dedication pursuant to Section 413.7 for the construction of affordable housing; PDR at a greater amount and/or lower rent than is otherwise required under Sections 202.8 or 249.78(c)(5); public parks, recreation centers, or plazas; and improved pedestrian networks. Exceptions under Section 329(e) may be approved by the Planning Commission if the following criteria are met:

- a. The amenities and exceptions would, on balance, be in conformity with and support the implementation of the Goals, Objectives, and Policies of the Central SoMa Plan;

The Project is providing community benefits as was envisioned in the Central SoMa Area Plan. The Project will provide 12,506 square feet of PDR use, 10,000 square feet of which will be provided below market rate. The Project is seeking exceptions through the Large Project Authorization process. These exceptions are consistent with the Central SoMa Key Site Guidelines for the Property. Further, the Project is in conformity with the General Plan and the Central SoMa Area Plan, and meets the community benefit envisioned for the Plan area.

- b. The amenities would result in an equal or greater benefit to the City than would occur without the exceptions, and

The requested exceptions are necessary to provide the amenities listed above as well as to maximize development on the site while also providing significantly greater light and air on Freelon Street than would be provided in a Code-compliant 200-foot tall Tower building.

- c. The exceptions are necessary to facilitate the provision of important public assets that would otherwise be difficult to locate in a highly developed neighborhood like SoMa.

The Central SoMa Plan area identified Key Site No. 6 as containing the potential for providing affordable PDR spaces within a 300,000-400,000 square foot mixed-use office building. The Area Plan envisioned modifications to the bulk controls at this site to provide significantly more light and air on Freelon Street. It also envisioned allowing an exception to the requirement that the POPOS be open to the sky in order to maximize development potential on the site.

Because the proposed project is consistent with the development encouraged under the Central SoMa Area Plan, and because the Project's amenities will allow valuable public assets in a densely-developed area where it would otherwise be difficult to locate such a large development, the exceptions and variances that the Project is seeking are necessary to facilitate the provision of the aforementioned public benefits as well as fulfill the vision identified in the Central SoMa Area Plan.

Accordingly, pursuant to Planning Code Sections 329(d) and 329(e) the Planning Commission has considered the following exceptions to the Planning Code, makes the following findings, and grants each exception to the Project as further described below:

- A. **Building Setbacks, Streetwall Articulation and Tower Separation (Section 132.4).** Section 132.4 requires that (i) buildings within the Central SoMa SUD be built up to the street-or alley-facing property line up to 65 feet in height, subject to the controls of Section 261.1 (additional height limits for narrow streets and midblock-alleys), which are applicable to the Project; (ii) Towers in the CS Bulk District include a 15-foot setback along all property lines for the Tower Portion of the entire frontage; and (iii) the Tower Portion have a horizontal separation of at least 115 feet from the Tower Portion of any other Tower. Along 4th Street between Bryant Street and Townsend Street, building facades on new development must be set back from the street-facing property line by a minimum depth of five feet to a minimum height of 25 feet above sidewalk grade.

The majority of the Project meets or exceeds these requirements. However, small portions (approximately 27%) of the building along the Freelon, Brannan, and 4th Street facades do not meet the 15-foot setback requirement above a height of 85 feet set forth under Section 132.4(d)(2)(B). This exception is minor in scope and necessary to facilitate a high-quality architectural design that meets the intent of Section 132.4 by contributing to the dynamism of the neighborhood and maintaining a strong streetwall presence. The design emphasizes the importance of the corner at 4th and Brannan Streets, by creating a vertical massing expression that “holds” the urban corner.

At the 4th Street façade, the required five-foot setback required under Section 132.4(d)(2)(C) is provided. However 95 feet (59%) of the façade only setback on the ground floor and has an overhead height clearance of 17 feet, which does not meet the 25-foot clearance required per section 132.4(d)(2)(c). The lower height clearance provides a harmonious and consistent horizontal datum at the ground floor on all sides of the building that facilitates a pedestrian-oriented frontage. The rest of the frontage at the corner of 4th Street and Brannan Street will have a taller setback on the third floor, which is designed to create a grand corner retail space. This exception is minor in scope and necessary to facilitate an innovative architectural design style that meets the intent of Section 132.4.

- B. POPOS Design Standards (Section 138(d)).** Section 138(d)(2)(E)(i) requires that outdoor POPOS at grade level be open to the sky, except for obstructions permitted by Section 136 and subject to an allowance of up to 10% of the space to be located under cantilevered portions of the building if the space has a minimum height of 20 feet.

The Project will provide 5,602 square feet of POPOS which is in excess of the 5,386 square feet required under Section 138. The POPOS is provided in a mid-block alley as well as the perimeter of the building frontages, including in required setbacks. Although the POPOS exceeds the requirement, 1,823 square feet of the POPOS is located beneath cantilevered building portions. The combination of these areas would equal up to 33% of the required POPOS area, exceeding the 10% area allowance under the Code. This exception is allowed for this Key Site only per Planning Code Section 329(e)(3)(B)(iii). This exception is minor in scope and necessary to maximize development on the site as envisioned under the Central SoMa Area Plan.

- C. Controls for Wind Comfort and Hazards (Section 249.78(d)(9)).** Projects in the Central SoMa SUD that are over 85 feet in height may not result in wind speeds that exceed the Comfort Level at any location. Projects must generally refrain from resulting in wind speeds exceeding a “Comfort Level” (ground-level wind speeds of 11 mph in areas of substantial pedestrian use and seven mph in public seating areas between 7 a.m. and 6 p.m., when occurring for more than 15% of the time year round) and may not cause a “Substantial Increase” in wind speeds of more than six miles per hour for more than 15% of the time year round) at any location where the existing or resulting wind speed exceeds the Comfort Level. However, a project may seek exception from this standard if it demonstrates that (1) it has undertaken all feasible measures to reduce wind speeds through such means as building sculpting and appearances, permanent wind baffling measures, and landscaping; and (2) further reducing wind speeds would substantially detract from the building design or unduly restrict the square footage of the project.

The Project requires an exception from the wind comfort criterion. The Project’s wind study, as discussed

in the CPE and incorporated by reference here, determined that it will result in four net new exceedances of the comfort level standards set forth in Section 249.78(d)(9). The Project will not result in any exceedances of the hazard criterion.

The Project meets the criteria for a wind comfort exception, as follows:

- (1) The Project has undertaken a number of wind reduction measures, including installing more trees than required for new construction, providing massing steps, and incorporating setbacks at ground level, which will significantly reduce wind speeds.*
- (2) The Project's wind consultant, CPP, has determined that major setbacks to the building at Freelon Street and the corner of 4th and Brannan would be necessary to significantly reduce wind speeds further, which would not only significantly reduce the square footage of the first floor, but would also dramatically alter the design character of the building, and is therefore not considered a viable option. At Freelon Street, adding a canopy over the loading area could reduce the comfort exceedance but would interfere with loading operations, which requires a 16-foot clearance and would detract from the building design. Also, south side of Freelon Street is not expected to receive heavy pedestrian traffic which could be susceptible to any comfort exceedance.*

Because the Project has undertaken all feasible measures to reduce wind speeds such as building sculpting and landscaping along Brannan and 4th Street; and because reducing wind speeds further would substantially detract from the building design and unduly restrict the square footage of the Project, the exception from the comfort level standards, pursuant to Planning Code Section 329(d)(13)(D) is justified.

- D. Mid-Block Alley and Bulk Controls (Sections 261.1 and 270(h)).** These Sections collectively apply bulk controls for development in Central SoMa. Section 261.1 sets out setback requirements for mid-block passages. Per Section 261.1(d)(4), frontages abutting a mid-block passage of 40 feet or less provided pursuant to Section 270.2, must provide upper story setbacks as follows: for mid-block passages between 20-30 feet in width, a setback of not less than 10 feet above a height of 25 feet. Tower (160-ft and above) building projects within the CS Bulk District requires none Apparent Mass Reduction per Section 270(h)(2), rather, they are subject to the Tower controls of Section 270(h)(3). These controls apply the following to the Tower Portion of a building (1) a maximum floorplate of 17,000 square feet, (2) an average floorplate of 15,000 square feet, (3) a maximum plan length dimension of 150 feet and (4) a maximum diagonal dimension of 190 feet.

The Project requires an exception from the Tower Building controls, specifically the maximum and average floorplate, the maximum plan length dimension and maximum diagonal dimension. The maximum floorplate is 17,000 square feet and the Project provides an approximately 23,390 square foot floor plate on floors 6-9 and a 20,385 square foot floorplate on floors 10-12. The maximum average floorplate is 15,000 square feet and the Project's average floorplate is approximately 22,102 square feet. The maximum plan length dimension is 150 feet and the Project provides an approximately 183 feet plan length on floors 6-9 and provides an approximately 162 feet plan length on floors 10-12. The maximum diagonal dimension is 190 feet and the Project provides an approximately 224 feet dimension.

While the Apparent Mass Reduction controls that are mainly designed for Mid-Rise Buildings do not apply to buildings taller than 160 feet in height, the 185-foot tall Project has been designed to be like a Mid-Rise rather than a 200-foot tall Tower. The Project's Apparent Mass Reduction compliance is as follows: a 57% mass reduction along 4th Street (80% required), a 53% mass reduction along Brannan Street (80% required), and a 59% massing reduction along Freelon Street (85% required) if the Proposed Project were to be considered as a Mid-Rise building. The exceptions are requested to achieve a superior design and maximize the development of new PDR, office, child care, and retail uses on the Project Site, as called for by the Central SoMa Area Plan at this Key Site No. 6 (see the detailed discussion of related Central SoMa Plan Goals, Objectives and Policies below, which are incorporated here by reference). The deviation from the strict massing controls on Freelon and Brannan is acknowledged in the Key Site Guidelines for this site in exchange for providing greater light and air on Freelon Street than would otherwise be provided by a Code-compliant 200-foot tall building that would be permitted at the site. In addition, the Project will provide a sense of perceived bulk relief through the design, color, materials, and height differentiations between the various vertical and horizontal massing expressions.

Also, the Project requires an exception from the ten-foot setback at 25 feet and above along the new 30-foot wide mid-block alley that connects Freelon and Brannan Streets. The Project is proposing to setback 12 feet 6 inches above 85 feet and will not provide a 10-foot setback above a height of 25 feet along the mid-block alley; therefore, the Project is seeking an alley setback exception under the Large Project Authorization. Architecturally, it is essential to maintain the consistent massing datum and facade expression of "Basalt" podium to the mid-block alley side. Similar to the exception for the POPOS design standards, this exemption is necessary to maximize the development on the Mid-Rise Portion in order to ensure significant light and air for the mid-block alley and Freelon Street.

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

COMMERCE AND INDUSTRY ELEMENT

Objectives and Policies

OBJECTIVE 1

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

Policy 1.1

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

Policy 1.3

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

OBJECTIVE 2

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

Policy 2.1

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

Policy 2.3

Maintain a favorable social and cultural climate in the city in order to enhance its attractiveness as a firm location.

OBJECTIVE 3

PROVIDE EXPANDED EMPLOYMENT OPPORTUNITIES FOR CITY RESIDENTS, PARTICULARLY THE UNEMPLOYED AND ECONOMICALLY DISADVANTAGED.

Policy 3.1

Promote the attraction, retention and expansion of commercial and industrial firms which provide employment improvement opportunities for unskilled and semi-skilled workers.

Policy 3.2

Promote measures designed to increase the number of San Francisco jobs held by San Francisco residents.

OBJECTIVE 4

IMPROVE THE VIABILITY OF EXISTING INDUSTRY IN THE CITY AND THE ATTRACTIVENESS OF THE CITY AS A LOCATION FOR NEW INDUSTRY.

Policy 4.1

Maintain and enhance a favorable business climate in the city.

Policy 4.2

Promote and attract those economic activities with potential benefit to the city.

Policy 4.3

Carefully consider public actions that displace existing viable industrial firms.

Policy 4.11

Maintain an adequate supply of space appropriate to the needs of incubator industries.

URBAN DESIGN ELEMENT

Objectives and Policies

OBJECTIVE 1

EMPHASIS OF THE CHARACTERISTIC PATTERN WHICH GIVES TO THE CITY AND ITS NEIGHBORHOODS AN IMAGE, A SENSE OF PURPOSE, AND A MEANS OF ORIENTATION.

Policy 1.3

Recognize that buildings, when seen together, produce a total effect that characterizes the city and its districts.

Policy 1.7

Recognize the natural boundaries of districts, and promote connections between districts.

OBJECTIVE 3

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

Policy 3.1

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

Policy 3.2

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

Policy 3.3

Promote efforts to achieve high quality of design for buildings to be constructed at prominent locations.

Policy 3.4

Promote building forms that will respect and improve the integrity of open spaces and other public areas.

Policy 3.5

Relate the height of buildings to important attributes of the city pattern and to the height and character of existing development.

Policy 3.6

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

RECREATION AND OPEN SPACE ELEMENT

Objectives and Policies

OBJECTIVE 2

INCREASE RECREATION AND OPEN SPACE TO MEET THE LONG-TERM NEEDS OF THE CITY AND BAY REGION.

Policy 2.2

Provide and promote a balanced recreation system which offers a variety of high quality recreational opportunities for all San Franciscans.

Policy 2.7

Expand partnerships among open space agencies, transit agencies, private sector and nonprofit institutions to acquire, develop and/or manage existing open spaces.

OBJECTIVE 3

IMPROVE ACCESS AND CONNECTIVITY TO OPEN SPACE.

Policy 3.2

Establish and Implement a network of Green Connections that increases access to parks, open spaces, and the waterfront.

CENTRAL SOMA AREA PLAN

GOAL 2: MAINTAIN A DIVERSITY OF RESIDENTS

OBJECTIVE 2.6

SUPPORT SERVICES – SCHOOLS, CHILD CARE, AND COMMUNITY SERVICES – NECESSARY TO SERVE LOCAL RESIDENTS

Policy 2.6.2

Help facilitate the creation of childcare facilities.

GOAL 3: FACILITATE ECONOMICALLY DIVERSIFIED AND LIVELY JOBS CENTER OBJECTIVES AND POLICIES

OBJECTIVE 3.1

ENSURE THE PLAN AREA ACCOMMODATES SIGNIFICANT SPACE FOR JOB GROWTH

Policy 3.1.1

Require non-residential uses in new development on large parcels.

OBJECTIVE 3.2

SUPPORT THE GROWTH OF OFFICE SPACE

Policy 3.2.1

Facilitate the growth of office.

OBJECTIVE 3.3

ENSURE THE REMOVAL OF PROTECTIVE ZONING DOES NOT RESULT IN A LOSS OF PDR IN THE PLAN AREA

Policy 3.3.2

Limit conversion of PDR space in formerly industrial districts.

Policy 3.3.3

Require PDR space as part of large commercial development.

OBJECTIVE 3.4

FACILITATE A VIBRANT RETAIL ENVIRONMENT THAT SERVES THE NEEDS OF THE COMMUNITY

Policy 3.4.2

Require ground-floor retail along important streets.

GOAL 4: PROVIDE SAFE AND CONVENIENT TRANSPORTATION THAT PRIORITIZES WALKING, BICYCLING, AND TRANSIT

OBJECTIVE 4.1

PROVIDE A SAFE, CONVENIENT, AND ATTRACTIVE WALKING ENVIRONMENT ON ALL THE STREETS IN THE PLAN AREA

Policy 4.1.2

Ensure sidewalks on major streets meet Better Streets Plan standards.

Policy 4.1.8

Ensure safe and convenient conditions on narrow streets and alleys for people walking.

Policy 4.1.10

Expand the pedestrian network wherever possible through creation of narrow streets, alleys, and mid-block connections.

OBJECTIVE 4.4

ENCOURAGE MODE SHIFT AWAY FROM PRIVATE AUTOMOBILE USAGE

Policy 4.4.1

Limit the amount of parking in new development.

Policy 4.4.2

Utilize Transportation Demand Management strategies to encourage alternatives to the private automobile.

Policy 4.5.2

Design buildings to accommodate delivery of people and goods with a minimum of conflict.

GOAL 5: OFFER AN ABUNDANCE OF PARKS AND RECREATIONAL OPPORTUNITIES

OBJECTIVE 5.5

AUGMENT THE PUBLIC OPEN SPACE AND RECREATION NETWORK WITH PRIVATELY-OWNED PUBLIC OPEN SPACES (POPOS).

Policy 5.5.1

Require new non-residential development and encourage residential development to provide POPOS that address the needs of the community.

GOAL 8: ENSURE THAT NEW BUILDINGS ENHANCE THE CHARACTER OF THE NEIGHBORHOOD AND CITY OBJECTIVES AND POLICIES

OBJECTIVE 8

ENSURE THAT THE GROUND FLOORS OF BUILDING CONTRIBUTE TO THE ACTIVATION, SAFETY, AND DYNAMISM OF THE NEIGHBORHOOD

Policy 8.1.1

Require that ground floor uses actively engage the street.

Policy 8.1.2

Design building frontages and public open spaces with furnishings and amenities to engage a mixed-use neighborhood.

Policy 8.1.3:

Ensure buildings are built up to the sidewalk edge.

Policy 8.1.4:

Minimize parking and loading entrances.

OBJECTIVE 8.4

ENSURE THAT NARROW STREETS AND ALLEYS MAINTAIN THEIR INTIMATENESS AND SENSE OF OPENNESS TO THE SKY.

Policy 8.4.1

Require new buildings facing alleyways and narrow streets to step back at the upper stories.

OBJECTIVE 8.5

ENSURE THAT LARGE DEVELOPMENT SITES ARE CAREFULLY DESIGNED TO MAXIMIZE PUBLIC BENEFIT.

Policy 8.6.1

Conform to the City's Urban Design Guidelines.

Policy 8.6.2

Promote innovative and contextually-appropriate design.

Policy 8.6.3

Design the upper floors to be deferential to the "urban room".

Policy 8.6.4

Design buildings to be mindful of wind.

Policy 8.6.5

Ensure large projects integrate with the existing urban fabric and provide a varied character.

The Project features varied and engaged architecture that will contribute to the neighborhood character. The building materials are high quality and will promote visual relationships and transitions with new and older buildings in the Central SoMa neighborhood. The Project has been designed to break down the prevailing scale of development to avoid overwhelming or dominating appearance. The Project will include 5,602 square feet of POPOS, including a mid-block alley that will improve connectivity between Brannan and Freelon Streets, as well as provide the surrounding neighborhood with access to new open space.

The Project will limit off-street parking spaces to below the permitted accessory amounts and will provide the required amount of off-street loading. Additionally, a total of 60 Class 1 and 26 Class 2 bicycle spaces will be provided for a total of 86 bicycle parking spaces. The Project has also developed a TDM Program and will incorporate improvements to the pedestrian network, including new and widened sidewalks. All street and sidewalk improvements will comply with the City's Better Street Plan and Vision Zero Policy.

The project will provide approximately 269,296 square feet of office use, 12,506 square feet of PDR use, 5,391 square feet of childcare use, and 3,272 square feet of retail space; thus, the project will expand diverse employment opportunities including office, institutional (childcare), PDR, and retail jobs for city residents. These uses will help to retain existing commercial and industrial activity and accommodate significant opportunities for job growth within the Central SoMa SUD. On balance, the Project supports the objectives and policies of the General Plan and Central SoMa Area Plan.

10. 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 Site is currently vacant and does not include any active neighborhood-serving retail uses. The former Wells Fargo bank and Starbucks have been vacant since 2019. The Project provides new retail space, which will increase future opportunities for nearby resident employment and ownership. In addition, the new PDR, child care, and office uses will enhance the existing nearby retail uses by increasing the consumer base of such businesses.

- 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 add PDR (arts activity), child care, retail, and office uses, which add to the public realm and neighborhood character. The Project is expressive in design and relates well to the scale and form of the surrounding neighborhood. For these reasons, the Project would protect and preserve the cultural and economic diversity of the neighborhood.

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

The Project site does not currently include any existing affordable housing.

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

The Project Site is served by nearby public transportation options, including but not limited to the Muni Lines 12, 30, 45, 47,8, 81X, 82X, 83X, 8AX, 8BX, E, KT, N, as well as the Caltrain stations. The Central Subway is currently under construction adjacent to the Project site. The Project also provides off-street parking and sufficient bicycle parking for the proposed uses.

- 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 existing non-residential building is currently vacant. The Project will not displace any existing uses and will provide approximately 12,506 square feet PDR space, consistent with Planning Code requirements within the Central SoMa SUD, as well as new retail and institutional uses, which will provide future opportunities for resident employment and ownership in such sectors.

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

The Project will be designed and constructed to conform to the structural and seismic safety requirements of the Building Code. As such, this Project will improve 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.

A shadow study was completed and concluded that the Project will not cast shadows on any property under the jurisdiction of, or designated for acquisition by, the Recreation and Park Commission or any other existing open spaces.

- 11. First Source Hiring.** The Project is subject to the requirements of the First Source Hiring Program as they apply to permits for residential development (Administrative Code Section 83.11), and the Project Sponsor shall comply with the requirements of this Program as to all construction work and on-going employment required for the Project. Prior to the issuance of any building permit to construct or a First Addendum to the Site Permit, the Project Sponsor shall have a First Source Hiring Construction and Employment Program approved by the First Source Hiring Administrator, and evidenced in writing. In the event that both the Director of Planning and the First Source Hiring Administrator agree, the approval of the Employment Program may be delayed as needed.

The Project Sponsor submitted a First Source Hiring Affidavit and prior to issuance of a building permit will execute a First Source Hiring Memorandum of Understanding and a First Source Hiring Agreement with the City's First Source Hiring Administration.

- 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 Large Project 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 Large Project Authorization Application No. 2020-005610ENX** subject to the following conditions attached hereto as “EXHIBIT A” in general conformance with plans on file, dated August 19, 2021, and stamped “EXHIBIT B”, which is incorporated herein by reference as though fully set forth.

The Planning Commission hereby adopts the MMRP attached hereto as “EXHIBIT C” and incorporated herein as part of this Motion by this reference thereto. All required mitigation measures identified in the Central SoMa Plan EIR and contained in the MMRP are included as conditions of approval.

APPEAL AND EFFECTIVE DATE OF MOTION: Any aggrieved person may appeal this Section 329 Large Project Authorization to the Board of Appeals within fifteen (15) days after the date of this Motion. The effective date of this Motion shall be the date of adoption of this Motion if not appealed (after the 15-day period has expired) OR the date of the decision of the Board of Appeals if appealed to the Board of Appeals. For further information, please contact the Board of Appeals at (628) 652-1150, 49 South Van Ness Avenue, Suite 1475, San Francisco, CA 94103.

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

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

I hereby certify that the Planning Commission ADOPTED the foregoing Motion on September 9, 2021.

Jonas P. Ionin
Commission Secretary

AYES:

NAYS:

ABSENT:

RECUSE:

ADOPTED: September 9, 2021

EXHIBIT A

Authorization

This authorization is for a large project authorization to allow the demolition of the existing commercial structure and construction of a new twelve-story, 185-foot tall, mixed-use office building with 269,296 square feet of Office use, 12,506 square feet of PDR use, 5,391 square feet of Child Care Facility use, and 3,272 square feet of Retail use located at 490 Brannan Street, Block 3776 Lot 025, pursuant to Planning Code Section 329 within the CMUO Zoning District and 200-CS Height and Bulk District; in general conformance with plans, dated August 19, 2021, and stamped "EXHIBIT B" included in the docket for Record No. 2020-005610ENX and subject to conditions of approval reviewed and approved by the Commission on September 9, 2021 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 September 9, 2021 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. **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 628.652.7463, www.sfplanning.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 628.652.7463, www.sfplanning.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 628.652.7463,

www.sfplanning.org

- 6. Additional Project Authorization.** The Project Sponsor must obtain a Office Development Authorization under Sections 321 and 322 to allocate office square footage, and a Variance from the Zoning Administrator to address the Planning Code requirements for Parking and Loading Entrances under Section 145.1 and Ground Floor Height under Sections 145.1 and 249.78, and satisfy all the conditions thereof. The conditions set forth below are additional conditions required in connection with the Project. If these conditions overlap with any other requirement imposed on the Project, the more restrictive or protective condition or requirement, as determined by the Zoning Administrator, shall apply.

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

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

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

- 8. Mitigation Measures.** Mitigation measures described in the MMRP attached as Exhibit C are necessary to avoid potential significant effects of the proposed project and have been agreed to by the project sponsor. Their implementation is a condition of project approval.

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

Design – Compliance at Plan Stage

- 9. Final Materials.** The Project Sponsor shall continue to work with Planning Department on the building design. Final materials, glazing, color, texture, landscaping, and detailing shall be subject to Department staff review and approval. The architectural addenda shall be reviewed and approved by the Planning Department prior to issuance.

For information about compliance, contact the Case Planner, Planning Department at 628.652.7600, www.sfplanning.org

- 10. Garbage, Composting and Recycling Storage.** Space for the collection and storage of garbage, composting, and recycling shall be provided within enclosed areas on the property and clearly labeled and illustrated on the building permit plans. Space for the collection and storage of recyclable and compostable materials that meets the size, location, accessibility and other standards specified by the San Francisco Recycling Program shall be provided at the ground level of the buildings.

For information about compliance, contact the Case Planner, Planning Department at 628.652.7600, www.sfplanning.org

- 11. Rooftop Mechanical Equipment.** Pursuant to Planning Code 141, the Project Sponsor shall submit a roof plan to the Planning Department prior to Planning approval of the building permit application. Rooftop mechanical equipment, if any is proposed as part of the Project, is required to be screened so as not to be visible from any point at or below the roof level of the subject building.

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

- 12. Lighting Plan.** The Project Sponsor shall submit an exterior lighting plan to the Planning Department prior to Planning Department approval of the building / site permit application.

For information about compliance, contact the Case Planner, Planning Department at 628.652.7600, www.sfplanning.org

- 13. Streetscape Plan.** 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 628.652.7600, www.sfplanning.org

- 14. Signage.** The Project Sponsor shall develop a signage program for the Project which shall be subject to review and approval by Planning Department staff before submitting any building permits for construction of the Project. All subsequent sign permits shall conform to the approved signage program. Once approved by the Department, the signage program/plan information shall be submitted and approved as part of the site permit for the Project. All exterior signage shall be designed to compliment, not compete with, the existing architectural character and architectural features of the building.

For information about compliance, contact the Case Planner, Planning Department at 628.652.7600, www.sfplanning.org

- 15. Transformer Vault Location.** The location of individual project PG&E Transformer Vault installations has significant effects to San Francisco streetscapes when improperly located. However, they may not have any impact if they are installed in preferred locations. Therefore, the Planning Department in consultation with Public Works shall require the following location for transformer vault(s) for this project: within the building basement below the POPOS space. The above requirement shall adhere to the Memorandum of Understanding regarding Electrical Transformer Locations for Private Development Projects between Public Works and the Planning Department dated January 2, 2019.

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

- 16. Overhead Wiring.** The Property owner will allow MUNI to install eyebolts in the building adjacent to its electric streetcar line to support its overhead wire system if requested by MUNI or MTA.

For information about compliance, contact San Francisco Municipal Railway (Muni), San Francisco Municipal Transit Agency (SFMTA), at 415.701.4500, www.sfmta.org

- 17. Noise.** Plans submitted with the building permit application for the approved project shall incorporate acoustical insulation and other sound proofing measures to control noise.

For information about compliance, contact the Case Planner, Planning Department at 628.652.7600, www.sfplanning.org7600

Parking and Traffic

- 18. Transportation Demand Management (TDM) Program.** Pursuant to Planning Code Section 169, the Project shall finalize a TDM Plan prior to the issuance of the first Building Permit or Site Permit to construct the project and/or commence the approved uses. The Property Owner, and all successors, shall ensure ongoing compliance with the TDM Program for the life of the Project, which may include providing a TDM Coordinator, providing access to City staff for site inspections, submitting appropriate documentation, paying application fees associated with required monitoring and reporting, and other actions.

Prior to the issuance of the first Building Permit or Site Permit, 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 to document compliance with the TDM Program. This Notice shall provide the finalized TDM Plan for the Project, including the relevant details associated with each TDM measure included in the Plan, as well as associated monitoring, reporting, and compliance requirements.

For information about compliance, contact the TDM Performance Manager at tdm@sfgov.org or 628.652.7340, www.sfplanning.org

- 19. Bicycle Parking.** Pursuant to Planning Code Sections 155.1 and 155.4, the Project shall provide no fewer than 58 Class 1 and 13 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

- 20. Showers and Clothes Lockers.** Pursuant to Planning Code Section 155.3, the Project shall provide no fewer than 4 showers and 24 clothes lockers.

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

21. Parking Maximum. The Project shall provide no more than 24 off-street parking spaces.

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

22. Off-Street Loading. Pursuant to Planning Code Section 152.1, the Project is required to provide four off-street loading spaces. The Project will provide two freight loading spaces and four service vehicle spaces, in compliance with Planning Code Section 152.1.

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

23. Managing Traffic During Construction. The Project Sponsor and construction contractor(s) shall coordinate with the Traffic Engineering and Transit Divisions of the San Francisco Municipal Transportation Agency (SFMTA), the Police Department, the Fire Department, the Planning Department, and other construction contractor(s) for any concurrent nearby Projects to manage traffic congestion and pedestrian circulation effects during construction of the Project.

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

24. Driveway Loading and Operations Plan. Pursuant to Planning Code Section 155(u), the Project Sponsor shall prepare a DLOP for review and approval by the Planning Department, in consultation with the San Francisco Municipal Transportation Agency. The DLOP shall be written in accordance with any guidelines issued by the Planning Department.

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

25. Rates for Long-Term Office Parking. Pursuant to Planning Code Section 155(g), to discourage long-term commuter parking, off-street parking spaces provided for all uses other than residential or hotel must be offered pursuant to the following rate structure: (1) the rate charged for four hours of parking cannot be more than four times the rate charged for the first hour; (2) the rate charged for eight hours of parking cannot be less than ten (10) times the rate charged for the first hour; and (3) no discounted parking rates are allowed for weekly, monthly, or similar time-specific periods.

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

26. POPOS Design and Operations Strategy (Central SoMa Plan – Implementation Matrix Measure 5.5.1.3). The project shall be required to submit a design and operations strategy for the proposed Privately-Owned Public Open Spaces, that will be reviewed and approved by the Planning Department and Recreation and Parks Department (if applicable), soliciting feedback from members of the public.

For information about compliance, contact the Case Planner, Planning Department at 628.652.7600, www.sfplanning.org

27. Central SoMa Community Facilities District Program (Planning Code Section 434). The development project shall participate in the CFD established by the Board of Supervisors pursuant to Article X of Chapter 43 of the Administrative Code (the “Special Tax Financing Law”) and successfully annex the lot or lots of the subject development into the CFD prior to the issuance of the first Certificate of Occupancy for the development. For any lot to which the requirements of this Section 434 apply, 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 prior to the first Certificate of Occupancy for the development, except that for condominium projects, the Zoning Administrator shall approve and order the recordation of such Notice prior to the sale of the first condominium unit. This Notice shall state the requirements and provisions of subsections 434(b)-(c) above. The Board of Supervisors will be authorized to levy a special tax on properties that annex into the Community Facilities District to finance facilities and services described in the proceedings for the Community Facilities District and the Central SoMa Implementation Program Document submitted by the Planning Department on November 5, 2018 in Board of Supervisors File No. 180184.

For information about compliance, contact the Case Planner, Planning Department at 628.652.7600, www.sfplanning.org

Provisions

28. Transferable Development Rights. Pursuant to Section 124 and 249.78(e)(3), the Project Sponsor shall purchase the required number of units of Transferrable Development Rights (TDR) and secure a Notice of Use of TDR prior to the issuance of a site permit for all development on the Tier C portion of the Project which exceeds the base FAR of 3 to 1, up to an FAR of 4.25 to 1.

For information about compliance, contact the Case Planner, Planning Department at 628.652.7600, www.sfplanning.org

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

For information about compliance, contact the First Source Hiring Manager at 415.581.2335, www.onestopSF.org

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

For information about compliance, contact the Case Planner, Planning Department at 628.652.7600, www.sfplanning.org

31. Transportation Sustainability Fee. The Project is subject to the Transportation Sustainability Fee (TSF), as applicable, pursuant to Planning Code Section 411A.

For information about compliance, contact the Case Planner, Planning Department at 628.652.7600, www.sfplanning.org

- 32. Jobs-Housing Linkage.** The Project is subject to the Jobs Housing Linkage Fee, as applicable, pursuant to Planning Code Section 413.

For information about compliance, contact the Case Planner, Planning Department at 628.652.7600, www.sfplanning.org

- 33. Child-Care Requirements for Office Development.** The Project is subject to Childcare Fee for Office and Hotel Development Projects, as applicable, pursuant to Planning Code Section 414. Pursuant to Planning Code Section 249.78(e)(4), prior to issuance of a building or site permit the Project must elect its choice of the options described in subsection (A), (B) and (E) of Section 414.4(c)(1) as a condition of Project approval. The Project anticipates electing compliance option under Section 414.4(c)(1)(A) to “provide a child care facility on the premises for the life of the project.” In the event the Project intends to elect an alternate method of compliance as provided in Section 249.78(e)(4), it shall notify the Planning Department of this change prior to issuance of a building or site permit for the Project. The Project will include an on-site child care facility, at least 2,693 square feet of which must be provided to a licensed nonprofit child care provider without charge for rent, utilities, property taxes, building services, repairs, or any other charges of any nature, as evidenced by a lease and an operating agreement between the sponsor and the provider with minimum terms of three years. A notice of special restriction will be recorded stating that the development project is subject to Section 414.1 et seq. and is in compliance by providing a child-care facility on the premises.

For information about compliance, contact the Case Planner, Planning Department at 628.652.7600, www.sfplanning.org

- 34. Eastern Neighborhoods Infrastructure Impact Fee.** The Project is subject to the Eastern Neighborhoods Infrastructure Impact Fee, as applicable, pursuant to Planning Code Section 423.

For information about compliance, contact the Case Planner, Planning Department at 628.652.7600, www.sfplanning.org

- 35. Central SoMa Community Services Facilities Fee.** The Project is subject to the Central SoMa Community Services Facilities Fee, as applicable, pursuant to Planning Code Section 432.

For information about compliance, contact the Case Planner, Planning Department at 628.652.7600, www.sfplanning.org

- 36. Central SoMa Community Facilities District.** The Project is subject to the Central SoMa Community Facilities District, pursuant to Pursuant to Planning Code Sections 434 and 249.78(d)(1)(C), and shall participate, as applicable, in the Central SoMa CFD.

For information about compliance, contact the Case Planner, Planning Department at 628.652.7600, www.sfplanning.org

- 37. Central SoMa SUD, Renewable Energy Requirements.** The Project shall fulfill all on-site electricity demands through any combination of on-site generation of 100% greenhouse gas-free electricity and purchase of electricity from 100% greenhouse gas-free sources for a period of not less than 25 years in compliance with Planning Code Section 249.78(d)(5).

For information about compliance, contact the Case Planner, Planning Department at 628.652.7600, www.sfplanning.org

- 38. Art.** The Project is subject to the Public Art Fee, as applicable, pursuant to Planning Code Section 429.

For information about compliance, contact the Case Planner, Planning Department at 628.652.7600, www.sfplanning.org

Monitoring - After Entitlement

- 39. 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

- 40. Monitoring.** The Project requires monitoring of the conditions of approval in this Motion. The Project Sponsor or the subsequent responsible parties for the Project shall pay fees as established under Planning Code Section 351(e) (1) and work with the Planning Department for information about compliance.

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

- 41. 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

Operation

- 42. Eating and Drinking Uses.** As defined in Planning Code Section 202.2, Eating and Drinking Uses, as defined in [Section 102](#), shall be subject to the following conditions:

A. The business operator 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 Street and Sidewalk Maintenance Standards. In addition, the operator shall be responsible for daily monitoring of the sidewalk within a one-block radius of the subject business to maintain the sidewalk free of paper or other litter associated with the business during business hours, in accordance with Article 1, [Section 34](#) of the San Francisco Police Code.

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

- B. When located within an enclosed space, the premises shall be adequately soundproofed or insulated for noise and operated so that incidental noise shall not be audible beyond the premises or in other sections of the building, and fixed-source equipment noise shall not exceed the decibel levels specified in the San Francisco Noise Control Ordinance.

For information about compliance of fixed mechanical objects such as rooftop air conditioning, restaurant ventilation systems, and motors and compressors with acceptable noise levels, contact the Environmental Health Section, Department of Public Health at 415.252.3800, www.sfdph.org.

For information about compliance with construction noise requirements, contact the Department of Building Inspection at 628.652.3200, www.sfdbi.org.

For information about compliance with the requirements for amplified sound, including music and television, contact the Police Department at 415.553.0123, www.sf-police.org

- C. While it is inevitable that some low level of odor may be detectable to nearby residents and passersby, appropriate odor control equipment shall be installed in conformance with the approved plans and maintained to prevent any significant noxious or offensive odors from escaping the premises.

For information about compliance with odor or other chemical air pollutants standards, contact the Bay Area Air Quality Management District, (BAAQMD), 1-800-334-ODOR (6367), www.baaqmd.gov and Code Enforcement, Planning Department at 628.652.7600, www.sfplanning.org

- D. Garbage, recycling, and compost containers shall be kept within the premises and hidden from public view, and placed outside only when being serviced by the disposal company. Trash shall be contained and disposed of pursuant to garbage and recycling receptacles guidelines set forth by the Department of Public Works.

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

43. 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.sfpublicworks.org

44. 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

45. 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

46. Privately- Owned Public Open Space Provision. Pursuant to Planning Code Section 138, the Project shall provide no less than 5,386 gross square feet of privately-owned public open space (POPOS).

The Project Sponsor shall continue to work with Planning Department staff to refine the design and programming of the POPOS so that the open space meets the standards of Section 138(d) and the Urban Design Guidelines. Prior to the first certificate of occupancy for any building on the site, the Project Sponsor shall submit a maintenance and operations plan for the POPOS for review and approval by the Planning Department. At a minimum the maintenance and operations plan shall include:

- a. a description of the amenities and programming for the POPOS and how it serves the open space and recreational needs of the diverse users, including but not limited to residents, youth, families, workers, and seniors;
- b. a site and floor plan of the POPOS detailing final landscape design, irrigation plan, public art, materials, furnishings, lighting, signage and areas for food service;
- c. a description of the hours and means of public access to the POPOS;
- d. a proposed schedule for maintenance activities; and
- e. contact information for a community liaison officer.

For information about compliance, contact the Case Planner, Planning Department at 628.652.7600, www.sfplanning.org

47. Hours of Access of Open Space. All POPOS shall be publicly accessible during all daylight hours, from 7AM to 6PM every day. Should all or a portion of the POPOS be temporarily closed due to construction or maintenance activities, the operator shall contact the Planning Department in advance of the closure and post

signage, plainly visible from the public sidewalks, that indicates the reason for the closure, an estimated date to reopen, and contact information for a community liaison officer.

For information about compliance, contact the Case Planner, Planning Department at 628.652.7600, www.sfplanning.org

- 48. Food Service in Open Spaces.** Pursuant to Planning Code Section 138, food service area shall occupy no more than 20% of the required POPOS during the hours that the open space is accessible to the public. Restaurant seating shall not take up more than 20% of the seating and tables provided in the required open space.

For information about compliance, contact the Case Planner, Planning Department at 628.652.7600, www.sfplanning.org

- 49. Open Space Plaques.** Pursuant to Planning Code Section 138 (i), the Project Sponsor shall install the required public open space plaques at each building entrance. The plaques shall be plainly visible from the public sidewalks on Harrison, 4th Street, and Perry Streets. Design of the plaques shall utilize the standard templates provided by the Planning Department, as available, and shall be approved by the Department staff prior to installation.

For information about compliance, contact the Case Planner, Planning Department at 628.652.7600, www.sfplanning.org

- 50. Monitoring and Reporting - Open Space.** One year from the issuance of the first certificate of occupancy for any building on the site, and then every 3 years thereafter, the Project Sponsor shall submit a maintenance and operations report to the Zoning Administrator for review by the Planning Department. At a minimum the maintenance and operations report shall include:
- a. a description of the amenities, and list of events and programming with dates, and any changes to the design or programming during the reporting period;
 - b. a plan of the POPOS including the location of amenities, food service, landscape, furnishing, lighting and signage;
 - c. photos of the existing POPOS at time of reporting;
 - d. description of access to the POPOS;
 - e. a schedule of the means and hours of access and all temporary closures during the reporting period;
 - f. a schedule of completed maintenance activities during the reporting period;
 - g. a schedule of proposed maintenance activities for the next reporting period; and
 - h. contact information for a community liaison officer.

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



PLANNING COMMISSION DRAFT MOTION

HEARING DATE: September 9, 2021

Record No.: 2020-005610OFA
Project Address: 490 BRANNAN STREET
Zoning: CMUO (Central SoMa Mixed Use Office) Zoning District
200-CS Height and Bulk District
Central SoMa Special Use District
Block/Lot: 3776/025
Project Sponsor: Strada Investment Group
101 Mission, Suite 420
San Francisco, CA 94105
Property Owner: 490 Brannan LLC/Estrin Family
San Francisco, CA 94107
Staff Contact: Xinyu Liang – (628) 652-7316
xinyu.liang@sfgov.org

ADOPTING FINDINGS RELATING TO AN ALLOCATION OF OFFICE SQUARE FOOTAGE UNDER THE CENTRAL SOMA INCENTIVE RESERVE PROGRAM THAT IS PART OF THE ANNUAL OFFICE DEVELOPMENT LIMITATION PROGRAM, PURSUANT TO PLANNING CODE SECTIONS 321 AND 322, TO AUTHORIZE UP TO 269,296 GROSS SQUARE FEET OF OFFICE SPACE FOR THE PROJECT LOCATED AT 490 BRANNAN STREET, LOT 025 IN ASSESSOR'S BLOCK 3776, WITHIN THE CMUO (CENTRAL SOMA MIXED USE OFFICE) ZONING DISTRICT, THE CENTRAL SOMA SPECIAL USE DISTRICT, AND A 200-CS HEIGHT AND BULK DISTRICT; AND ADOPTING OFFICE ALLOCATION FINDINGS FOR THE PROJECT.

PREAMBLE

On June 12, 2020, Clarke Miller of Strada Investment Group (hereinafter "Project Sponsor") filed Application No. 2020-005610OFA (hereinafter "Application") with the Planning Department (hereinafter "Department") for an Office Development Authorization to construct a new twelve-story, 185-foot tall, mixed-use office building with 269,296 square feet of Office use, 12,506 square feet of Production, Distribution, and Repair ("PDR") use, 5,391 square feet of Child Care Facility use, and 3,272 square feet of Retail use (hereinafter "Project") at 490 Brannan Street, Block 3776 Lot 025 (hereinafter "Project Site").

The environmental effects of the Project were fully reviewed under the Final Environmental Impact Report for the Central SoMa Plan (hereinafter "EIR"). The EIR was prepared, circulated for public review and comment, and, at a public hearing on May 10, 2018, by Motion No. 20182, certified by the San Francisco Planning Commission as complying with the California Environmental Quality Act (Cal. Pub. Res. Code Section 21000 et. seq., (hereinafter "CEQA") the State CEQA Guidelines (Cal. Admin. Code Title 14, section 15000 et seq., (hereinafter "CEQA Guidelines") and Chapter 31 of the San Francisco Administrative Code (hereinafter "Chapter 31"). The San Francisco Planning Commission has reviewed the EIR, which has been available for this Commission's review as well as public review.

The Central SoMa Plan EIR is a Program EIR. Pursuant to CEQA Guideline 15168(c)(2), if the lead agency finds that no new effects could occur or no new mitigation measures would be required of a proposed project, the agency may approve the project as being within the scope of the project covered by the program EIR, and no additional or new environmental review is required. In approving the Central SoMa Plan, the Commission adopted CEQA findings in its Resolution No. 20183 and hereby incorporates such Findings by reference.

Additionally, State CEQA Guidelines Section 15183 provides a streamlined environmental review for projects that are consistent with the development density established by existing zoning, community plan or general plan policies for which an EIR was certified, except as might be necessary to examine whether there are project-specific effects which are peculiar to the project or its site. Section 15183 specifies that examination of environmental effects shall be limited to those effects that (a) are peculiar to the project or parcel on which the project would be located, (b) were not analyzed as significant effects in a prior EIR on the zoning action, general plan or community plan with which the project is consistent, (c) are potentially significant off-site and cumulative impacts which were not discussed in the underlying EIR, or (d) are previously identified in the EIR, but which are determined to have more severe adverse impact than that discussed in the underlying EIR. Section 15183(c) specifies that if an impact is not peculiar to the parcel or to the proposed project, then an EIR need not be prepared for that project solely on the basis of that impact.

On August 26, 2021, the Department determined that the Project did not require further environmental review under Section 15183 of the CEQA Guidelines and Public Resources Code Section 21083.3, as set forth in the Memorandum dated August 26, 2021 and contained in the Application file. The Commission concurs in this determination. The Project is consistent with the adopted zoning controls in the Central SoMa Area Plan and was encompassed within the analysis contained in the EIR. Since the EIR was finalized, there have been no substantive changes to the Central SoMa Area Plan and no substantive changes in circumstances that would require major revisions to the EIR due to the involvement of new significant environmental effects or an increase in the severity of previously identified significant impacts, and there is no new information of substantial importance that would change the conclusions set forth in the Final EIR. The file for this Project, including the Central SoMa Area Plan EIR

and the Community Plan Exemption certificate, is available for review at the San Francisco Planning Department, 49 South Van Ness Avenue, Suite 1400, San Francisco, California.

Planning Department staff prepared a Mitigation Monitoring and Reporting Program (“MMRP”) setting forth mitigation measures that were identified in the Central SoMa Plan EIR that are applicable to the Project. The Planning Commission adopted these mitigation measures as part of its approval of the Large Project Authorization for the Project, Planning Commission Motion No. XXXXX, Planning Department File No. 2020-005610ENX. These mitigation measures are applicable to this approval and are hereby incorporated in to this approval action as though set forth in their entirety.

On September 9, 2021, the San Francisco Planning Commission (hereinafter “Commission”) conducted a duly noticed public hearing at a regularly scheduled meeting on Office Development Authorization Application No. 2020-005610OFA.

On September 9, 2021, the Commission adopted Motion No. XXXXX approving a Large Project Authorization for the Project (Large Project Authorization Application No. 2020-005610ENX). Findings contained within that motion are incorporated herein by this reference thereto as if fully set forth in this Motion.

On September 9, 2021, the Zoning Administrator conducted a duly noticed public hearing on Variance Application No. 2020-005610VAR, indicating an intent to grant the requested variances for the Project. Findings contained within said approval are incorporated herein by this reference thereto as if fully set forth in this Motion.

The Planning Department Commission Secretary is the Custodian of Records; the File for Record No. 2020-005610OFA 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 Office Allocation as requested in Application No. 2020-005610OFA, 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.** The Project includes demolition of the existing building on the project site, and new construction of a twelve-story, 185-foot tall, mixed-use office building (approximately 355,630 square feet total) with a total of 269,296 square feet of Office use, approximately 12,506 square feet of PDR use, 5,391 square feet of Child Care Facility use, 3,272 square feet of Retail use, and 24 off-street below-grade parking spaces, 6 off-street loading and service vehicle spaces, and 60 Class 1 and 26 Class 2 bicycle parking spaces. The Project also includes 5,602 square feet of Privately-Owned Public Open Space (POPOS).
- 3. Site Description and Present Use.** Identified as Key Site No. 6 in the Central SoMa Area Plan, the Project site (Assessor's Block 3776, Lot 025) is located on the north side of Brannan Street, east side of 4th Street, and south side of Freelon Street. The site has an area of 36,000 square feet and has approximately 160-ft of frontage along 4th Street and 225-ft of frontage along Brannan and Freelon Streets. The Project Site contains one existing 6,048 square foot commercial building and a large parking lot. The building was previously occupied by Wells Fargo bank and Starbucks and have been vacant since 2019.
- 4. Surrounding Properties and Neighborhood.** The Project site is located in the South of Market Neighborhood, within the CMUO (Central SoMa Mixed Use Office) Zoning District and Central SoMa Special Use District. The SoMa neighborhood is a high-density downtown neighborhood with a mixture of low-to mid-rise development containing commercial, office, industrial, and residential uses, as well as several undeveloped or underdeveloped sites. The Project Site is located at the intersection of Brannan, Freelon, and 4th Streets. Immediately north of the site along Freelon Street is a mid-rise residential condominium development with ground floor retail. South of the site along Brannan Street are office and residential developments. East and west of the site are a variety of low-rise commercial, mixed-use, and residential buildings. Other zoning districts in the vicinity of the project site include: P (Public) and MUG (Mixed-Use General) Zoning Districts.
- 5. Public Outreach and Comments.** Over the last four years, the Project Sponsor has conducted extensive neighborhood outreach, including meetings with individual stakeholders and separate community outreach forums. The Pre-Application Meeting was held on March 10, 2020. According to the Project Sponsor, the Sponsor also met with residents of the Palms condominium building located directly to the north of the Proposed Project. Additionally, the Project Sponsor began discussions with SOMA Pilipinas in summer 2020 to create space on a portion of the ground floor and mezzanine of the building for a live performance dance theater. The Sponsor and an affiliate of SOMA Pilipinas, the Filipino American Foundation, are finalizing a Letter of Intent for a 30-year lease of the space. The facilities manager for the dance theater will be the Asian Pacific Islander Cultural Center (APICC), and Kularts will be the program manager. To date, the Department has received several letters of support, including from the San Francisco Building and Construction Trades Council, Tenants and Owners Development Corporation (TODCO), and surrounding property owners at 41 Freelon St, 458 and 466 Brannan Street. The Department also received 6 letters of opposition from the residents nearby. The opposition to the Project is centered

on the potential disruption of the loading and parking for residents at 555 4th Street (“the Palms”), over supply of large-scale office space in the downtown area, the scale of the proposed building being out of context, and the constant disruption from the surrounding construction.

- 6. Planning Code Compliance.** The Planning Code Compliance Findings set forth in Motion No. XXXXX, Case No. 2020-005610ENX (Large Project Authorization, pursuant to Planning Code Section 329) apply to this Motion, and are incorporated herein by reference as though fully set forth.
- 7. Central SoMa Incentive Reserve.** Planning Code Section 321(a)(6)(C) authorizes the Planning Commission to approve up to an additional 1,700,000 square feet in total of office space located in the Central SOMA Special Use District. To date, a total of 211,601 square feet has been allocated from the Central SoMa Incentive Reserve, leaving a balance of 1,488,399 square feet in the reserve. Allocations from the Central SoMa Incentive Reserve are deducted from the Large Cap at a rate of 10% per year for the following 10 years, regardless of the availability of office space within the Large Cap. A proposed office development may only be approved pursuant to this Subsection (a)(6)(C) if all the following criteria are satisfied:

- (i) The Preliminary Project Assessment application for the proposed office development was submitted prior to September 11, 2019.

The Preliminary Project Assessment (2019-004290PPA) for the Project at 490 Brannan Street was submitted on March 26, 2019 and issued on May 28, 2019.

- (ii) The proposed office development contains more than 49,999 square of additional office space.

The Project includes a total of 269,296 gsf of office use.

- (iii) The amount of office space in the proposed office development exceeds the square footage available pursuant to Subsection (a)(1) in the current approval period.

The Project includes a total of 269,296 gsf. Currently, the “Large Cap” has a negative balance (-134,499 gsf). Therefore, the amount of office space proposed exceeds the square footage available.

- (iv) Any current or prior phase of the project of which the proposed office development is a part satisfies any of the following criteria:

- a) Includes a parcel on-site or off-site in the South of Market Neighborhood of no less than 10,000 square feet to be deeded to the City for future development of affordable housing;
- b) Includes community arts PDR space or neighborhood-serving retail space of no less than 10,000 square feet that will be affordable to such tenants at no more than 60% of comparable market rent for no less than 30 years.
- c) Includes funding and construction of a new or replacement City public safety facility of no less

than 10,000 square feet on-site or off-site in the South of Market Neighborhood.

The Project Sponsor has entered into an agreement with the City and County of San Francisco to designate a minimum of 10,000 square feet that will be affordable to tenants at no more than 60% of comparable market rent for 30 years. The Project thus will provide community benefits consistent with the Central SoMa Area Plan and the Central SoMa Incentive Reserve. This agreement is contained in Planning Department File No. 2020-0056100FA and has been available to the Commission and the public for review.

- (v) Approval of the proposed office development would not cause the total amount of additional office development approved in the Central SoMa Plan Area to exceed the 6,000,000 square foot total allowed by Subsection (a)(6)(A).

Subsection (a)(6)(A) provides that no more than a total of 6,000,000 square feet of office space may be approved in Large Cap office developments within the Central SoMa Plan Area after January 1, 2019 until a combined total of at least 15,000 new housing units have been produced within the South of Market Neighborhood, as delineated in the Neighborhood Boundaries Map contained within the Department of City Planning's May 2011 "San Francisco Neighborhoods Socio-Economic Profiles" report. Space in individual projects that contain less than 50,000 square feet of office space shall neither be subject to, nor contribute to, the footage limit described in this Subsection (a)(6)(A).

Since January 1, 2019, the Planning Commission has approved significantly less than 6,000,000 gsf of office space in Large Cap projects within the Central SoMa Plan Area. Planning Department records indicate that a total of 2,870,714 gsf of office spaces was allocated to the Large Cap projects at 598 Brannan (Phase 1), Flower Mart, and Tennis Club during the 2018-2019 allocation term. During the 2019-2020 allocation term, 505,000 gsf of office space was allocated to the 725 Harrison Street project. Subsequently, on March 6, 2020, approximately 430,000 gsf of office space was allocated to the One Vassar project (Planning Record No. 2012.1384OFA). On December 3, 2020, 211,601 gsf of office space was allocated to Phase 2 of the project at 598 Brannan Street. Accordingly, an estimated 4,017,315 gsf of Large Cap office space has been allocated within the Plan area since January 1, 2019.

The Project's allocation of 269,296 gsf would leave 1,713,389 gsf available within the 6,000,000 square foot threshold.

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

- A. Apportionment of office space over the course of the approval period in order to maintain a balance between economic growth, on the one hand, and housing, transportation and public services, on the other.

The Project has been identified as one of eight Key Site Development Sites within Central SoMa, with the development potential of approximately 300,000 – 400,000 square feet of mixed-use development,

including office, retail, and PDR. The Project provides community benefits consistent with the Central SoMa Area Plan. Specifically, the Project will provide PDR space in excess of that required by Section 249.78(c)(5), streetscape and pedestrian network improvements, POPOS with mid-block pedestrian alley that is in excess of the code requirement, and a child care facility that will be larger than required under Section 414.5.

The Project site's close proximity to Caltrain and MUNI lines will facilitate and encourage the office tenants to use alternative means of transportation to travel to and from work. The property is located within walking distance from the 4th and King MUNI Metro and Caltrain stations, as well as numerous Muni lines including the 812, 30, 45, 47,8, 81X, 82X, 83X, 8AX, 8BX, E, KT, and N. The property is adjacent to the future Central Subway line that is currently under construction and provides 60 Class 1 and 26 Class 2 bicycle spaces. This is consistent with one of the Central SoMa Plan's goals to provide safe and convenient transportation that prioritizes walking, bicycling, and transit. The Central SoMa Plan Initial Study also found that the upzoning and resulting new development contemplated by the Central SoMa Plan would not have significant impacts on transportation infrastructure.

The Project would continue the pattern of focusing citywide and regional job growth in an area supported by abundant existing and planned transit services, as well as retail and service amenities. In addition, the proposed project is subject to various development impact fees that will help fund affordable housing, transportation, and public services that will benefit the surrounding community and the city, including payment of the Transportation Sustainability Fee, Jobs-Housing Linkage Fee, Eastern Neighborhoods Infrastructure Impact Fee, Central SoMa Community Facilities Fee, and participation in the Central SoMa Community Facilities District. As a whole, the Project will result in an ideal balance between economic growth, housing development, transportation, and public services.

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

The proposed office development is suitable for its location and will not have any negative effects on the proposed location. Office space was specifically envisioned for this Key Development Site No. 6 and is encouraged by the goals, policies, and objectives of the Central SoMa Area Plan. The Project will construct of mix of office, PDR, retail, and childcare facilities within walking distance to the downtown core and in an area that is extremely well-served by a range of local and regional public transit options. These uses would be consistent with the express goals of the Central SoMa Area Plan, and contribute to the City's long-term development plans for this area. The majority of the workers and visitors are expected to travel to and from the site using the many public transit options. Others are expected to walk or bike. In addition, the Project will provide off-street parking in an amount consistent with the policies of the Plan and current zoning controls. Therefore, the Project is not anticipated to burden local transit or traffic circulation. The Project will not displace any residential units. The Project's mixed-use character and numerous public benefits (discussed above) will be highly suitable for the property and surrounding neighborhood.

C. Whether the proposed project includes development of New Affordable Housing Units.

The project does not include the development of any on-site affordable housing units, though it will pay the required Jobs-Housing Linkage Fee that will contribute to the development of such units at other

locations in the city.

- D. The extent to which the project incorporates Community Improvements that exceed the requirements of zoning and City ordinances applicable to the project.

The Project incorporates a number of community improvements that exceed the requirements of zoning and City ordinances, including 12,506 square feet of PDR arts activities space (10,000 square feet of which will be provided at 60% of comparable market rent for no less than 30 years), a 5,391 square foot childcare facility with 2,250 square feet of open space, and 5,602 square feet of publicly accessible private open space (“POPOS”), including a mid-block alley.

9. **General Plan Compliance.** The General Plan Consistency Findings set forth in Motion No. XXXXX, Record No. 2020-005610ENX (Large Project Authorization, pursuant to Planning Code Section 329) apply to this Motion and are incorporated herein as though fully set forth.

10. **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 site is currently vacant and does not include any neighborhood-serving retail uses. The Project provides new retail space, which will increase future opportunities for nearby resident employment and ownership. In addition, the new PDR, child care, and office uses will enhance the existing nearby retail uses by increasing the consumer base of such businesses.

- 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 add PDR (arts activity), child care, retail, and office uses, which add to the public realm and neighborhood character. The Project is expressive in design and relates well to the scale and form of the surrounding neighborhood. For these reasons, the Project would protect and preserve the cultural and economic diversity of the neighborhood.

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

The Project site does not currently include any existing affordable housing.

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

The Project Site is served by nearby public transportation options, including but not limited to the Muni Lines 12, 30, 45, 47,8, 81X, 82X, 83X, 8AX, 8BX, E, KT, N, as well as the Caltrain stations. The Central Subway is currently under construction adjacent to the Project site. The Project also provides off-street parking and sufficient bicycle parking for the proposed uses.

- 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 existing nonresidential building is currently vacant. The Project will not displace any existing uses and will provide approximately 12,506 square feet PDR space, consistent with Planning Code requirements within the Central SoMa SUD, as well as new retail and institutional uses, which will provide future opportunities for resident employment and ownership in such sectors.

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

The Project will be designed and constructed to conform to the structural and seismic safety requirements of the Building Code. As such, this Project will improve 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.

A shadow study was completed and concluded that the Project will not cast shadows on any property under the jurisdiction of, or designated for acquisition by, the Recreation and Park Commission or any other existing open spaces.

- 11.** 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.
- 12.** The Commission hereby finds that approval of the Office Allocation Authorization would promote the health, safety and welfare of the City.

DECISION

That based upon the Record, the submissions by the Applicant, the staff of the Department and other interested parties, the oral testimony presented to this Commission at the public hearings, and all other written materials submitted by all parties, the Commission hereby **APPROVES Office Allocation Application No. 2020-005610OFA** subject to the following conditions attached hereto as “EXHIBIT A” in general conformance with plans on file, dated August 19, 2021, 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 Section 321 Office Allocation Application to the Board of Appeals within fifteen (15) days after the date of this Motion. The effective date of this Motion shall be the date of adoption of this Motion if not appealed (after the 15-day period has expired) OR the date of the decision of the Board of Appeals if appealed to the Board of Appeals. For further information, please contact the Board of Appeals at (628) 652-1150, 49 South Van Ness Avenue, Suite 1475, San Francisco, CA 94103.

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

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

I hereby certify that the Planning Commission ADOPTED the foregoing Motion on September 9, 2021.

Jonas P. Ionin
Commission Secretary

AYES:

NAYS:

ABSENT:

RECUSE:

ADOPTED: September 9, 2021

EXHIBIT A

Authorization

This authorization is for an Office Allocation to allow 269,296 square feet of Office use for the Project located at 490 Brannan Street, Block 3776 Lot 025, pursuant to Planning Code Section 321 and 322 within the CMUO Zoning District and 200-CS Height and Bulk District; in general conformance with plans, dated August 19, 2021, and stamped “EXHIBIT B” included in the docket for Record No. 2020-005610OFA and subject to conditions of approval reviewed and approved by the Commission on September 9, 2021 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.

COMPLIANCE WITH OTHER REQUIREMENTS

The Planning Code Compliance Findings set forth in Motion No. XXXXXX, Case No. 2020-005610ENX (Large Project Authorization, pursuant to Planning Code Section 329) and the Mitigation, Monitoring, and Reporting Program adopted as Exhibit C to Planning Commission Motion No. XXXXX, Case No. 2020-005610ENX apply to this Motion, and are incorporated herein as though fully set forth.

Recordation of Conditions Of Approval

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

For information about compliance, contact Code Enforcement, Planning Department at 628.652.7300, www.sfplanning.org

- 2. 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 628.652.7300, www.sfplanning.org

- 3. Additional Project Authorization – Large Project Authorization.** The Project Sponsor must obtain a Large Project Authorization under Section 329 to allow the construction of one building structure at 490 Brannan Street and satisfy all the conditions thereof. The conditions of approval under the 'Exhibit A' of Planning Commission Motion No. XXXXX (Case No. 2020-005610ENX) apply to this Motion, and are incorporated herein as though fully set forth. If these conditions overlap with any other requirement imposed on the Project, the more restrictive or protective condition or requirement, as determined by the Zoning Administrator, shall apply.

For information about compliance, contact Code Enforcement, Planning Department at 628.652.7300, www.sfplanning.org

- 4. Additional Project Authorization - Variance.** The Project Sponsor must obtain Variances from the Zoning Administrator to address the Planning Code requirements for Parking and Loading Entrances under Section 145.1 and Ground Floor Height under Sections 145.1 and 249.78, and satisfy all the conditions thereof. The conditions set forth below are additional conditions required in connection with the Project. If these conditions overlap with any other requirement imposed on the Project, the more restrictive or protective condition or requirement, as determined by the Zoning Administrator, shall apply.

For information about compliance, contact Code Enforcement, Planning Department at 628.652.7300, www.sfplanning.org

- 5. Recordation of Agreement.** Prior to issuance of a site permit or any other permit for construction for the

Project, the Project Sponsor shall demonstrate that it is the legal and equitable owner of a fee simple interest in the Property and record that certain “Agreement To Limit The Rent Charged For Newly-Constructed Commercial Space To No More Than 60% Of Comparable Market Rent under San Francisco Planning Code Section 321(a)(6)(C),” dated September 9, 2021, in the Official Records of the Recorder of the City and County of San Francisco for the subject property.

For information about compliance, contact Code Enforcement, Planning Department at 628.652.7300, www.sfplanning.org

An aerial photograph of a city block, likely in San Francisco, showing a grid of streets and buildings. A specific building at the intersection of Brannan Street and another street is highlighted with a red outline. The image is overlaid with a dark semi-transparent banner at the top left containing the address '490 Brannan Street'.

490 Brannan Street

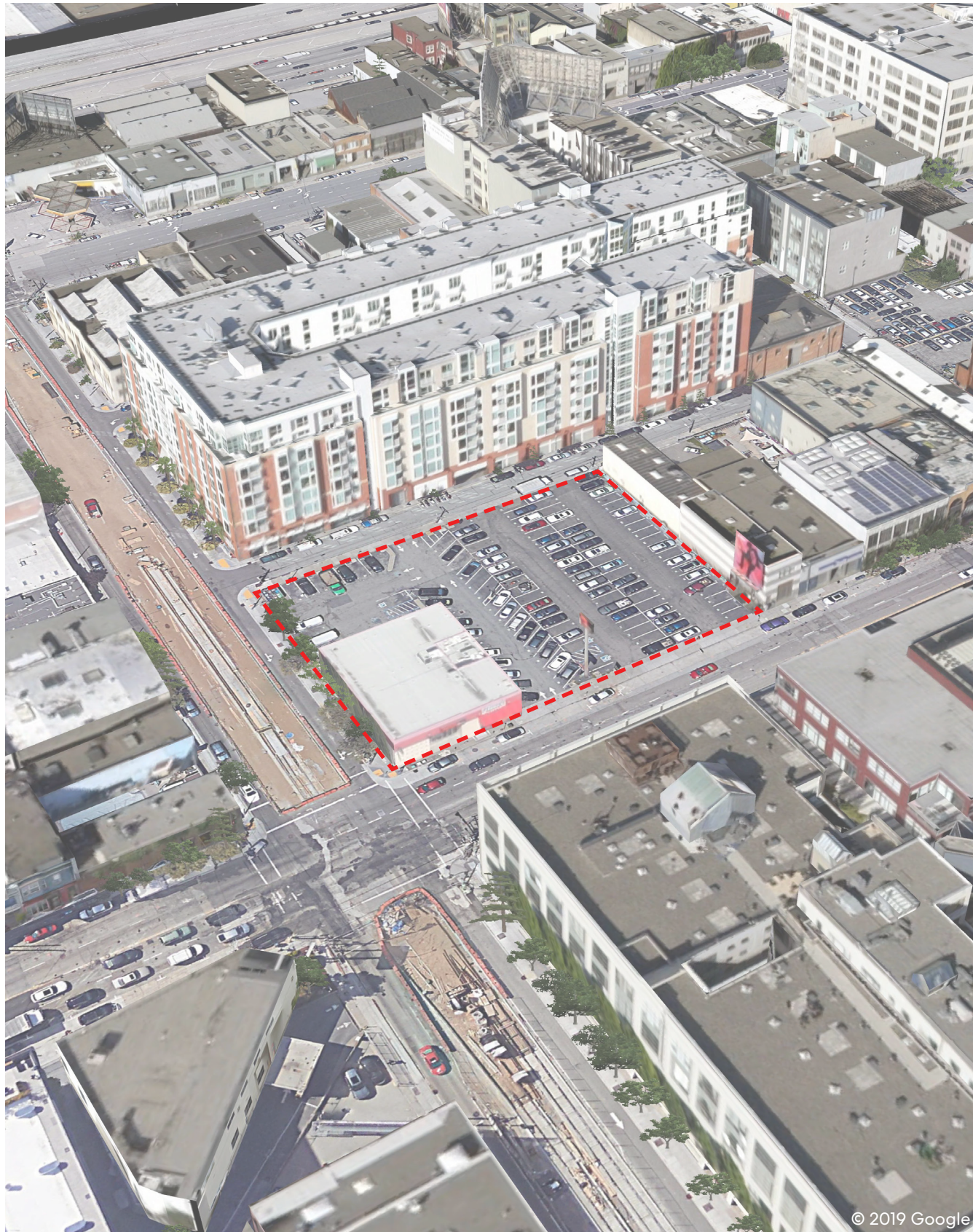
Project Application Design Package

Eastern Neighborhoods Large Project Authorization: August 19, 2021

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01. OVERVIEW



VIEW OF SITE LOOKING NORTH



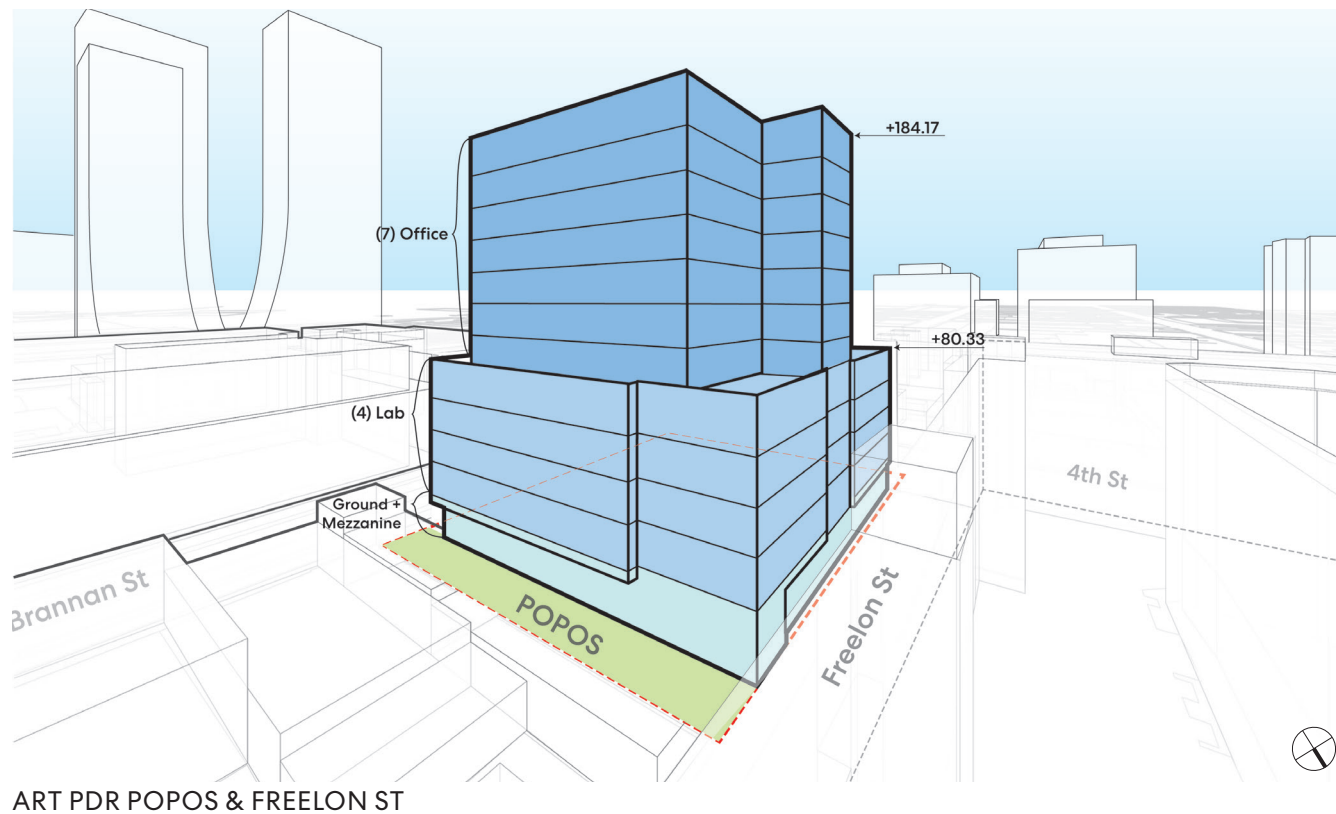
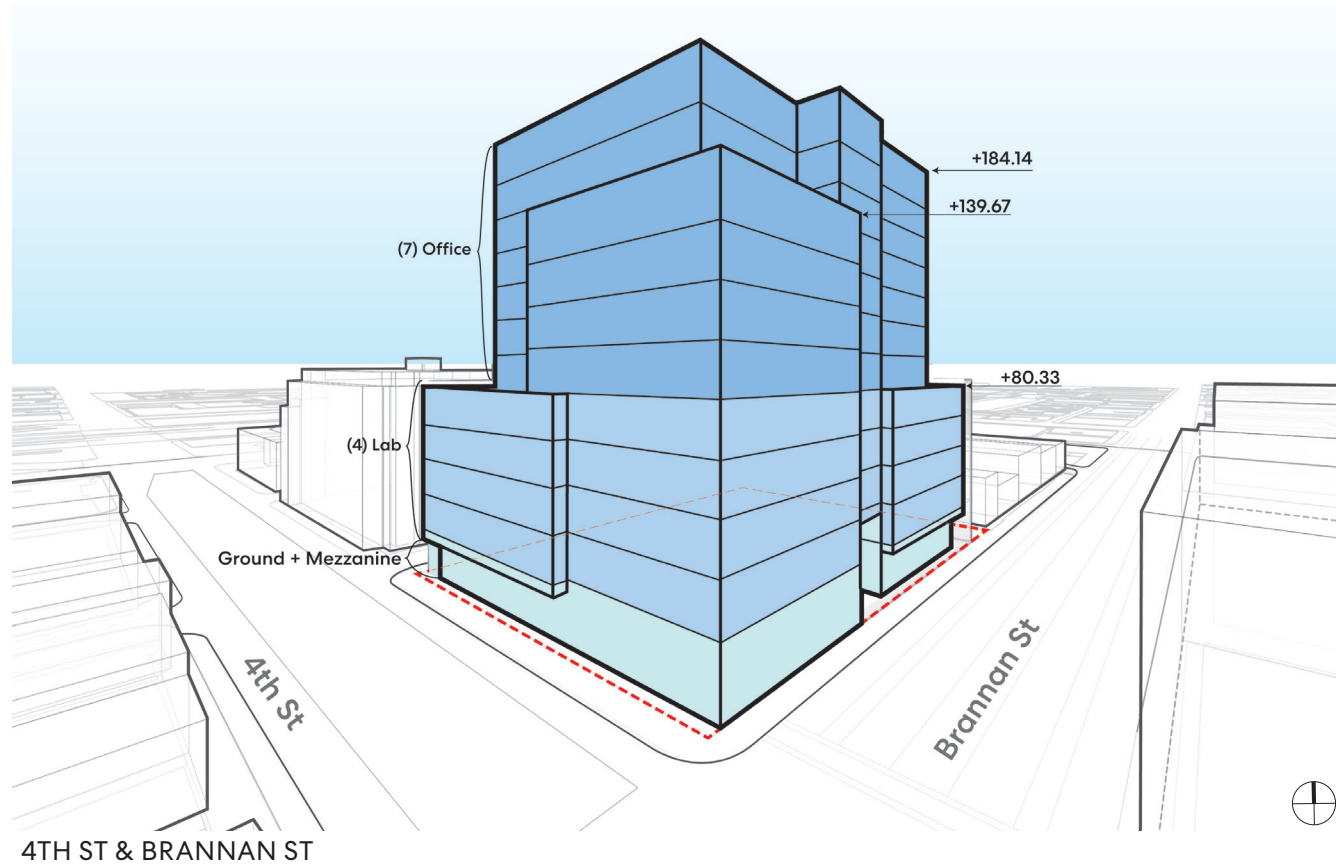
490 BRANNAN ST

The proposal is to demolish the existing 6,048 square foot (sf) commercial building (DBA Wells Fargo - Central SoMa Key Development Site) and construct a 12-story, 185-foot-tall mixed-use building with 21'-0" floor-to-floor ground level and mezzanine ART PDR, ground level retail sales and service, office space in the base (up to 81 feet) and on the upper floors. The proposed new building would include 269,296 sf of tenant office space. At ground floor, mezzanine, and basement, 3,272 sf of retail sales and service, 12,506 sf of ART PDR, 5,391 sf of Child Care facility, 6 loading, 24 vehicular parking spaces, and 86 bicycle parking spaces are provided.

The proposal also provides 5,602 sf of public open space as Privately Owned Public Open Space (POPOS), plus 2,250 sf as Child Care Outdoor space. Mostly as Open-to-Sky, this POPOS + Child Care Outdoor space is provided as 30 feet-wide Mid-Block Alley between Brannan Street and Freelon Street along north side of lot with mainly pedestrian access. Various setbacks and street widening are provided per planning requirement to accommodate expected high pedestrian traffic from newly constructed MUNI station at corner of 4th and Brannan.

The project is subject to a 200-CS height/bulk district. While a 200 foot tall tower, subject to the tower massing and bulk controls in Sections 132.4 and 270(h), could be proposed at this site, the proposed project is designed as a mid-rise building. The building is proposed at a height of 185 feet and is designed in consideration of the skyplane controls that apply to mid-rise buildings. This is consistent with the precedent set with the Key Site projects approved at 4th/Harrison Street and 88 Bluxome Street, where those buildings were subject to a 160 foot height limit, but were able to take advantage of the Central SoMa SUD 25 foot height bump for a total of 185 feet in height (at 88 Bluxome Street, this applied to one of the three buildings). Despite being 185 feet tall (25 feet taller than the maximum height for a mid-rise building), those projects were still reviewed as mid-rise buildings, subject to the massing controls in Section 132.4 and the skyplane controls of Section 270(h).

Therefore, we are seeking review of the 185-foot project as a mid-rise building instead of a tower. The proposed project has been designed as a mid-rise building and complies with all Section 132.4 massing restrictions on mid-rise buildings and propose minor deviations from the Section 270 skyplane requirements (described in detail later in the application). The deviation from the strict skyplane controls along Brannan Street is acknowledged in the Key Site Guidelines for this site in exchange for providing more light and air on Freelon Street than would otherwise be provided by a tower project. The proposed project provides triple the amount of light and air along Freelon Street than a 200 foot tower. This significantly greater light and air justifies the exception to skyplane along 4th Street as well. The project fully achieves the Guidelines goals of emphasizing the importance of the corner at 4th and Brannan Streets, by creating a vertical massing expression that acts as a urban beacon and "holds" the urban corner.



490 BRANNAN ST

Block # 3776

Lot # 025

Height/Bulk District 200-CS

Zoning District

CMUO-Central SoMa Mixed-Use Office
within 1/4 mile from Fringe Financial Service
Restricted Use District Central SoMa Special Use
District

Plan Area

Central SoMa Area Plan

Proposed Building

Building Height

185' (proposed height for mid-rise building designed in consideration of skyplane controls)

No. of Stories

12 + Ground Floor Mezzanine

Use

Office

Flr to Flr Height

Level 01: 21' & Typ Level: 14'-10"

Proposed Land Use

*See next page for detail

Total (Building GFA)

355,630 sf

Retail

3,272 sf

PDR

12,506 sf

OFFICE GFA

269,296 sf

Child Care Facility

5,391 sf (+2,250 sf of outdoor space)

Useable Open Space (Roof Terraces+Child Care OS)

12,075 sf

Privately-Owned Public Open Space (POPOS)

5,602 sf

Proposed Parking

Parking

24

Bicycle Parking

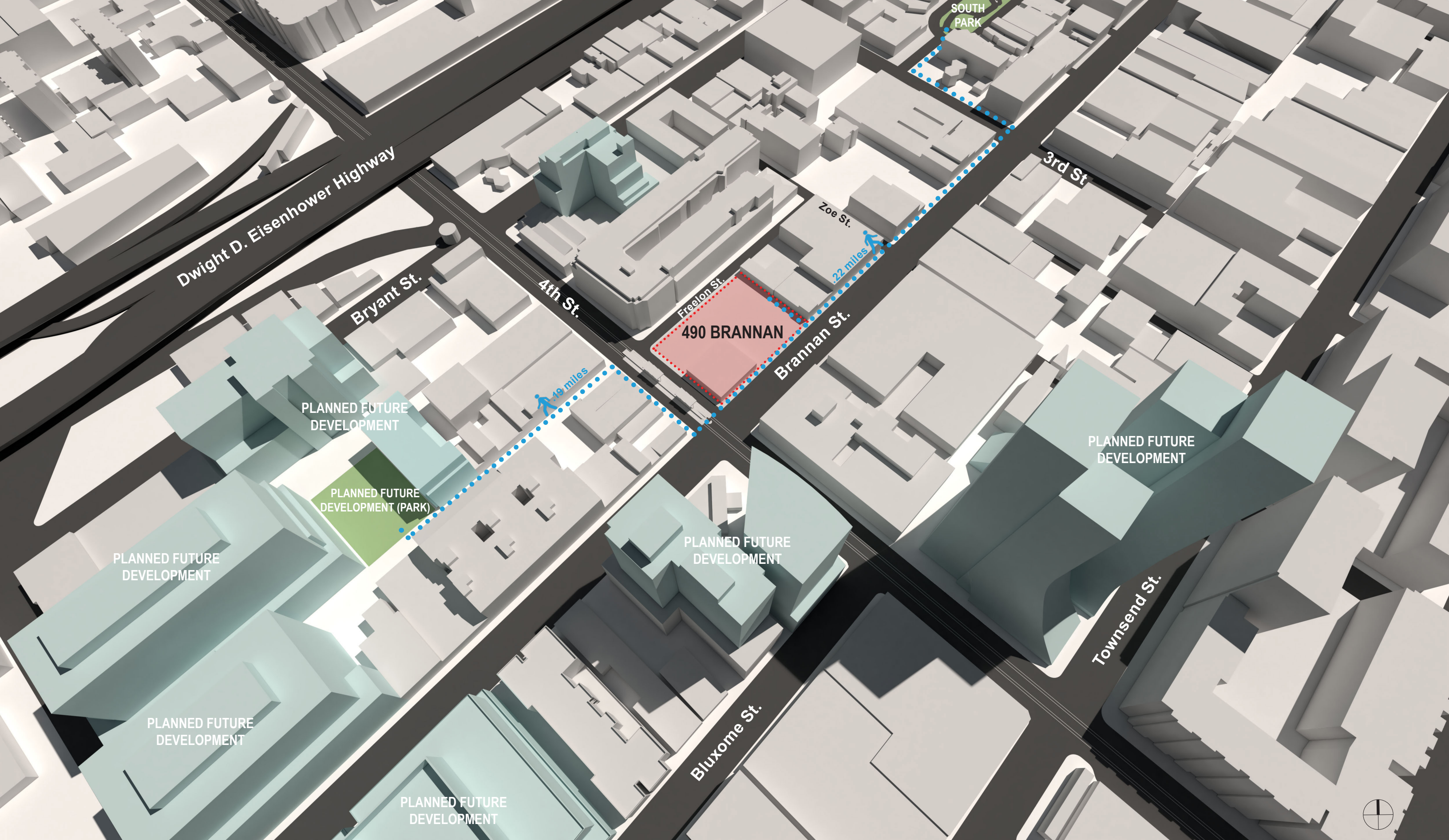
86 (60 Class I + 26 Class II)

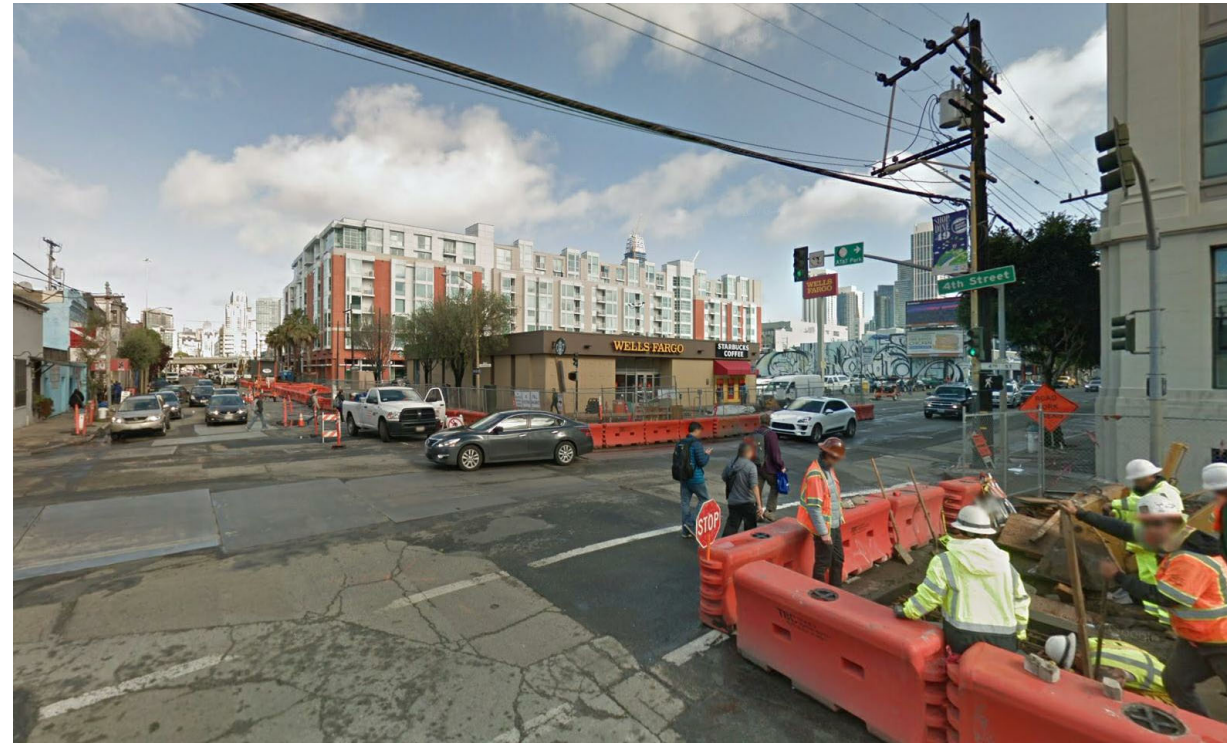
02. EXISTING CONDITIONS



(2018 CENTRAL SOMA PLAN)







4TH ST & BRANNAN ST, LOOKING NORTH



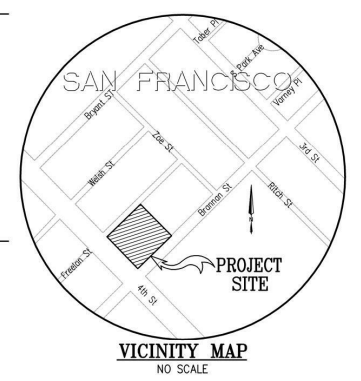
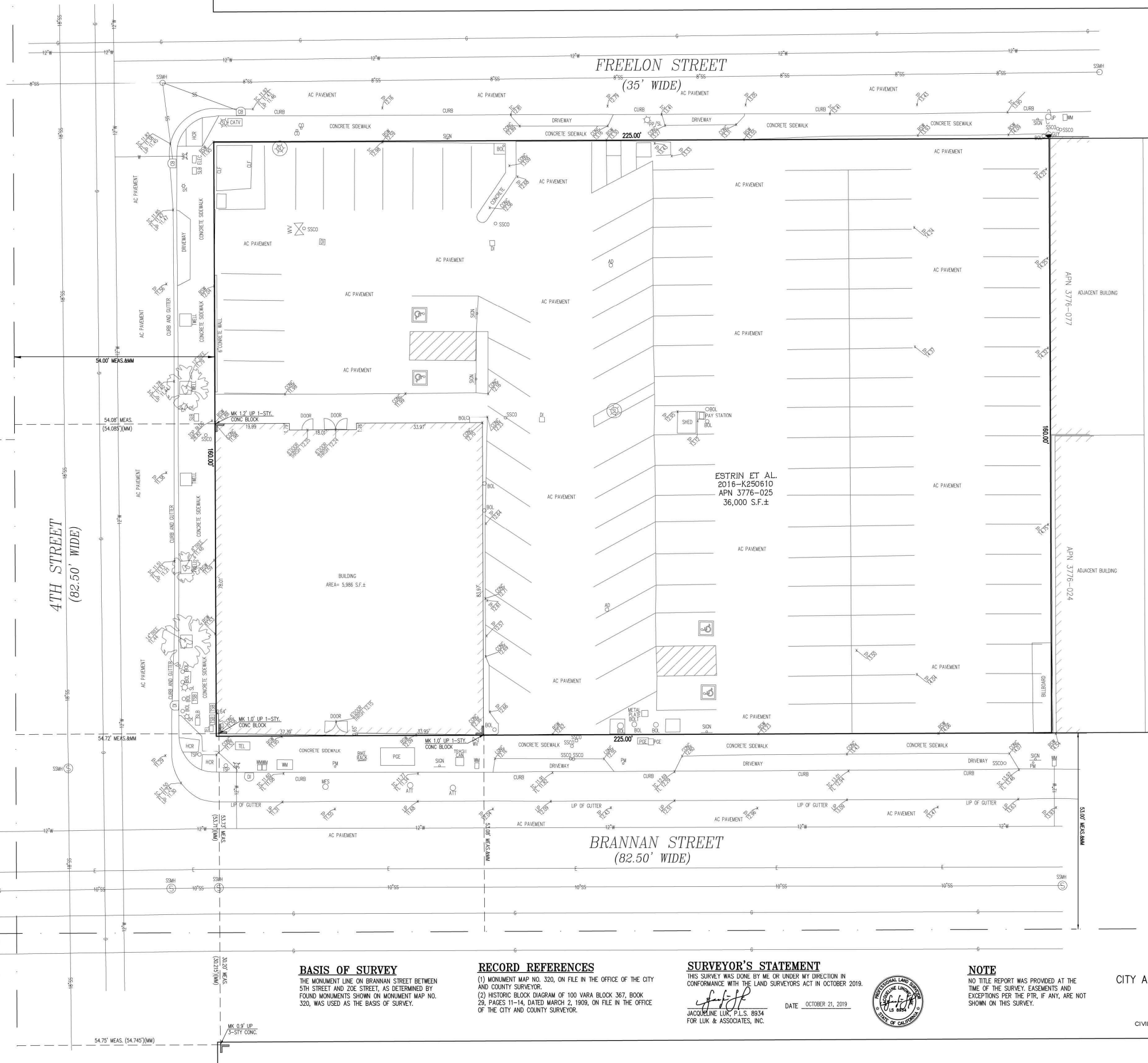
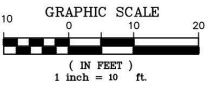
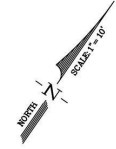
FREELON ST & 4TH ST, LOOKING EAST



BRANNAN ST, LOOKING WEST TOWARDS TWIN PEAKS



FREELON ST, LOOKING WEST TOWARDS TWIN PEAKS



LEGEND

SYMBOLS	DESCRIPTION
---	BOUNDARY - SUBJECT PROPERTY
---	RIGHT-OF-WAY LINE
---	OLD LOT LINE
---	ADJOINERS PROPERTY LINE
---	LOT NUMBER
---	ASSESSOR'S PARCEL NUMBER
(T)	TOTAL
DOC. NO.	DOCUMENT NUMBER
16 M 33	FINAL MAP NUMBER
(M.M.)	MONUMENT TO MONUMENT
(MEAS.)	MEASURE
±	MORE OR LESS
O.R.	OFFICIAL RECORDS
TSB	TRAFFIC SIGNAL BOX
JP	JOINT POLE
GUY	GUY WIRE
WV	WATER VALVE
SL	STREET LIGHT
HCR	HANDICAP RAMP
TWELL	TREE WELL
TSP	TRAFFIC SIGNAL POST
PM	PARKING METER
SSCO	SANITARY SEWER CLEAN OUT
BOL	BOLLARD
WM	WATER METER
PP	POWER POLE
DI	DRAIN INLET

BENCHMARK
 BM11787, BEING SET CC&F STANDARD 1/2" DOMED STAINLESS STEEL ANCHOR SCREW WITH WASHER STAMPED "CC&F CONTROL" LOCATED AT THE NORTHWEST CORNER OF BRANNAN STREET AND 4TH STREET, IN CONCRETE SIDEWALK AT THE NORTHEASTLY RETURN OF BRANNAN ST. AND 4TH ST., NEAR NORTHEASTLY ANGLE POINT OF HANDICAP RAMP FACING BRANNAN ST., 5.0' EASTERLY FROM THE MOST SOUTHWESTLY CORNER OF FIVE (5) SIDED COLUMN AT #500 BRANNAN ST., 6.0' WESTERLY FROM CENTER/CENTER CATCH BASIN, 8.4' NORTHEASTLY FROM CENTER/CENTER STREET LIGHT/SIGNAL SIGN/TRAFFIC LIGHT POLE, 12.0' SOUTHEASTLY FROM CENTER/CENTER HIGH PRESSURE FIRE HYDRANT. ELEVATION = 11.508 FEET, VERTICAL DATUM: CITY AND COUNTY OF SAN FRANCISCO.

- NOTES**
- EASEMENTS AND/OR RIGHTS OF WAY ARE SHOWN HEREON PER THE PTR. OTHER EASEMENTS AND/OR RIGHTS OF WAY OF RECORD, IF ANY, ARE NOT SHOWN HEREON.
 - DATE OF FIELD SURVEY: OCTOBER 16, 2019 AS TO THE BOUNDARY AND TOPOGRAPHIC SURVEY OF THE SUBJECT PROPERTY.
 - THE UTILITIES SHOWN HEREON ARE BY SURFACE OBSERVATION AND RECORD INFORMATION ONLY AND NO WARRANTY IS GIVEN HEREON AS TO THEIR EXACT LOCATION. IT IS THE RESPONSIBILITY OF THE DEVELOPER AND/OR CONTRACTOR TO VERIFY THE EXACT LOCATION OF THE UTILITIES WITH THE APPROPRIATE UTILITY COMPANY OR AGENCY.
 - UTILITY JURISDICTIONS / PROVIDERS ARE AS FOLLOWS:
 STORM DRAINS: CITY AND COUNTY OF SAN FRANCISCO
 SANITARY SEWER: CITY AND COUNTY OF SAN FRANCISCO
 WATER: CITY AND COUNTY OF SAN FRANCISCO
 ELECTRICITY: PACIFIC GAS & ELECTRIC CO.
 NATURAL GAS: PACIFIC GAS & ELECTRIC CO.
 - ALL DISTANCES AND DIMENSIONS WITHIN THIS DRAWING ARE BASED ON THE U.S. SURVEY FOOT AND DECIMALS THEREOF.
 - ALL ANGLES ARE 90° UNLESS OTHERWISE NOTED. ANGLES AND DISTANCES MEASURED ARE IN AGREEMENT WITH RECORD INFORMATION UNLESS OTHERWISE NOTED.

BASIS OF SURVEY
 THE MONUMENT LINE ON BRANNAN STREET BETWEEN 5TH STREET AND 2ND STREET, AS DETERMINED BY FOUND MONUMENTS SHOWN ON MONUMENT MAP NO. 320, WAS USED AS THE BASIS OF SURVEY.

RECORD REFERENCES
 (1) MONUMENT MAP NO. 320, ON FILE IN THE OFFICE OF THE CITY AND COUNTY SURVEYOR.
 (2) HISTORIC BLOCK DIAGRAM OF 100 VARA BLOCK 367, BOOK 29, PAGES 11-14, DATED MARCH 2, 1909, ON FILE IN THE OFFICE OF THE CITY AND COUNTY SURVEYOR.

SURVEYOR'S STATEMENT
 THIS SURVEY WAS DONE BY ME OR UNDER MY DIRECTION IN CONFORMANCE WITH THE LAND SURVEYORS ACT IN OCTOBER 2019.
 DATE: OCTOBER 21, 2019
 JACQUELINE LUK, P.L.S. 8934
 FOR LUK & ASSOCIATES, INC.



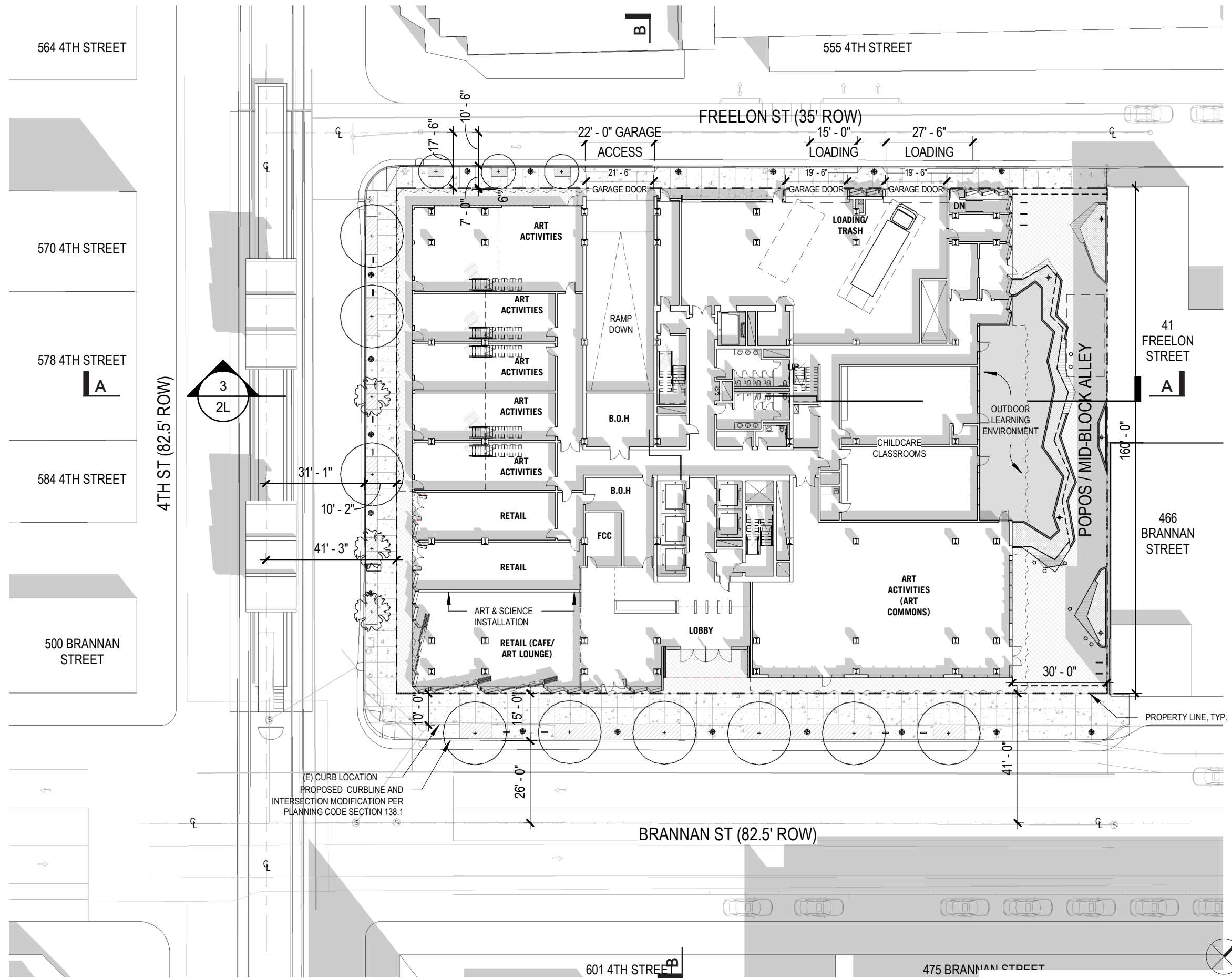
NOTE
 NO TITLE REPORT WAS PROVIDED AT THE TIME OF THE SURVEY. EASEMENTS AND EXCEPTIONS PER THE PTR, IF ANY, ARE NOT SHOWN ON THIS SURVEY.

TOPOGRAPHIC AND BOUNDARY SURVEY
 FOR
 490 BRANNAN STREET
 CITY AND COUNTY OF SAN FRANCISCO, CALIFORNIA
 OCTOBER 2019
 PREPARED BY
LUK AND ASSOCIATES
 CIVIL ENGINEER - LAND PLANNERS - LAND SURVEYORS
 738 ALFRED NOBEL DRIVE
 HERCULES, CALIFORNIA 94547
 (510) 724-3388

SHEET 1

JOB NO.: 19054A10 PLOT DATE: OCTOBER 21, 2019

03. PROPOSED SITE DESIGN



Scale: 1/32" = 1'-0"

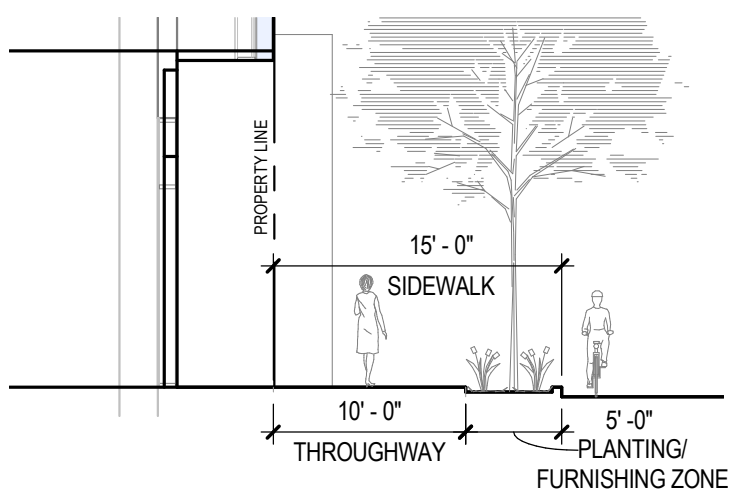
Site Plan

NOTES:

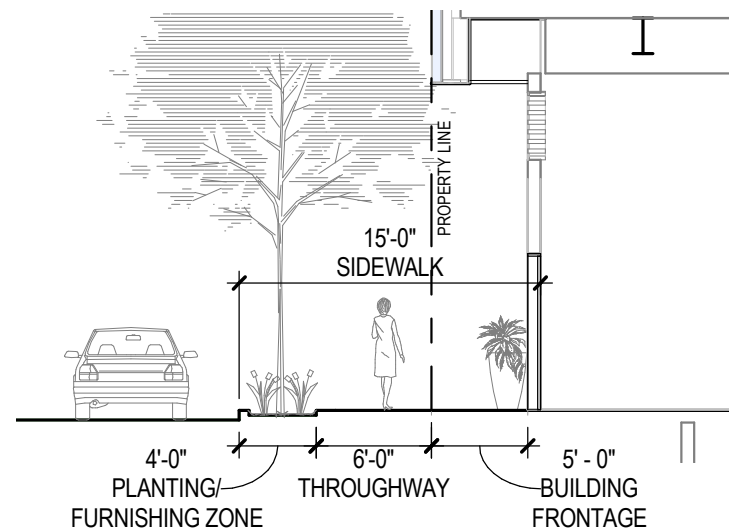
1. STREET LIGHT FIXTURES AND PEDESTRIAN POLE LIGHTS WITHIN PUBLICLY MAINTAINED STREETS SHALL ADHERE TO SFPUC GUIDELINES AND SHALL BE SELECTED FROM THE SFPUC CATALOGUE OF ACCEPTABLE FIXTURES. LIGHT LEVELS SHALL MEET SFPUC STANDARDS. FINAL LIGHT SPACING AND FIXTURE SELECTION WILL BE COMPLETED WITH INPUT FROM LIGHTING DESIGNER OR ELECTRICAL ENGINEER.
 2. CONCRETE PAVING MATERIAL SHALL BE SF PUBLIC WORKS STANDARD CAST-IN-PLACE CONCRETE. REFER TO SF PUBLIC WORKS STANDARD FOR COLOR, FINISH, AND TYPICAL JOINT LAYOUTS.

3. PAVER COLOR AND FINISH SHALL BE SELECTED FOR AESTHETIC QUALITY AND SHALL MEET ACCESSIBLE DESIGN REQUIREMENTS FOR PROPER VISUAL CONTRAST AND SLIP-RESISTANCE. PAVER EDGES AND JOINTS SHALL CREATE A SMOOTH, CONTINUOUS SURFACE. THE INSTALLATION DESIGN (PAVING SECTION) SHALL ENSURE A LEVEL, STABLE PAVING SURFACE AND BE IN ACCORDANCE WITH THE MANUFACTURER'S RECOMMENDED INSTALLATION METHOD(S). WITHIN PUBLIC RIGHTS-OF-WAY AND WHERE PUBLIC UTILITIES EXIST BENEATH PAVING, UNIT PAVERS SHALL COMPLY WITH SF PUBLIC WORKS AND SFPUC PAVING GUIDELINES. DESIGNS MUST BE REVIEWED AND APPROVED BY SF PUBLIC WORKS AS PART OF STREET IMPROVEMENT PLANS.

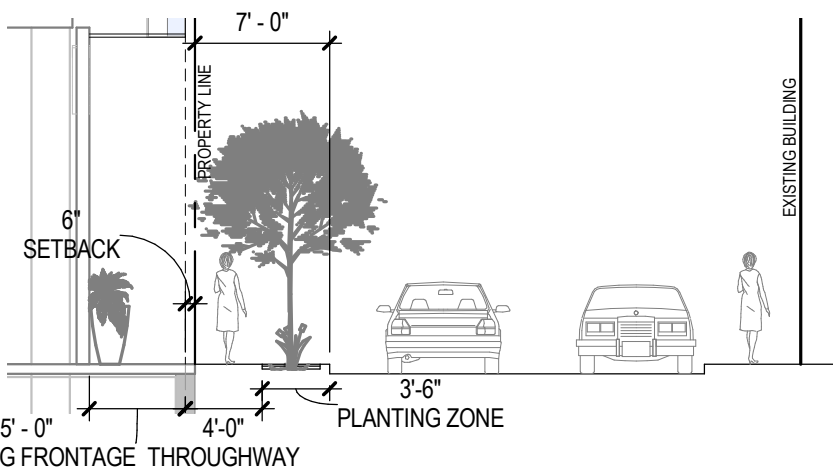
4. STREET TREES SPECIES ALONG 4TH STREET AND BRANNAN STREET SHALL BE MEDIUM EVERGREEN OR DECIDUOUS TREES. TREE SPECIES ALONG FREELON STREET SHALL BE SMALL EVERGREEN OR DECIDUOUS TREES. TREE SIZE IS AS DEFINED BY SF PUBLIC WORKS BUREAU OF URBAN FORESTRY STANDARDS. MEDIUM TREES SHALL BE A MINIMUM 36" BOX AT INSTALLATION. SMALL TREES SHALL BE A MINIMUM 24" BOX AT INSTALLATION. TREE AND GROUND COVER PLANTING SHALL BE REGIONALLY-APPROPRIATE, NATIVE, AND/OR ADAPTIVE SPECIES; LOW WATER USE; WIND TOLERANT; TOLERANT OF PART- TO FULL-SHADE; HEALTHY IN PAVING, WITH MINIMAL ROOT DISRUPTION AT SIDEWALK. PLANTING STRIPS WITH STREET TREES SHALL BE A MINIMUM OF 3 FEET IN WIDTH ALONG FREELON ST AND 4 FEET IN WIDTH ALONG 4TH STREET AND 5 FEET ALONG BRANNAN STREET, WITH THE TREE CENTERED AND PLACED AT A MINIMUM OF 18 INCHES FROM THE EDGE OF CURB. CENTRALLY CONTROLLED AUTOMATIC DRIP IRRIGATION SHOULD BE PROVIDED TO EACH TREE FOR ESTABLISHMENT. FOLLOWING THAT PERIOD, TREE IRRIGATION MAY BE REDUCED OR ELIMINATED.



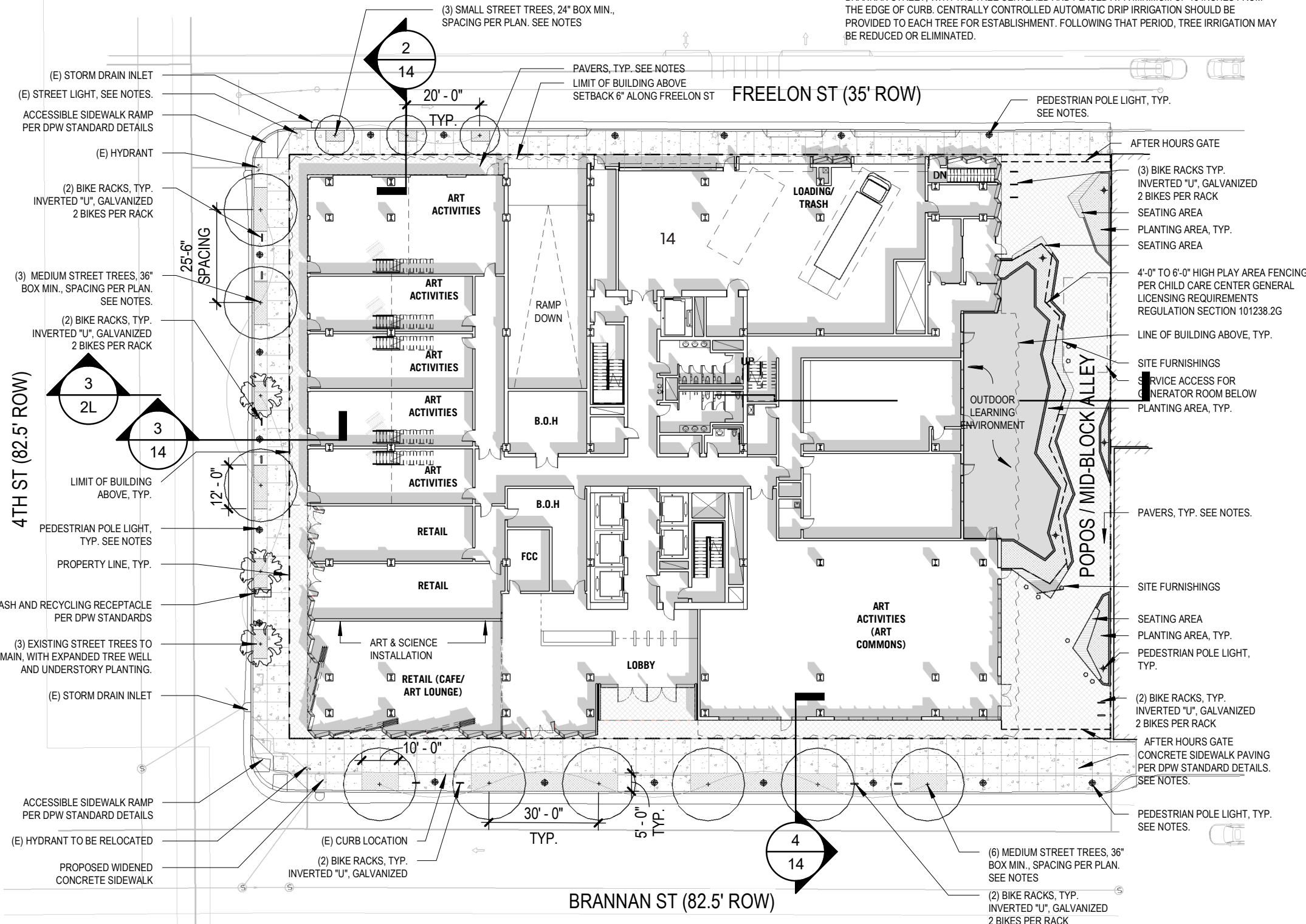
BRANNAN ST SECTION | 4
1" = 10'-0"



4TH STREET SECTION | 3
1" = 10'-0"



FREELON ST SECTION | 2
1" = 10'-0"



Scale: 1/32" = 1'-0"



CURB RAMP



STREET TREES WITH GROUND COVER PLANTING



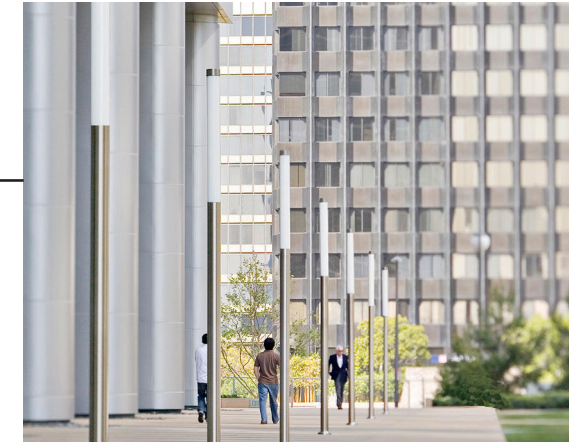
TRASH/RECYCLING RECEPTACLES



PEDESTRIAN POLE LIGHT



PAINTED METAL PLAY AREA FENCE



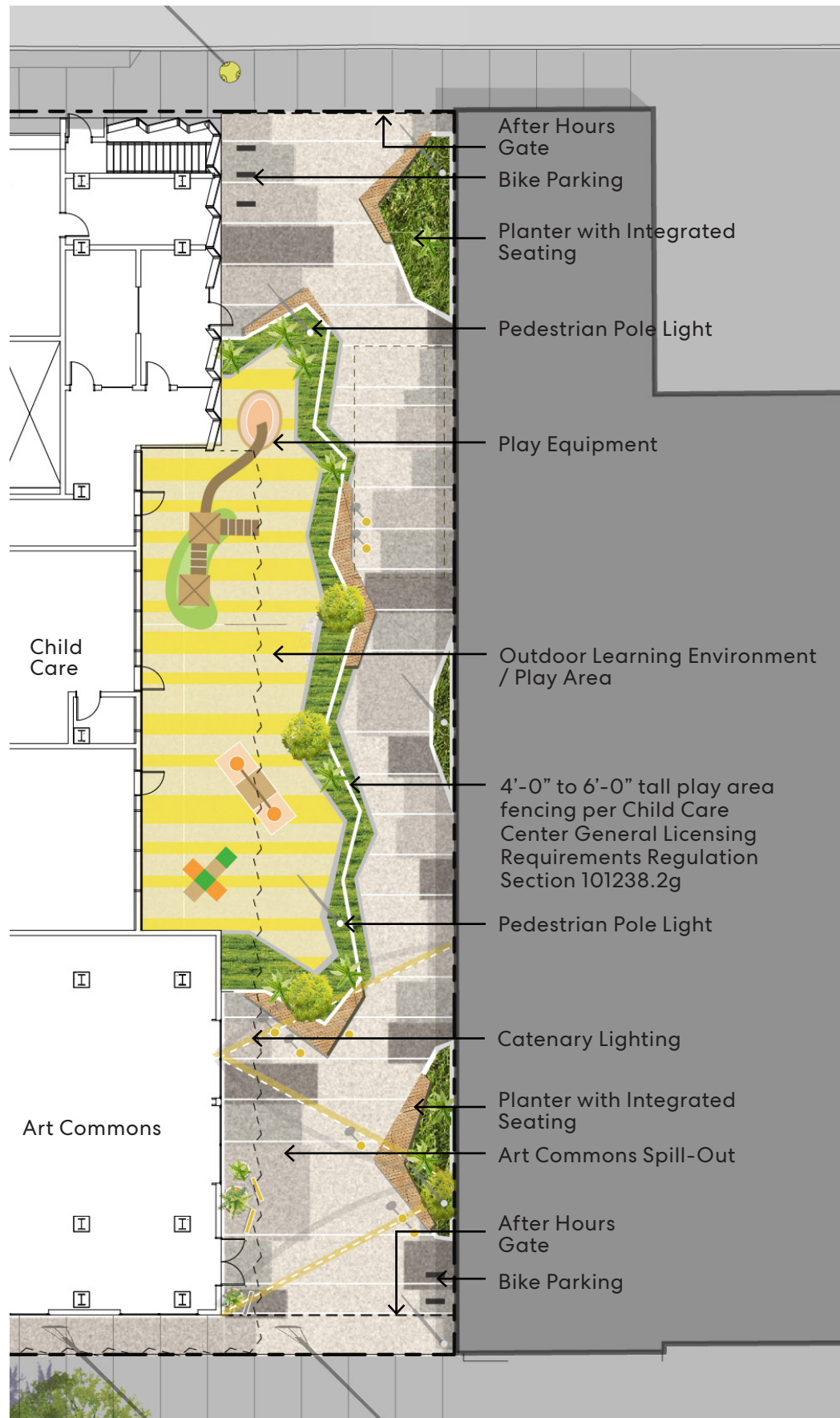
PEDESTRIAN POLE LIGHT



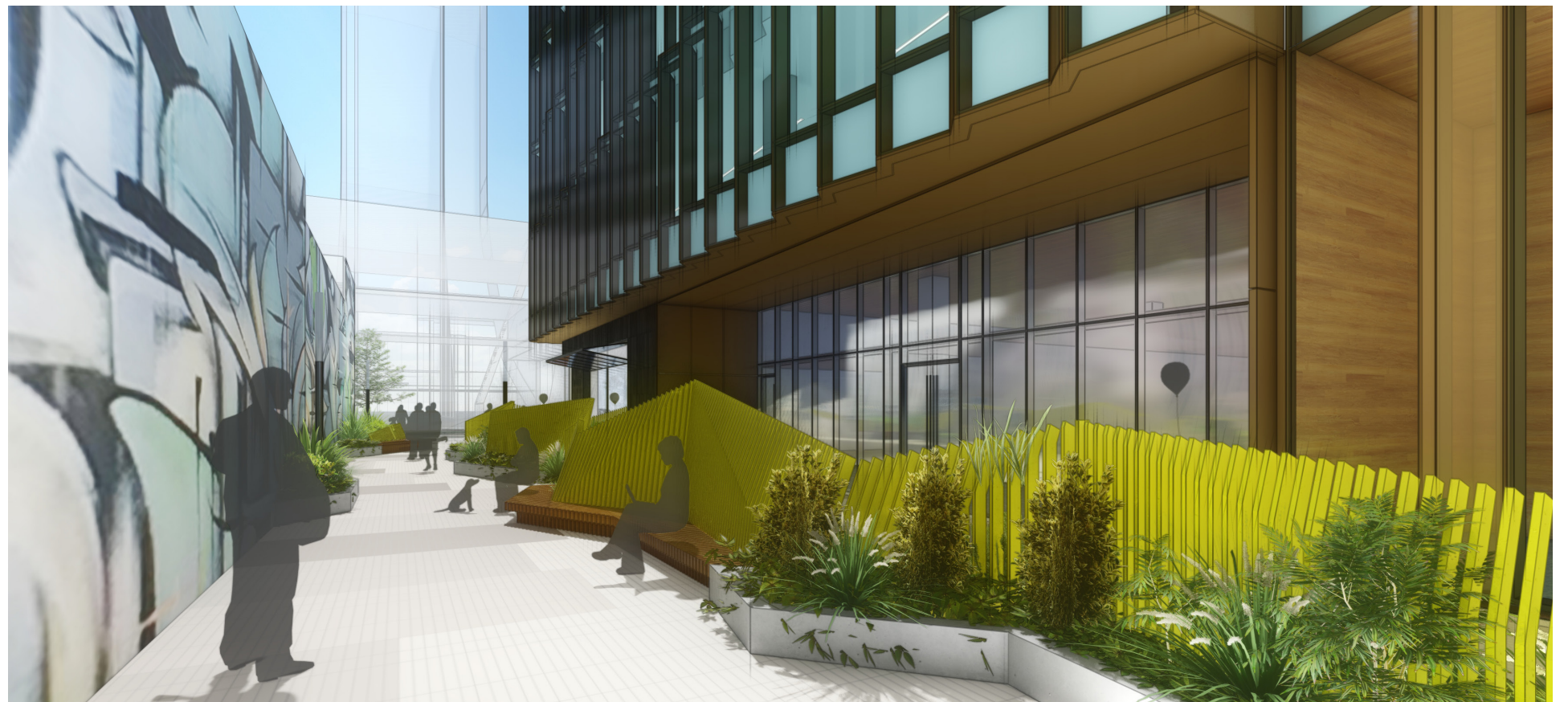
PAVERS



BIKE RACK

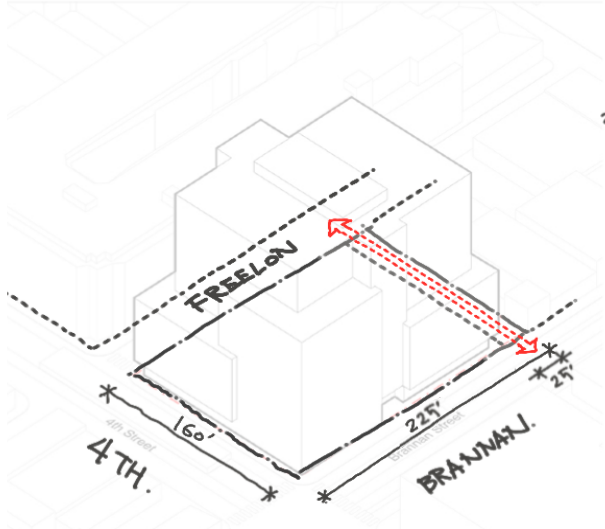


ART PDR POPOS + CHILD CARE OUTDOOR SPACE: PLAN



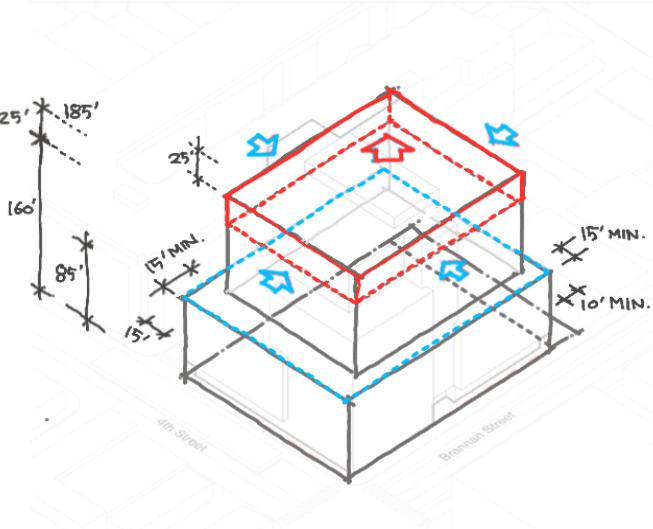
ART PDR POPOS + CHILD CARE OUTDOOR SPACE

03. PROPOSED ARCHITECTURE



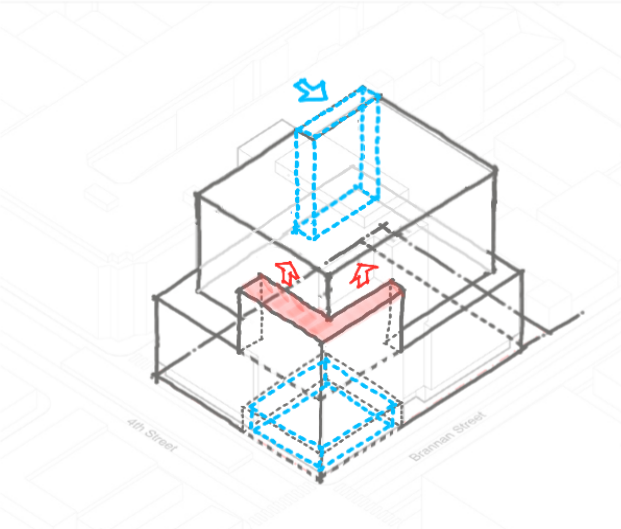
SITE 6 "WELLS FARGO":

- KEY DEVELOPMENT SITE/ LARGE PROJECT AUTHORIZATION
- 4TH AND BRANNAN AS MAJOR URBAN INTERSECTION WHILE FREELON IS A NARROW ST FOR BLDG SUPPORT ACCESS
- MID BLOCK ALLEY CONNECTION AS OPEN-TO-SKY POPOS, BREAKING HORIZONTAL MASS (<200 LF FRONTAGE)



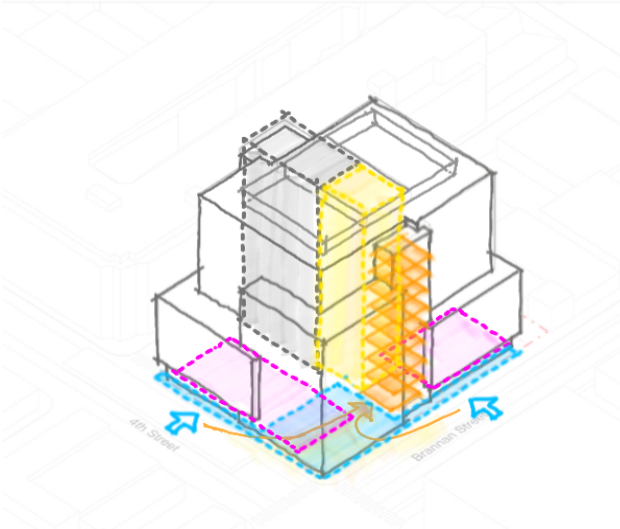
BULK LIMIT:

- 85' "STREET WALL" AND SETBACKS
- 185' USING SKYPLANE CONTROLS FOR MID-RISE BUILDING



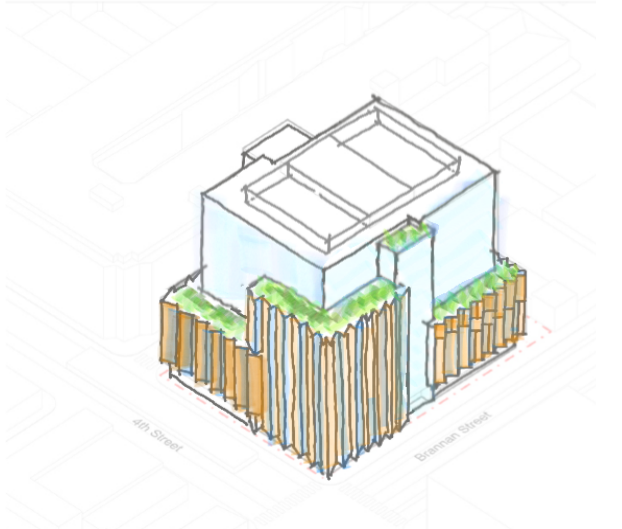
"BIG" URBANISTIC MOVE:

- HOLD URBAN CORNER OF 4TH AND BRANNAN, "LIFT AND PUSH UP"
- ACTIVATE GROUND PLANE BY OPENING UP CORNER TO PUBLIC AS "ART LOUNGE"
- RELIEF FREELON MASSING



PROGRAM-DRIVEN URBANISTIC MOVES - 4TH & BRANNAN:

- "ARCADE" W/ PDR & RETAIL ALONG 4TH & BRANNAN PROVIDES RELIEF ON NARROW AND BUSY SIDEWALK WHILE ACTIVATING GROUND PLANE
- "CENTRAL SPINE" LOBBIES & COLLABORATIVE WORKSPACES EXPRESSED ALONG BRANNAN, W/ VERT. CIRCULATION & BLDG SUPPORT

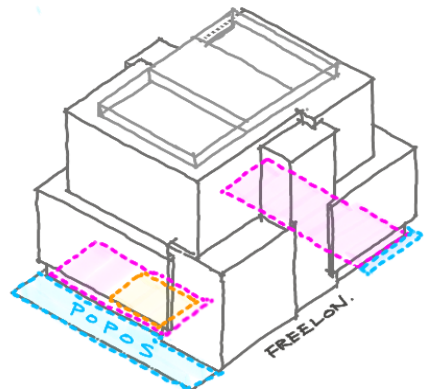


"BASALT / SKY" INSPIRATION:

BUILDING MASS ARTICULATED IN TWO CONTRASTING MANNER

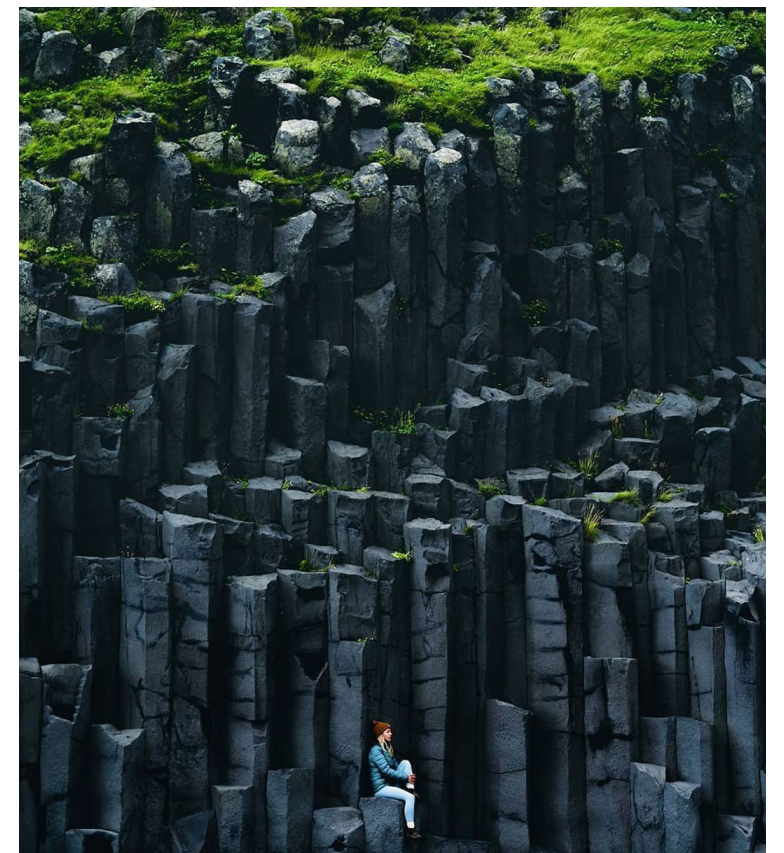
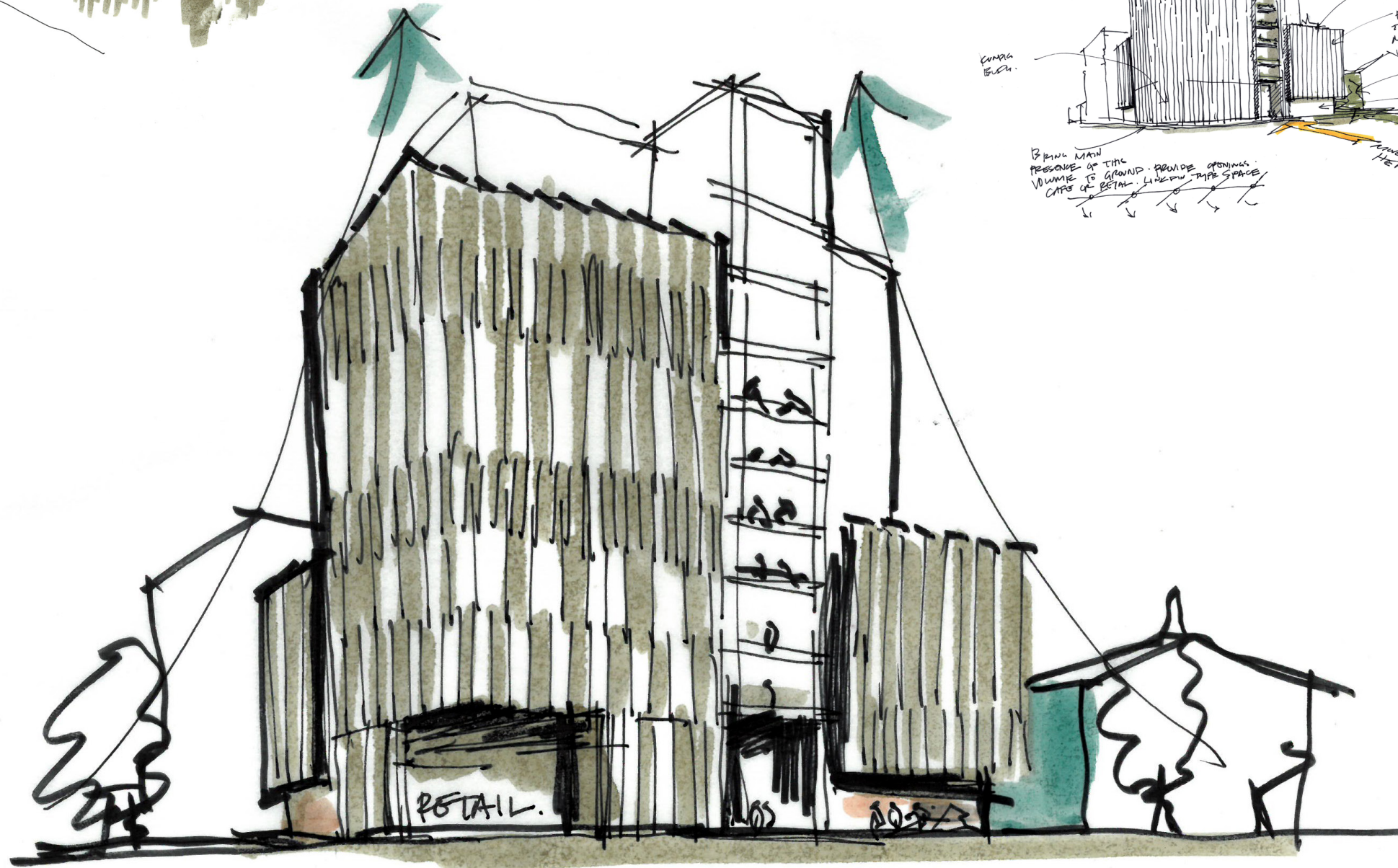
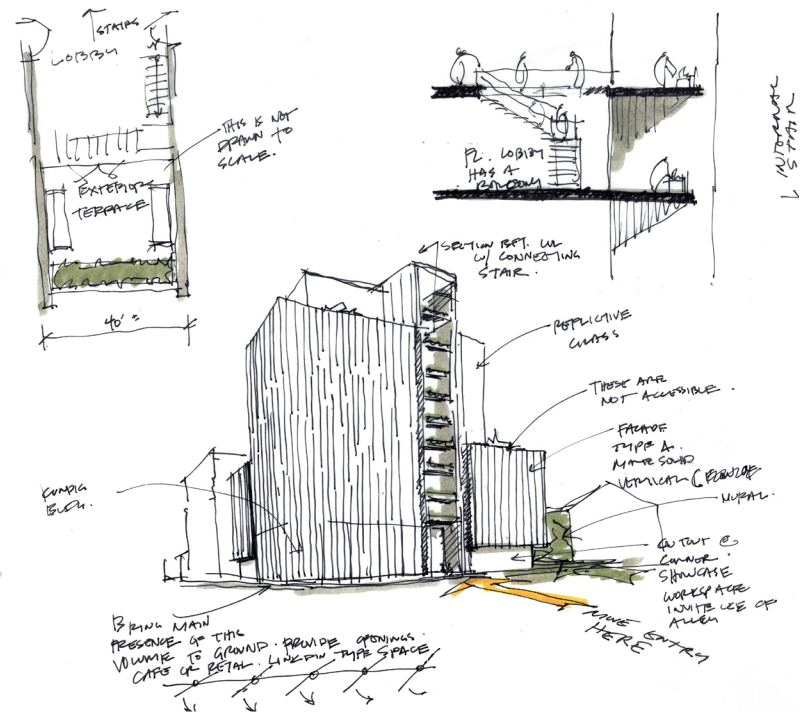
"BASALT", HEAVIER, TEXTURED VOLUME W/ SOLIDITY THAT GROUNDS PODIUM MASS.

"SKY", LIGHTER, TRANSPARENT VOLUME OF TOWER MASS BLENDS INTO SKY



- FREELON & POPOS:

"ART" PDR + CHILD CARE FACES OPEN-TO-SKY POPOS, CEREBRATES ARTIST COLLABORATION AND LOCAL COMMUNITY SUPPORT





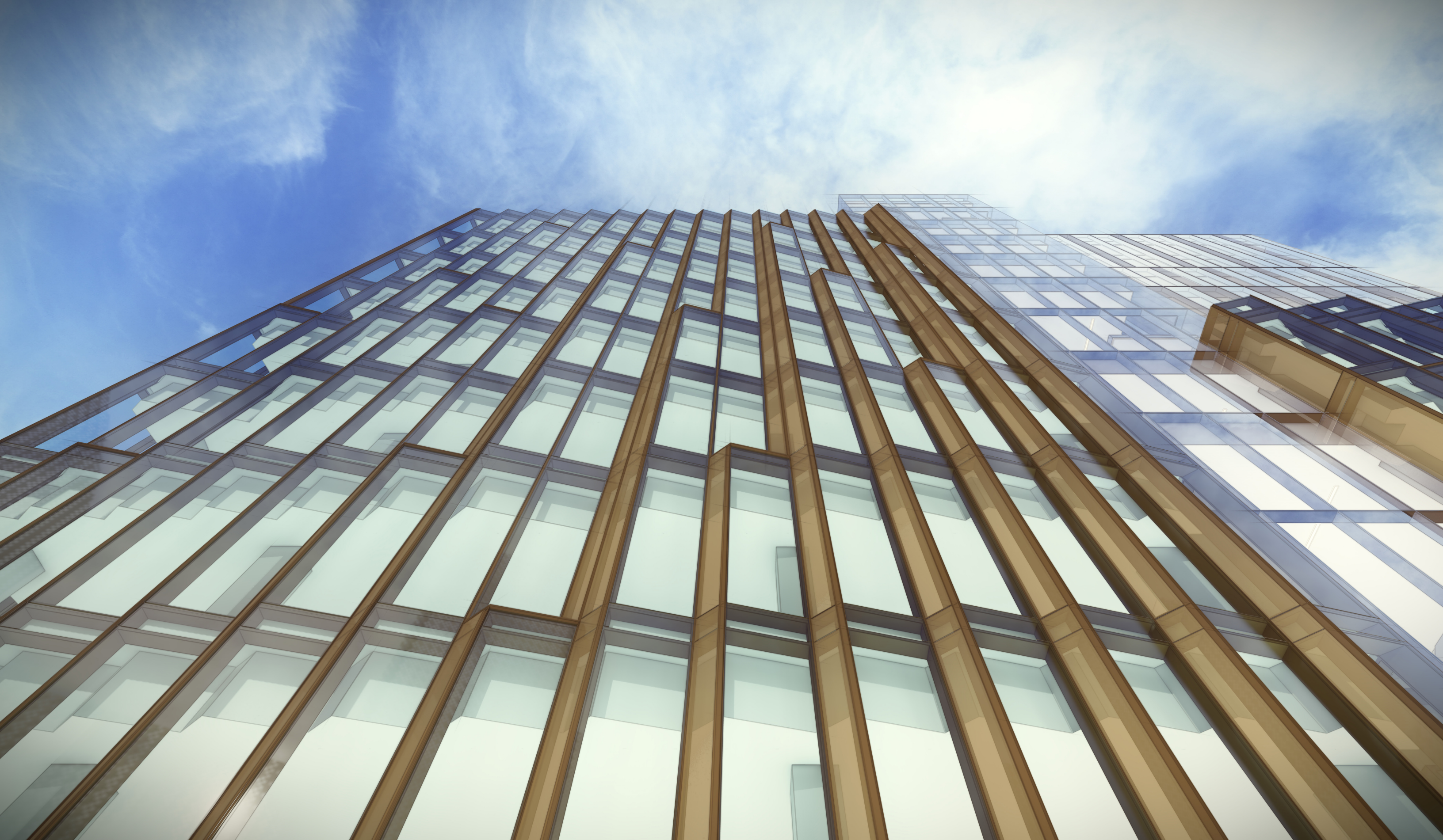
490 Brannan Street
STRADA | INVESTMENT GROUP

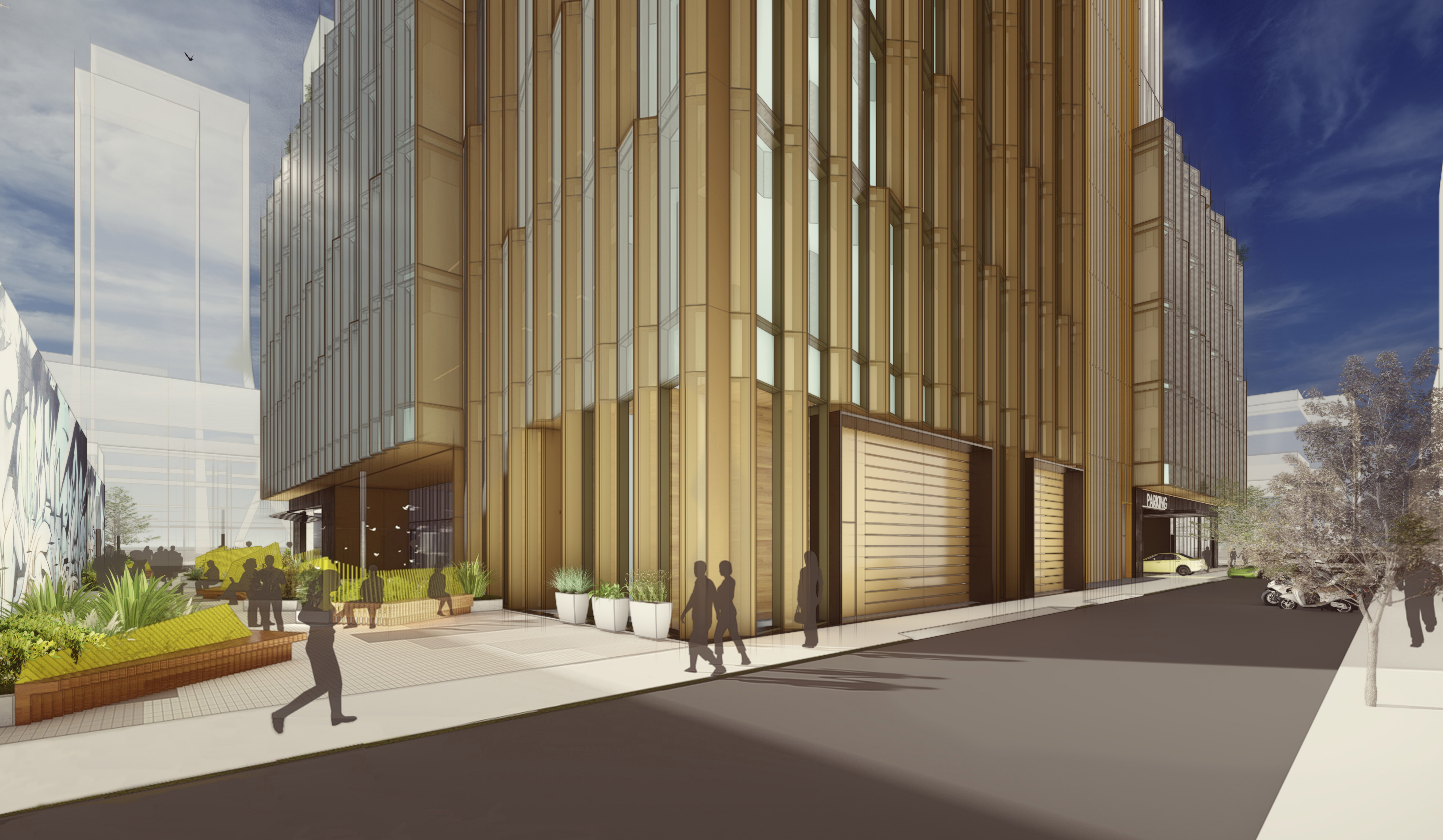
4th St & Brannan St

Perkins&Will
ENX_LPA: 08.19.2021











490 Brannan Street
STRADA | INVESTMENT GROUP

Freelon St

Perkins&Will
ENX_LPA: 08.19.2021







490 Brannan Street
STRADA | INVESTMENT GROUP

View Looking Northeast

Perkins&Will
Architecture
ENX_LPA: 08.19.2021

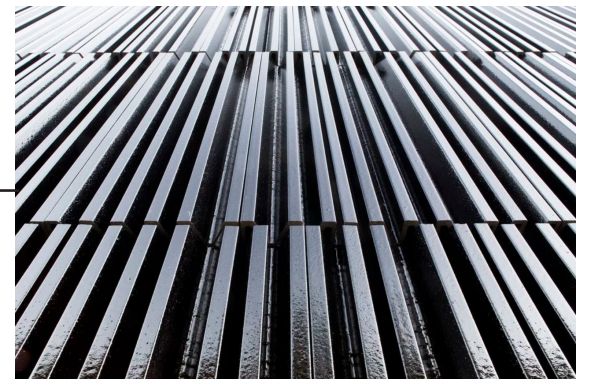
*Fritted glass as bird-safe treatment applied per Planning Code Section 139 at all glass balcony walls



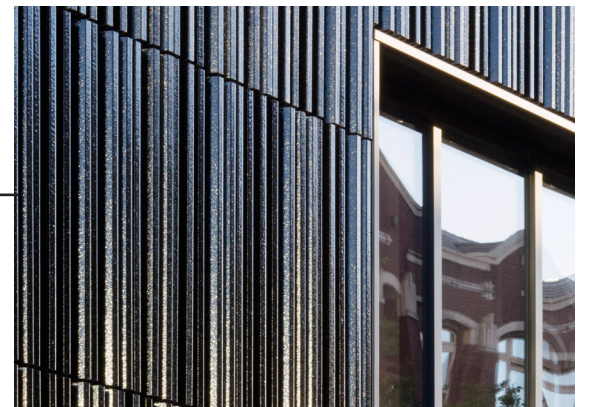
4TH STREET ELEVATION



GLASS + METAL BI-FOLD DOOR AT PDR ENTRY



DARK GRAY RIBBED CERAMIC OR CEMENTITIOUS PANEL



STOREFRONT + RIBBED CERAMIC OR CEMENTITIOUS PANEL WALL AT PDR/ RETAIL

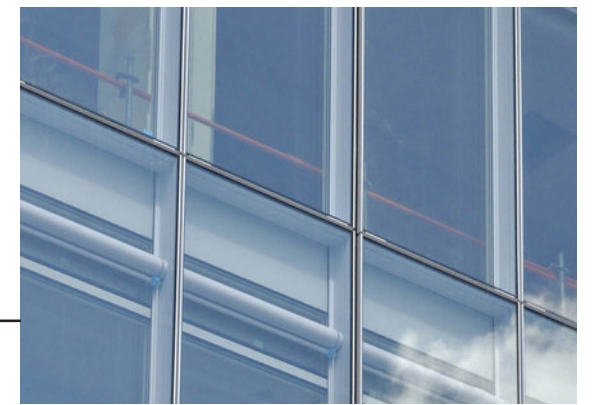


LARGE METAL FRAMED GLASS SLIDING DOORS AT CORNER BUILDING ENTRY

*Fritted glass as bird-safe treatment applied per Planning Code Section 139 at all glass balcony walls



BRANNAN STREET ELEVATION



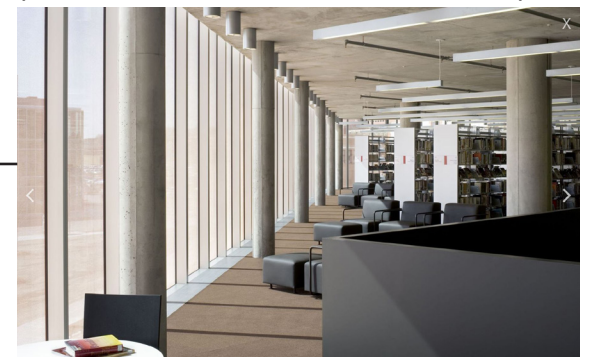
CLEAR GLAZING AT TYPICAL CURTAINWALL AND STOREFRONT



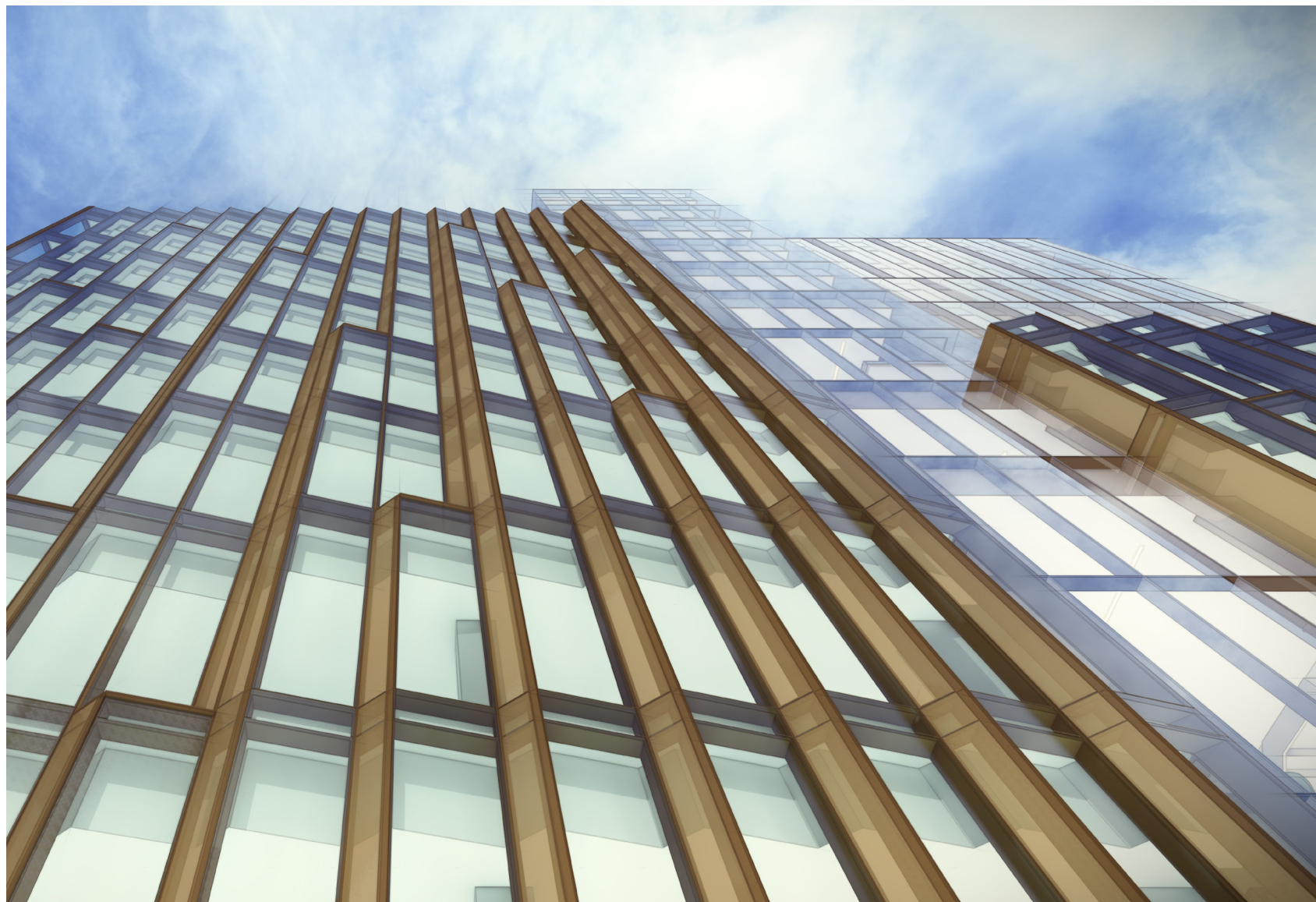
TOWER FACADE GLAZING (CLEAR + WHITE CERAMIC FRIT SCREEN)



UNITIZED CURTAIN WALL W/ EXPANDED METAL SANDWICHED GLAZING (DARK BRONZE ANODIZED ALUMINUM)



CLEAR GLAZING W/ EXPANDED METAL INTERLAYER PROVIDES SOLAR PROTECTION WHILE ALLOWING VIEWS OUT



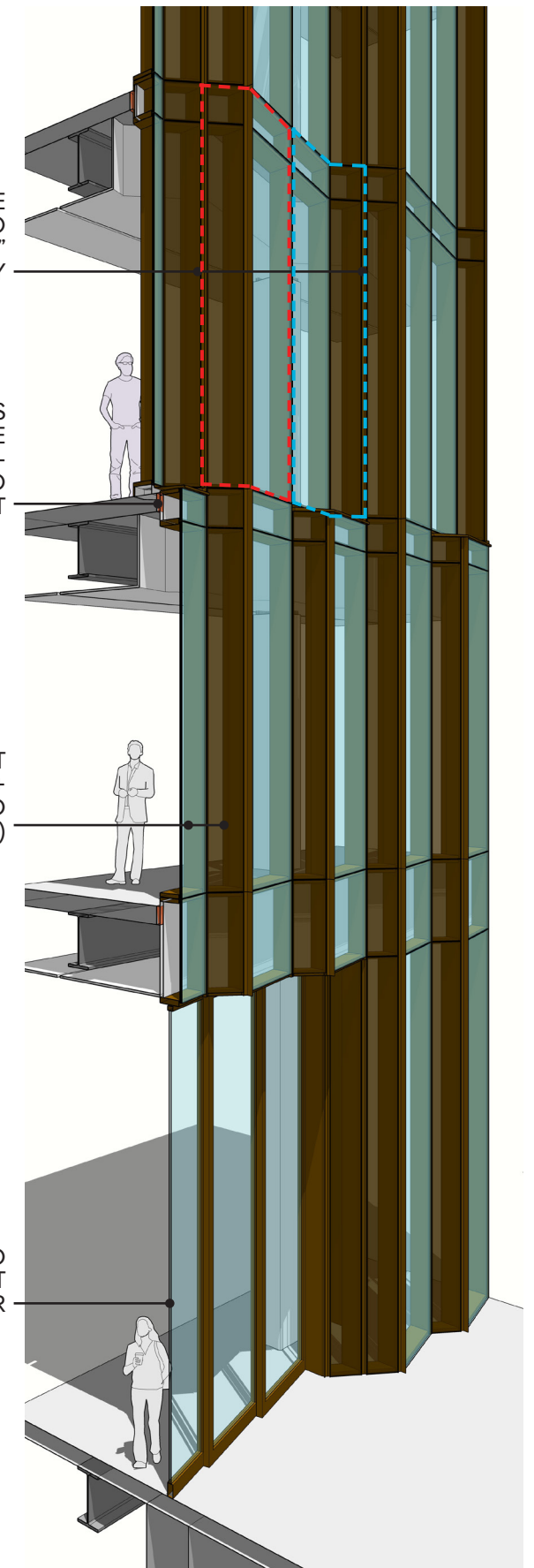
PODIUM FACADE GEOMETRY IS INSPIRED BY BASALT ROCK FORMATION. TECHNICALLY DEVELOPED AS UNITIZED CURTAINWALL SYSTEM WITH COMBINATION OF PRIMARILY ONLY TWO UNIT TYPES, EACH WITH 2 GLAZING TYPES (CLEAR: APPROX. 4'-0" WIDE & "DARK-BRONZE": 1'-3" WIDE) IN CONVEX-CONCAVE CONFIGURATION TO ACHIEVE 3-DIMENSIONAL FACADE OF RICH VARIETY

2 PRIMARY UNITIZED CW TYPE (CONVEX AND CONCAVE) TO ACHIEVE "BASALT" 3-DIMENSIONAL VARIETY

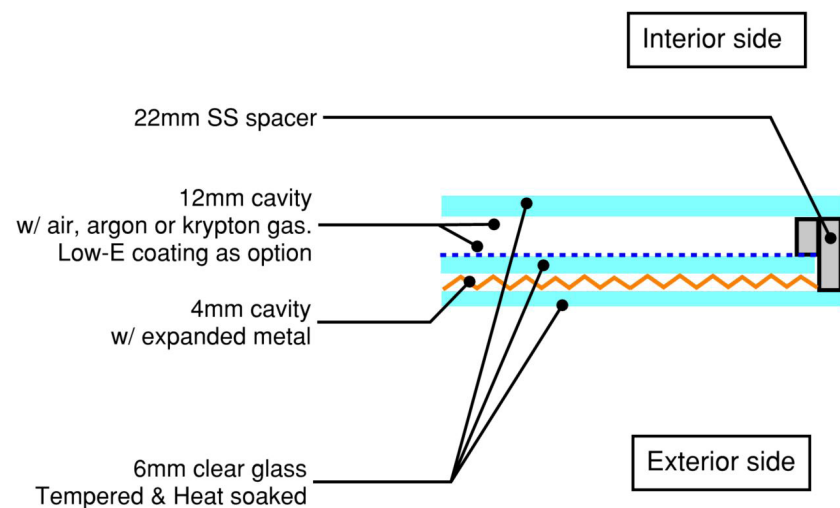
VERTICAL TRANSITION OCCURS ABOVE FLOOR TO ENSURE CONTINUITY OF WEATHER-TIGHT ENVELOPE AND PERIMETER FIRE CONTAINMENT

UNITIZED CURTAIN WALL UNIT CONSISTS OF WIDE IGU (CLEAR) + NARROW IGU (W/ EXPANDED MTL INTERLAYER)

OVERSIZED METAL FRAMED GLASS SLIDING DOORS AT 4TH/ BRANNAN CORNER



"BASALT" UNITIZED CURTAINWALL CONCEPT SECTION PERSPECTIVE DIAGRAM



INSULATED GLAZING UNIT - DIAGRAMATIC PLAN DETAIL



EXPANDED "DARK BRONZE" ANODIZED ALUMINUM INTERLAYER AS INTEGRATED SHADING



PARKING

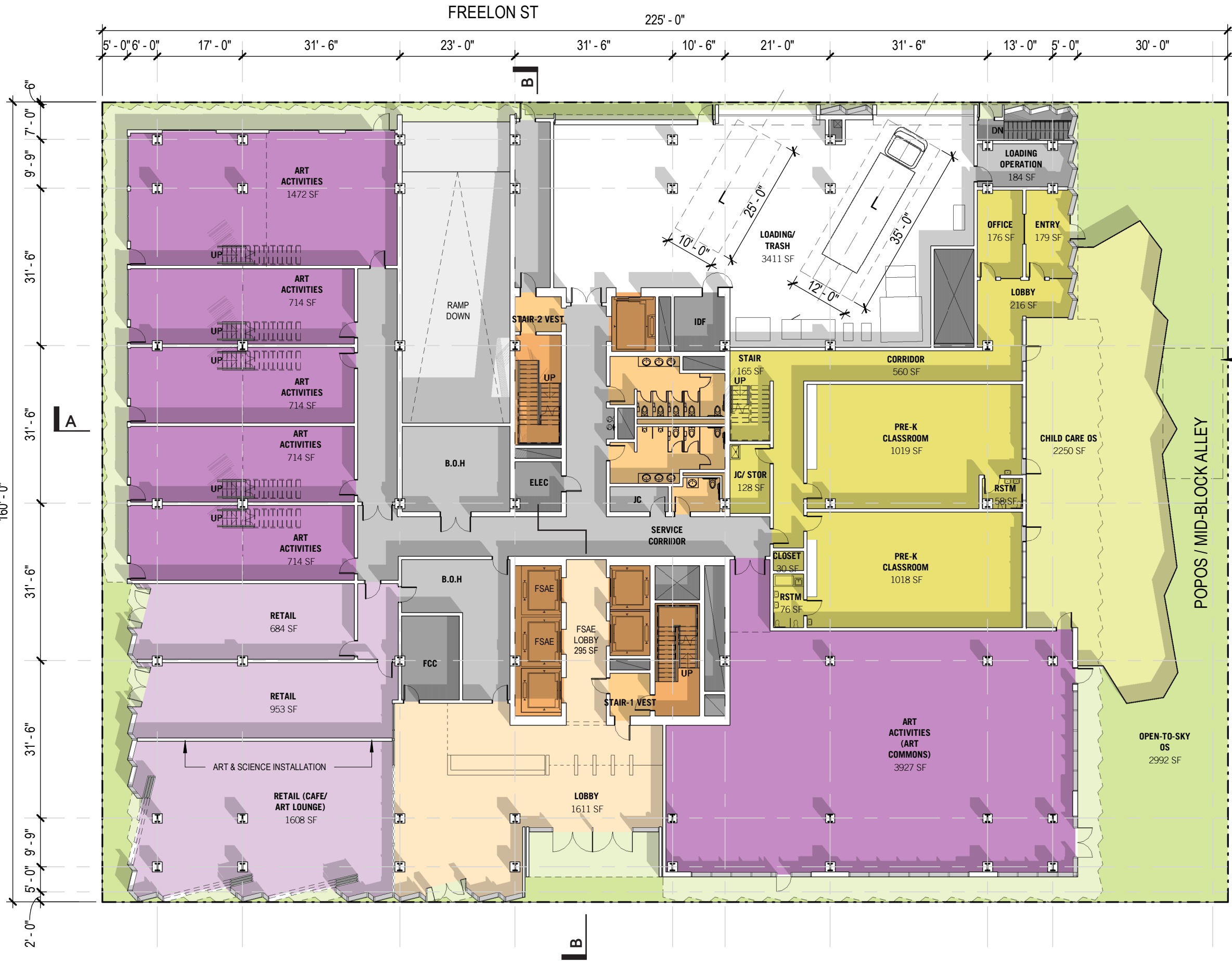
13	C - Compact
6	EV - 'Ready'
1	A - Accessible
4	V - Carpool/ Vanpool
24	Total
4	S - Service
60	Bicycle Class 1

* Level 01: 26 Bicycle Class 2 spaces located along sidewalk, 2 Freight loading spaces provided at Loading area

[Purple]	ART PDR
[Light Purple]	RETAIL
[Blue]	COMMERCIAL (OFFICE)
[Orange]	SHARED TENANT SPACE
[Dark Orange]	VERTICAL CIRCULATION
[Light Orange]	LOBBY
[Light Gray]	PARKING
[Medium Gray]	LOADING
[Dark Gray]	BUILDING SERVICE SPACES
[Dark Gray]	MECH
[Yellow]	CHILDCARE
[Light Green]	CHILDCARE OS
[Light Green]	OPEN-TO-SKY OS
[Light Green]	COVERED OS
[Light Green]	ROOFTOP TERRACES (GREEN ROOF)

Included in 'Project GFA'

Scale: 1" = 20'



PARKING

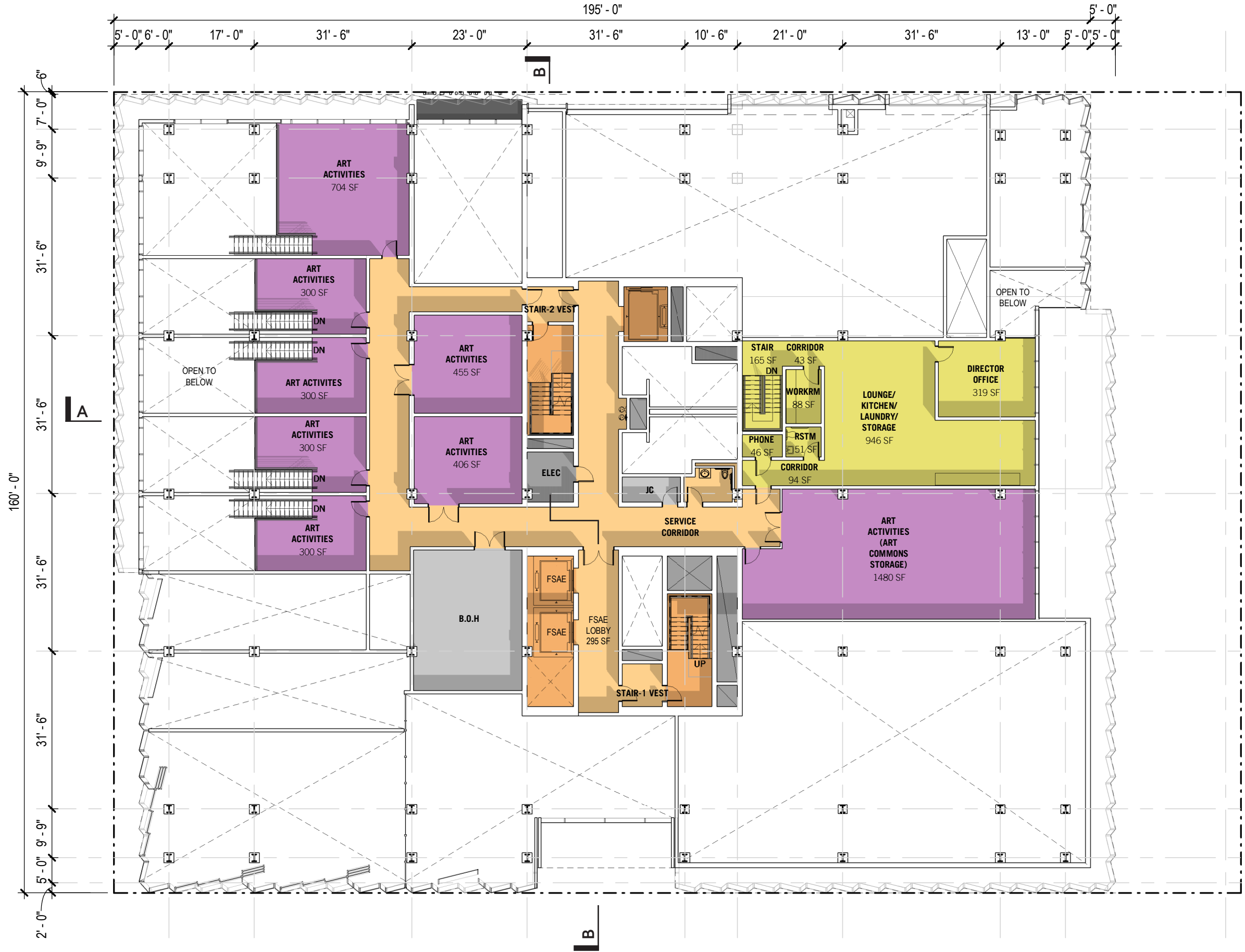
- 2 L - Loading
- 26 Bicycle Class 2*

* Refer to Streetscape Plan for Bicycle Class 2 spaces located along sidewalk.

ACCESS TO GENERATOR AREA WELL BELOW

- ART PDR
- RETAIL
- COMMERCIAL (OFFICE)
- SHARED TENANT SPACE
- VERTICAL CIRCULATION
- Included in 'Project GFA'
- LOBBY
- PARKING
- LOADING
- BUILDING SERVICE SPACES
- MECH
- CHILDCARE
- CHILDCARE OS
- OPEN-TO-SKY OS
- COVERED OS
- ROOFTOP TERRACES (GREEN ROOF)

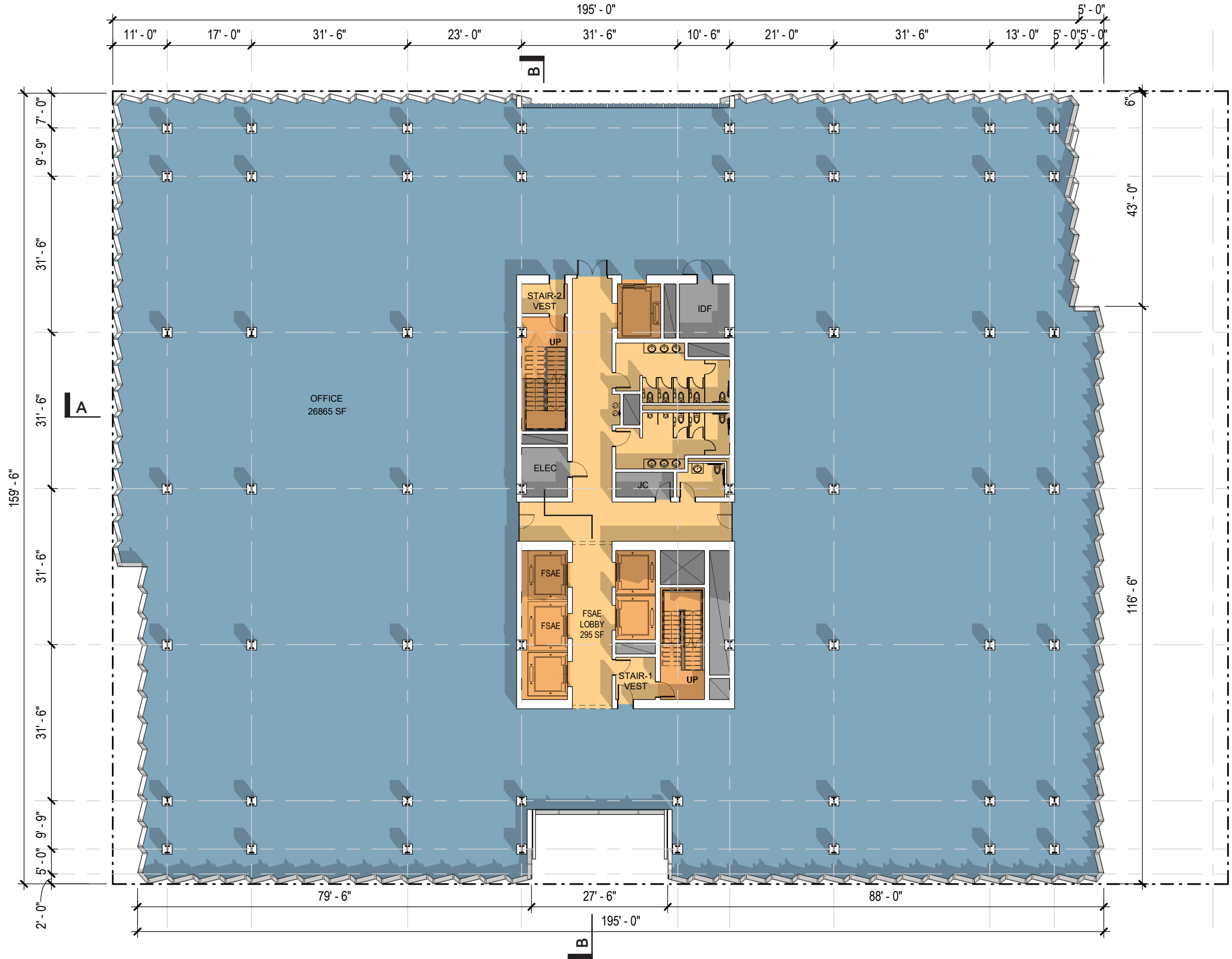
Scale: 1" = 20'



- ART PDR
 - RETAIL
 - COMMERCIAL (OFFICE)
 - SHARED TENANT SPACE
 - VERTICAL CIRCULATION
 - LOBBY
 - PARKING
 - LOADING
 - BUILDING SERVICE SPACES
 - MECH
 - CHILDCARE
 - CHILDCARE OS
 - OPEN-TO-SKY OS
 - COVERED OS
 - ROOFTOP TERRACES (GREEN ROOF)
- ↑ Included in 'Project GFA' ↑

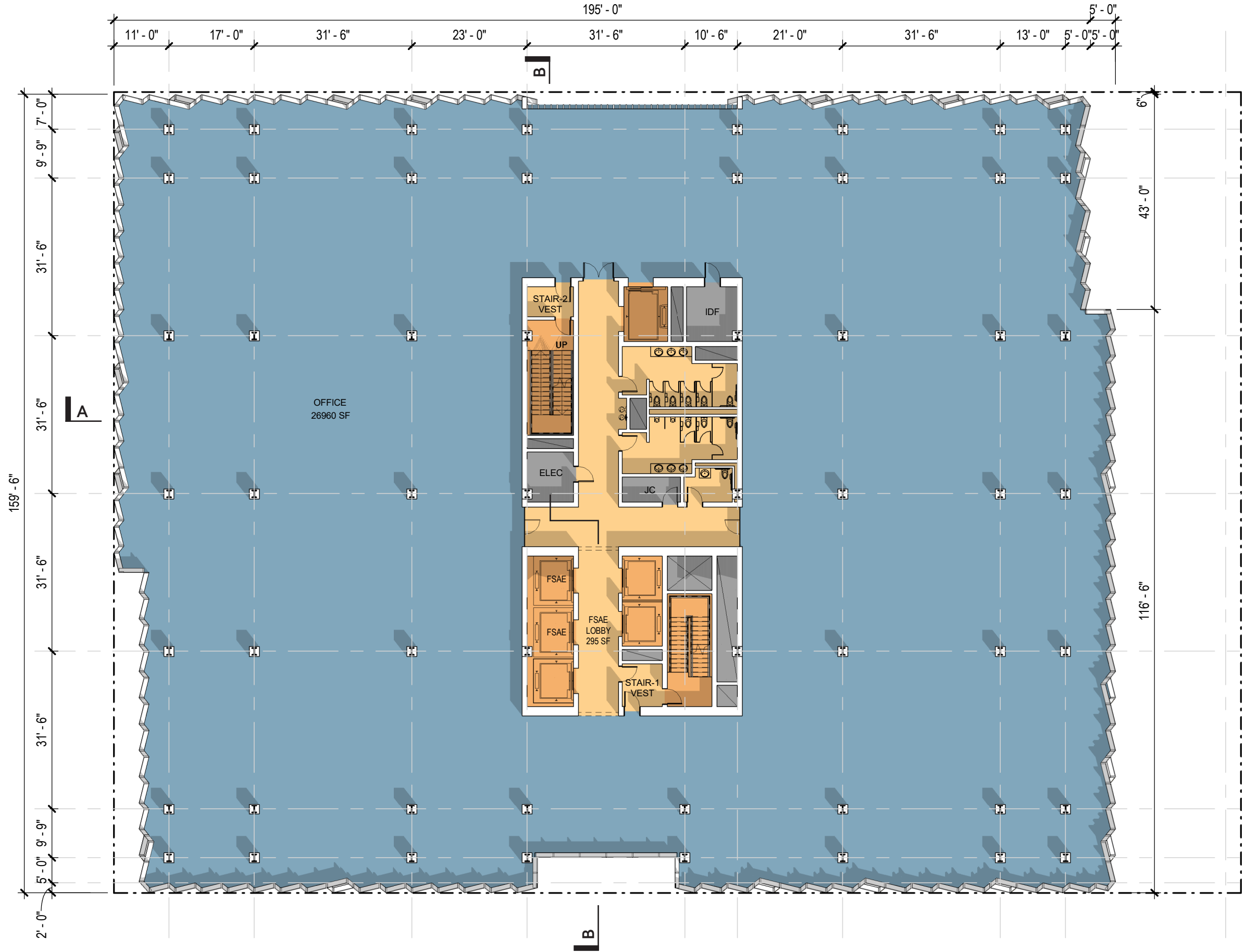
Scale: 1" = 20'

Mezzanine Level



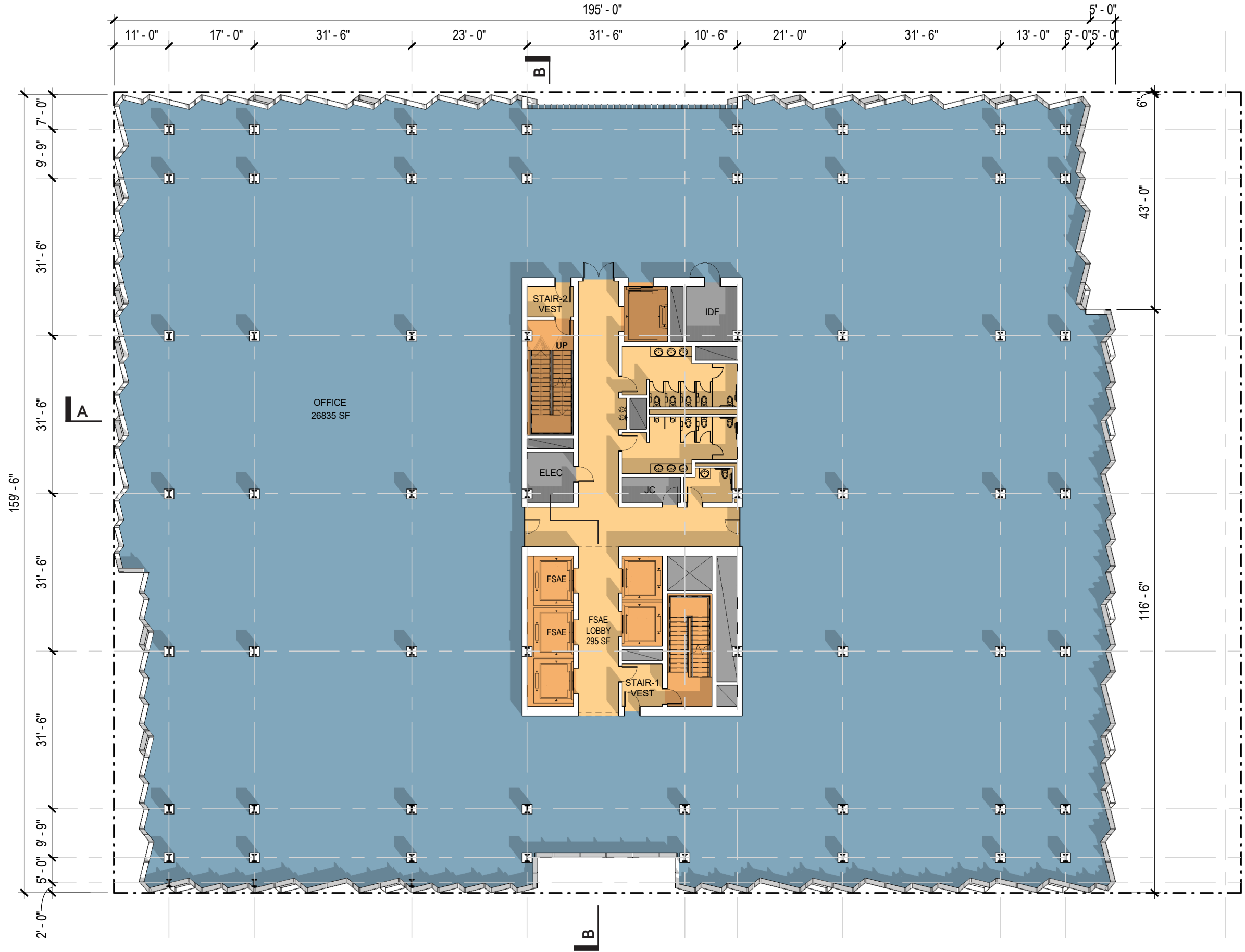
- ART PDR
- RETAIL
- COMMERCIAL (OFFICE)
- SHARED TENANT SPACE
- VERTICAL CIRCULATION
- Included in 'Project GFA'
- LOBBY
- PARKING
- LOADING
- BUILDING SERVICE SPACES
- MECH
- CHILDCARE
- CHILDCARE OS
- OPEN-TO-SKY OS
- COVERED OS
- ROOFTOP TERRACES (GREEN ROOF)

Scale: 1" = 20'



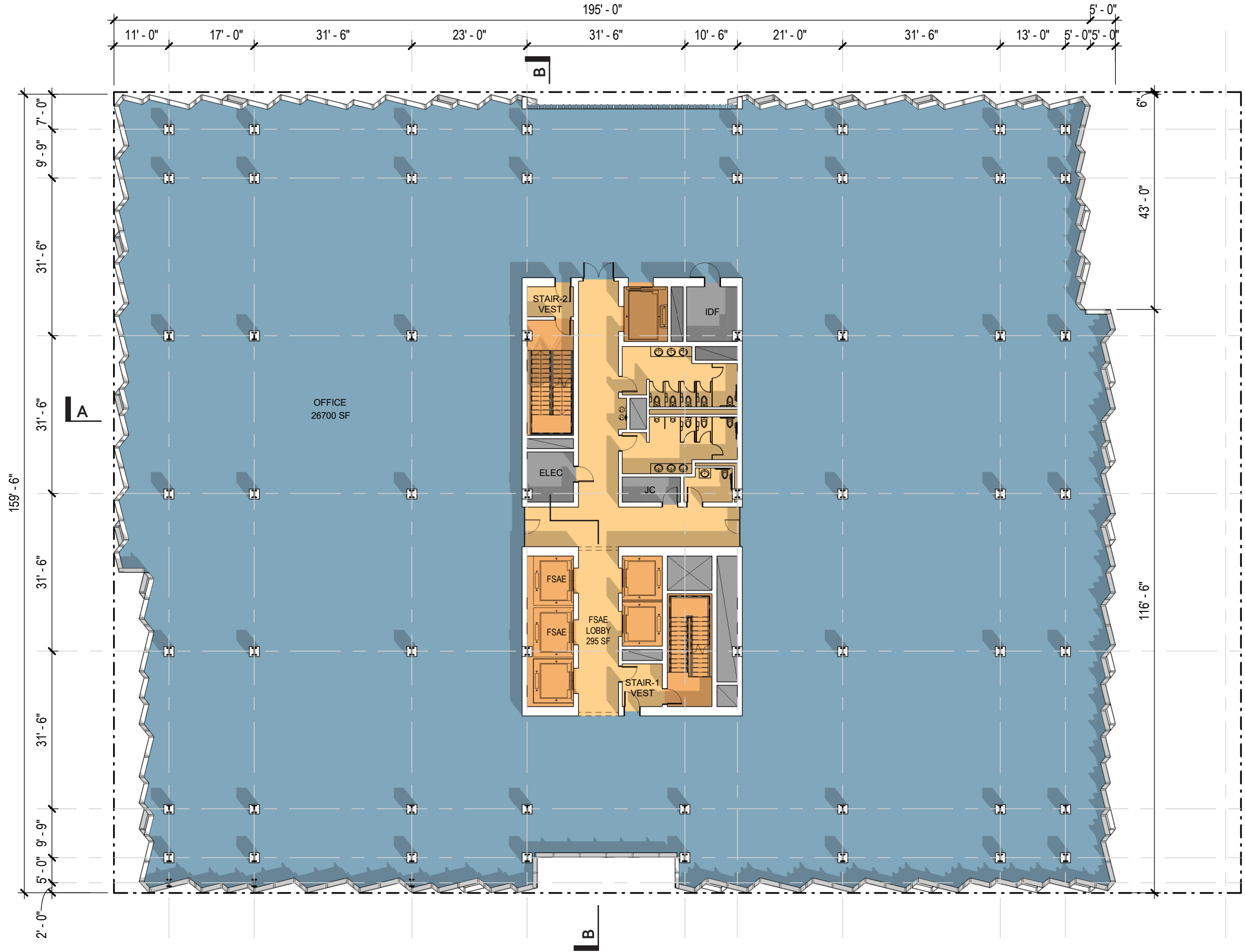
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- COMMERCIAL (OFFICE)
- SHARED TENANT SPACE
- VERTICAL CIRCULATION
- Included in 'Project GFA'
- LOBBY
- PARKING
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- MECH
- CHILDCARE
- CHILDCARE OS
- OPEN-TO-SKY OS
- COVERED OS
- ROOFTOP TERRACES (GREEN ROOF)

Scale: 1" = 20'



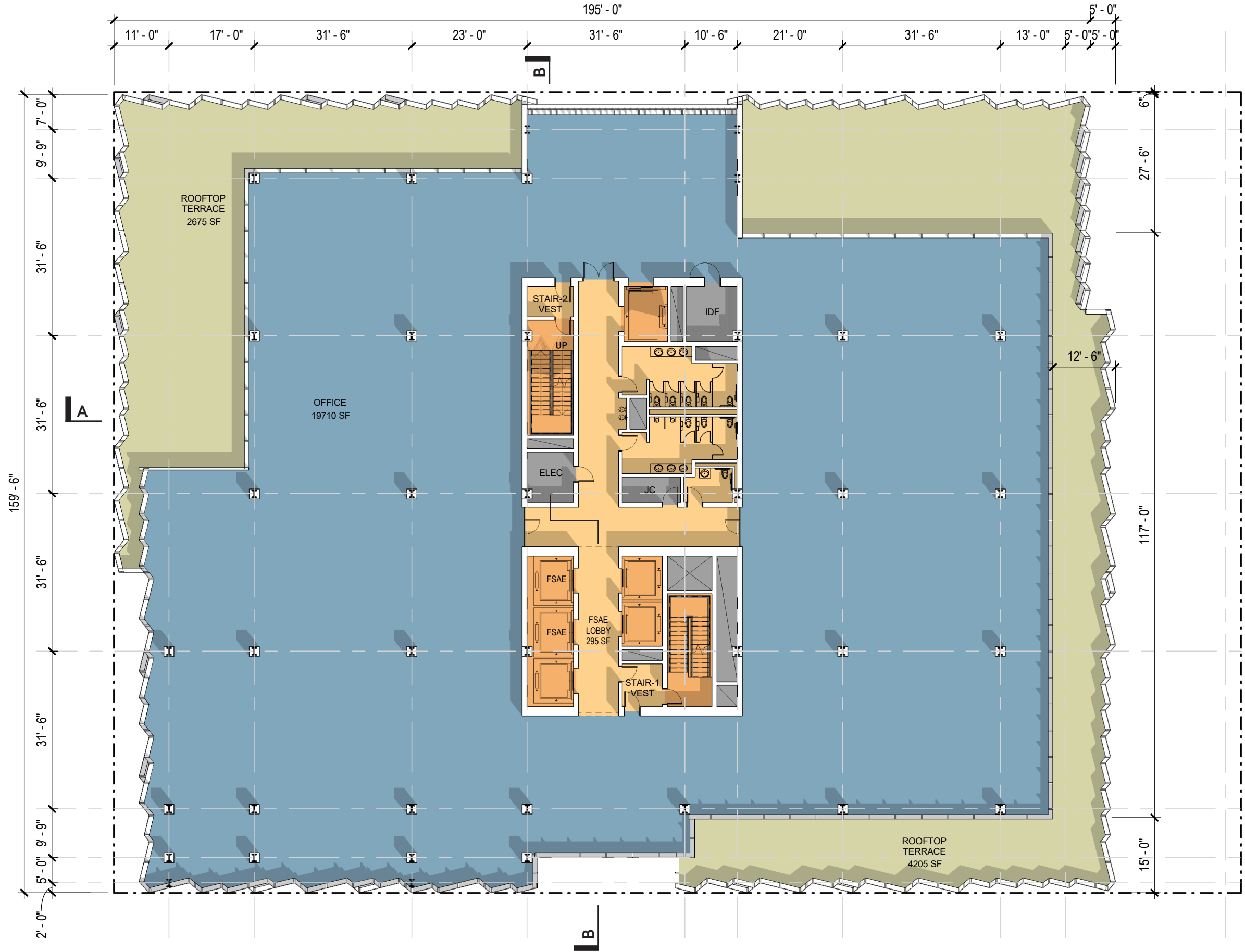
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- VERTICAL CIRCULATION
- Included in 'Project GFA'
- LOBBY
- PARKING
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- CHILDCARE OS
- OPEN-TO-SKY OS
- COVERED OS
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Scale: 1" = 20'



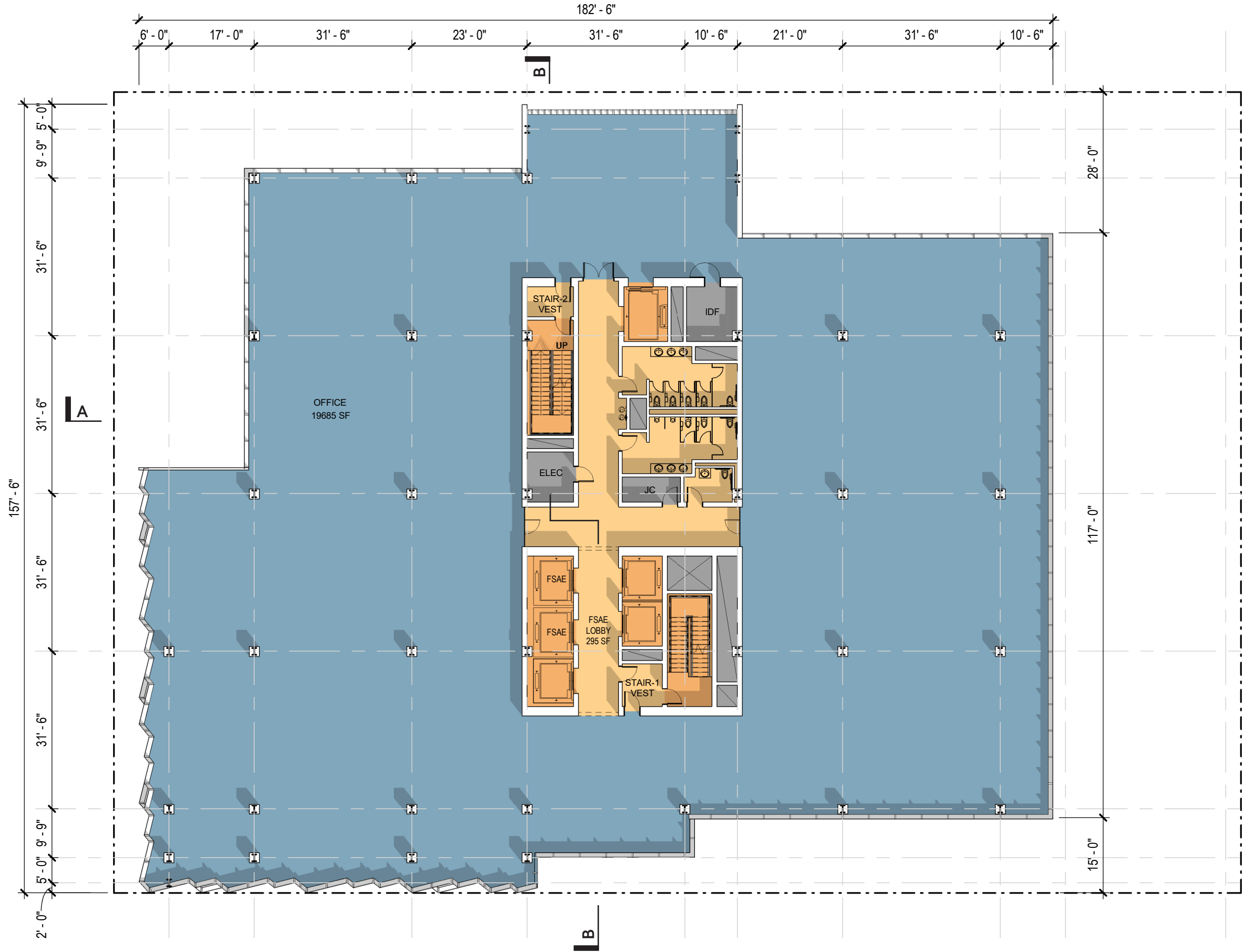
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- SHARED TENANT SPACE
- VERTICAL CIRCULATION
- Included in 'Project GFA'
- LOBBY
- PARKING
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- CHILDCARE
- CHILDCARE OS
- OPEN-TO-SKY OS
- COVERED OS
- ROOFTOP TERRACES (GREEN ROOF)

Scale: 1" = 20'



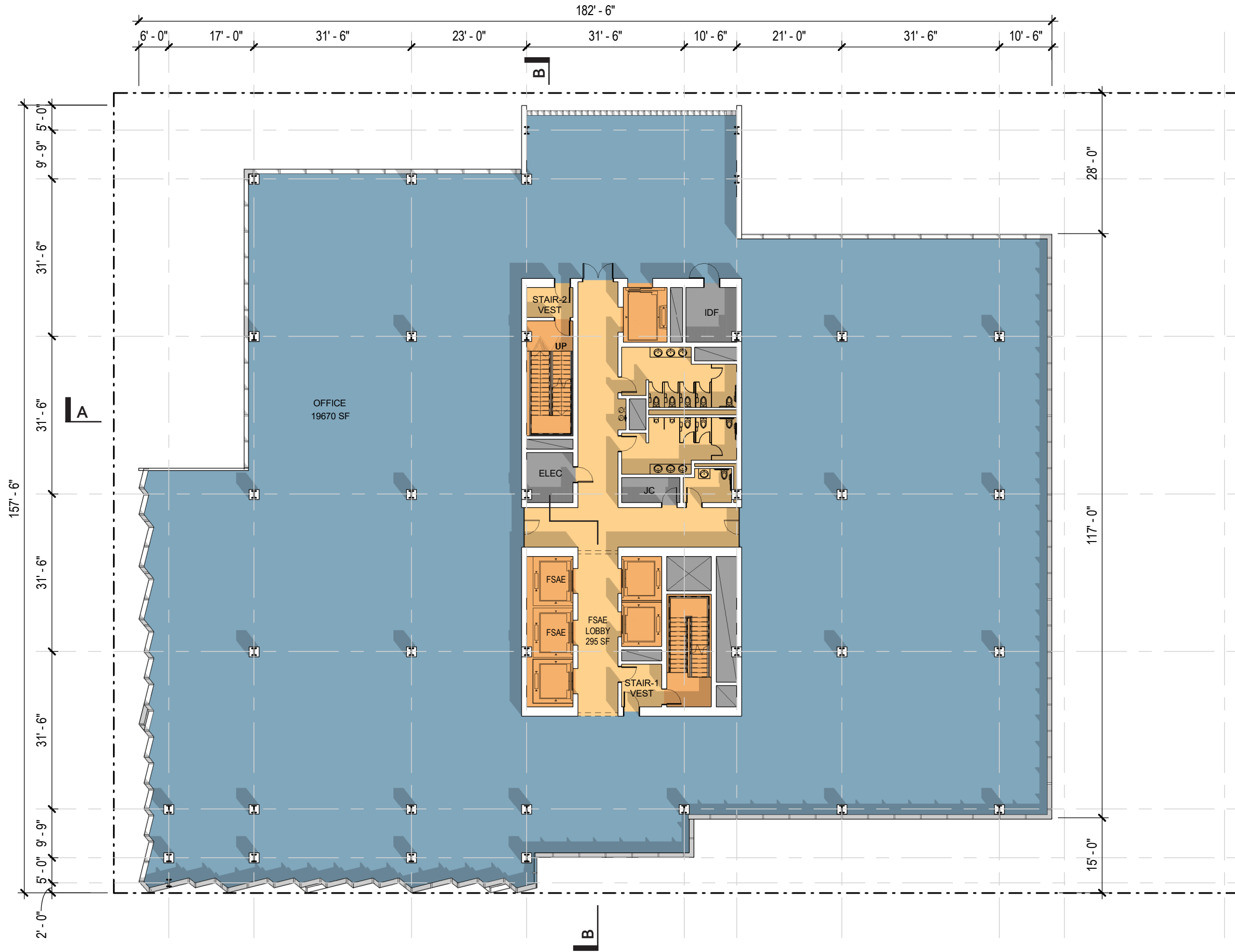
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- SHARED TENANT SPACE
- VERTICAL CIRCULATION
- Included in 'Project GFA'
- LOBBY
- PARKING
- LOADING
- BUILDING SERVICE SPACES
- MECH
- CHILDCARE
- CHILDCARE OS
- OPEN-TO-SKY OS
- COVERED OS
- ROOFTOP TERRACES (GREEN ROOF)

Scale: 1" = 20'



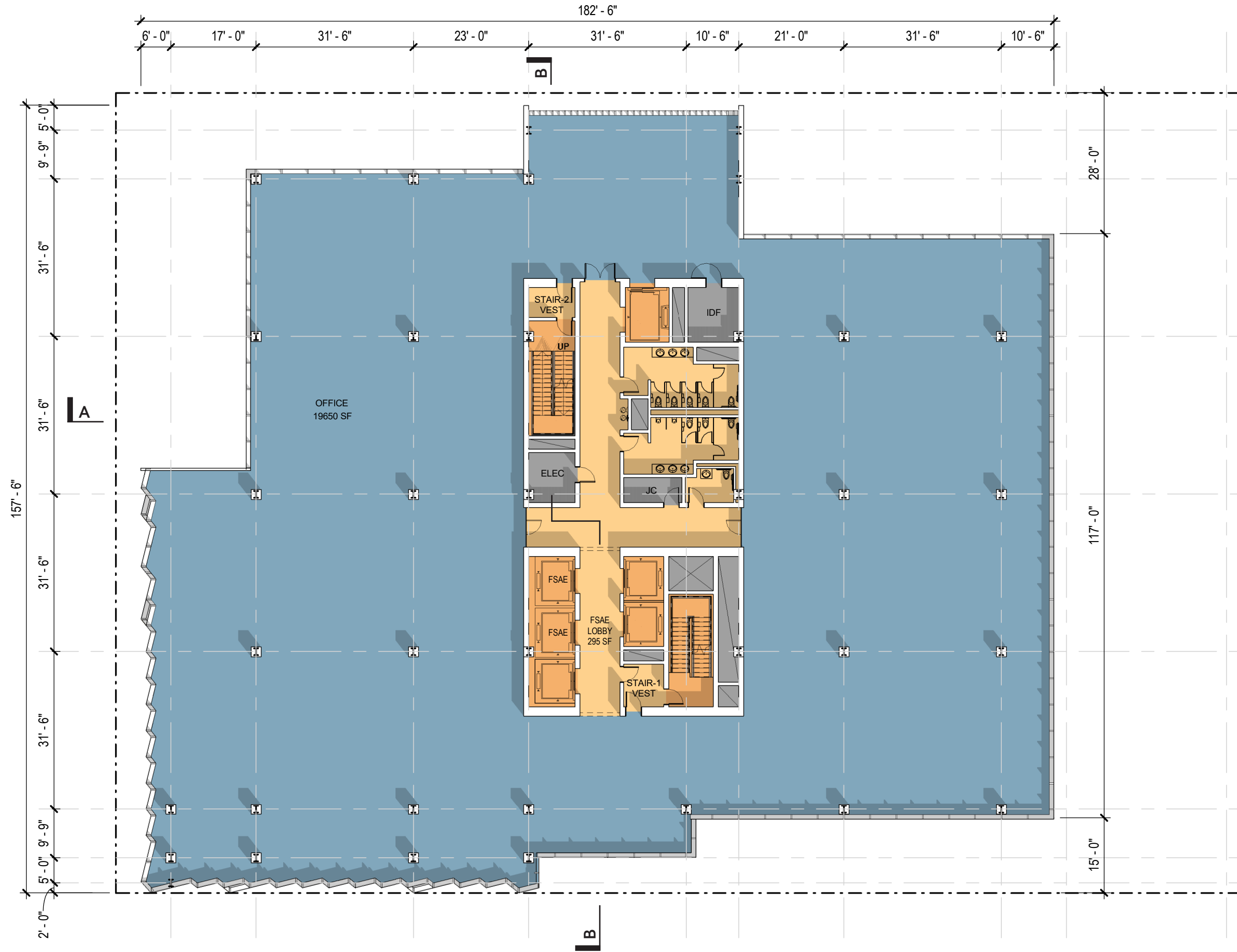
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- RETAIL
- COMMERCIAL (OFFICE)
- SHARED TENANT SPACE
- VERTICAL CIRCULATION
- Included in 'Project GFA'
- LOBBY
- PARKING
- LOADING
- BUILDING SERVICE SPACES
- MECH
- CHILD CARE
- CHILD CARE OS
- OPEN-TO-SKY OS
- COVERED OS
- ROOFTOP TERRACES (GREEN ROOF)

Scale: 1" = 20'



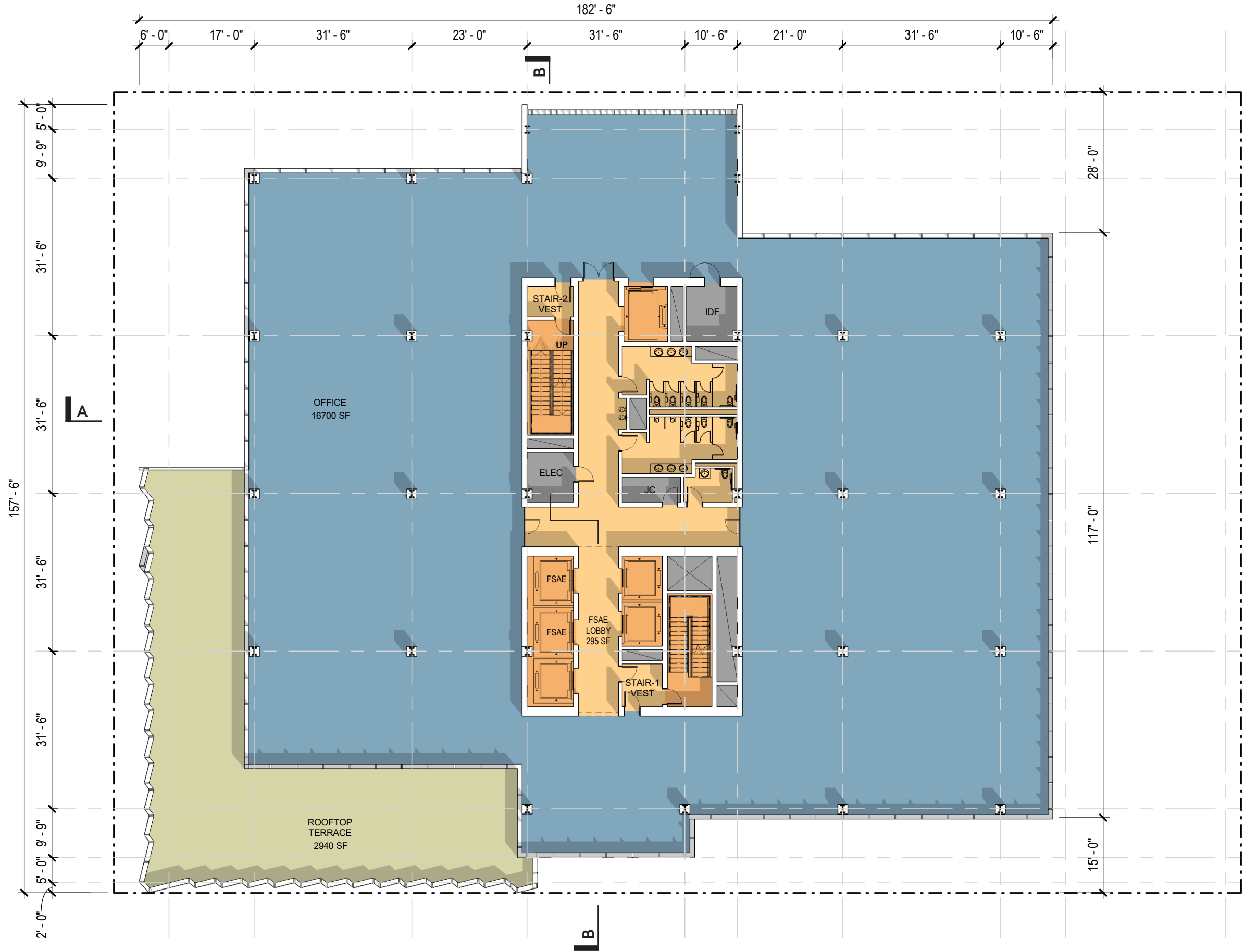
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- RETAIL
- COMMERCIAL (OFFICE)
- SHARED TENANT SPACE
- VERTICAL CIRCULATION
- Included in 'Project GFA'
- LOBBY
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- CHILDCARE OS
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- COVERED OS
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Scale: 1" = 20'



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- VERTICAL CIRCULATION
- Included in 'Project GFA'
- LOBBY
- PARKING
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- BUILDING SERVICE SPACES
- MECH
- CHILDCARE
- CHILDCARE OS
- OPEN-TO-SKY OS
- COVERED OS
- ROOFTOP TERRACES (GREEN ROOF)

Scale: 1" = 20'



Scale: 1" = 20'





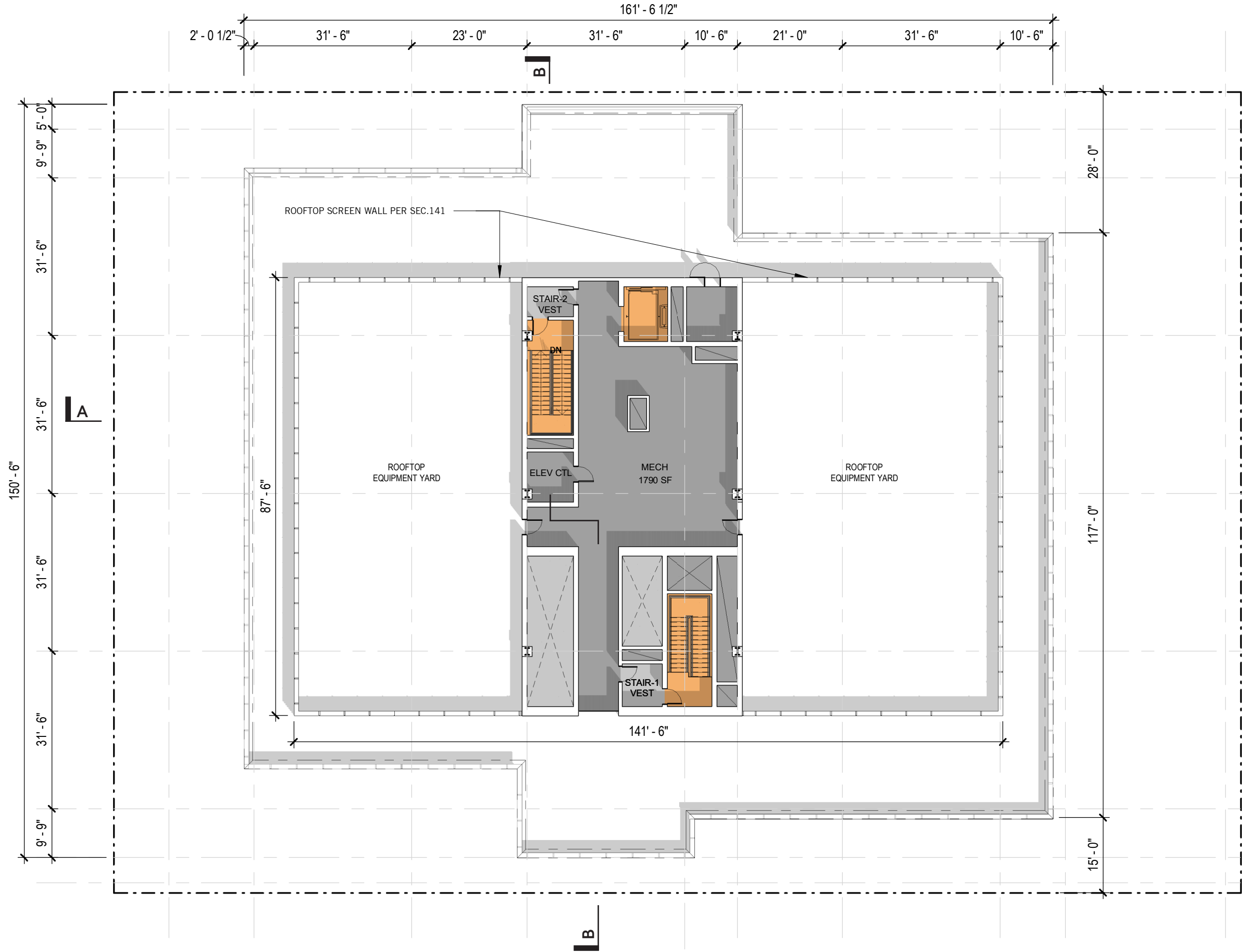
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- RETAIL
- COMMERCIAL (OFFICE)
- SHARED TENANT SPACE
- VERTICAL CIRCULATION
- Included in 'Project GFA'
- LOBBY
- PARKING
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- CHILDCARE
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Scale: 1" = 20'



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- COMMERCIAL (OFFICE)
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- VERTICAL CIRCULATION
- Included in 'Project GFA'
- LOBBY
- PARKING
- LOADING
- BUILDING SERVICE SPACES
- MECH
- CHILDCARE
- CHILDCARE OS
- OPEN-TO-SKY OS
- COVERED OS
- ROOFTOP TERRACES (GREEN ROOF)

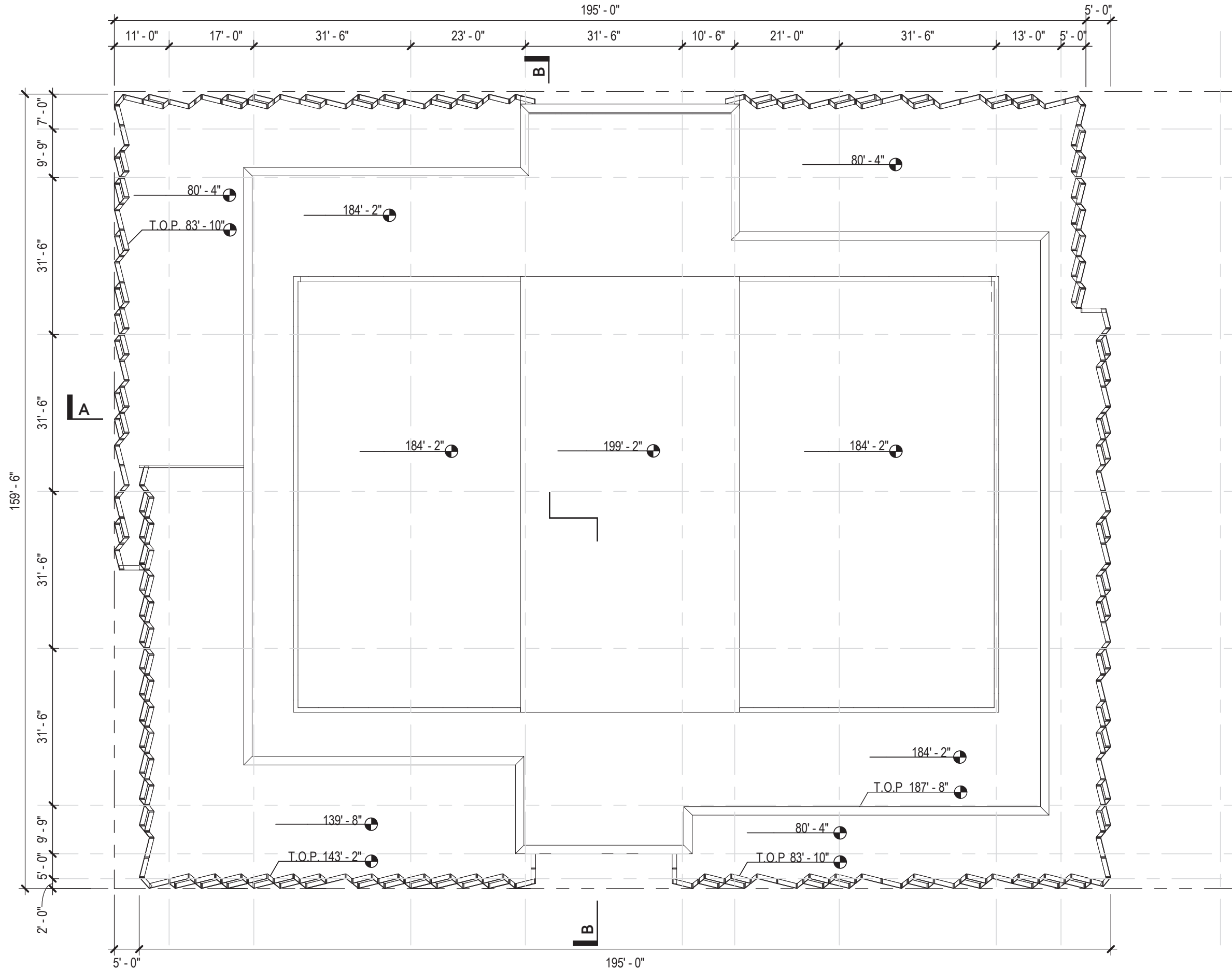
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- ART PDR
- RETAIL
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- SHARED TENANT SPACE
- VERTICAL CIRCULATION
- ↑ Included in 'Project GFA' ↑
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Scale: 1" = 20'





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- SHARED TENANT SPACE
- VERTICAL CIRCULATION
- ↑ Included in 'Project GFA' ↑
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- CHILDCARE
- CHILDCARE OS
- OPEN-TO-SKY OS
- COVERED OS
- ROOFTOP TERRACES (GREEN ROOF)

Scale: 1" = 20'



PENTHOUSE ROOF	199' - 2"	
ROOF	184' - 2"	15' - 0"
LEVEL 12	169' - 4"	14' - 10"
LEVEL 11	154' - 6"	14' - 10"
LEVEL 10	139' - 8"	14' - 10"
LEVEL 9	124' - 10"	14' - 10"
LEVEL 8	110' - 0"	14' - 10"
LEVEL 7	95' - 2"	14' - 10"
LEVEL 6	80' - 4"	14' - 10"
LEVEL 5	65' - 6"	14' - 10"
LEVEL 4	50' - 8"	14' - 10"
LEVEL 3	35' - 10"	14' - 10"
LEVEL 2	21' - 0"	14' - 10"
MEZZANINE	10' - 6"	6' - 10"
LEVEL 1	0"	10' - 6"
BASEMENT	-15' - 0"	15' - 0"

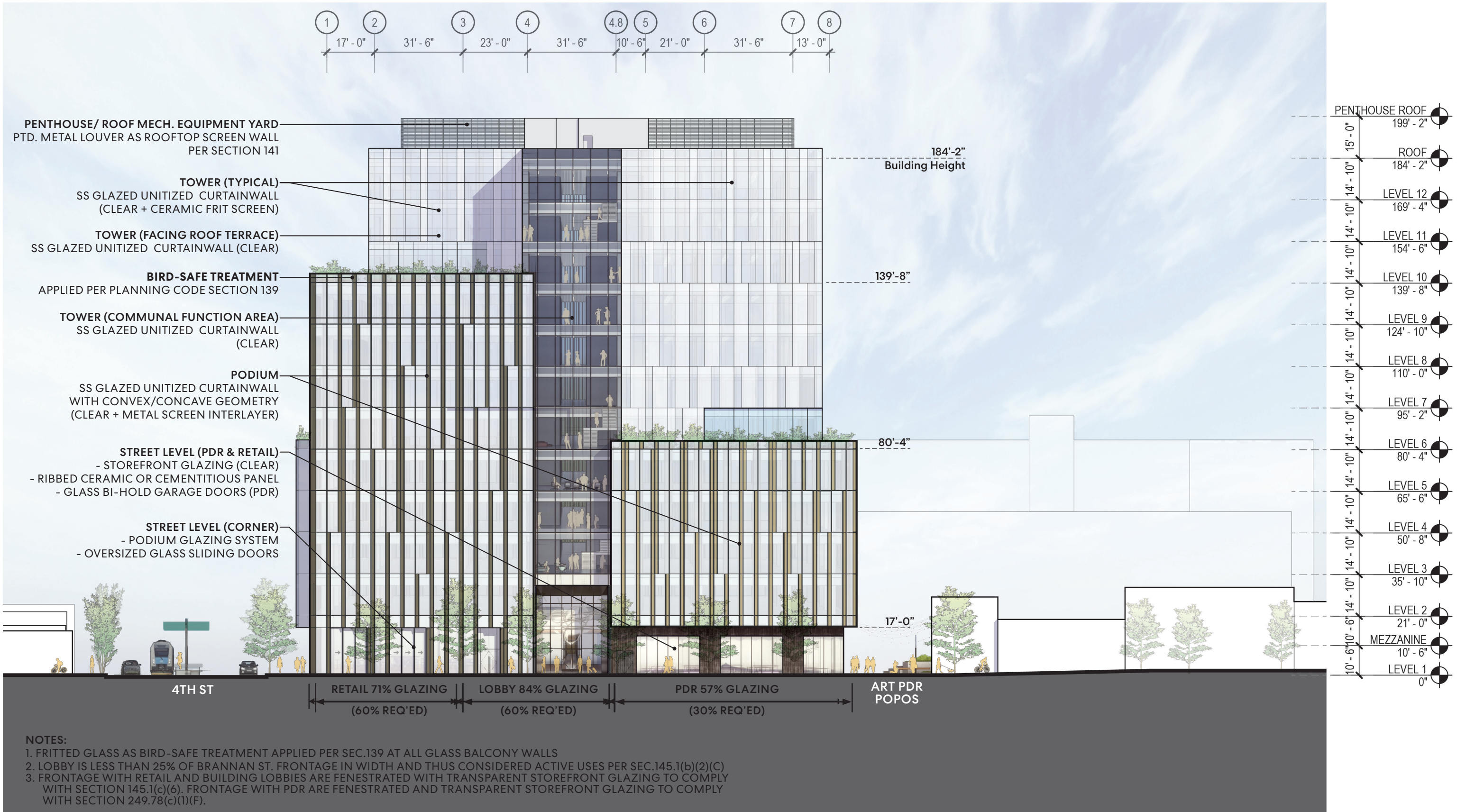
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Section - AA

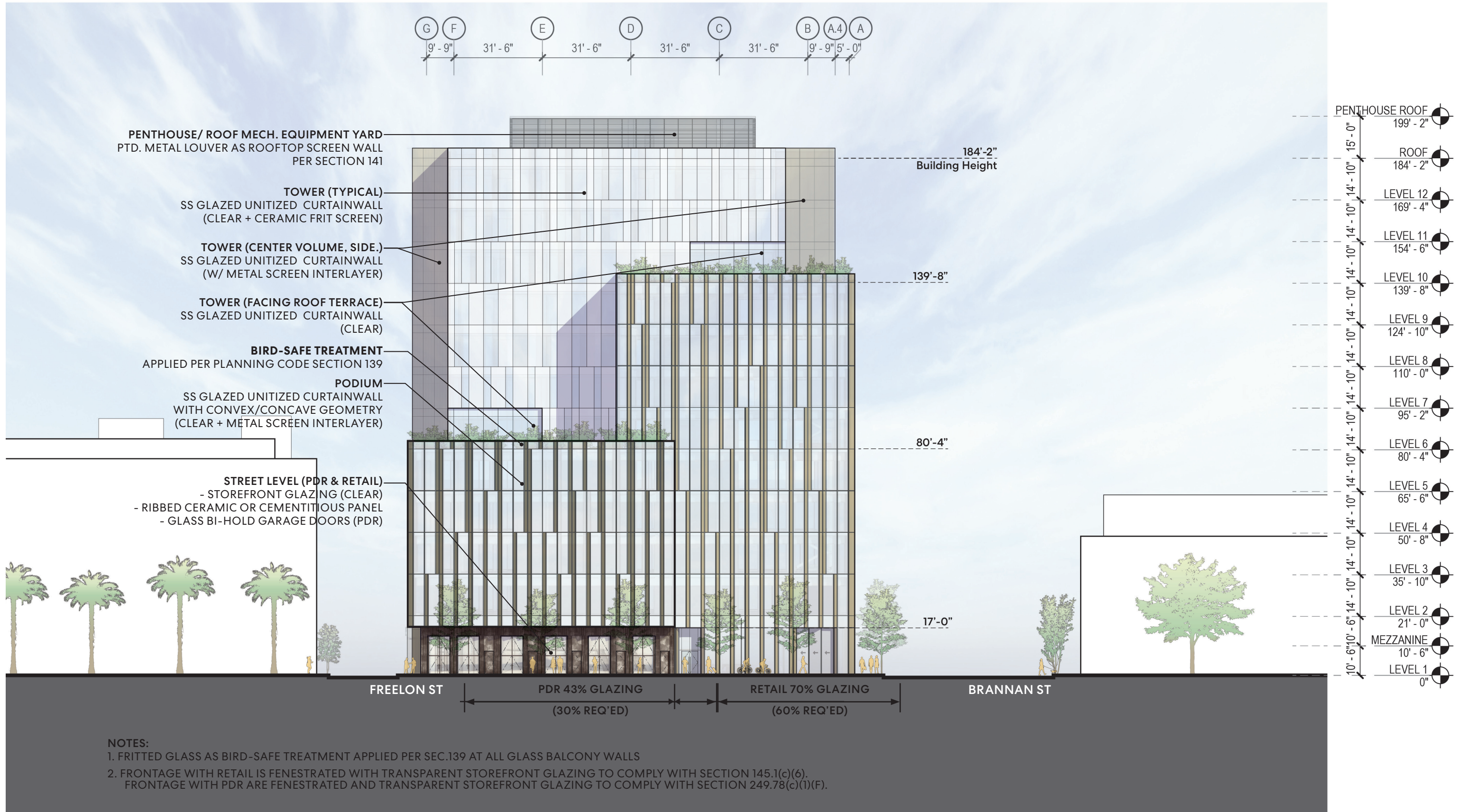


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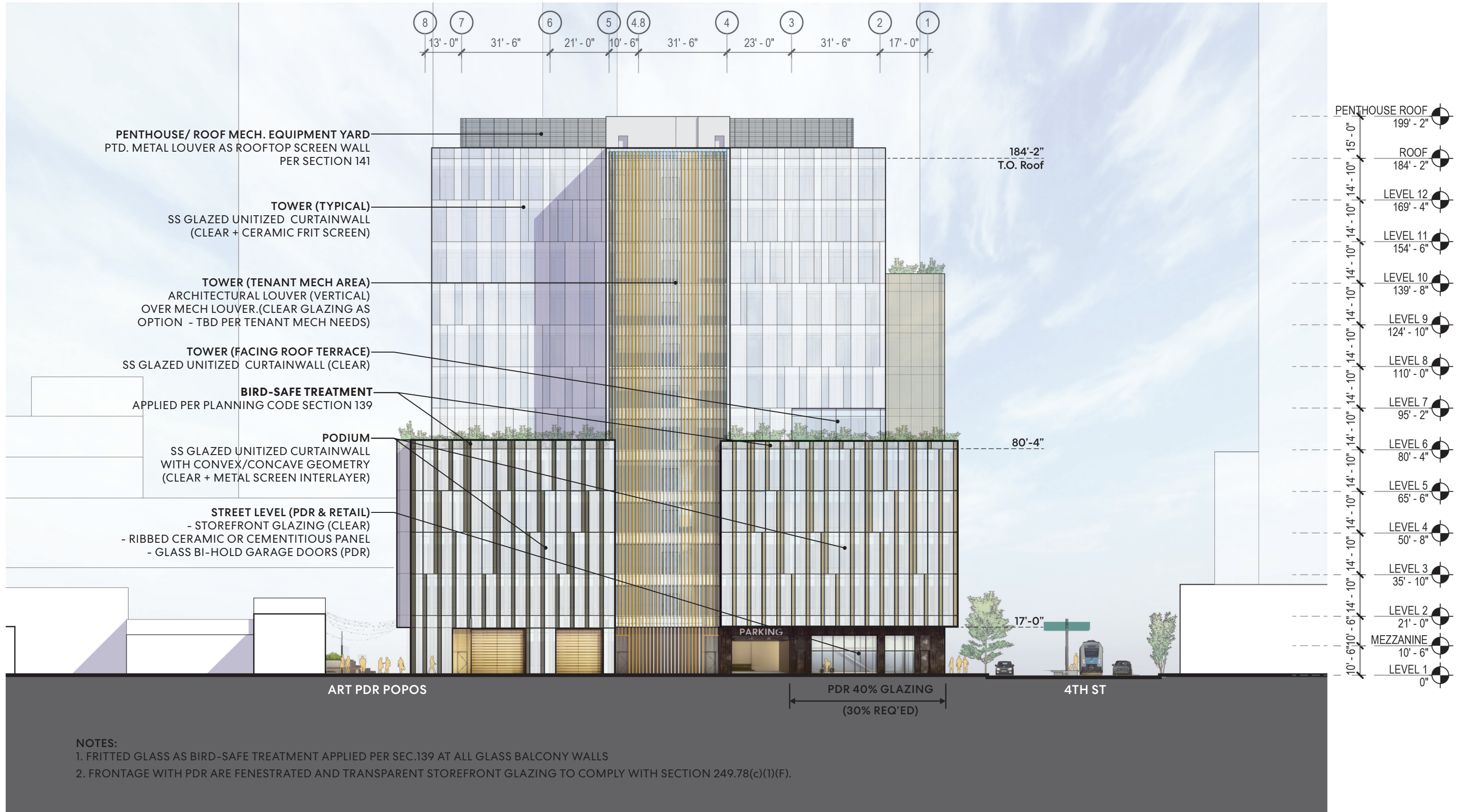
Section - BB



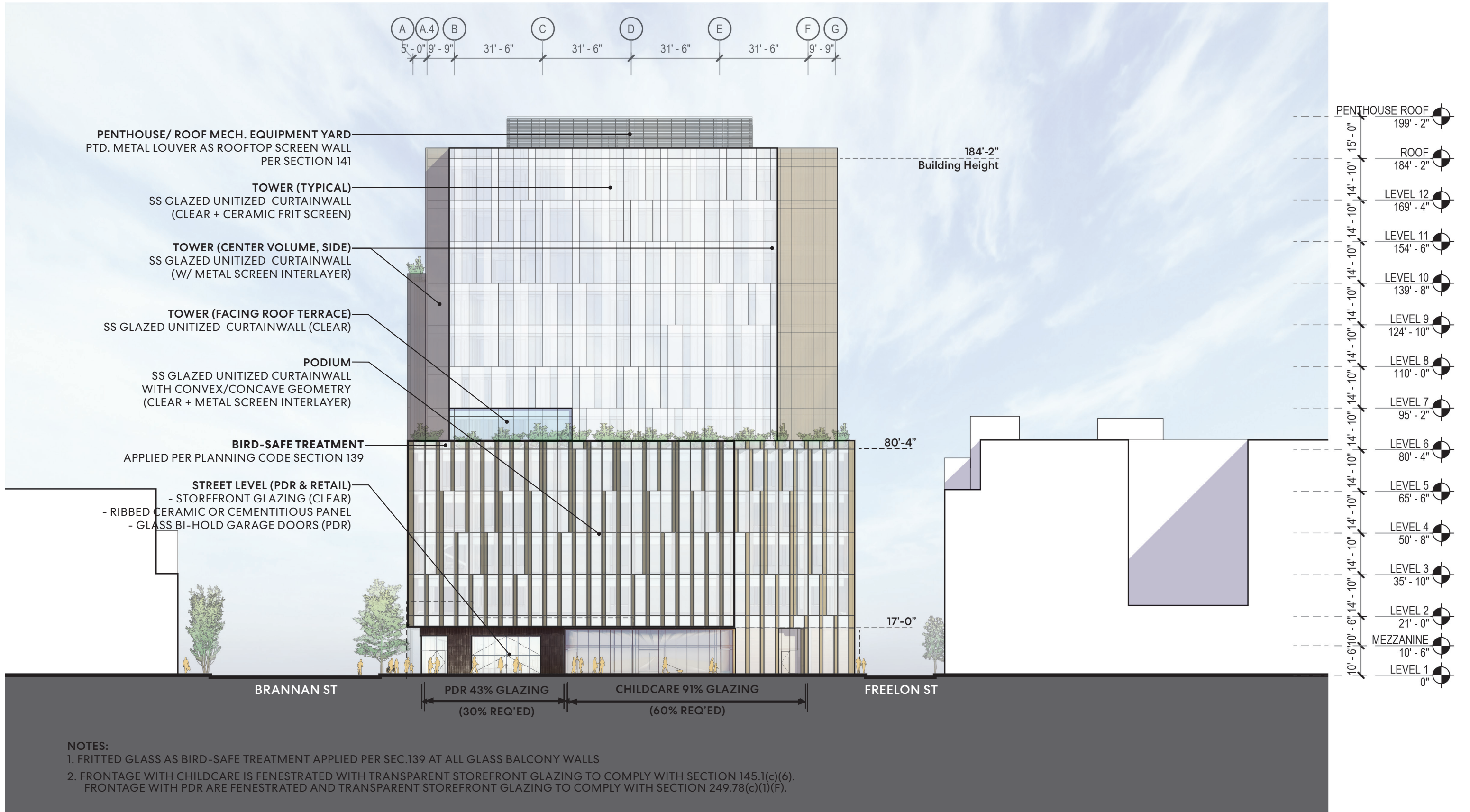
Scale: 1/32" = 1'-0"



Scale: 1/32" = 1'-0"

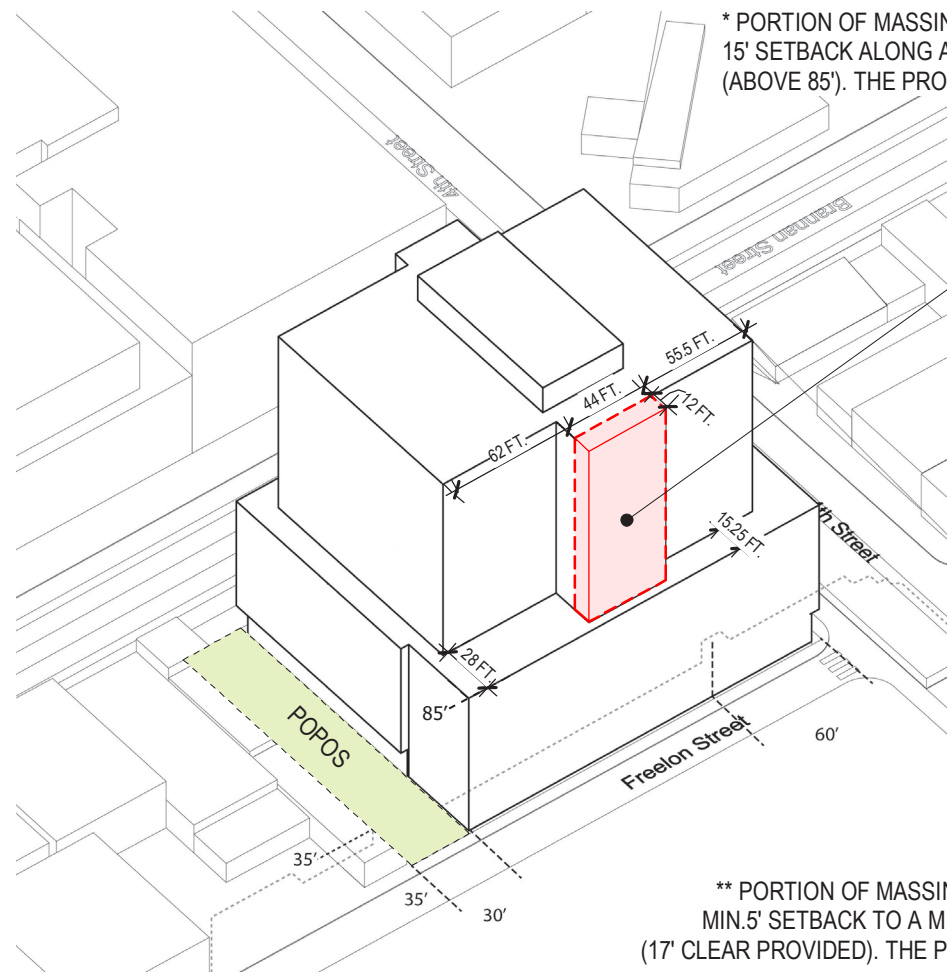


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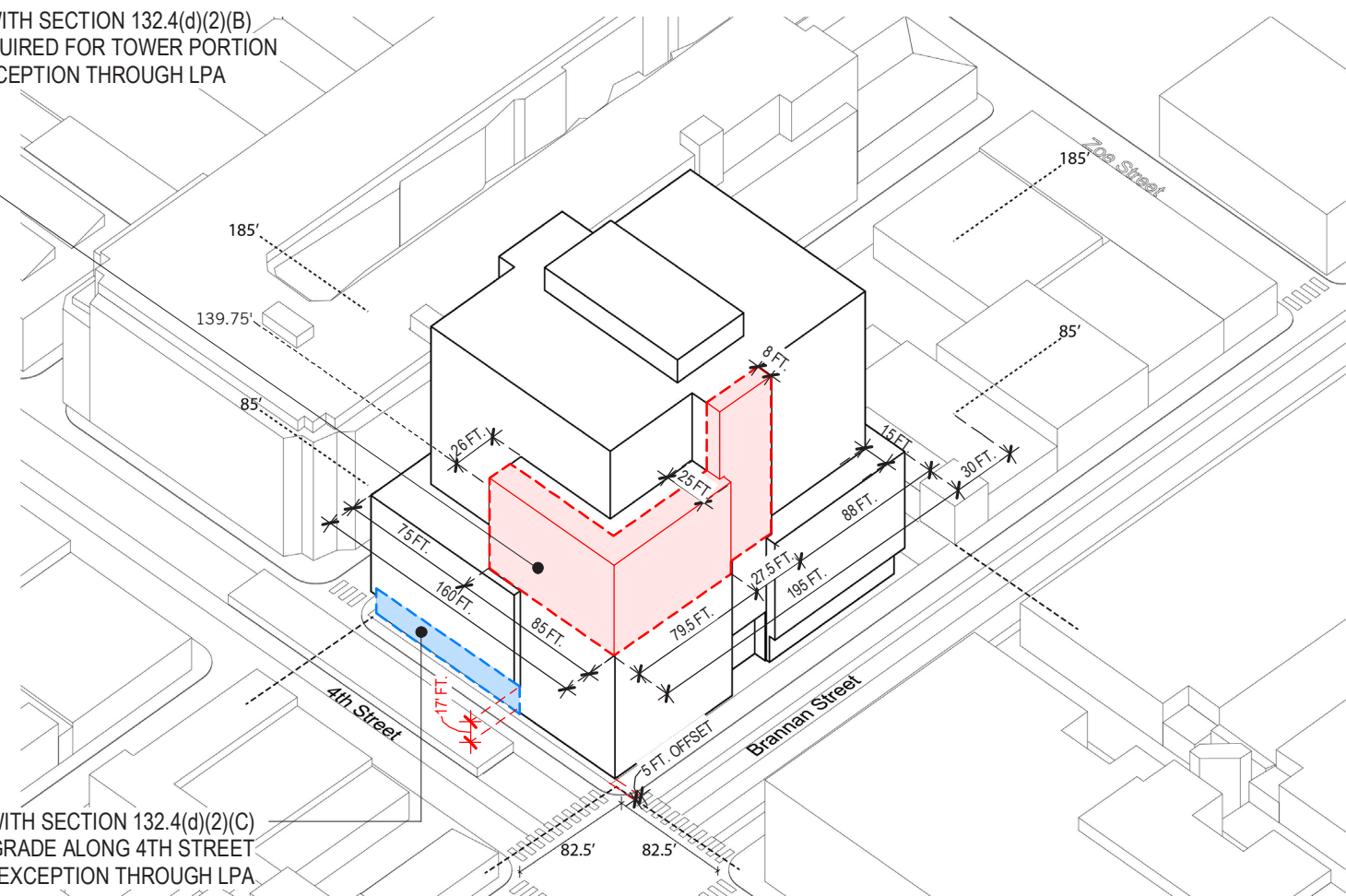


Scale: 1/32" = 1'-0"

05. APPENDIX - Planning Code Requirements & Exceptions



* PORTION OF MASSING NOT IN COMPLIANCE WITH SECTION 132.4(d)(2)(B) 15' SETBACK ALONG ALL PROPERTY LINES REQUIRED FOR TOWER PORTION (ABOVE 85'). THE PROJECT IS SEEKING FOR EXCEPTION THROUGH LPA



** PORTION OF MASSING NOT IN COMPLIANCE WITH SECTION 132.4(d)(2)(C) MIN. 5' SETBACK TO A MIN. 25' ABOVE SIDEWALK GRADE ALONG 4TH STREET (17' CLEAR PROVIDED). THE PROJECT IS SEEKING FOR EXCEPTION THROUGH LPA

FRELON STREET & MID-BLOCK ALLEY (POPOS)



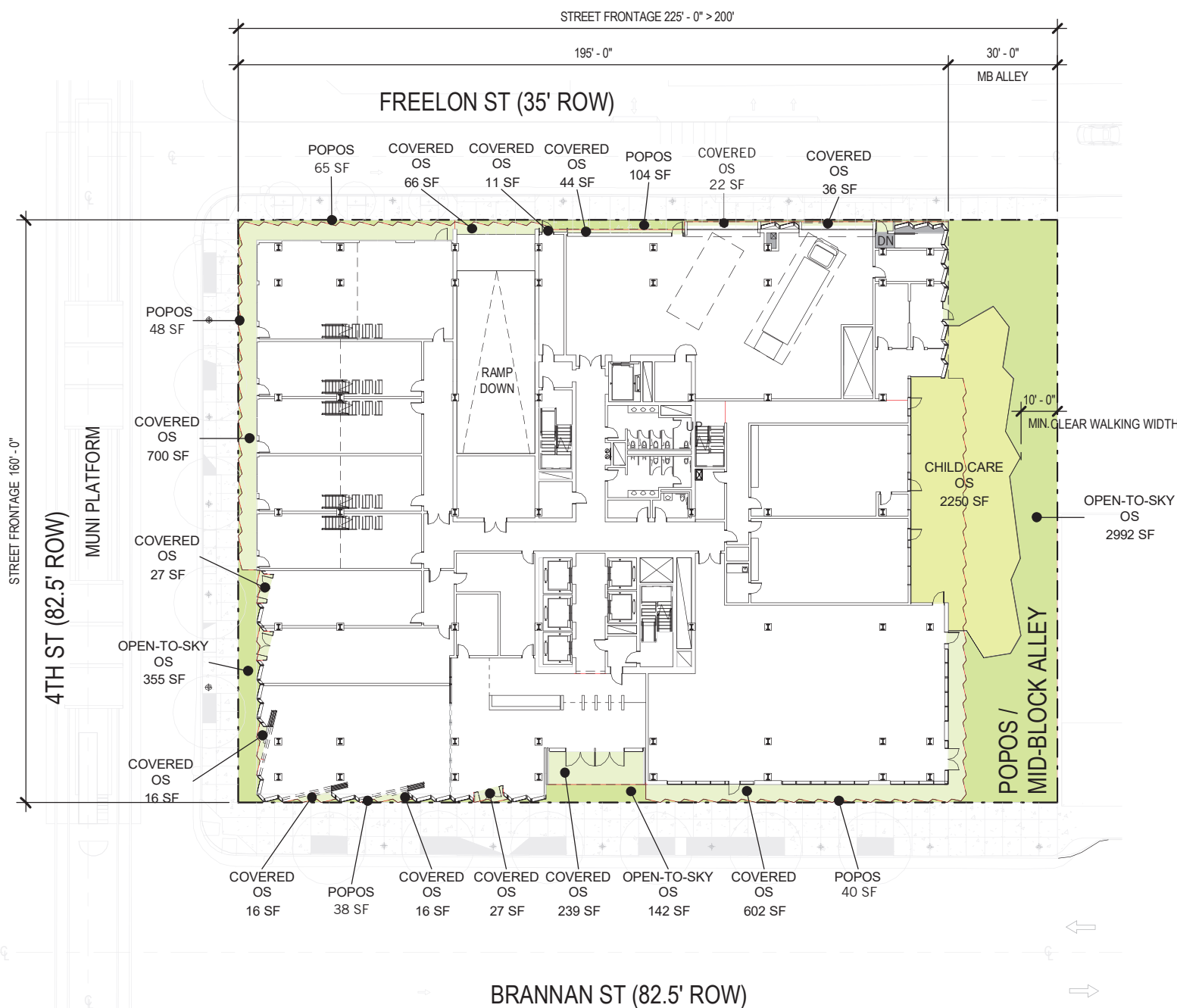
4TH STREET AND BRANNAN STREET



SECTION 132.4 - SETBACKS, STREETWALL ARTICULATION REQUIREMENT

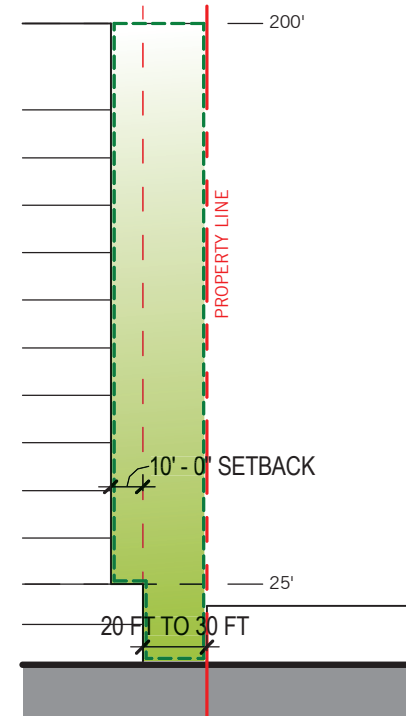
- i. STREET WALL UP TO 65' IN HEIGHT - SECTION 132.4(d)(1)
THE EAST PROPERTY LINE IS NOT SUBJECT TO THIS REQUIREMENT SINCE IT DOES NOT BORDER A STREET OR ALLEY - SECTION 132.4 (d)(1)(B)(iii)
- ii. SETBACKS FOR "TOWER" BUILDING: 15' OF ALL STREET FACING PROPERTY LINES - SECTION 132.4(d)(2)(A)(i)*
- iii. MIN. 5' SETBACK TO A MIN. 25' ABOVE SIDEWALK GRADE ALONG 4TH STREET - SECTION 132.4(d)(2)(C)**

* PROJECT SEEKS EXCEPTION TO THE MIN. SETBACK REQUIREMENT OF 15' OVER 85' ABOVE GRADE (HIGHLIGHTED IN RED) THROUGH LPA
** PROJECT SEEKS EXCEPTION TO THE MIN. HEIGHT CLEARANCE OF SETBACK ALONG 4TH STREET TO 17' (HIGHLIGHTED IN BLUE) THROUGH LPA

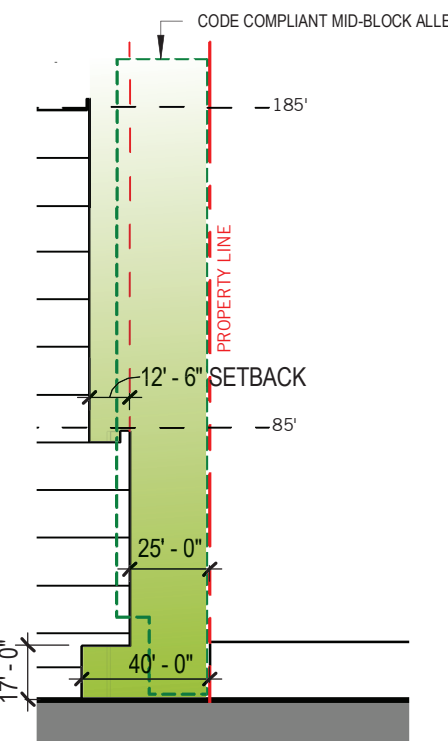


LEVEL 01 PLAN

PARKING



REQUIRED ALLEY SECTION:
SECTION 261.1(d)(4)(A) - 10' SETBACK ABOVE 25'



PROPOSED ALLEY SECTION:

PROJECT IS SEEKING EXCEPTIONS TO SECTION 261.1(d)(4)(A): 10' SETBACK ABOVE A HEIGHT OF 25' (FOR MB ALLEY BETWEEN 20'-30' IN WIDTH) AS THE SETBACK HAPPENS AT LOWER HEIGHT MAKES IT HARD FOR THE PODIUM MASSING TO WORK WITH OTHER REQUIREMENT SUCH AS STREETWALL TO BE UP TO 65' IN HEIGHT.

40' WIDE SPACE AT GROUND (SHARED WITH CHILDCARE OUTDOOR SPACE WITH LOW FENCE), 12'-6" SETBACK ABOVE 85' WILL CREATE BETTER ACCESS TO THE SKY AS SHOWN IN SECTION ABOVE. THE PROJECT IS ALSO SEEKING EXCEPTIONS TO SECTION 138(d)(2)(E)(i) ON COVERED OPEN SPACE MINIMUM 20' HEIGHT REQUIREMENT THROUGH LPA.

GROSS AREA - CHILD CARE OS	
PROGRAM	FLOOR AREA
CHILDCARE OS	2,250 SF

PROPOSED CHILDCARE OUTDOOR SPACE:
40 CHILDREN x 75SF x 75% = 2,250 SF

SECTION 270.2 - MID-BLOCK ALLEY
(c) APPLICABILITY: STREET OR ALLEY FRONTAGE OF OVER 200 LINEAR FEET ON A BLOCK FACE LONGER THAN 400'
(d)(2)(A) OPPORTUNITY TO ESTABLISH A THROUGH BLOCK CONNECTION BETWEEN FREELON AND BRANNAN

GROSS AREA - OPEN AREA POPOS	
PROGRAM	FLOOR AREA
EXTERIOR POPOS	
OPEN-TO-SKY OS	3,779 SF
COVERED OS	1,850 SF
Grand total	5,629 SF

EXTERIOR POPOS

OPEN-TO-SKY OS 3,779 SF

COVERED OS 1,850 SF

Grand total 5,629 SF

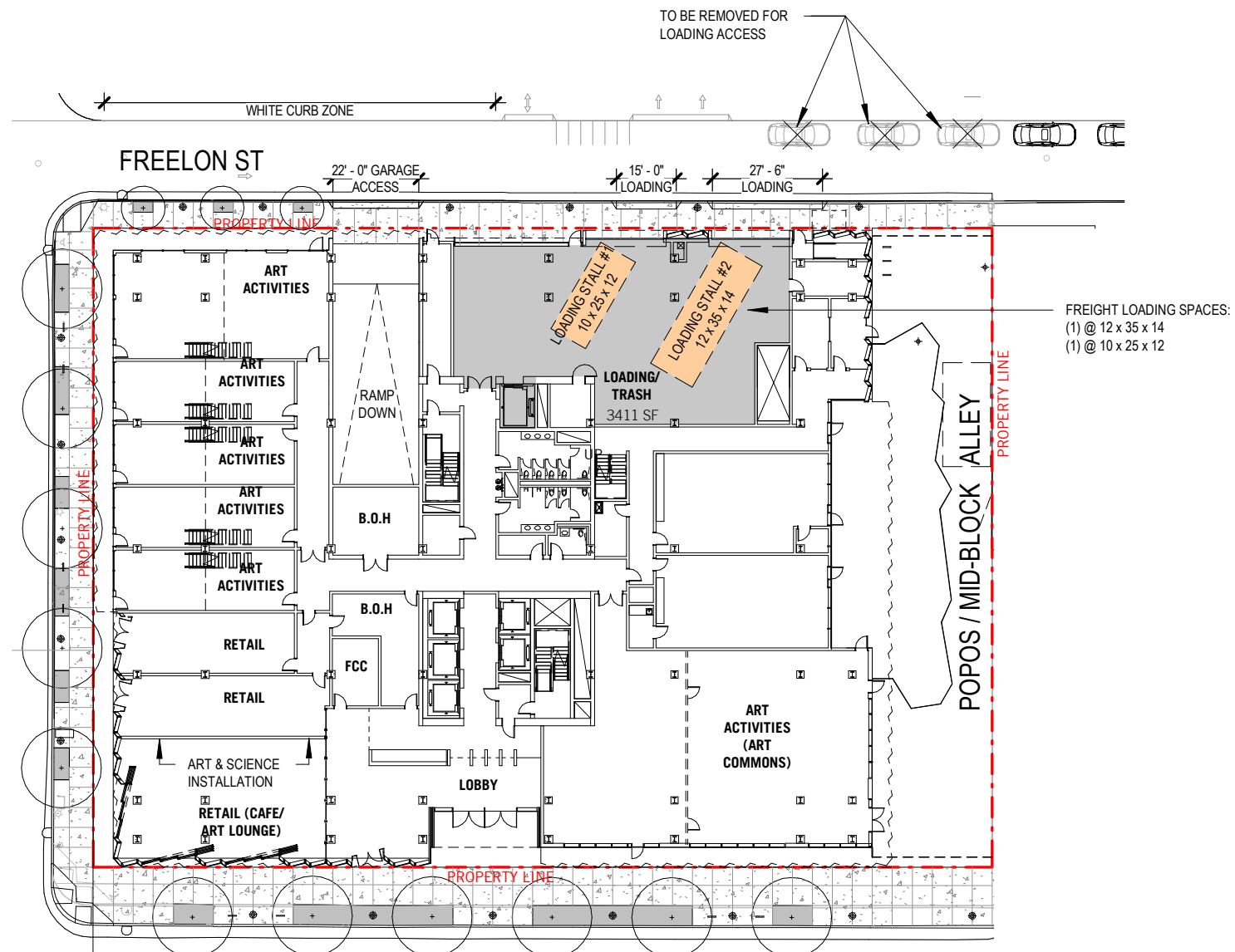
SECTION 138 - PRIVATELY OWNED PUBLIC OPEN SPACE (POPOS)
PER TABLE 138, MINIMUM AMOUNT OF OPEN SPACE AT CENTRAL SOMA SUD = **1:50 OF OFFICE GFA**

REQUIRED: $269,296 / 50 = 5,386$ SF (SEE PAGE 6 FOR DETAIL)
PROVIDED: 5,602 SF - COMPLIES*

*PROJECT IS SEEKING EXCEPTIONS TO ALLOW COVERED OPEN SPACE TO BE COUNTED TOWARDS REQUIRED POPOS.

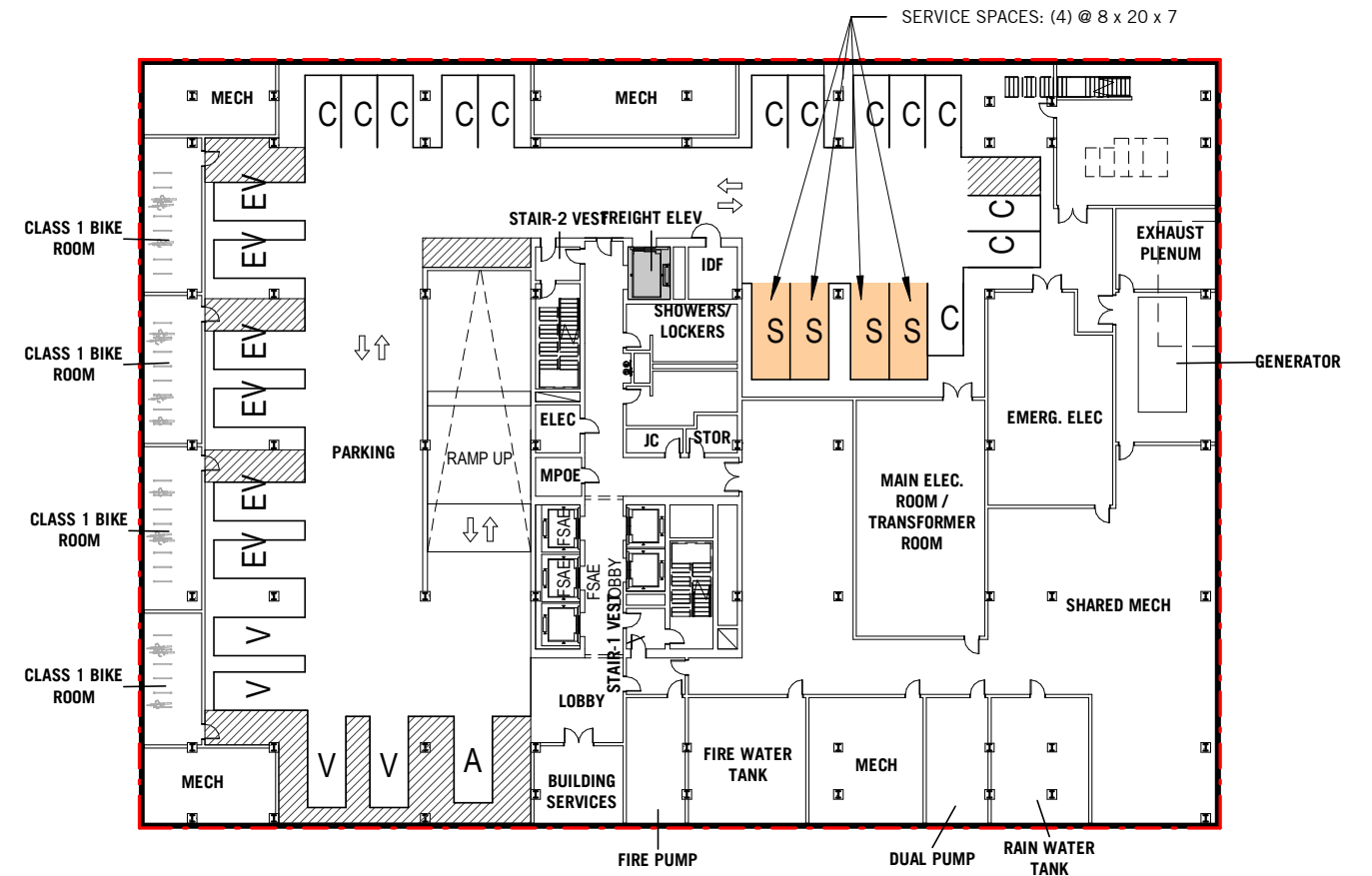
SECTION 329(e)(3)(iii) AND SECTION 329(e)(2)(D), EXCEPTION TO THE REQUIREMENT IN SECTION 138(d)(2)(E)(i) THAT GROUND FLOOR POPOS BE OPEN TO THE SKY.

Scale: 1" = 40'



LEVEL 01 PLAN

FREIGHT LOADING SPACES:
 (1) @ 12 x 35 x 14
 (1) @ 10 x 25 x 12



BASEMENT PLAN

SECTION 152.1/ 154 - REQUIRED OFF-STREET LOADING & PARKING DIMENSIONS

RETAIL:	3,272 SF = (0) LOADING SPACE
OFFICE:	269,296 SF = (3) LOADING SPACE
PDR:	12,506 SF = (1) LOADING SPACE

LOADING SPACES REQUIRED = 4

SIZE OF FIRST LOADING SPACE: 12'W x 35'L x 14'H
 SIZE OF SUBSEQUENT LOADING SPACE: 10'W x 25'L x 12'H

LOADING SPACE PROVIDED = 6

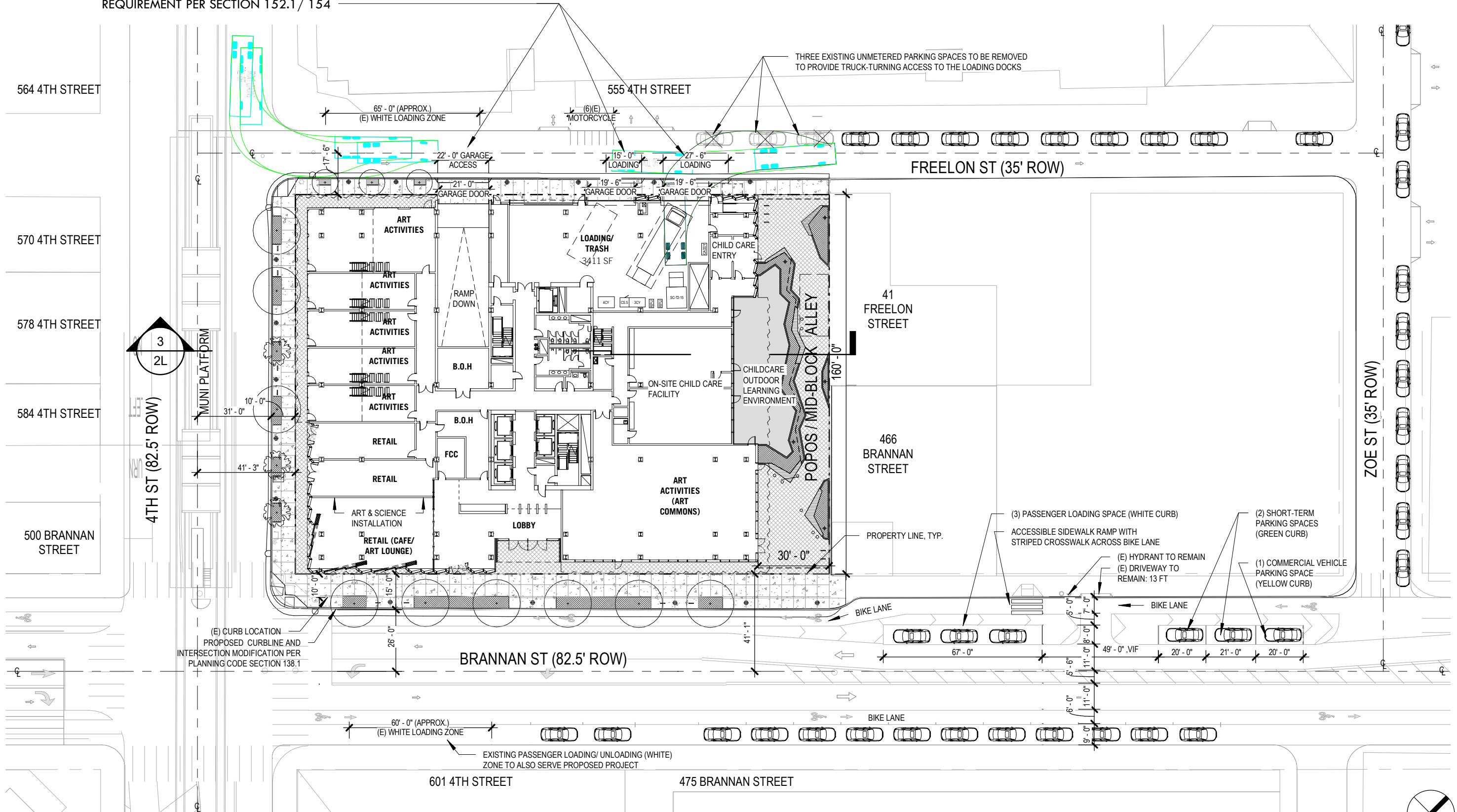
FULL-SIZE FREIGHT @ 12'W x 35'L x 14'H : (1) @ LEVEL 1 LOADING DOCK
 FREIGHT @ 10'W x 25'L x 12'H : (1) @ LEVEL 1 LOADING DOCK
 SERVICE @ 8'W x 20'L x 7'H: (4) @ BASEMENT PARKING
 TOTAL LOADING SPACES PROVIDED = 2 FREIGHT + 4 SERVICE (UP TO 50% SUBSTITUTION ALLOWED PER SECTION 153(a)(6))

CHILD CARE SPACE PROVIDED:
 SHORT-TERM: (3) @ BRANNAN ST

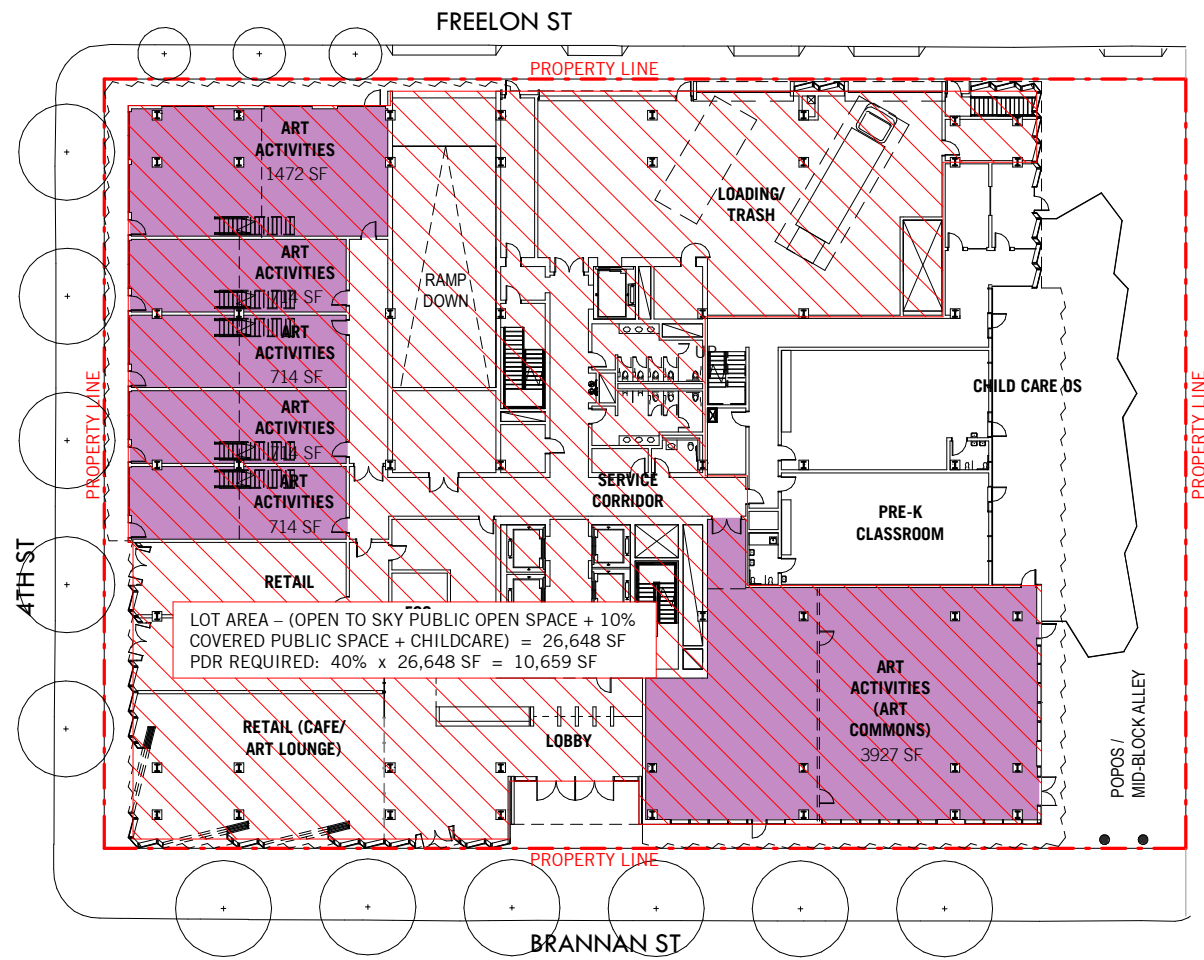
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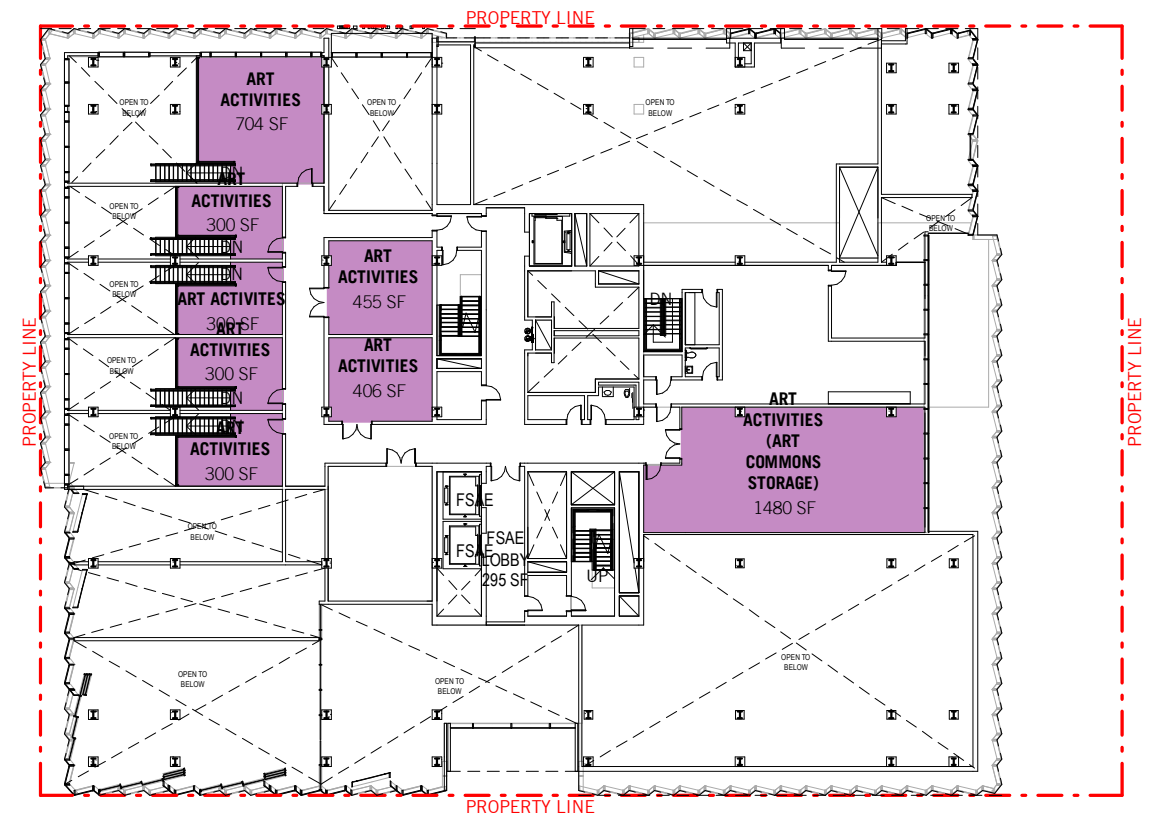
SECTION 145.1(c)(2): PARKING AND LOADING ENTRANCE:
 MAX. ALLOWABLE CURB LENGTH = 20'-0"
 PROPOSED PARKING AND LOADING ACCESS WIDTH = 64'-6"
 THE PROJECT IS SEEKING VARIANCE TO MEET OFF STREET LOADING
 REQUIREMENT PER SECTION 152.1/ 154



Scale: 1" = 40'



LEVEL 01 PLAN



MEZZANINE PLAN

GROSS AREA - BUILDING PDR AREA		
Level	PROGRAM	FLOOR AREA
LEVEL 1	ART PDR	8,260 SF
MEZZANINE	ART PDR	4,246 SF
Grand total		12,506 SF

SECTION 202.8/ 249.78(c)(5)(D) - PDR/INSTITUTIONAL REPLACEMENT
 PDR Required: 10,659 SF = (LOT AREA - [OPEN TO SKY PUBLIC OPEN SPACE + 10% COVERED PUBLIC SPACE + CHILDCARE])x0.4
 = (36,000 - [3,779 + 182 + 5,391])x0.4
 PDR Provided: 12,506 SF (COMPLIANT)

Scale: 1" = 40'



SKYPLANE - REFERENCE TABLE 270(h); KEY SITE EXCEPTION PER SEC. 329(c)(8) & 329(e)(3)(B)

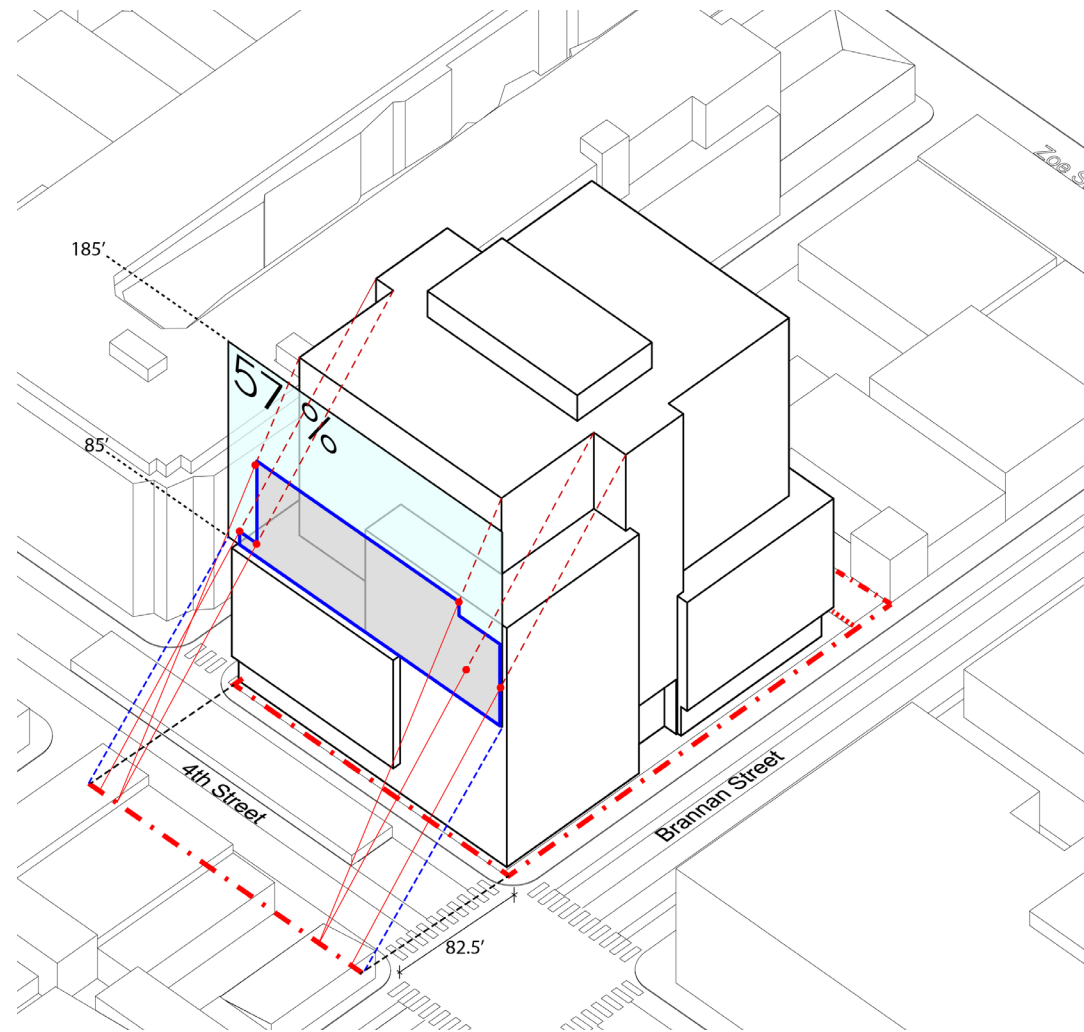
Skyplane is measured from top of podium roof to 185'-0" and measured to outside face of glass

REQUIRED:

4th Street. Per Section 270(h), a Mid-Rise Building must provide a 80% mass reduction on the north side of a Major Street.

PROPOSED:

4th Street is a Major Street and the project's frontage is on its north side. The project provides a 57% mass reduction along 4th Street. The significantly greater light and air provided by the project along Freelon Street (3x more than a 200 foot tower) justifies the exception to skyplane along 4th Street as well. The project fully achieves the Key Sites Guidelines goals of emphasizing the importance of the corner at 4th and Brannan Streets, by creating a vertical massing expression that acts as a urban beacon and "holds" the urban corner.



APPARENT MASS REDUCTION: 4TH ST

- 57% 4TH ST
- 53% BRANNAN ST
- 59% FREELON ST

SEC. 270(h) BULK Req.

- 80% 4TH ST
- 80% BRANNAN ST
- 85% FREELON ST

*the bulk controls are based on a 160 ft height district

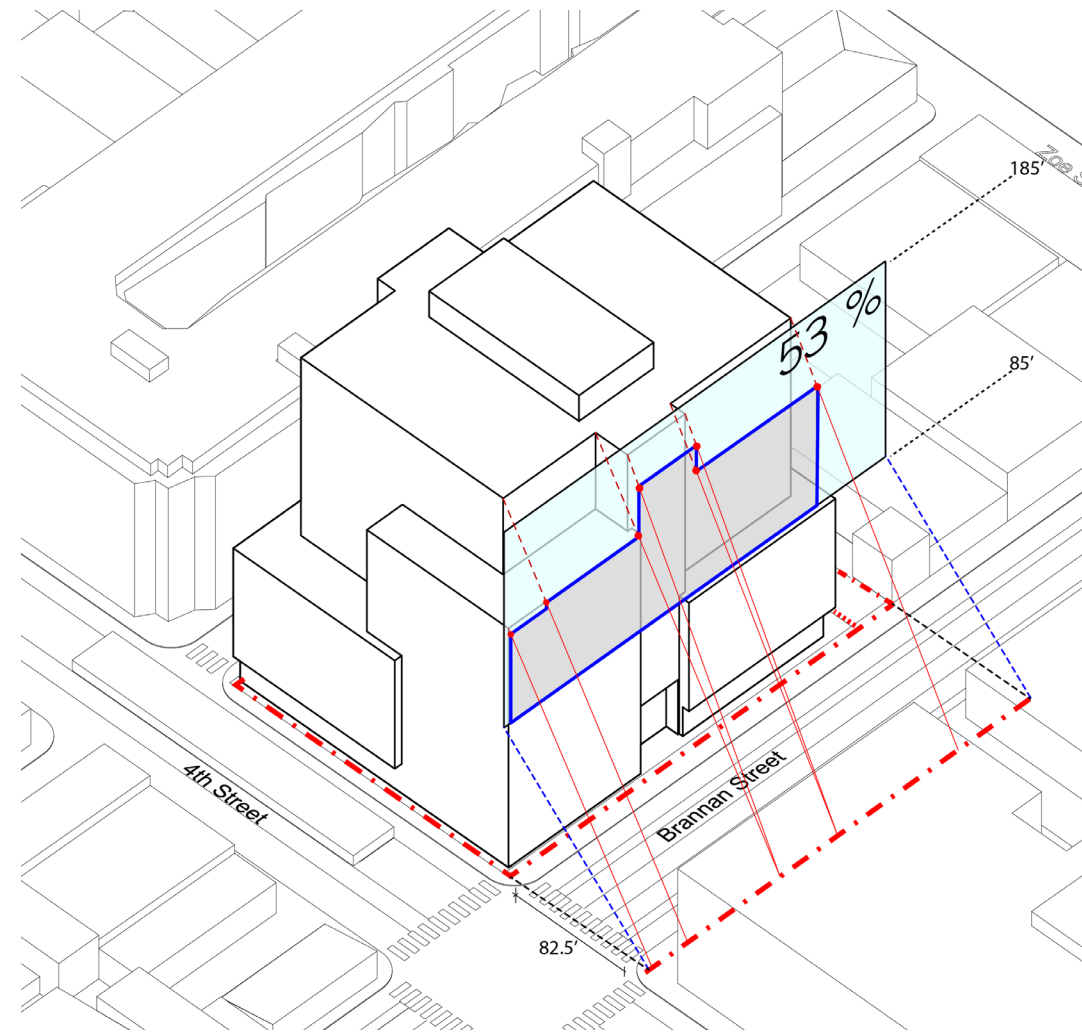
SKYPLANE - REFERENCE TABLE 270(h); KEY SITE EXCEPTION PER SEC. 329(c)(8) & 329(e)(3)(B)

REQUIRED:

Brannan Street. Per Section 270(h), a Mid-Rise Building must provide a 80% mass reduction on the north side of a Major Street.

PROPOSED:

Brannan Street is a Major Street and the project's frontage is on its north side. The project provides a 53% mass reduction along Brannan Street. The deviation from the strict skyplane controls along Brannan Street is acknowledged in the Key Site Guidelines for this site in exchange for providing more light and air on Freelon Street than would otherwise be provided by a tower project. The proposed project provides triple the amount of light and air along Freelon Street than a 200 foot tower.



APPARENT MASS REDUCTION: BRANNAN ST

- 57% 4TH ST
- 53% BRANNAN ST
- 59% FREELON ST

SEC. 270(h) BULK Req.

- 80% 4TH ST
- 80% BRANNAN ST
- 85% FREELON ST

*the bulk controls are based on a 160 ft height district

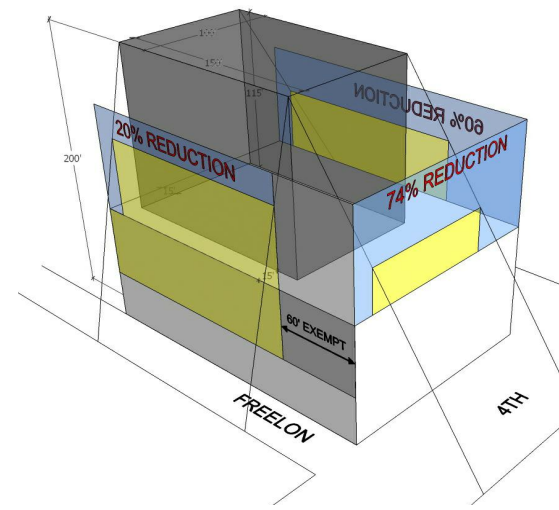
SKYPLANE - REFERENCE TABLE 270(h); KEY SITE EXCEPTION PER SEC. 329(c)(8) & 329(e)(3)(B)

REQUIRED:

Freelon St. Section 270(h) requires 85% mass reduction..

PROPOSED:

The Key Site Guidelines also expressly acknowledge a Mid-Rise Building at this site, which provides triple the amount of light and air along Freelon Street than 200 foot Tower, as such an exception to the massing controls along Freelon Street is appropriate. By using skyplane to measure and compare the performance, the proposed design performs far better than what would have been only 20% reduction with code compliant 200 foot Tower massing.



“TOWER” REFERENCE

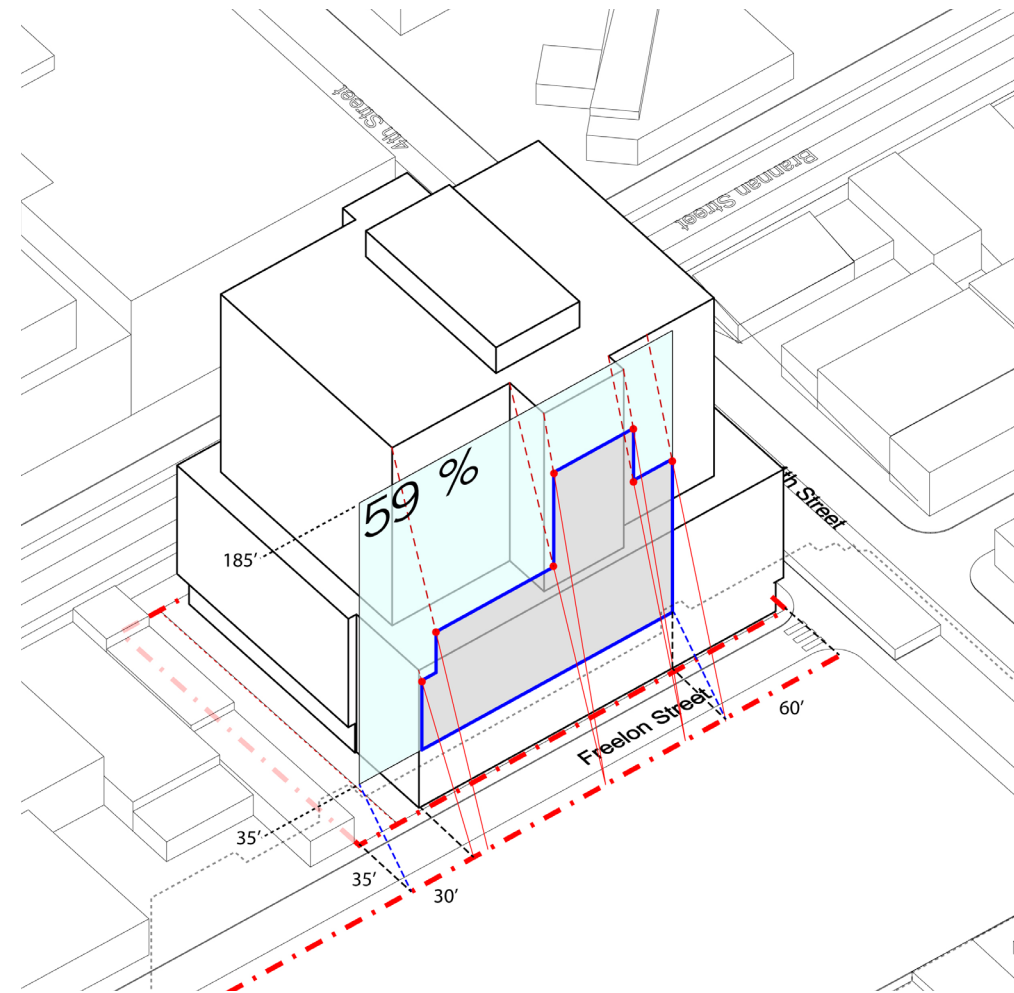
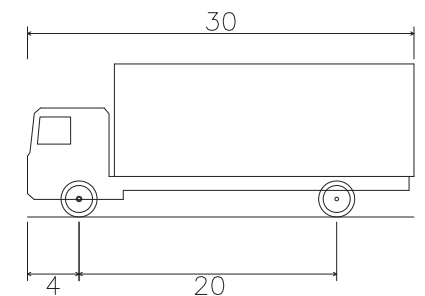
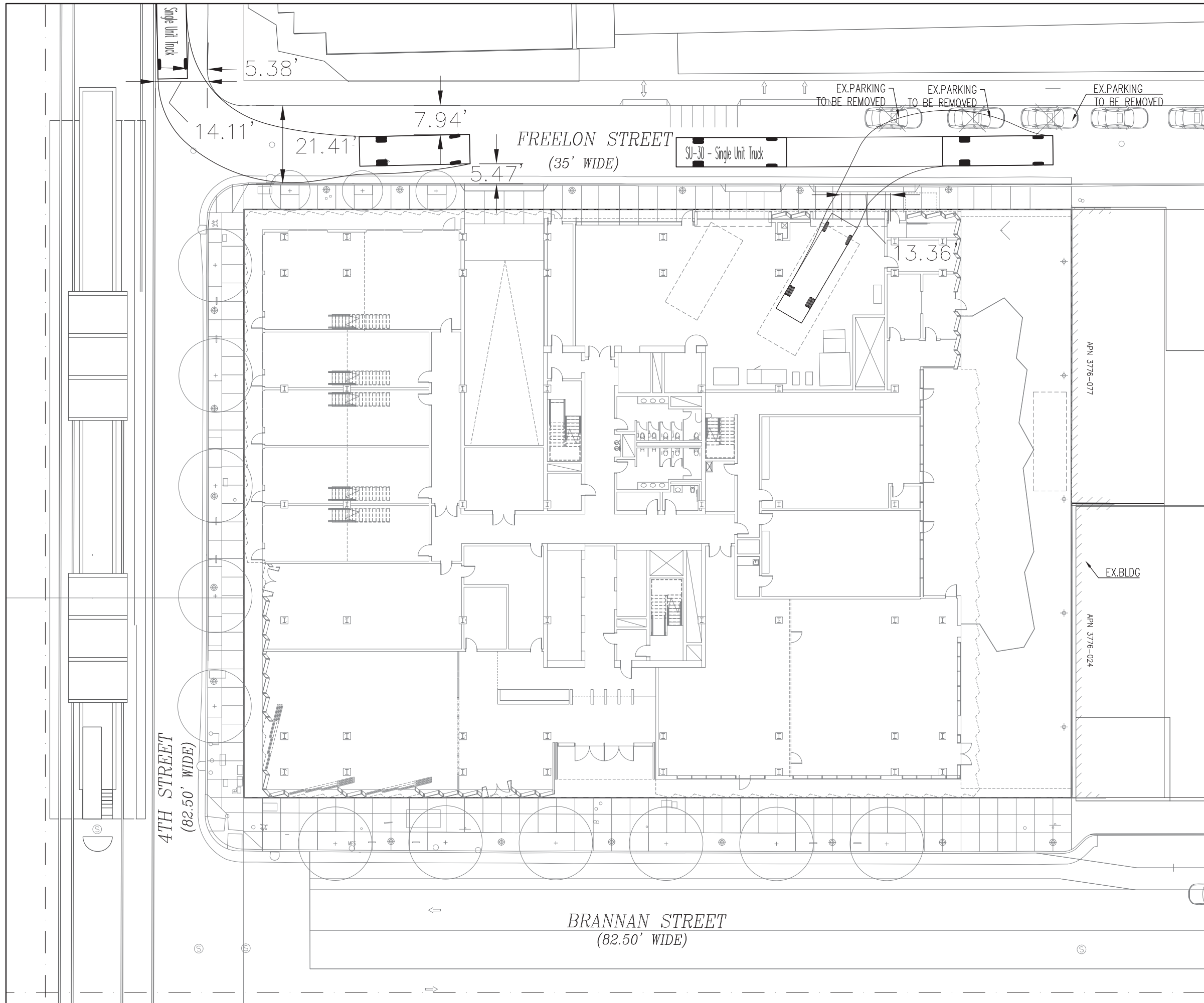


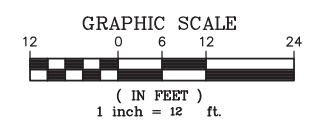
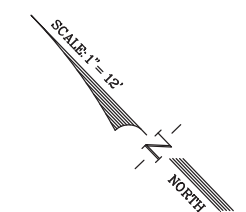
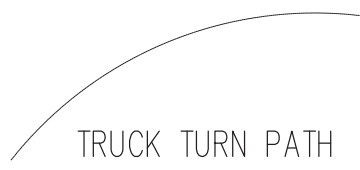
Figure 1: APPARENT MASS REDUCTION: FREELON ST

- 57% 4TH ST
- 53% BRANNAN ST
- 59% FREELON ST

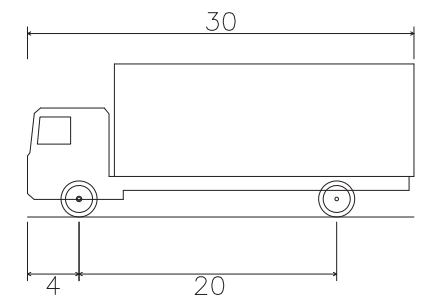
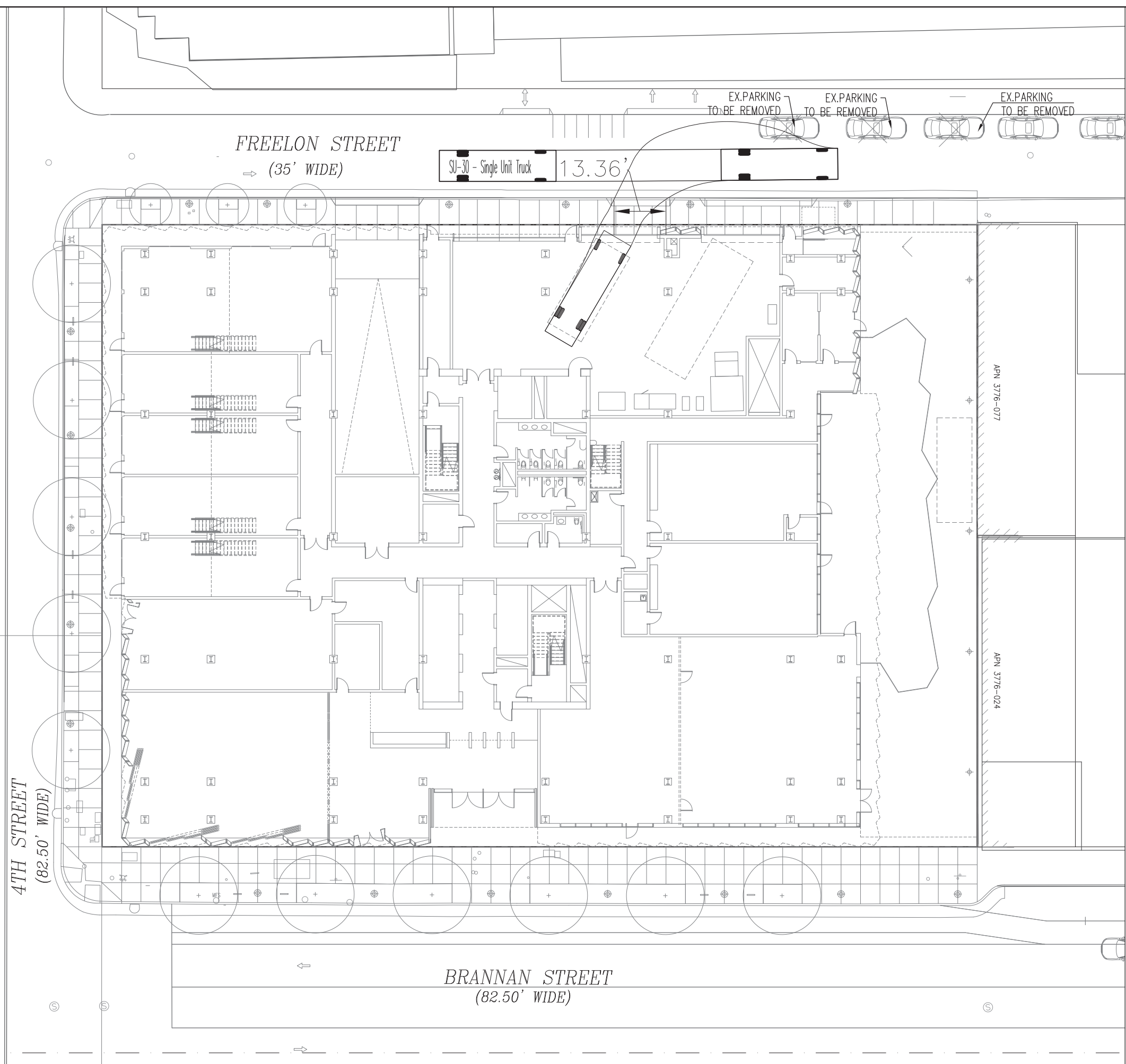
SEC. 270(h) BULK Req.	
80%	4TH ST
80%	BRANNAN ST
85%	FREELON ST
*the bulk controls are based on a 160 ft height district	



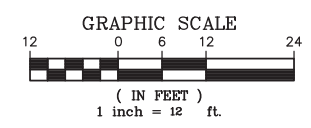
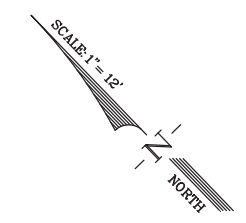
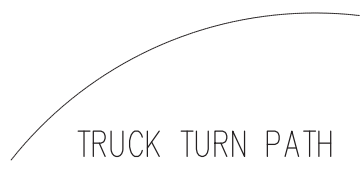
SU - Single Unit Truck
 Overall Length 30.000ft
 Overall Width 8.000ft
 Overall Body Height 11.881ft
 Min Body Ground Clearance 1.367ft
 Track Width 8.000ft
 Lock-to-lock time 5.00s
 Max Steering Angle (Virtual) 31.70°



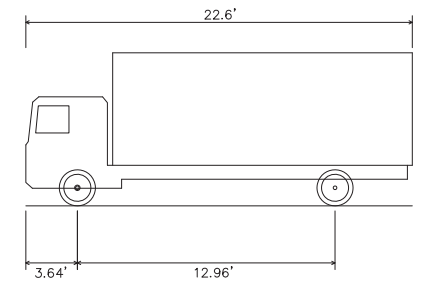
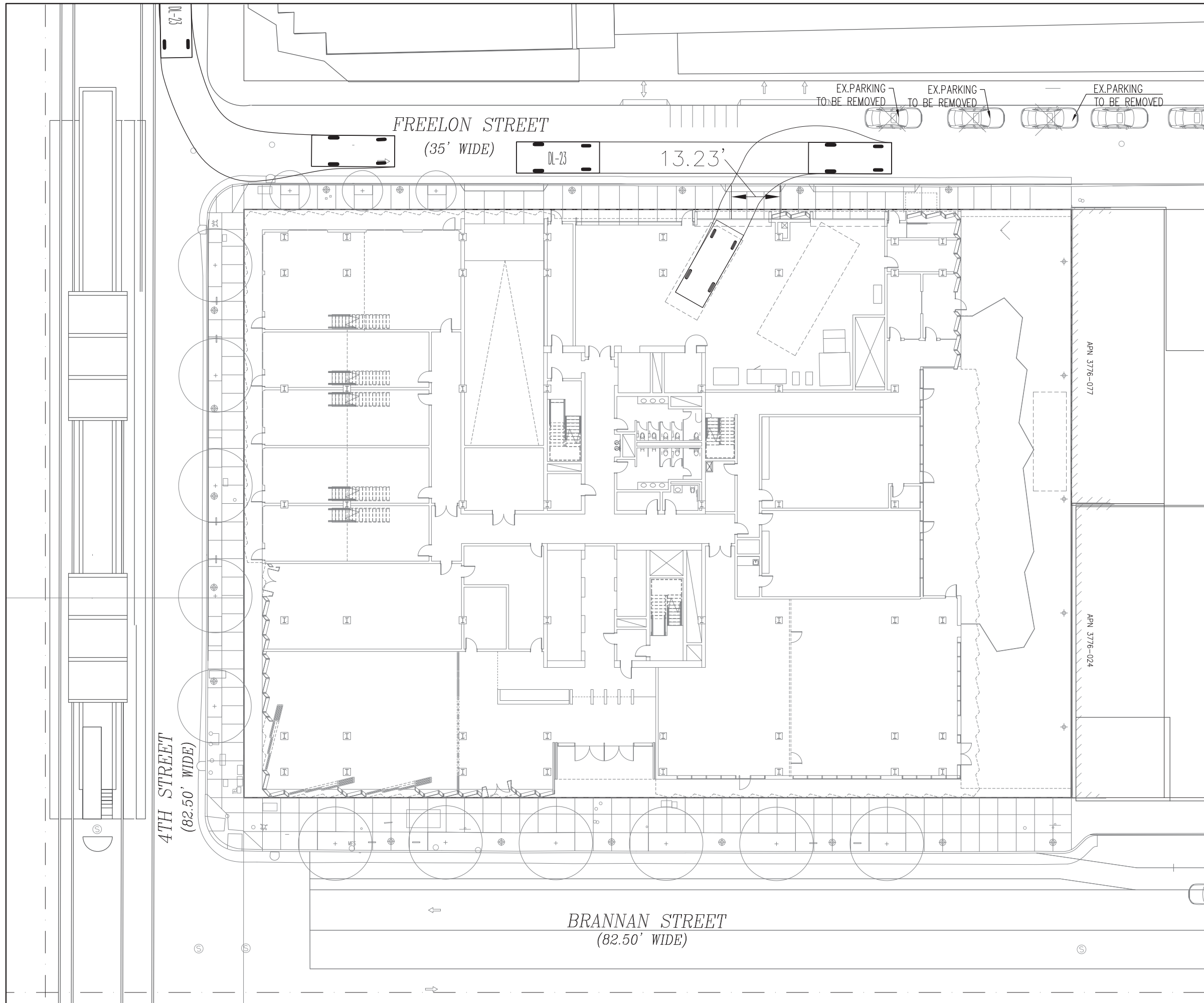
SU-30 TRUCK/BAY #1
 FOR
 490 BRANNAN STREET
 CITY AND COUNTY OF SAN FRANCISCO, CALIFORNIA
 DECEMBER 2020
 PREPARED BY
LUK AND ASSOCIATES
 CIVIL ENGINEER - LAND PLANNERS - LAND SURVEYORS
 738 ALFRED NOBEL DRIVE
 HERCULES, CALIFORNIA 94547
 (510) 724-3388



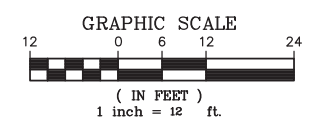
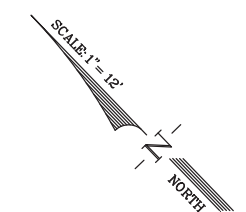
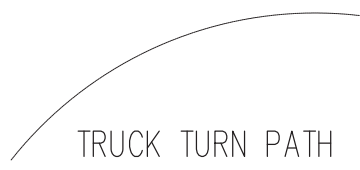
SU - Single Unit Truck	
Overall Length	30.000ft
Overall Width	8.000ft
Overall Body Height	11.881ft
Min Body Ground Clearance	1.367ft
Track Width	8.000ft
Lock-to-lock time	5.00s
Max Steering Angle (Virtual)	31.70°



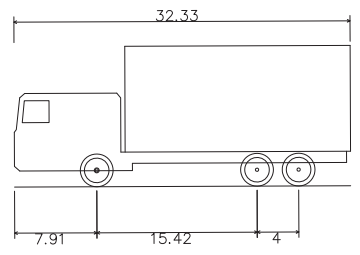
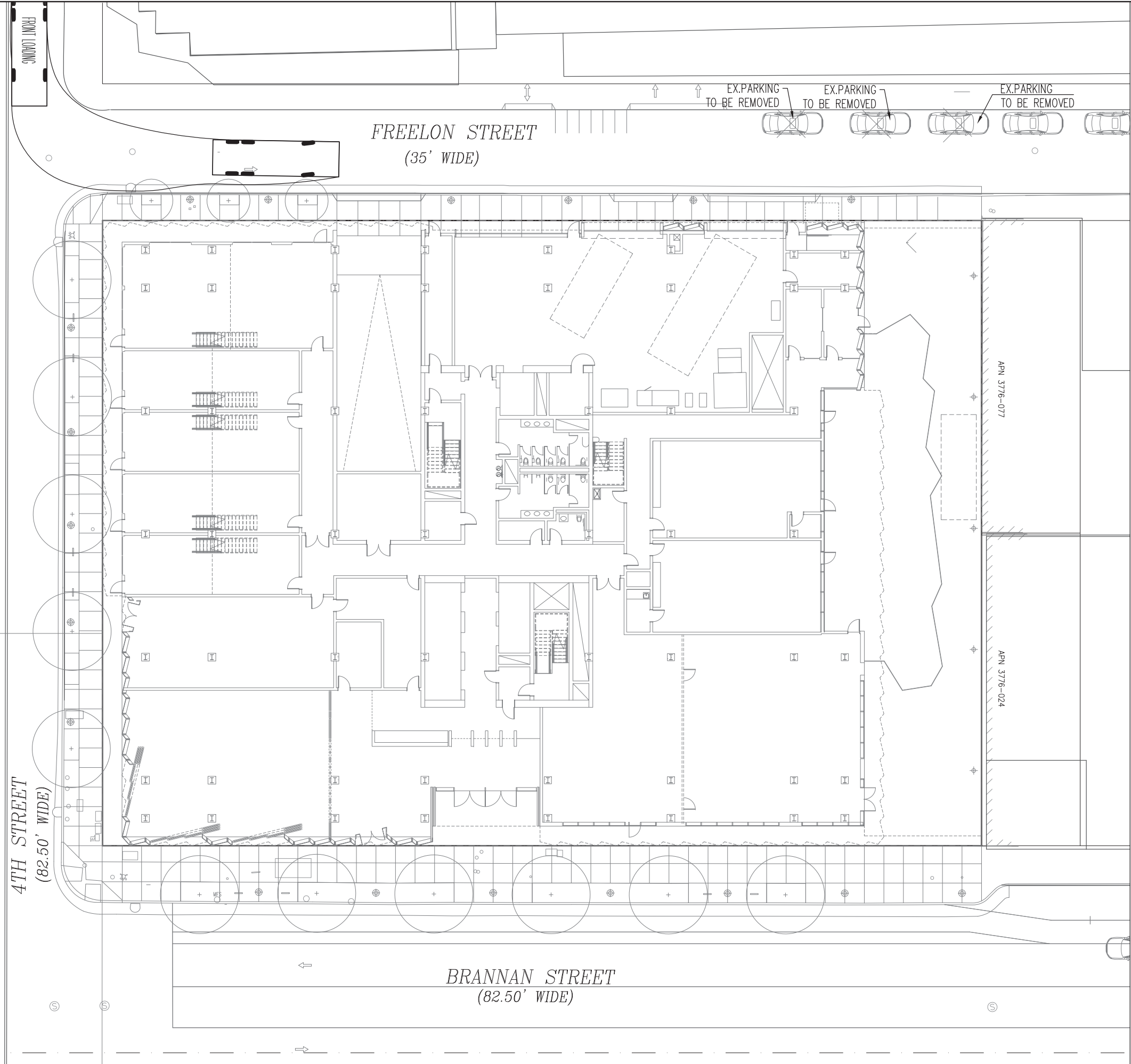
SU-30 TRUCK/BAY #2
 FOR
490 BRANNAN STREET
 CITY AND COUNTY OF SAN FRANCISCO, CALIFORNIA
 DECEMBER 2020
 PREPARED BY
LUK AND ASSOCIATES
 CIVIL ENGINEER - LAND PLANNERS - LAND SURVEYORS
 738 ALFRED NOBEL DRIVE
 HERCULES, CALIFORNIA 94547
 (510) 724-3388



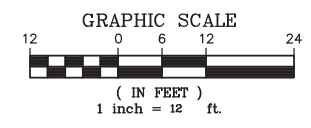
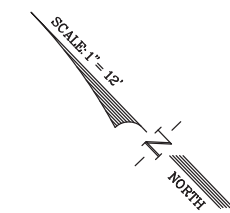
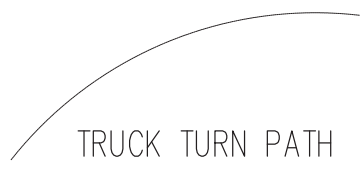
DL-23	Overall Length	22.600ft
	Overall Width	8.500ft
	Overall Body Height	13.577ft
	Min Body Ground Clearance	1.290ft
	Track Width	8.000ft
	Lock-to-lock time	6.00s
	Max Steering Angle (Virtual)	42.00°



DL-23 TRUCK/BAY #2
 FOR
490 BRANNAN STREET
 CITY AND COUNTY OF SAN FRANCISCO, CALIFORNIA
 DECEMBER 2020
 PREPARED BY
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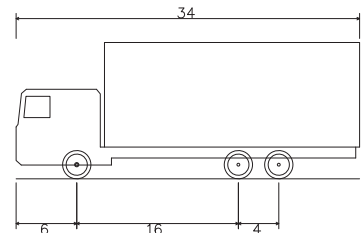
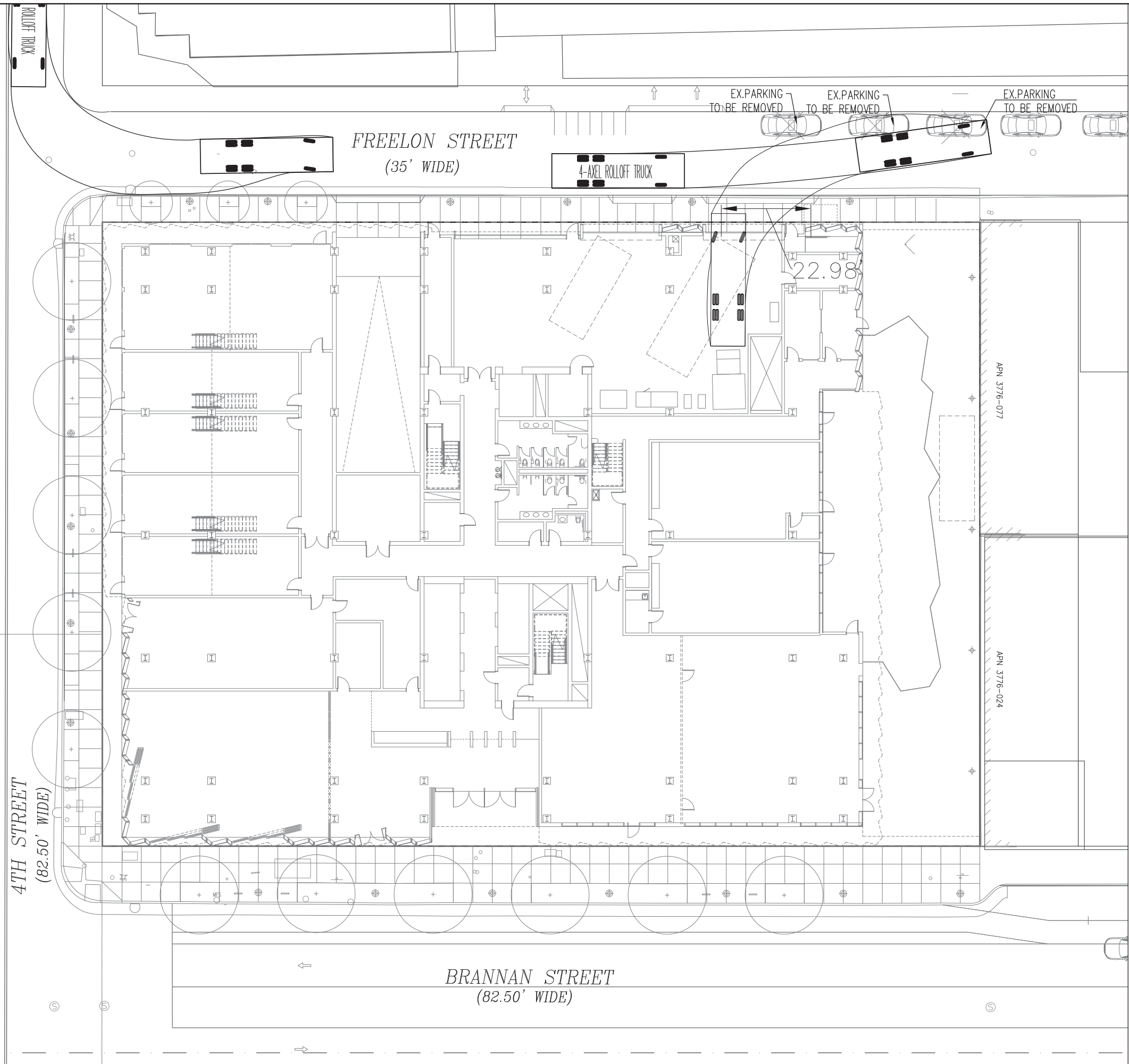
FRONT LOADING	
Overall Length	32.330ft
Overall Width	9.000ft
Overall Body Height	13.500ft
Min Body Ground Clearance	1.542ft
Track Width	9.000ft
Lock-to-lock time	6.00s
Wall to Wall Turning Radius	35.500ft



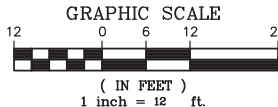
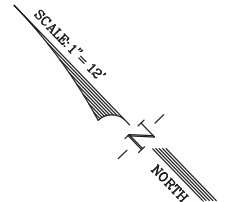
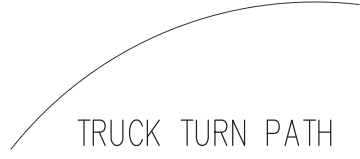
**FRONTLOADING
RECOLOGY TRUCK**

FOR
490 BRANNAN STREET
CITY AND COUNTY OF SAN FRANCISCO, CALIFORNIA
DECEMBER 2020

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HERCULES, CALIFORNIA 94547
(510) 724-3388



4-AXEL ROLLOFF TRUCK	
Overall Length	34.000ft
Overall Width	8.830ft
Overall Body Height	13.500ft
Min Body Ground Clearance	1.367ft
Track Width	8.000ft
Lock-to-lock time	6.00s
Curb to Curb Turning Radius	36.500ft

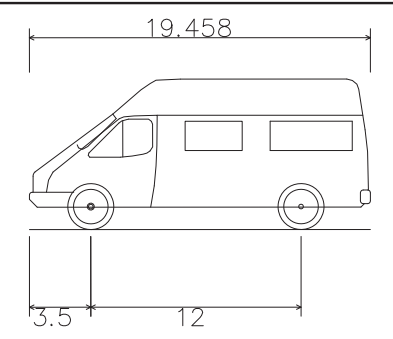
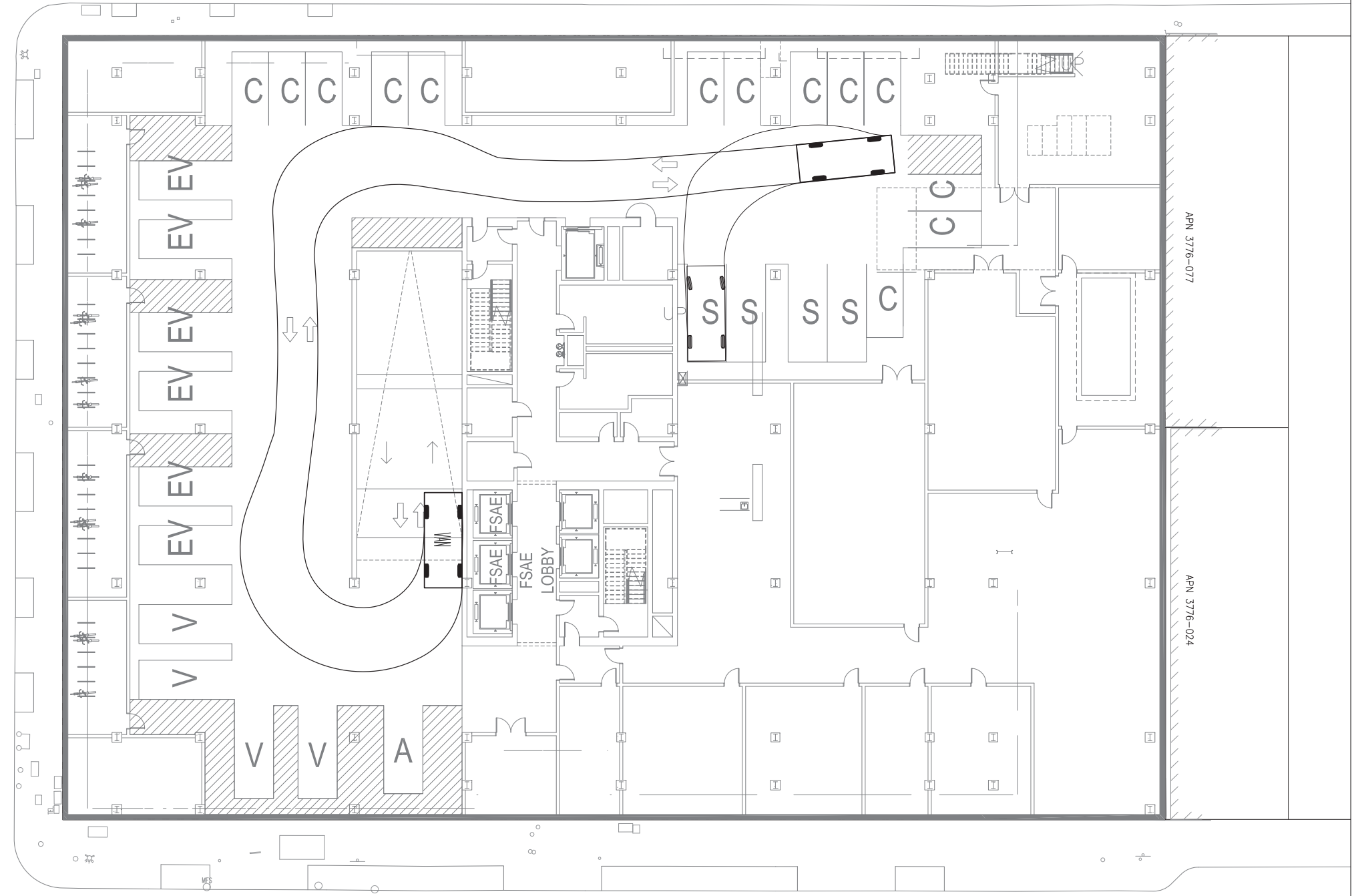


ROLLOFF RECOLOGY TRUCK
 FOR
490 BRANNAN STREET
 CITY AND COUNTY OF SAN FRANCISCO, CALIFORNIA
 DECEMBER 2020
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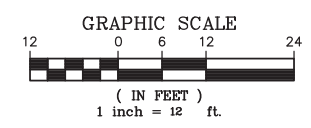
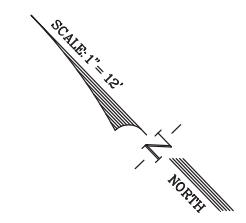
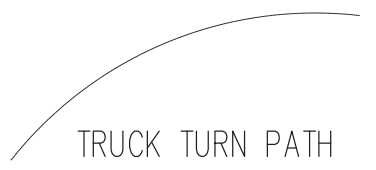
4TH STREET
(82.50' WIDE)

FREELON STREET
(35' WIDE)

BRANNAN STREET
(82.50' WIDE)



VAN	19.458ft
Overall Length	19.458ft
Overall Width	7.692ft
Overall Body Height	8.587ft
Min Body Ground Clearance	1.280ft
Track Width	7.500ft
Lock-to-lock time	4.00s
Curb to Curb Turning Radius	23.000ft

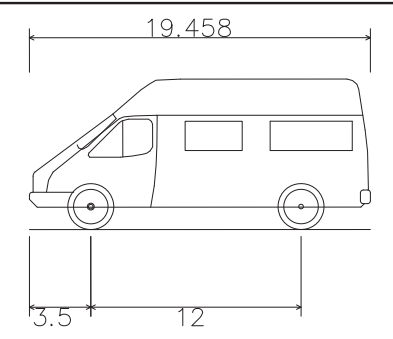
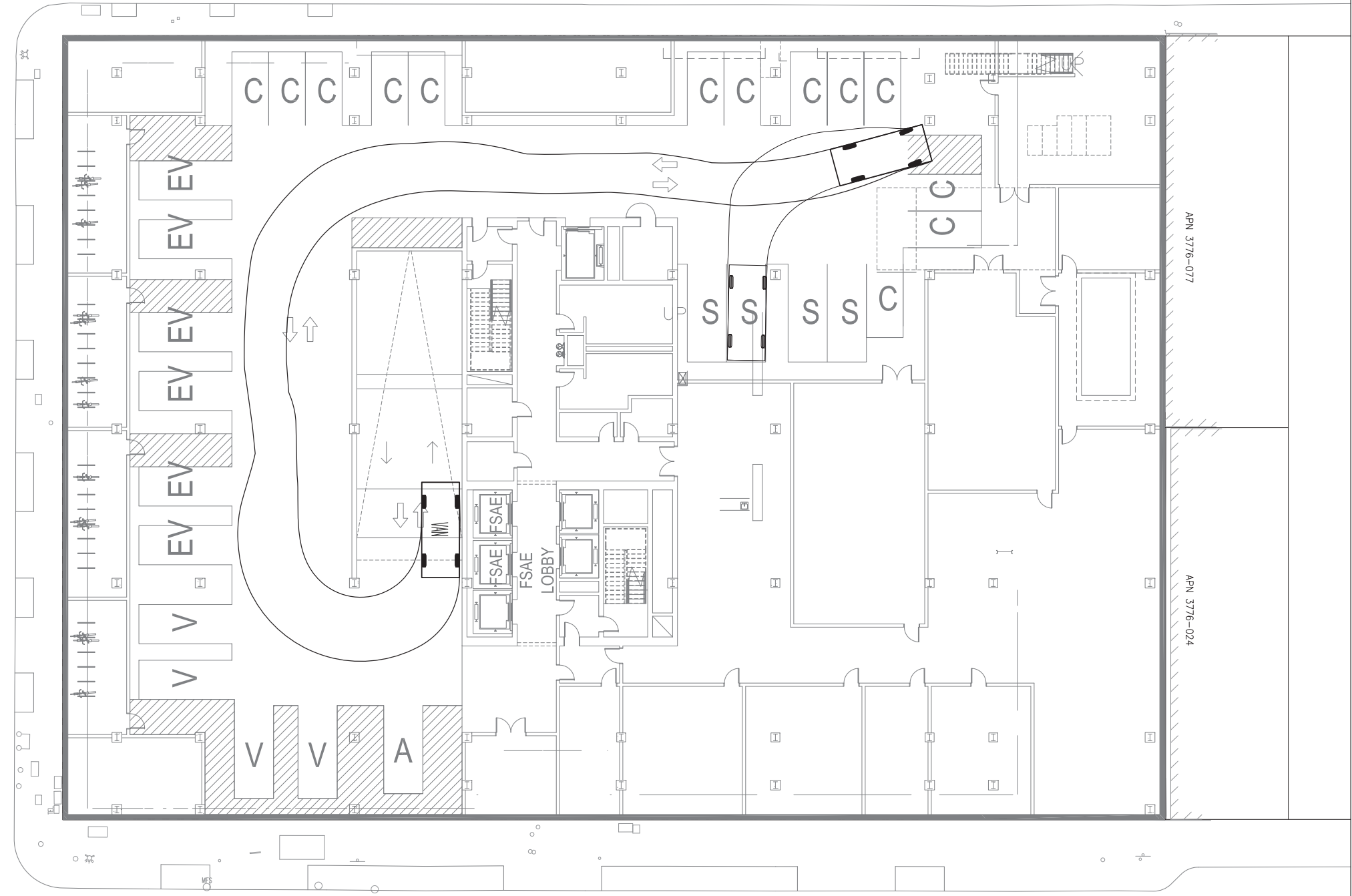


SERVICE VAN
FOR
490 BRANNAN STREET
CITY AND COUNTY OF SAN FRANCISCO, CALIFORNIA
DECEMBER 2020
PREPARED BY
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CIVIL ENGINEER - LAND PLANNERS - LAND SURVEYORS
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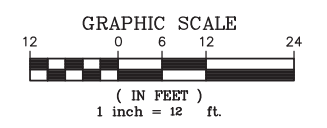
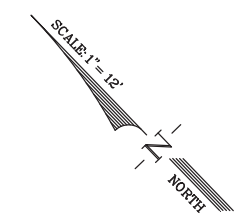
4TH STREET
(82.50' WIDE)

FREELON STREET
(35' WIDE)

BRANNAN STREET
(82.50' WIDE)



VAN	19.458ft
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Overall Body Height	8.587ft
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Track Width	7.500ft
Lock-to-lock time	4.00s
Curb to Curb Turning Radius	23.000ft

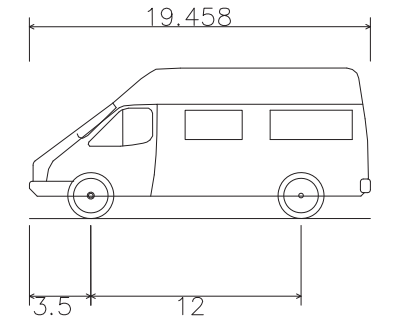
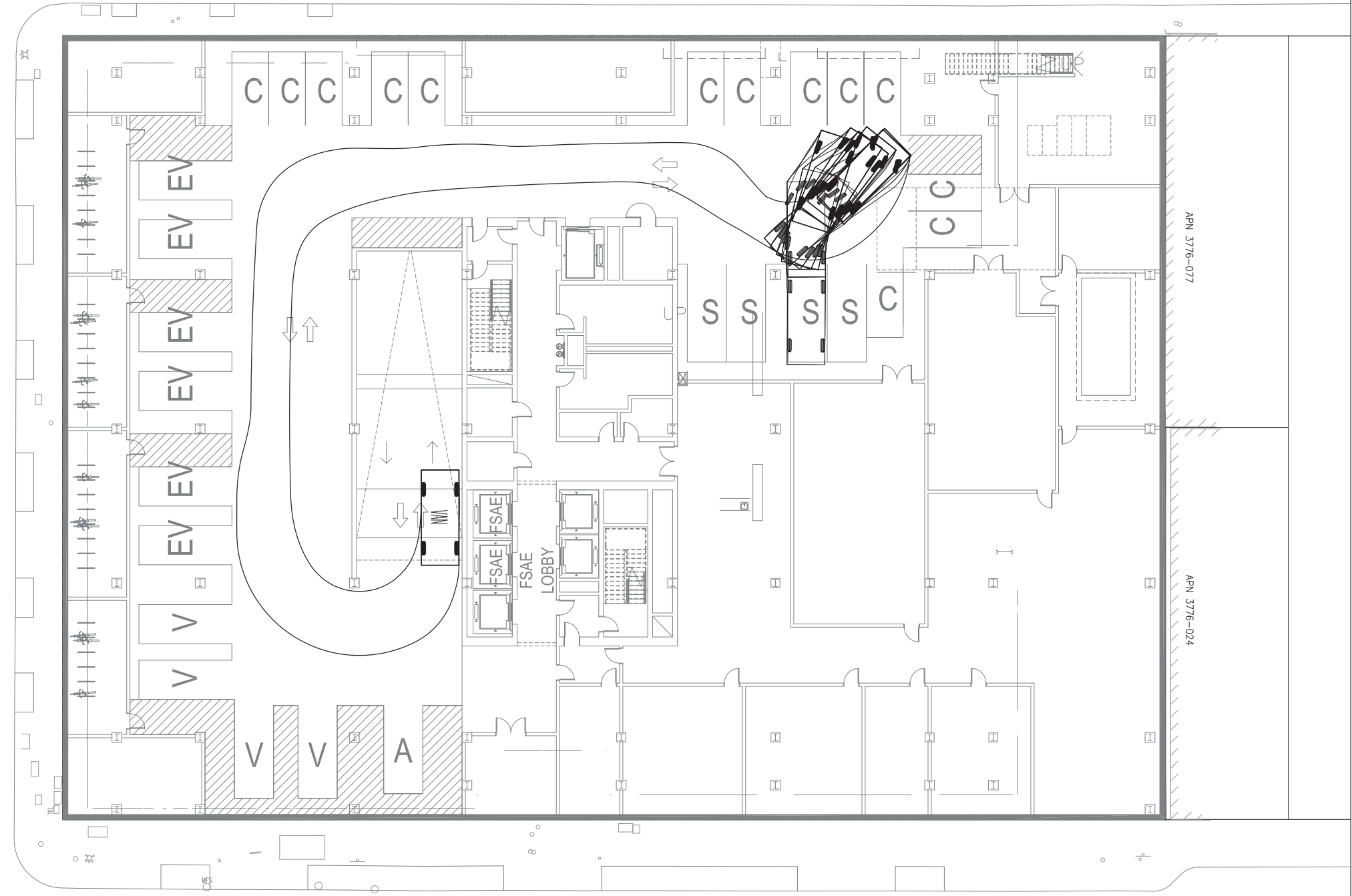


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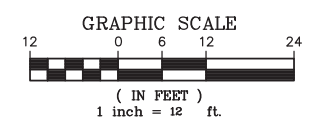
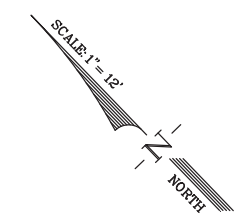
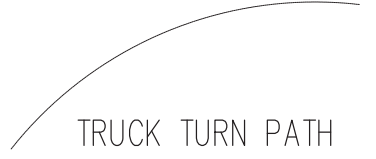
FREELON STREET
(35' WIDE)

4TH STREET
(82.50' WIDE)

BRANNAN STREET
(82.50' WIDE)



VAN	19.458ft
Overall Length	19.458ft
Overall Width	7.692ft
Overall Body Height	8.587ft
Min Body Ground Clearance	1.280ft
Track Width	7.500ft
Lock-to-lock time	4.00s
Curb to Curb Turning Radius	23.000ft

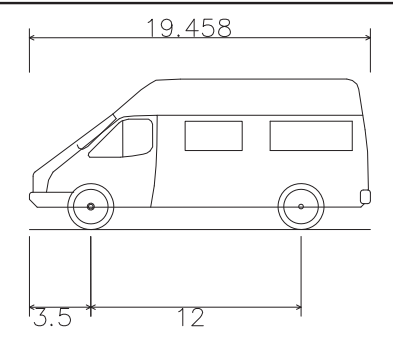
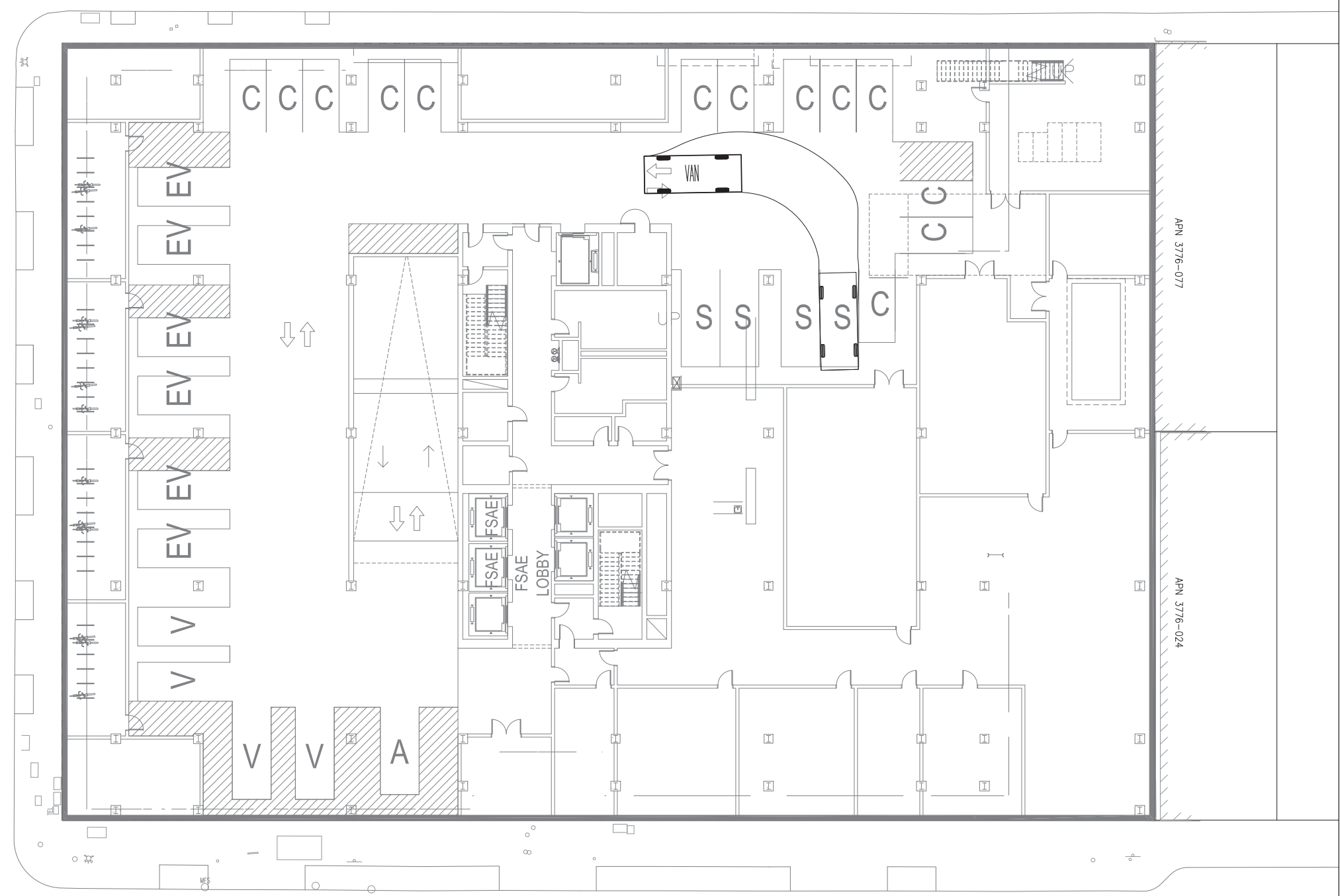


SERVICE VAN
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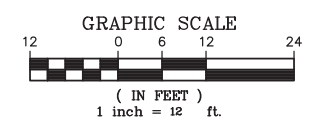
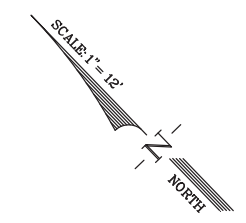
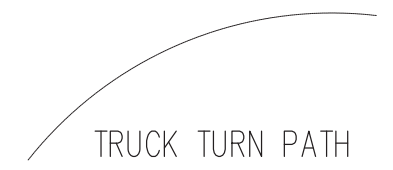
4TH STREET
(82.50' WIDE)

FREELON STREET
(35' WIDE)

BRANNAN STREET
(82.50' WIDE)



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Curb to Curb Turning Radius	23.000ft



SERVICE VAN
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(510) 724-3388



CERTIFICATE OF DETERMINATION COMMUNITY PLAN EVALUATION

Record No.: 2020-005610ENV, 490 Brannan Street
Zoning: CMUO (Central SoMa-Mixed Use Office) Use District
Central SoMa Mixed Use-Office District Controls
200-CS Height and Bulk District
Plan Area: Central SoMa
Block/Lot: 3776/025
Lot Size: 36,000
Project Sponsor: Clarke Miller, Strada Investment Group (415) 572-7640
Staff Contact: Jeanie Poling, jeanie.poling@sfgov.org, (628) 652-7559

Project Description

The project sponsor proposes to demolish a one-story building and surface parking lot and construct an approximately 355,630-square-foot, 12-story, 185-foot-tall building containing 269,300 square feet of office use, 12,520 square feet of art-focused production, distribution, and repair (PDR) use, 3,280 square feet of retail sales and service use, a 5,400-square-foot childcare facility, 24 subsurface vehicle parking spaces, six on-site commercial loading spaces, 60 Class 1 (on-site) and 26 Class 2 (on-site and off-site) bicycle parking spaces, and 9,820 square feet of open space terraces on the sixth and tenth levels. Approximately 5,420 square feet of the 12,520 square feet of PDR space would be a performing arts space that could accommodate approximately 120 people. The childcare facility would accommodate up to 40 children. The project would involve approximately 26,667 cubic yards of excavation to a depth of 20 feet below ground surface, with ground improvement extending to a depth of 30 feet below ground surface.

Approval Action: Approval of a large project authorization under Planning Code section 329 by the planning commission is the approval action for the proposed project. The approval action date establishes the start of the 30-day appeal period for this CEQA determination pursuant to section 31.04(h) of the San Francisco Administrative Code.

Community Plan Evaluation Overview

California Environmental Quality Act (CEQA) section 21083.3 and CEQA Guidelines section 15183 provide that projects that are consistent with the development density established by existing zoning, community plan or general plan policies for which an environmental impact report (EIR) was certified, shall not be subject to additional environmental review except as might be necessary to examine whether there are project-specific

significant effects which are peculiar to the project or its site. Section 15183 specifies that examination of environmental effects shall be limited to those effects that: a) are peculiar to the project or parcel on which the project would be located; b) were not analyzed as significant effects in a prior EIR on the zoning action, general plan or community plan with which the project is consistent; c) are potentially significant off-site and cumulative impacts that were not discussed in the underlying EIR; or d) are previously identified in the EIR, but which, as a result of substantial new information that was not known at the time that the EIR was certified, are determined to have a more severe adverse impact than that discussed in the underlying EIR. Section 15183(c) specifies that if an impact is not peculiar to the parcel or to the proposed project, then an EIR need not be prepared for the project solely on the basis of that impact.

This determination evaluates the potential project-specific environmental effects of the 490 Brannan Street project described above and incorporates by reference information contained in the programmatic EIR for the Central SoMa Plan (PEIR)¹. Project-specific studies were prepared for the proposed project to determine if the project would result in any significant environmental impacts that were not identified in the Central SoMa PEIR.

Findings

As summarized in the initial study – community plan evaluation prepared for the proposed project (Attachment A)²:

1. The proposed project is consistent with the development density established for the project site in the Central SoMa Plan³;
2. The proposed project would not result in effects on the environment that are peculiar to the project or the project site that were not identified as significant effects in the Central SoMa PEIR;
3. The proposed project would not result in potentially significant off-site or cumulative impacts that were not identified in the Central SoMa PEIR;
4. The proposed project would not result in significant effects, which, as a result of substantial new information that was not known at the time the Central SoMa PEIR was certified, would be more severe than were already analyzed and disclosed in the PEIR; and
5. The project sponsor will undertake feasible mitigation measures specified in the Central SoMa PEIR to mitigate project-related significant impacts.

Mitigation measures are included in this project and the project sponsor has agreed to implement these measures. See the attached Mitigation Monitoring and Reporting Program (MMRP) (Attachment B) for the full text of required mitigation measures.

1 Planning Department Case No. 2011.1356E and State Clearinghouse No. 2013042070. Available at: https://sfplanning.org/environmental-review-documents?field_environmental_review_categ_target_id=214&items_per_page=10. Accessed June 7, 2021.

2 The initial study – community plan evaluation is available for review at the San Francisco Property Information Map, which can be accessed at <https://sfplanninggis.org/PIM/>. The file can be viewed by clicking on the Planning Applications link, clicking the “More Details” link under the project’s environmental record number 2020-005610ENV and then clicking on the “Related Documents” link.

3 San Francisco Planning Department, 490 Brannan Street Preliminary Project Assessment, Case No. 2019-004290PPA, May 28, 2019.

CEQA Determination

The project is eligible for streamlined environmental review per section 15183 of the CEQA Guidelines and California Public Resources Code section 21083.3.

Determination

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

Devyani Jain

Lisa Gibson

Environmental Review Officer

August 26, 2021

Date

Attachments

- A. Initial Study – Community Plan Evaluation
- B. Mitigation Monitoring and Reporting Program

CC: Clarke Miller, Project Sponsor
Supervisor Matt Haney, District 6
Xinyu Liang, Current Planning Division

INITIAL STUDY - COMMUNITY PLAN EVALUATION

<i>Case No.:</i>	2020-005610ENV, 490 Brannan Street
<i>Zoning:</i>	CMUO (Central SoMa-Mixed Use Office) Use District 200-CS Height and Bulk District
<i>Plan Area:</i>	Central SoMa
<i>Block/Lot:</i>	3776/025
<i>Lot Size:</i>	36,000 square feet
<i>Project Sponsor:</i>	Clarke Miller, Strada Investment Group (415) 572-7640
<i>Staff Contact:</i>	Jeanie Poling, jeanie.poling@sfgov.org , (628) 652-7559

A. Project Description

The project site is a rectangular, 36,000-square-foot lot located on the block bound by Freelon Street to the north, Zoe Street to the east, Brannan Street to the south and 4th Street to the west, in the city's South of Market neighborhood (see **Figure 1, Project Location**, in Section H below).¹ The project site has three street frontages – on Brannan, 4th, and Freelon streets. The project site is currently developed with a vacant single-story 6,048-square-foot commercial building constructed in 1965 and a surface parking for 116 vehicles. The site's 225-foot-long Brannan Street frontage is broken by an approximately 160-foot-wide curb cut. The 225-foot-long Freelon Street frontage has multiple curb cuts, and the 160-foot-long 4th Street frontage has a 15-foot-wide curb cut.

The project sponsor proposes to demolish the existing building and surface parking lot and construct an approximately 355,630-square-foot, 12-story, 185-foot-tall building containing 269,300 square feet of office use, 12,520 square feet of production, distribution, and repair (PDR) use, 3,280 square feet of retail sales and service use, a 5,400-square-foot childcare facility, 24 subsurface vehicle parking spaces, six on-site commercial loading spaces, 60 Class 1 (on-site) and 26 Class 2 (on-site and off-site) bicycle parking spaces, and 9,820 square feet of open space terraces on the sixth and tenth levels. Approximately 5,420 square feet of the 12,520 square feet of PDR space would be a performing arts space that could accommodate approximately 120 people. The childcare facility would accommodate up to 40 children.

¹ The street grid in the South of Market area is on a northwest/southeast axis. This document uses the common convention that northwest is "north." Thus, streets that run in the northwest/southeast direction are identified as north-south streets, and streets that run in the southwest/northeast direction are identified as east-west streets.

Project plans are shown in **Figures 2 to 9** in Section H below. A 30-foot-wide mid-block alley along the east side of the lot would contain 5,602 square feet of privately owned public open space (POPOS) and 2,250 square feet of childcare outdoor space. Pedestrian access to the building’s lobby would be from Brannan Street. Access to the retail and PDR uses would be from Brannan and 4th streets, and access to the childcare facility would be from Brannan or Freelon streets via the mid-block alley. Vehicles would enter the below-grade parking, freight loading, and trash area from one-way eastbound Freelon Street via southbound 4th Street.

Childcare and other passenger loading would occur at the two commercial vehicle spaces on the north side of Brannan Street near Zoe Street, which would be designated as passenger loading zones between 11:30 a.m. and midnight, and at two additional non-metered 60-foot-long passenger loading zones on the south side of Brannan Street that would be available from 7 a.m. until 11 p.m. An additional 60-foot-long all-day passenger zone is located on the north side of Freelon Street, across the street from the project site.

On-site bicycle parking would be located in the mid-block open space, accessed from both Brannan and Freelon streets on east end of the site, at the basement, accessed from Freelon, through the freight elevator at the loading area. Off-site bicycle parking would be located along Brannan, Freelon, and 4th streets. Twelve new street trees would be planted along 4th, Brannan, and Freelon streets and in the mid-block open space, and three existing street trees on 4th Street would be preserved. No existing street trees would be removed.

Mechanical equipment in the proposed building would include four exhaust fans, an air-cooled chiller, two heat recovery chillers, six pumps, an electric boiler, and 14 air-cooled VRF units. The exhaust fans, air-cooled chiller, and air-cooled VRF would be outdoors at the rooftop equipment yard above Level 12; all other proposed mechanical equipment would be located indoors. The project would include a 2,500-kilowatt Tier 4 diesel-fueled emergency generator in the basement of the building.

The building would occupy the entire 36,000-square-foot site, with a one-level basement with a finished floor at 15 feet below ground surface. Excavation would occur to a depth of 20 feet to construct the basement and mat foundation. The estimated volume of excavation for the proposed project is 26,667 cubic yards. To support the building, ground improvement elements (such as auger-cast columns or deep soil mixed columns or panels) would extend to a depth of 30 feet below ground surface to support the building loads on Colma sand.

Project construction is anticipated to last approximately 26 months in a single phase of construction activity using excavators, graders, tractors, and construction delivery vehicles.

Project elements are summarized in Table 1.

Table 1: 490 Brannan Street Project Characteristics

<i>Project Components</i>	<i>Existing</i>	<i>Proposed</i>
Building Stories	1	12
Building Height (feet)	15	185
Office (gross square feet)	0	269,300
PDR (gross square feet)	0	5,420 (performance space) 7,100 (non-performance space)
Retail/commercial (gross square feet)	6,048	3,280
Childcare (gross square feet)	0	5,400

Open space (gross square feet)	0	9,820 (roof terraces) 5,602 (POPOS) 2,250 (childcare)
Vehicle parking spaces	116	24
<i>Source: Strada/Perkins & Will, 490 Brannan Street Project Plans, June 2, 2021. Areas of proposed uses are rounded up slightly.</i>		

Project Approvals

The proposed 490 Brannan Street project would require the following approvals:

Actions by the Planning Commission

- Section 329 large project authorization
- Section 320 office allocation

Action by the Planning Department

- Variances from Section 145.1 for parking and loading entrances and Sections 145.1 and 249.78 for ground floor height
- Transportation demand management program

Actions by other City Departments

- Demolition, grading/excavation, site, and building permits for new construction from the Department of Building Inspection
- Soil management plan and dust control plan approval by the Department of Public Health
- Stormwater control plan and erosion and sediment control plan approval by the San Francisco Public Utilities Commission
- New curb cuts, sidewalk widenings, and street tree additions by the Department of Public Works
- Street improvement permit for the installation of a median between bike/vehicle lanes and new floating parking lane on Brannan Street; and color curb approval by the San Francisco Municipal Transportation Agency

Approval Action

Approval of the large project authorization under Planning Code section 329 by the planning commission is the approval action for the proposed project. The approval action date establishes the start of the 30-day appeal period for this California Environmental Quality Act (CEQA) exemption determination, pursuant to section 31.04(h) of the San Francisco Administrative Code.

B. Community Plan Evaluation Overview

CEQA section 21083.3 and CEQA Guidelines section 15183 mandate that projects that are consistent with the development density established by existing zoning, community plan, or general plan policies for which an environmental impact report (EIR) was certified, shall not be subject to additional environmental review except as might be necessary to examine whether there are project-specific significant effects that are peculiar

to the project or its site. Guidelines section 15183(c) specifies that if an impact is not peculiar to the parcel or to the proposed project, then an EIR need not be prepared for the project solely on the basis of that impact.

This initial study evaluates the potential project-specific environmental effects of the proposed 490 Brannan Street project described above and incorporates by reference information contained in the programmatic EIR for the Central SoMa Plan Final Programmatic Environmental Impact Report (PEIR).² The following project-specific studies were prepared for the proposed project to determine if the project would result in any significant environmental impacts that were not identified in the Central SoMa PEIR:³

Project Specific Studies

Preliminary archeology review	Preliminary geotechnical report
Greenhouse gas analysis checklist	Phase 1 environmental site assessment
Shadow analysis	Pedestrian-level winds report
Site circulation study	

C. Project Setting

Site Vicinity

The parcels adjacent to the project site, on the block bounded by Freelon Street to the north, Zoe Street to the east, Brannan Street to the south, and 4th Street to the west are within the CMUO Zoning District (Central SoMa-Mixed Use Office), and an 85-X Height and Bulk District. North of the project site, across Freelon Street from the project site on the block bounded by Freelon, 4th, Welsh, and Zoe streets, the parcels are in the CMUO Zoning District and the 85-X Height and Bulk District. West of the project site, across 4th Street from the project site in the block bounded by 4th, Bryant, 5th, and Brannan streets, the parcels are in the CMUO and MUG (Mixed Use-General) Zoning Districts and 65-X, 50-X, 45-X, 130-CS, and 160-CS Height and Bulk Districts. South of the project site, across Brannan Street on the block bounded by Brannan, 4th, Townsend, and Ritch streets, the parcels are within the CMUO Zoning District and the 85-X, 65-X, and 400-X Height and Bulk Districts. East of the project site, across Ritch Street on the block bounded by Ritch, Brannan, 3rd, and Bryant streets, the parcels are within the CMUO District and the 85-X and 65-X Height and Bulk Districts.

Existing development within the project vicinity consists of one- to five-story commercial, residential, and mixed-use buildings. As the project site is within the recently rezoned Central SoMa Plan Area, over 20 projects involving new construction or major expansion are planned within a quarter mile of the project site (see cumulative setting discussion below). The closest residential use to the project site is the seven-story mixed-use building at 555 4th Street, across Freelon Street from the project site (35 feet north).

In the vicinity of the project site, San Francisco Municipal Railway (Muni) operates the 12-Folsom/Pacific route along Harrison Street, the 30-Stockton route along 4th Street, the 45-Union/Stockton route and the 8-Bayshore along 4th and 3rd streets. A street-level portion of the Central Subway is under construction along 4th Street and

² San Francisco Planning Department, Central SoMa Plan Final Environmental Impact Report, Planning Department Case Number 2011.1356E, https://sfplanning.org/environmental-review-documents?field_environmental_review_categ_target_id=214&items_per_page=10, accessed October, 2020

³ Project specific studies prepared for the 490 Brannan Street project are available for review on the San Francisco Property Information Map, which can be accessed at <https://sfplanninggis.org/PIM/>. Individual files can be viewed by clicking on the Planning Applications link, clicking the “More Details” link under the project’s environmental case number 2020-005610ENV and then clicking on the “Related Documents” link.

is scheduled to open in 2022; the southbound light rail will stop at a median in the center of 4th Street in front the project site.

Cumulative Setting

CEQA Guidelines section 15130(b)(1) provides two methods for cumulative impact analysis: the “list-based approach” and the “projections-based approach.” The list-based approach uses a list of projects producing closely related impacts that could combine with those of a proposed project to evaluate whether the project would contribute to significant cumulative impacts. The projections-based approach uses projections contained in a general plan or related planning document to evaluate the potential for cumulative impacts. This project-specific analysis employs both the list-based and projections-based approaches, depending on which approach best suits the resource topic being analyzed.

The proposed project is located within the area of the city addressed under the Central SoMa Plan. The Central SoMa Plan PEIR evaluated the physical environmental impacts resulting from the rezoning of this plan area, including impacts resulting from population and employment growth of 14,400 new households, 25,500 new residents, and 63,600 new jobs under the plan.⁴ The cumulative impact analysis provided in this initial study uses projections as needed for certain topics to evaluate whether the proposed project could result in new or substantially more severe cumulative impacts than were anticipated in the Central SoMa PEIR.

The cumulative analysis for certain localized impact topics (e.g., cumulative shadow and wind effects) uses the list-based approach. The following is a list of reasonably foreseeable projects within the project vicinity (approximately one-quarter mile). These projects are included in the list-based approach, and growth from these projects was likely also anticipated in the Central SoMa Plan PEIR:

- **424 Brannan Street (Case No. 2019-020057ENV):** the proposed project would demolish the existing surface parking lot and subdivide the property into two lots to construct two new buildings: 258 Ritch Street and 298 Ritch Street. The 258 Ritch Street structure would be a seven-story, 85-foot-tall mixed-use building with 47,521 square feet of office space and 3,550 square feet of ground-floor PDR uses. The 298 Ritch Street structure would be a seven-story, 85-foot-tall mixed-use building with 47,090 square feet of office space, 2,350 square feet of retail space, and 14,175 total square feet of PDR space.
- **505 Brannan Street (Case No. 2015-009704ENV):** the proposed project involves an 11-story addition to a six-story office building, resulting in a 17-story, 240-foot-tall building containing 244,121 square feet of office use and 25,380 square feet of retail use.
- **560 Brannan Street (Case No. 2019-013276ENV):** the proposed project would demolish a two-story PDR building and construct a nine-story, 77,220-square-foot building with 120 residential units and 5,640 square feet of PDR space.
- **598 Brannan Street (2012.0640E):** Demolish four buildings and construct four buildings containing 1,057,430 square feet of residential, office, PDR, childcare. and commercial uses and 19,336 square feet of privately owned publicly accessible landscaped open space. "Building 1" would be 160 feet tall; "Building 2" would be 185 feet tall; "Building 3" would be 150 feet tall; and "Building 4" would be 75 feet tall.

⁴ Central SoMa PEIR Table IV-1. Assumed growth in the plan area between 2010 and 2040.

- **610-698 Brannan Street (Case No. 2015-004256ENV):** the proposed “Flower Mart” project would demolish warehouse buildings and surface parking on six lots and construct three buildings 236 feet, 200 feet, and 148 feet in height, containing 2,030,560 square feet of office use, 94,420 square feet of retail use, and 125,000 square feet of reconstructed PDR (Flower Mart) use.
- **462 Bryant Street (Case No. 2015-010219ENV):** the proposed project would add five stories of office use to a single-story office building. The proposed project would result in a six-story, 85-foot-tall building with 57,405 square feet of office use and 1,920 square feet of PRD use.
- **474 Bryant Street/77 Stillman Street (Case No. 2020-005255ENV):** the proposed project would demolish two vacant PDR buildings and construct two seven-story, 85-foot-tall buildings, each containing office over ground-floor PDR use.
- **531 Bryant Street (Case No. 2016-004392ENV):** the proposed project would demolish existing buildings construct a six-story, 65-foot-tall, office building with 46,390 square feet of office use and 2,900 square feet of retail use.
- **555-585 Bryant Street (Case No. 2019-020057PRJ):** the project proposes new construction of a 160-foot-tall mixed-use residential building with 500 dwelling units and 20,605 square feet of PDR use space.
- **598 Bryant Street (Case No. 2018-014043ENV):** the proposed project would demolish an existing gas station and construct a new mixed-use residential building. The base project would be 130 feet tall, and the density bonus project would be 260 feet tall.⁵
- **88 Bluxome Street (Case No. 2019-0123276ENV):** the proposed project would demolish the existing SF Tennis Club building and construct three buildings containing, office, recreation, retail, PDR, and childcare uses: West Component would be 225 feet tall; East Component would be two tiered – 202 feet and 155 feet tall; and the Community Center/Affordable Housing Component would be 85 feet tall.
- **701 Harrison Street (Case No. 2018-008661ENV):** the proposed project would construct a seven-story, 94-foot-tall mixed-use office building that would include 8,407 square feet of ground floor retail space and 49,801 square feet of office space on a currently vacant lot that is used for parking.
- **725 Harrison Street (Case No. 2005.0759E):** the proposed project would demolish six buildings and (1) construct a 14-story, 185-foot-tall building with office, retail, PDR, and childcare uses, and (2) dedicate land for an 85-foot-tall building with 144 affordable housing units to be developed by the City at a later point in time.
- **212-218 Ritch Street (2021-001565ENV):** the proposed project would demolish three two-story buildings containing a total of 2,400 sf of commercial use, merge lots, and construct one new five-story, 55-foot-tall building with 9,915 sf of office use and 1,875 sf of retail use.
- **636-648 4th Street (Case No. 2015-003880ENV):** the proposed project would demolish two existing one- and two-story commercial buildings and construct a 250-foot-tall building with 271 residential units and ground-floor commercial.

⁵ As of April 20, 2021, the project description has not been confirmed; thus, the cumulative analysis assumes the 260-foot height.

- **655 4th Street (Case No. 2014-000203ENV):** the proposed project would demolish three existing structures and parking lots and construct two new buildings 360 and 400 feet in height containing 960 residential units, 38 hotel rooms, 21,840 square feet of office use, and 20,938 square feet of retail use.
- **330 Townsend Street (Case No. 2016-009102ENV):** the proposed project would demolish a two-story office building and construct a 31-story, 300-foot-tall building containing 374 dwelling units and 11,500 square feet of retail use.

A public project planned near the project site is the **Downtown Rail Extension Project**, which would extend the Caltrain commuter rail line, primarily underground, from its current terminus at 4th and King streets to the Salesforce Transit Center. The project would include a new underground station at 4th and Townsend streets. The goal is to complete the project by the early 2030s.

D. Summary of Environmental Effects

The proposed project could potentially affect the environmental factor(s) checked below. The following pages present a more detailed checklist and discussion of each environmental topic.

- | | | |
|--|--|---|
| <input type="checkbox"/> Land Use and Land Use Planning | <input type="checkbox"/> Greenhouse Gas Emissions | <input type="checkbox"/> Geology and Soils |
| <input type="checkbox"/> Population and Housing | <input type="checkbox"/> Wind | <input type="checkbox"/> Hydrology and Water Quality |
| <input checked="" type="checkbox"/> Cultural Resources | <input type="checkbox"/> Shadow | <input type="checkbox"/> Hazards and Hazardous Materials |
| <input checked="" type="checkbox"/> Tribal Cultural Resources | <input type="checkbox"/> Recreation | <input type="checkbox"/> Mineral Resources |
| <input checked="" type="checkbox"/> Transportation and Circulation | <input type="checkbox"/> Utilities and Service Systems | <input type="checkbox"/> Energy Resources |
| <input checked="" type="checkbox"/> Noise | <input type="checkbox"/> Public Services | <input type="checkbox"/> Agriculture and Forestry Resources |
| <input checked="" type="checkbox"/> Air Quality | <input checked="" type="checkbox"/> Biological Resources | <input type="checkbox"/> Wildfire |

E. Evaluation of Environmental Effects

The Central SoMa PEIR identified significant and unavoidable with mitigation plan-level impacts related to land use, cultural resources, transportation and circulation, noise and vibration, air quality, and wind. Additionally, the Central SoMa PEIR identified significant cumulative impacts related to land use, cultural resources, transportation and circulation, noise and vibration, and air quality. The Central SoMa PEIR also identified less-than-significant impacts with mitigation impacts for other topic areas.

This initial study checklist evaluates whether the environmental impacts of the proposed project are addressed in the Central SoMa PEIR, certified on May 10, 2018.⁶ This initial study checklist provides a project-specific and cumulative analysis of environmental effects to determine whether the proposed project would result in significant impacts that: (1) are peculiar to the project or project site; (2) were not identified as significant project-level, cumulative, or offsite effects in the Central SoMa PEIR; or (3) are previously identified significant effects that, as a result of substantial new information that was not known at the time that the Central SoMa PEIR was certified, are determined to have a greater adverse impact than discussed in the

⁶ San Francisco Planning Department, Central SoMa Plan Final EIR, Case No. 2011.1356E, State Clearinghouse No. 2013042070, May 2018.

Central SoMa Plan PEIR. Such impacts, if any, will be evaluated in a project-specific mitigated negative declaration or environmental impact report. If no such impacts are identified, no additional environmental review shall be required for the project beyond that provided in the Central SoMa PEIR and this project-specific initial study in accordance with CEQA section 21083.3 and CEQA Guidelines section 15183. As discussed below in this initial study checklist, the proposed project would not result in new, significant environmental effects, effects that are peculiar to the project site, or effects of greater severity than were already analyzed and disclosed in the Central SoMa PEIR.

Mitigation measures identified in the Central SoMa PEIR are discussed under each topic area, and measures that are applicable to the proposed project are summarized in relevant sections of this initial study. The full text of mitigation measures that are applicable to the proposed project are included in the Mitigation Monitoring and Reporting Program (Attachment B to the Community Plan Evaluation Certificate of Determination).

Updates to the Initial Study Checklist

In March 2019, the San Francisco Planning Department updated its initial study checklist to reflect revisions made by the California Natural Resources Agency to Appendix G of the CEQA Guidelines. The topics and questions in the department's revised checklist are reflected in this initial study checklist.

In accordance with CEQA section 21099 – Modernization of Transportation Analysis for Transit Oriented Projects – aesthetics and parking shall not be considered in determining if a project has the potential to result in significant environmental effects, provided the project meets the following three criteria:

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

The proposed project meets each of the above three criteria and thus, this checklist does not consider aesthetics or parking in determining the significance of project impacts under CEQA.⁷

E.1 Land Use and Land Use Planning

Central SoMa PEIR Land Use and Planning Findings

The Central SoMa PEIR determined that implementation of the plan would not physically divide an established community because the plan does not provide for any new major roadways, such as freeways, that would disrupt or divide the plan area. Implementation of the plan would, however, result in street network changes within the plan area including improvements to mid-block alleys and mid-block crosswalks. However, these changes could decrease physical barriers by reducing the length of many of the plan area block faces thereby facilitating pedestrian movement through the neighborhood.

The Central SoMa PEIR determined that adoption of the Central SoMa Plan would result in a significant unavoidable plan-level and cumulative-level impacts related to land use and planning because it would

⁷ San Francisco Planning Department, Eligibility Checklist: CEQA Section 21099 – Modernization of Transportation Analysis for 490 Brannan Street, March 5, 2021.

conflict with the city’s general plan environmental protection element policies related to noise.⁸ Specifically, the PEIR found that implementation of the plan would generate significant traffic-related noise on Howard Street under the two-way option for Howard and Folsom streets. In addition, the plan would contribute to a cumulative impact related to traffic noise on several street segments in the plan area, under both the two-way and one-way options for Howard and Folsom streets. Such an increase would exceed the noise standards in the general plan’s environmental protection element and therefore would conflict with general plan policy 9.6 related to modifying streets in a way that increases traffic noise. Implementation of Central SoMa PEIR Mitigation Measure M-NO-1a, Transportation Demand Management for New Development Projects,⁹ which requires transportation demand management for new development projects, would substantially reduce traffic noise, but not to a less-than-significant level. In addition, Central SoMa PEIR Mitigation Measure M-NO-1b, Siting of Noise Generating Uses, which ensures that noise-generating uses are appropriately sited, would also reduce noise-related land use impacts, but not to a less-than-significant level.

Project Analysis

<i>Topics:</i>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
Would the project:				
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a significant physical environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

E.1.a) The proposed project would not result in the construction of a physical barrier to neighborhood access or the removal of an existing means of access; it would replace a one-story commercial building and surface parking with a 12-story mixed-use building and mid-block public open space within the boundaries of an established lot. The proposed project would not alter the established street grid or permanently close any streets or sidewalks. Therefore, the proposed project would not physically divide an established community.

E.1.b) The proposed project is consistent with the development density established in the Central SoMa Plan Area and must be compliant with all applicable regulations, and therefore would not cause a significant physical environmental impact due to a conflict with applicable land use plans, policies, or regulations adopted for the purpose of avoiding or mitigating an environmental effect.

Cumulative Analysis

The proposed project would have no impact with respect to physically dividing an established community. In addition, because the project site is not located along the significant cumulatively impacted roadways

8 San Francisco General Plan, Environmental Protection Element policy 9.6. Available at: http://generalplan.sfplanning.org/16_Environmental_Protection.htm.

9 PEIR Mitigation Measure M-NO-1a has been superseded for subsequent projects by adoption of Planning Code section 169, Transportation Demand Management Program.

identified in the Central SoMa PEIR, the proposed project would not contribute considerably to the cumulative land use impacts related to general plan noise-related conflicts.

Conclusion

The proposed project would not result in a significant project-level or cumulative land use impact. Therefore, the proposed project would not result in significant physical environmental land use impacts not already disclosed in the Central SoMa PEIR.

E.2 Population and Housing

Central SoMa PEIR Population and Housing Findings

A principal goal of the plan is to accommodate anticipated population and job growth consistent with regional growth projections, and to support a greater mix of uses while also emphasizing office uses in designated portions of the plan area. The Central SoMa PEIR found that the development projects that could be proposed and approved pursuant to the zoning controls would accommodate population and job growth already identified for San Francisco, and projected to occur within city boundaries and, thus, would not induce substantial population growth.¹⁰ The environmental effects of population and job growth resulting from the plan are addressed in the PEIR and its initial study.

The Central SoMa PEIR stated that the estimated housing demand resulting from plan-generated employment would be accommodated by increases in housing supply, primarily within the plan area and elsewhere in San Francisco, and development under the plan would not generate housing demand beyond projected housing forecasts. Office and other non-residential development would be required to pay in-lieu fees pursuant to the jobs-housing linkage program. Therefore, effects of the plan related to population and housing would be less than significant.¹¹

Project Analysis

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

10 Central SoMa PEIR, Appendix B, p. 84.

11 Central SoMa PEIR, Appendix B, p. 84–88.

E.2.a) The proposed would replace a one-story commercial building and surface parking with a 12-story building with office, PDR, retail, and childcare uses and mid-block public open space. Based on the size of the commercial and PDR space, the project would employ approximately 1,163 employees in total.¹²

This direct effect of the proposed project on employment was accounted for in the Central SoMa PEIR growth projections, which found that the Plan would result in an increase of about 32,000 employees in the Plan Area. Further, the Association of Bay Area Governments (ABAG) prepares projections of employment and housing growth for the Bay Area. The latest projections were prepared as part of Plan Bay Area 2040, adopted by ABAG and the Metropolitan Transportation Commission in 2017. The growth projections for San Francisco County anticipate an increase of 137,800 households and 295,700 jobs between 2010 and 2040,¹³ which is consistent with the housing element and other adopted plans.

The project's office, PDR/performance, and retail uses and the childcare facility would contribute to growth that is projected by ABAG. As part of the planning process for Plan Bay Area, San Francisco identified *priority development areas*, which are areas where new development will support the day-to-day needs of residents and workers in a pedestrian-friendly environment served by transit. The project site is located within a priority development area; thus, it would be implemented in an area where new population growth is both anticipated and encouraged.

The project would also be located in a developed urban area with available access to necessary infrastructure and services (transportation, utilities, schools, parks, hospitals, etc.). The project site is located in an established urban neighborhood and is not an infrastructure project, and thus, it would not indirectly induce substantial population growth. The physical environmental impacts resulting from housing and employment growth generated by the project are evaluated in the relevant resources topics in this initial study.

E.2.b) The proposed project would not displace any residents or housing units because no housing units currently exist on the project site. Therefore, the proposed project would have no direct impact related to the displacement of housing units or people and would not necessitate the construction of replacement housing elsewhere that could result in physical environmental effects.

Cumulative Analysis

The cumulative context for the population and housing topic is the City and County of San Francisco. The proposed project would provide commercial space that would result in increases in jobs. As discussed above, San Francisco is anticipated to grow by 137,800 households and 295,700 jobs between 2010 and 2040. Between 2010 and 2017, San Francisco's population grew by approximately 13,000 households and 137,200 jobs, leaving approximately 124,839 households and 158,486 jobs projected for San Francisco through 2040.^{14,15} As of the fourth quarter of 2020, approximately 72,414 net new housing units are in the pipeline, i.e., are either under construction, have building permits approved or filed, or applications filed, including

12 Number of employees is calculated using the San Francisco Planning Department, Citywide Division, Current Employment Density Factors, May 24, 2019. Total number of employees: 1,122 office employees (269,296 gsf @ 240 gsf/employee) + 22 PDR employees (12,506 gsf @ 570 gsf/employee + 9 retail employees (3,272 gsf @ 350 gsf/employee) + 10 employees at childcare facility (per sponsor) = 1,163.

13 Metropolitan Transportation Commission and Association of Bay Area Government, Plan Bay Area 2010 Final Supplemental Report: Land Use and Modeling Report. July 2017. This document is available online at: <http://2040.planbayarea.org/reports>. Accessed November 7, 2018.

14 U.S. Census Bureau, American Fact Finder, 2010 Demographic Profile Data and 2010 Business Patterns, San Francisco County. Available online at: <https://factfinder.census.gov/faces/nav/jsf/pages/programs.xhtml?program=dec>. Accessed April 10, 2019.

15 U.S. Census Bureau, Quick Facts, San Francisco County, California, Population Estimates July 1, 2017 and Households 2013-2017. Available online at: <https://www.census.gov/quickfacts/sanfranciscocountycalifornia>. Accessed April 10, 2019.

remaining phases of major multi-phased projects.¹⁶ Conservatively assuming that every housing unit in the pipeline is developed and at 100 percent occupancy (no vacancies), the pipeline would accommodate an additional 72,414 households. The pipeline also includes projects with land uses that would result in an estimated 73,288 new employees.^{17, 18} As such, cumulative household and employment growth is below the ABAG projections for planned growth in San Francisco. Therefore, the proposed project in combination with citywide development would not result in significant cumulative environmental effects associated with inducing unplanned population growth or displacing substantial numbers of people or housing, necessitating the construction of replacement housing elsewhere.

Conclusion

The proposed project would contribute a small portion of the growth anticipated within the Central SoMa Plan Area and in San Francisco as anticipated in Plan Bay Area. The project’s incremental contribution to this anticipated growth would not result in a significant individual or cumulative impact related to population and housing. Therefore, the proposed project would not result in significant physical environmental impacts related to population and housing that were not identified in the Central SoMa PEIR.

E.3 Cultural Resources

Central SoMa PEIR Cultural Findings

The Central SoMa PEIR anticipated that subsequent development projects resulting from the zoning changes could result in significant impacts on cultural resources. The Central SoMa PEIR identified 10 mitigation measures to reduce potentially significant cultural resource impacts. Even with mitigation, however, the Central SoMa PEIR anticipated that the significant adverse impacts on historic architectural resources and/or contributors to a historic district or conservation district located in the plan area (including as-yet unidentified resources), could not be fully mitigated. Thus, the Central SoMa PEIR found these impacts to be significant and unavoidable. Impacts to other resources covered under this topic were determined to be less than significant with mitigation.

Project Analysis

<i>Topics:</i>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5, including those resources listed in article 10 or article 11 of the <i>San Francisco Planning Code</i> ?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

¹⁶ San Francisco Planning Department, 2020 Q4. Citywide Development Pipeline. Available online at: <https://sfplanning.org/project/pipeline-report>. Accessed June 28, 2021.

¹⁷ *Ibid.*

¹⁸ San Francisco Planning Department, Citywide Division, Information and Analysis Group, Scott Edmundson, March 19, 2019.

<i>Topics:</i>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
c) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

E.3.a) Pursuant to CEQA Guidelines sections 15064.5(a)(1) and 15064.5(a)(2), historical resources are buildings or structures that are listed, or are eligible for listing, in the California Register of Historical Resources or are identified in a local register of historical resources, such as Articles 10 and 11 of the San Francisco Planning Code. The proposed project would demolish the existing one-story commercial bank building on the project site, which was constructed in 1965, and is currently vacant. A historic resource evaluation was prepared for the existing building,¹⁹ and preservation staff prepared a historic resource evaluation response,²⁰ summarized as follows.

The subject property was designed by San Francisco architect Angus McSweeney. No known historic events occurred at 490 Brannan Street and it does not represent a significant development in its neighborhood (Criterion 1). None of the subject property's owners or occupants have been identified as having made lasting contributions to local, state, or national history or cultural heritage (Criterion 2). 490 Brannan Street does not rise to the level architecturally such that it embodies the distinctive characteristics of a type, period, or method of construction or represents the work of a master or possesses high artistic value (Criterion 3). The building at 490 Brannan Street is not mentioned in the San Francisco Modern Architecture Historic Context Statement as being among [Angus] McSweeney's more influential works, such as the St. Mary's Cathedral, and was likely one of his smaller and lesser-known commissions. Based upon a review of information in the Planning Department's records, 490 Brannan Street is not significant under Criterion 4 (Information Potential), since this criterion typically applies to rare construction types when involving the built environment. The subject building is not an example of a rare construction type. Assessment of archeological sensitivity addressed under topic E.3.b below.

490 Brannan Street is not located within the boundaries of any identified historic district, nor is it directly adjacent to any identified historic resources. The nearest historic resources are across the street from the subject property are: Heubline Wine Distribution Warehouse at 601 4th Street, and 564 4th Street. Given the variety of architectural styles and range of construction dates of buildings in the vicinity, paired with later infill and alterations, the subject property is not part of a significant concentration of aesthetically or architecturally related buildings or a unified development period. 490 Brannan Street is located in SoMa Pilipinas, San Francisco's Filipino Cultural District, and near the Leather and LGBTQ Cultural District. The subject property does not appear to have a cultural association with the Filipino or Leather and LGBTQ communities, and has not been identified as an asset to either cultural district.

In light of the above, the existing building on the project site is not eligible for listing in the California Register, either individually or as a historic district contributor, and is not considered a historical resource pursuant to

¹⁹ Johanna Street, Architect, and Brad Brewster, Brewster Historic Preservation, *Historic Resource Evaluation, 490 Brannan Street, San Francisco*, March 2020.

²⁰ San Francisco Planning Department, 490 Brannan Street, Part I Historic Resource Evaluation Response, April 14, 2021.

CEQA. The proposed demolition of the existing structure would not result in a significant historic resource impact.

Construction activity can generate vibration that can cause structural damage to nearby buildings. The proposed project would require demolition of the existing structure at the project site and excavation to a depth of approximately 20 feet. The closest historic landmark is the Hotel Utah at 500 4th Street, which is approximately 350 feet northwest of the project site. Since this distance is greater than 100 feet, construction vibration would not affect the Hotel Utah, 601 4th Street, 564 4th Street, or any other historic resources.

Therefore, the proposed project would not contribute to the significant historic resource impact identified in the Central SoMa PEIR, and no historic resource mitigation measures would apply to the proposed project.

E.3.b) As required by Central SoMa PEIR Mitigation Measure M-CP-4a, a project-specific preliminary archeological assessment was conducted for the proposed project. According to the preliminary archeological assessment, the project site has sensitivity for prehistoric and historical resources. The proposed project would include excavation 18-20 ft below ground surface that would extend through the fill and into the marsh deposit. The fill and the interface of the marsh deposit are sensitive for historical resources associated with 19th century structures on the project site. The marsh, clayey sands, and top of the Colma layer are sensitive for in situ prehistoric resources; redeposited prehistoric resources may be present in the fill. The project would impact potentially significant resources, and testing is recommended. Implementation of **Project Mitigation Measure 1, Archeological Testing** (implementing Central SoMa PEIR Mitigation Measure M-CP-4a, Project-Specific Preliminary Archeological Assessment), requires the project sponsor to retain the services of an archeological consultant to undertake an archeological testing program. With implementation of Project Mitigation Measure 1, the project would have a less-than-significant impact on archaeological resources and previously unknown human remains.

E.3.c) Archeological resources may include human burials. Human burials outside of formal cemeteries often occur in prehistoric or historic period archeological contexts. The potential for the proposed project to affect archeological resources, which may include human burials is addressed above under E.3.b. Furthermore, the treatment of human remains and of associated or unassociated funerary objects must comply with applicable state laws. This includes immediate notification to the county coroner (San Francisco Office of the Chief Medical Examiner) and, in the event of the coroner's determination that the human remains are Native American, notification of the California Native American Heritage Commission, which shall appoint a most likely descendant.²¹

Cumulative Analysis

As discussed above, the proposed project would have a less-than-significant effect on historic architectural resources and therefore would not have the potential to contribute to any cumulative historic resources impact.

The cumulative context for archeological resources and human remains is generally site specific and limited to the immediate construction area. For these reasons, the proposed project, in combination with other cumulative projects, would not result in a cumulatively considerable impact on archeological resources or human remains.

²¹ California Public Resources Code section 5097.98

Conclusion

The proposed project would not result in significant impacts to historic resources, and impacts to archeological resources would be mitigated to less-than-significant levels with implementation of mitigation measures identified in the Central SoMa PEIR. The project sponsor has agreed to implement Project Mitigation Measure 1. Therefore, the proposed project would not result in significant impacts on cultural resources that were not previously identified in the Central SoMa PEIR.

E.4 Tribal Cultural Resources

Central SoMa PEIR Cultural Findings

Based on discussions with Native American tribal representatives in San Francisco, prehistoric archeological resources are presumed to be potential tribal cultural resources, but there are no known or potential tribal cultural resources in San Francisco. The PEIR identified a potentially significant impact to tribal cultural resources as a result of plan implementation and identified Central SoMa PEIR Mitigation Measure M-CP-5, Project-Specific Tribal Cultural Resource Assessment, to reduce impacts to tribal cultural resources to less-than-significant levels. This mitigation applies to any project involving soil disturbance of 5 feet or greater below ground surface and requires the project to be reviewed as part of the project-specific preliminary archaeological review to determine if the project may have a significant effect on a tribal cultural resource and if so, to develop and implement an archaeological resource preservation plan. The Central SoMa PEIR concluded that with implementation of M-CP-5, impacts of subsequent development projects on tribal cultural resources would be reduced to less-than-significant levels.

Project Analysis

<i>Topics:</i>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
Would the project:				
a) Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, or cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is: (i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

<i>Topics:</i>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
(ii) A resource determined by the lead agency in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code section 5024.1. In applying the criteria set forth in this subdivision, the lead agency shall consider the significance of the resource to a California Native American tribe.				

E.4.a) As required by Central SoMa PEIR Mitigation Measure M-CP-5, the department conducted a project-specific tribal cultural resource assessment with the preliminary archeological assessment for the proposed project. The project site is sensitive for prehistoric resources. Based on Planning Department consultations with local Native American representatives, prehistoric archaeological sites are assumed to be potential tribal cultural resources. Therefore, the project would potentially affect tribal cultural resources, which would be a significant impact. **Project Mitigation Measure 2, Tribal Cultural Resources** (implementing Central SoMa PEIR Mitigation Measure M-CP-5, Project-Specific Tribal Cultural Resource Assessment), must be implemented. This mitigation measure requires consideration of preservation in place, inclusion of a Native American /monitor in any subsequent archeological monitoring, testing or data recovery, and public interpretation of finds. With implementation of Project Mitigation Measure 2, the proposed project would have a less-than-significant impact on tribal cultural resources.

Cumulative Analysis

The cumulative context for tribal cultural resources is generally site specific and limited to the immediate construction area. For this reason, the proposed project, in combination with other cumulative projects, would not result in cumulative impacts to tribal cultural resources.

Conclusion

The proposed project’s impact to tribal cultural resources would be mitigated to less-than-significant levels with the implementation of Project Mitigation Measure 2. Therefore, the proposed project would not result in significant impacts to archaeological resources that constitute tribal cultural resources that were not previously identified in the Central SoMa PEIR.

E.5 Transportation and Circulation

Central SoMa PEIR Transportation and Circulation Findings

The Central SoMa PEIR anticipated that growth resulting from the zoning changes could result in significant impacts on transit, pedestrians and loading, along with significant construction-related transportation impacts. Although the Central SoMa PEIR identified eight transportation mitigation measures to help reduce transportation impacts, the Central SoMa PEIR anticipated that significant impacts on transit, pedestrians, loading, and construction would not be fully mitigated. Thus, the Central SoMa PEIR found these impacts to be significant and unavoidable. The Central SoMa PEIR also found significant impacts to emergency vehicle

access as a result of the amount of growth anticipated under the plan in combination with the proposed street network changes and identified a mitigation measure to reduce these impacts to a less-than-significant level.

Project Analysis

<i>Topics:</i>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
Would the project:				
a) Involve construction that would require a substantially extended duration or intensive activity, the effects of which would create potentially hazardous conditions for people walking, bicycling, or driving, or public transit operations; or interfere with emergency access or accessibility for people walking or bicycling; or substantially delay public transit?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Create potentially hazardous conditions for people walking, bicycling, or driving or public transit operations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Interfere with accessibility of people walking or bicycling to and from the project site, and adjoining areas, or result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially delay public transit?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Cause substantial additional vehicle miles travelled or substantially induce additional automobile travel by increasing physical roadway capacity in congested areas (i.e., by adding new mixed-flow travel lanes) or by adding new roadways to the network?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Result in a loading deficit, the secondary effects of which would create potentially hazardous conditions for people walking, bicycling, or driving; or substantially delay public transit?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Result in a substantial vehicular parking deficit, the secondary effects of which would create potentially hazardous conditions for people walking, bicycling, or driving; or interfere with accessibility for people walking or bicycling or inadequate access for emergency vehicles; or substantially delay public transit?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Topic E.5.g is not applicable to the proposed project in accordance with CEQA section 21099.

E.5.a to d) A site circulation study that was prepared to evaluate project-specific effects is summarized below.²²

Travel demand for the proposed project was estimated for weekday daily and p.m. peak hour conditions. Total person trip generation was calculated based on the individual office, PDR, retail, childcare, and performing arts venue land uses. The weekday daily and p.m. peak hour trip generation rates included in the SF Workbook

²² Advant Consulting, *Site Circulation Study for the 490 Brannan Street Project*, August 5, 2021.

were applied to estimate person trips generated by the office and retail uses. Consistent with the analysis planning department’s Transportation Impact Analysis Guidelines updated in 2019 (SF Guidelines), the same trip generation rates and other characteristics assumed for the office land use were also applied to the PDR uses, with the exception of the performing arts venue. Although performing arts are considered a PDR use under the San Francisco Planning Code, a venue generates more visitor trips than a typical PDR use on a daily basis and during the p.m. peak hour. Therefore, the trip generation was estimated separately. As shown on **Table 2**, the proposed project would generate 5,513 daily person-trips and 576 p.m. peak hour person-trips. When accounting for the existing use credit (surface parking), the project would generate 4,651 net-new daily person-trips, and 462 net-new person-trips during the p.m. peak hour.

Table 2: Proposed Project Trip Generation by Land Use – Weekday Daily and P.M. Peak Hour

Land Use	Size (gsf)	Daily Person Trips ^a	PM Peak Hour Person Trips ^a
Office and PDR	276,400	4,339	387
Retail	3,280	492	44
Childcare	5,400	362	65
Performing arts venue ^b	5,420	320	80
Total proposed project	290,500	5,513	576
Credit for existing use ^c	290,500	-862	-114
Total net new person trips		4,651	462

Notes:

- a. Daily and p.m. peak hour person trips include both inbound and outbound trips
- b. 120 seats
- c. Based on counts conducted on March 9, 2021, at the existing 114-space surface parking lot. Conservatively assumes an average vehicle occupancy of one person per vehicle.

Sources: San Francisco Planning Department, Transportation Impact Analysis Guidelines; Adavant Consulting, 2021, Table 4.

As shown on **Table 3**, the proposed project would generate 1,295 daily vehicle trips and 130 p.m. peak hour vehicle trips. When accounting for the existing surface parking use, the project would generate 43 net-new vehicle trips during the p.m. peak hour. These estimates were used to inform the analysis of the project’s impacts on transportation and circulation during both construction and operation.

Table 3: Trip Generation by Way of Travel – Weekday Daily and P.M. Peak Hour

Analysis Period	PERSON TRIPS BY WAY OF TRAVEL						Vehicle Trips
	Automobile	For-Hire	Transit	Walking	Bicycling	Total	
Daily							
Proposed project	995	336	1,604	2,355	224	5,513	1,295
Existing uses	-673			-189		-862	-673
Net new trips	322	336	1,604	2,166	224	4,651	622
P.M. peak hour							
Office/PDR	71	24	112	164	17	387	100
Retail	5	2	11	24	2	44	6
Childcare	12	4	19	28	3	65	10

Performing arts	20	8	33	20	0	80	15
Total project	108	37	175	236	21	576	130
Existing uses	-87			-27		-114	-87
Net new trips	21	37	175	209	21	462	43

Existing person and vehicle trips based on vehicle counts in and out of the existing surface parking lot conducted on March 9, 2021.

Sources: SF Guidelines, Advant Consulting 2021, Table 6.

The following considers effects of the project on potentially hazardous conditions, accessibility (including emergency access), public transit delay, vehicle miles traveled, and loading.

Construction

The SF Guidelines set forth screening criteria for types of construction activities that typically would not result in significant construction-related transportation effects. During the approximately 26-month construction period, the flow of construction-related trucks to and from the project site could result in temporary lower capacities of local streets. The peak number of construction trucks would occur during the excavation and shoring phase, when there would be an average of 40 trucks per day and a peak of 60 trucks per day. The foundation concrete pour during the foundation and below-grade construction phase would be conducted in two pours on two separate days and would generate a peak of 280 trucks each day. Construction activities would also generate construction worker trips (between 13 and 90 construction workers per day) to and from the project site and temporary increases in demand for vehicle parking and public transit.

Proposed project construction staging would occur on site and within the sidewalks adjacent to the project site. Travel lane or sidewalk closures would be temporary and of limited duration. To the extent possible, travel lane closures would be conducted on weekends when activity associated with people walking, transit, and vehicular traffic adjacent to the site is lower. Emergency access and public transit access on all streets and stops adjacent to the site would be maintained throughout construction. The sidewalks adjacent to the project site on 4th and Freelon streets would also be closed for the duration of construction. Because there is no on-street parking adjacent to the project site on either street, people walking would be detoured and directed to use the sidewalk on the west side of 4th Street or the north side of Freelon Street.

Closures within the public right-of-way would be requested from the San Francisco Municipal Transportation Agency (SFMTA) and would be required to comply with the San Francisco Regulations for Working in San Francisco Streets (the blue book). The blue book is prepared by the SFMTA under the authority derived from the San Francisco Transportation Code and serves as a guide for contractors working in San Francisco streets. The blue book establishes rules and guidance so that construction work can be done safely and with the least possible interference with pedestrians, bicycles, transit and vehicular traffic.

Overall, construction activities would be temporary and phased, would not involve a substantially extended duration or intense activity, and would be conducted in accordance with city requirements. Therefore, construction of the proposed project would not create potentially hazardous conditions for people walking, bicycling, driving or riding transit. Furthermore, the proposed project would not interfere with emergency access or accessibility for people walking, bicycling, or substantially delay transit.

Operation

Hazardous Conditions and Accessibility

The proposed project would eliminate existing driveways on Brannan and 4th streets, reconstruct and widen sidewalks (and include building setbacks to provide additional space for people walking), remove metered on-street parking spaces, relocate the westbound bike lane on Brannan Street between the curb and floating parking lane or 2-foot-wide median, reconstruct existing ADA ramps, add class 2 bike racks, add curb cuts along Freelon Street to access the garage and the freight loading dock, and provide a privately owned pedestrian-only midblock alley. These changes would be consistent with Better Streets Plan guidelines, and street network changes would undergo review by the SFMTA Transportation Advisory Committee and the San Francisco Fire Department, along with other City agencies.

Current emergency vehicle access to the project site is via 4th and Brannan streets. Emergency access routes to the proposed project site would remain unchanged compared with existing conditions. The proposed project would not introduce any design features or street network changes that would change emergency vehicle travel adjacent to the project site. The proposed project would add vehicles to nearby streets, however, the increase in the number of vehicles would not be substantial compared to existing traffic volumes and would not hinder the movements of emergency vehicles in the project vicinity.

The project's street network changes would enhance the environment and safety for people walking adjacent to the project site. The project garage driveway entrance/exit on Freelon Street would have audible and/or visual warning systems for people walking or bicycling on Freelon Street as vehicles exit onto Freelon Street.

The proposed project would not substantially increase the number of people walking on Freelon Street. The project driveway and ground floor loading spaces would not create potentially hazardous conditions for people walking or bicycling on Freelon Street due to the low existing volumes of vehicles and people walking and bicycling, and the low vehicle travel speeds within the single eastbound travel lane and for vehicles accessing the project garage driveway and loading spaces. In addition, the project driveway would be designed to provide adequate sight distances for drivers and people walking and bicycling.

During the weekday p.m. peak hour there would be about 75 vehicles turning left, including six new project-generated vehicle trips. The project would increase the number of vehicle trips across the crosswalk at this unsignalized intersection; however, this increase in vehicles is not expected to create a potentially hazardous condition because the single eastbound travel lane on Freelon Street would have sufficient capacity to accommodate the expected volume of vehicles. Furthermore, by removing the existing surface parking lot, the project would result in a similar number of vehicles as under existing conditions on Freelon Street between 4th and Zoe streets.

To access the project below-grade garage driveway and the ground-floor loading spaces on Freelon Street, vehicles would turn right from eastbound Freelon Street across the Freelon Street sidewalk into the driveway, similar to entering/exiting the surface parking lot under existing conditions. During the p.m. peak hour, there would be about six project vehicles entering the garage. The ramp accessing the below-grade garage would have adequate queuing distance on-site (about 100 feet on the ramp) to accommodate up to six vehicles queued to access the garage without queuing back into the Freelon Street sidewalk.

Project loading spaces would be located across the street from the existing vehicle driveways to the residential building at 555 4th Street (The Palms). Since Freelon Street is a low volume (70 vehicles during the p.m. peak hour) and low speed (less than 20 mph) roadway, the freight/service vehicle maneuvers would not represent an unexpected obstruction to those vehicles traveling on the street. In addition, the two loading dock entrances would be located between 140 and 190 feet east of 4th Street and would be positioned in a way that

trucks could pull in or out of the spaces in a single maneuver, so as not to interfere with those vehicles entering or exiting the residential garage across the street, except during the short instances when truck maneuvering would take place.

The turning radius for trucks turning from southbound 4th Street onto eastbound Freelon Street was evaluated for a standard SU-30 truck, as well as Recology's 32-foot-long front-loader and 34-foot-long roll-off trucks. The analysis found that all three vehicles would be capable of making a left turn in a single maneuver, without encroaching onto Muni's right of way or mounting the adjacent sidewalks.

For the reasons described above, the proposed project would result in less-than-significant impacts related to creating hazardous conditions for people walking, bicycling, or driving or public transit operations. Furthermore, the project would result in a less-than-significant impact related to emergency access.

Public Transit Delay

On Brannan Street, the 83X Mid-Market Express bus route travels within the eastbound travel lanes before turning right onto 4th Street and therefore does not travel adjacent to the project site. On 4th Street, the 15 Bayview Hunters Point Express and 47 Van Ness Avenue bus routes travel within the southbound travel lane west of the Muni Metro tracks across the street from the project site. Therefore, the 15 Bayview Hunters Point Express and the 47 Van Ness routes would not be affected by project-generated vehicles traveling southbound on 4th Street turning onto Freelon Street or onto Brannan Street. The Central Subway light rail line will operate within an exclusive median on 4th Street; as discussed under Potentially Hazardous Conditions and Accessibility above, turning trucks would not encroach onto Muni's right of way.

The 30 Stockton (long) bus route currently travels within the southbound travel lanes east of the light rail tracks adjacent to the project site, however, conditions for this bus route would be similar to existing conditions: because the proposed project would replace an existing surface parking lot and provide only 24 onsite vehicle parking spaces, the number of vehicles on southbound 4th Street turning left onto Freelon Street could decrease or increase minimally (up to six vehicles during the p.m. peak hour). In addition, during the p.m. peak hour, the project would add 130 net-new vehicles to the streets in the project vicinity, which would be distributed among multiple streets.

For these reasons, the project would have a less-than-significant public transit delay impact.

Vehicle Miles Traveled

The SF Guidelines set forth screening criteria for types of projects that would typically not result in significant vehicle miles traveled impacts. The project site is an area where existing vehicle miles traveled per capita is more than 15 percent below the existing regional per employee average. The project meets this locational screening criterion and the project would have a less-than-significant vehicle miles traveled impact.

The project also meets the proximity to transit screening criterion. The project site is within one-half mile of an existing major transit stop or an existing stop along a high-quality transit corridor, and the project meets other characteristic requirements. This screening criterion also indicates the project would not cause substantial additional vehicle miles traveled, and would not substantially induce additional automobile travel by increasing physical roadway capacity in congested areas.

Loading

The proposed project includes six on-site commercial loading spaces. In addition, an existing 20-foot-long on-street commercial vehicle (yellow) loading zone is located on the north side of Freelon Street. The project's peak hour commercial vehicle loading demand of four loading spaces (three for the office uses, and one for the retail, PDR, childcare and performing arts uses) would be adequately accommodated by the six on-site commercial loading spaces.

Three parking spaces on the north side of Brannan Street immediately east of the project site would be designated for passenger loading when the childcare facility is in operation and during the evening to serve the proposed performing arts theater. During the weekday p.m. peak hour, the project would generate a demand for five passenger loading spaces during the peak 15 minutes of demand. Passenger loading demand would be accommodated by the three passenger loading spaces on Brannan Street and within two existing passenger loading zones on the south side of Brannan Street and on the north side of Freelon Street.

In the event that some of the expected passenger loading demand did not occur at the designated available locations, these would likely occur in front of the proposed building, either on southbound Fourth Street or westbound Brannan Street. These activities would then cause a brief temporary blockage of motor vehicle traffic on those streets, but without substantially affecting bicycling or transit operations, since there is limited public transit service on the left hand lane of southbound Fourth Street or on Brannan Street, and the westbound bicycle lane on Brannan Street is physically protected from the adjacent traffic lane.

During the evening hours when the passenger loading demand for the performing arts uses would be greatest, the loading demand would be accommodated within the three spaces on the north side of Brannan Street east of the project site, located approximately 150 feet from the venue's main entrance, which would be designated for passenger loading/unloading in the evenings when childcare use is not in operation.

The proposed project would be required to comply with Planning Code section 155(u), which requires the project sponsor to prepare and implement a driveway loading and operations plan (DLOP). This plan would specify how deliveries to the building, trash/recycling/compost collection operations, and passenger loading/unloading activities would be accommodated within on-site and/or on-street loading spaces. Compliance with Planning Code section 155(u) would reduce conflicts between driveway and loading operations and people walking, bicycling, and driving on streets adjacent to the project site.

Therefore, the project and surrounding project block would meet the anticipated commercial and passenger loading demand and would not result in a significant loading deficit that would create potentially hazardous conditions for people walking, bicycling, or driving, or substantially delay public transit.

Cumulative Analysis

Construction

Construction of the proposed project could overlap with construction of the eight cumulative development projects listed above that are currently under review. However, the timing of construction of these development projects is not known, and except for the three projects located along Brannan Street and discussed below, most cumulative development projects are not located in the immediate vicinity of the project site.

The 424 Brannan Street project located about 350 feet to the east of the project site and the 505 Brannan Street and 560 Brannan Street projects located between 100 and 600 feet west of the project site could have overlapping schedules and use the same roadways to access the project site (e.g., Brannan Street). These cumulative projects would each include between 80,000 and 165,000 gross square feet of new construction and would not result in substantial construction activities that would be of extended duration. However, given the multiple projects within a block of the project site (a total of 291,956 gross square feet of new construction including the proposed project) and the uncertainty concerning construction schedules, the project's contribution to cumulative construction-related transportation impacts identified in the Central SoMa PEIR would be potentially significant.

With compliance with SFMTA blue book regulations concerning construction activities within the public right-of-way and implementation of **Project Mitigation Measure 3, Construction Transportation Management Plan and Construction Coordination** (implementing Central SoMa PEIR Mitigation Measure M-TR-9), the proposed project's cumulative construction-related transportation impacts would be reduced to less than significant.

Operation

Hazardous Conditions and Accessibility

Under cumulative conditions, trips by people walking, bicycling, driving, or taking transit on the street network surrounding the project site would increase; this would generally be expected to lead to an increase in the potential for conflicts between people driving and people walking, bicycling, and public transit operations. These effects would be offset by transportation network changes included in the Central SoMa Plan, such as improved bicycle network, widened sidewalks and crosswalks, new midblock alleys, and midblock crossings, particularly along Brannan Street.

The future land use developments in the vicinity of the proposed project are not anticipated to result in substantial changes to traffic circulation that could lead to potentially hazardous conditions for people walking, bicycling, driving, or riding transit. The project would include widened sidewalks adjacent to the project site, a midblock pedestrian-only alley and the reconfigured protected curbside bicycle lane along Brannan Street. The proposed project, those of cumulative development and transportation projects would enhance the transportation network and would promote accessibility for people walking and bicycling within and through the Central SoMa Plan Area by conforming to the requirements of the Better Streets Plan, Transit First Policy, and Vision Zero, and by adhering to planning principles that emphasize providing convenient connections and safe routes for people walking and bicycling.

Under cumulative conditions, trips by people walking and bicycling on the street network surrounding the project site would increase due to the proposed project, other development projects identified above, and growth elsewhere in Central SoMa, the city and region. This would generally be expected to lead to an increase in the potential for conflicts between people driving and people walking, bicycling, and public transit operations. These effects would be offset by transportation network changes included in the Central SoMa Plan, such as improved bicycle network, widened sidewalks and crosswalks, new midblock alleys, and midblock crossings, particularly along Brannan Street.

The proposed project site is on the east side of Fourth Street and people walking to the site would predominantly travel on the west side of the street to travel north and south of the project site. Therefore, the

proposed project would not contribute considerably to the overcrowding identified in the Central SoMa PEIR at the west crosswalks on Fourth Street crossing Townsend and King streets. The project would not create impediments to accessibility or circulation for people walking or bicycling or create conditions inadequate for emergency access or create conditions that would inhibit the future implementation of transportation network changes presented as part of the Central SoMa Plan or other safety projects. Similar to the proposed project, other cumulative projects would undergo review by the Street Design Advisory Team (SDAT), a multiagency advisory body that reviews and provides comments on changes to the public right-of-way.

For these reasons, the proposed project would not contribute considerably to cumulative impacts related to potentially hazardous conditions and accessibility than were identified in the Central SoMa PEIR.

Public Transit Delay

The project would add 43 p.m. net-new peak hour vehicle trips and 175 p.m. net-new peak hour transit trips. This minor number of trips would not contribute considerably to cumulative transit delay. Cumulative projects such as the Central Subway Project would also improve public transit. Therefore, the proposed project would not result in new or more severe transit delay impacts than were identified in the Central SoMa PEIR. Therefore, the proposed project in combination with cumulative development projects would not combine to result in more severe cumulative transit impacts than were disclosed in the Central SoMa PEIR.

Loading

In the vicinity of the project site, the Central SoMa Plan street network changes on Brannan Street would remove commercial loading and/or passenger loading spaces. Under cumulative conditions, loading activities for the cumulative development projects would occur in the vicinity of their respective sites and would not combine with the project's loading demand. The proposed project's estimated peak loading demand would be accommodated by the proposed on-site commercial loading spaces and the proposed and nearby existing passenger loading zones. As described above a driveway loading and operations plan is being prepared and will be included as a condition of approval for the proposed project.

No other cumulative development projects have been identified that would contribute to either commercial vehicle or passenger loading demand on the project block and result in loading deficits. Therefore, the project would not contribute to the significant cumulative plan-level commercial vehicle or passenger loading impacts identified in the Central SoMa PEIR and would not result in new or more severe cumulative commercial vehicle and passenger loading impacts.

Conclusion

The proposed project would not result in significant project or cumulative transportation and circulation impacts that were not identified in the Central SoMa PEIR, nor would the project result in significant project or cumulative transportation and circulation impacts that are substantially more severe than those identified in the Central SoMa PEIR.

E.6 Noise

Central SoMa PEIR Noise Findings

The Central SoMa PEIR determined that implementation of the Central SoMa Plan would result in a substantial permanent increase in ambient roadway traffic noise levels due to the increase in jobs and residents and street network changes under the two-way option for Howard and Folsom streets. In addition, the plan would contribute to a cumulative impact related to traffic noise on several street segments in the plan area, under both the two-way and one-way options for Howard and Folsom street. Implementation of Central SoMa PEIR Mitigation Measure M-NO-1a, Transportation Demand Management for New Development Projects,²³ which requires transportation demand management for new development projects, would substantially reduce traffic noise, but not to a less-than-significant level.

The PEIR concluded that impacts associated with new noise-generating uses, now enabled under the plan, could result in significant noise impacts. However, implementation of Central SoMa PEIR Mitigation Measure M-NO-1b, Siting of Noise-Generating Uses, would render this impact less than significant.

The Central SoMa PEIR determined that, although construction activities in the plan area could expose people to temporary increases in noise levels substantially in excess of ambient levels, these impacts could be mitigated to less than significant for individual building construction with implementation of Central SoMa PEIR Mitigation Measures M-NO-2a, General Construction Noise Control Measure, and M-NO-2b, Noise and Vibration Control Measures during Pile Driving. However, the Central SoMa PEIR found that if construction of multiple buildings were to simultaneously occur near the same receptors, the impact could be significant and unavoidable.

The Central SoMa PEIR also determined that construction activities could expose people and buildings to temporary increases in vibration levels that would be substantially in excess of ambient levels, which would result in significant vibration impacts. The Central SoMa PEIR determined that these impacts could be mitigated to a less-than-significant level with implementation of Central SoMa PEIR Mitigation Measures M-NO-2b; M-CP-3a, Protect Historical Resources from Adjacent Construction Activities; and M-CP-3b, Construction Monitoring Program for Historical Resources.

The Central SoMa Plan area is not located near a private airstrip or an airport land use plan area; therefore, topic 5c below is not applicable to the plan nor any subsequent development projects within the plan Area.

Project Analysis

<i>Topics:</i>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
Would the project:				

²³ PEIR Mitigation Measure M-NO-1a has been superseded for subsequent projects by adoption of Planning Code section 169, Transportation Demand Management Program.

<i>Topics:</i>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
a) Generate substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Generate excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) For a project located within the vicinity of a private airstrip or an airport land use plan area, or, where such a plan has not been adopted, in an area within two miles of a public airport or public use airport, would the project expose people residing or working in the area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Construction Noise

The project's geotechnical investigation³⁰ indicates that the proposed building's foundation design should consist of either conventional spread footings or mat foundation. Regardless of the foundation ultimately selected, the proposed project would not require impact pile-driving. Therefore, Central SoMa PEIR Mitigation Measure M-NO-2b related to noise and vibration control measures during pile-driving would not apply to the proposed project.

An environmental noise and vibration impact assessment was prepared for the proposed project.²⁴ Project construction is anticipated to last approximately 26 months, and construction equipment is anticipated to include excavators which would be in use during the demolition, excavation, and sitework phases, which are expected to last about 210 days.

As the final foundation and reinforcement design would be determined by the project engineers at the time of engineering design (construction documents), this analysis conservatively assumes the possibility of particularly noisy construction activities during foundation construction. In addition, implementation of the proposed project could include other noisy construction activities due to the anticipated use of heavy construction equipment. Therefore, **Project Mitigation Measure 4, General Construction Noise Control Measures** (implementing Central SoMa PEIR Mitigation Measure M-NO-2a), applies to the project. This mitigation includes, but is not limited to, the following measures:

- Ensure that equipment and trucks used for project construction utilize the best available noise control techniques wherever feasible;
- Locate stationary noise sources as far from adjacent or nearby sensitive receptors as possible and muffle noise sources by constructing barriers around such sources and/or the construction site;
- Use hydraulically or electrically powered impact tools and avoid pneumatically powered tools with compressed air exhaust whenever possible;

²⁴ Salter, 490 Brannan Street, Environmental Noise Study, August 9, 2021.

- Include noise control requirements in specifications provided to construction contractors; and
- Post an on-site sign that describes noise complaint procedures and includes a complaint hotline number and designates an on-site construction complaint and enforcement manager for the project.

Implementation of Project Mitigation Measure 4 would reduce construction noise impacts to a less-than-significant level.

Operational Noise

As discussed above, the Central SoMa PEIR determined that significant impacts could occur due to the introduction of new noise-generating uses that could affect existing noise-sensitive uses in the plan area and expose people to noise levels in excess of the general plan's noise compatibility guidelines. A technical noise analysis was completed for the proposed project and is summarized as follows.²⁵

The proposed project would add approximately 462 net-new person-trips to the local roadway network. The project's proposed 24 on-site vehicle parking spaces would result in fewer vehicle trips to the project site compared to existing conditions, and pursuant to Planning Code section 169, the project sponsor has prepared a transportation demand management (TDM) plan to reduce the project's vehicle trips and concomitant transportation impacts to the surrounding area. Thus, the project would not add a substantial number of vehicle trips and would not result in a perceptible increase in traffic noise levels.

The project would be required to comply with the San Francisco Noise Ordinance (Police Code sections 2909(b) and 2909(d)). The noise ordinance restricts noise levels in commercial and industrial properties to less than 8 dBA above the local ambient noise level at any point outside of the property plane, and limits fixed noise sources at residential interiors to less than 45 dBA between the hours of 10:00 p.m. to 7:00 a.m. or 55 dBA between the hours of 7:00 a.m. to 10:00 p.m. with windows open except where building ventilation is achieved through mechanical systems that allow windows to remain closed. The Department of Building Inspection (building department) is responsible for enforcing the noise ordinance for private construction projects during normal business hours (8:00 a.m. to 5:00 p.m.). The Police Department is responsible for enforcing the noise ordinance during all other hours.

Mechanical equipment in the proposed building would include four exhaust fans, an air-cooled chiller, two heat recovery chillers, six pumps, an electric boiler, and 14 air-cooled VRF units. The exhaust fans, air-cooled chiller, and air-cooled VRF would be outdoors at the rooftop equipment yard above Level 12 with a 15-foot-tall barrier at the perimeter; all other proposed mechanical equipment would be located indoors. The project would include a 2,500-kilowatt Tier 4 diesel-fueled emergency generator in the basement of the building.

The nearest noise-sensitive receivers are the residential balconies at 555 4th Street, approximately 35 feet to the northwest and 110 feet lower across Freelon Street. Based on the equipment layout and distance to property lines, combined noise levels are estimated to be approximately 60 dBA at the property planes along Freelon and Brannan streets and the mid-block alley, mainly due to the exhaust fans. Measured ambient noise levels along Freelon and Brannan streets are between 50 and 52 dBA. Therefore, it is expected that rooftop equipment would exceed ambient noise levels by more than 8 dBA. These noise sources would be subject to San Francisco Police Code section 2909(a), which prohibits any person on a residential property from

²⁵ Salter, *op cit*.

producing, or allowing to be produced, a noise level in excess of 8 dBA above ambient noise levels at any point outside the property line.

To comply with the commercial noise limits of Police Code section 2909(b), rooftop mechanical equipment would need to be re-selected to achieve a combined reduction of noise levels of approximately 2 dBA or more. The project-specific acoustical analysis determined that certain design considerations would be necessary to ensure compliance with the requirements of 2909(b). Therefore, operational noise from rooftop equipment could result in noise levels exceeding the applicable ambient plus 8 dBA standard of 2909(b) (58 dBA) standard at the property line, which would be a significant noise impact. **Project Mitigation Measure 5, Siting of Noise-Generating Uses** (implementing PEIR Mitigation Measure M-NO-1b), which requires the incorporation of noise attenuation measures, would apply to the proposed project. With implementation of Project Mitigation Measure 5, the proposed project would not generate noise above existing ambient noise levels in the project site vicinity and operational noise impacts would be reduced to less than significant.

E.6.b) Pile driving, usually during construction, generates the greatest amount of vibration. As discussed above, the proposed project does not propose pile driving activities. However, other construction equipment can also result in construction vibration that may affect certain types of buildings, in particular historic and older buildings. As discussed in section E.3, Cultural Resources, the historic buildings nearest to the project site is the Hotel Utah at 500 4th Street, which is approximately 350 feet from the project site. It is not anticipated that construction equipment would result in vibration at levels that could cause damage to adjacent buildings. Additionally, commercial development projects, such as the proposed project, are not typically sources of operational vibration. Therefore, the proposed project would not result in significant impacts related to vibration.

Cumulative Analysis

Construction of the proposed project could overlap with construction of the cumulative development projects identified above. The Central SoMa PEIR determined that plan-level construction impacts could be significant and unavoidable because of the possibility of multiple projects under construction at the same time. If construction of the proposed project overlaps with other projects, nearby sensitive receptors could be exposed to substantial cumulative construction noise. The proposed project and nearby development projects would be required to comply with the noise ordinance, and while the proposed project would implement Project Mitigation Measure 4 to minimize construction-related noise impacts to the extent possible, the proposed project could contribute to a significant cumulative construction noise impact. However, this significant and unavoidable cumulative construction noise impact was disclosed in the Central SoMa Plan PEIR. Thus, the proposed project in combination with cumulative projects would not result in more severe cumulative construction noise impacts than disclosed in the Central SoMa PEIR.

The cumulative context for traffic noise analyses is typically confined to the local roadways nearest the project site. As project-generated vehicle trips disperse along the local roadway network, the contribution of project-generated traffic noise along any given roadway segment would similarly be reduced. As discussed in initial study checklist question E.6.a above, the proposed project would not result in a perceptible increase in traffic noise. Therefore, the proposed project would not result in a considerable contribution to ambient noise levels from project traffic.

The cumulative context for point sources of noise such as building heating, ventilation and air condition systems and construction noise are typically confined to nearby noise sources (usually not further than 900

feet from the project site). Based on the list of identified cumulative development projects, projects within 900 feet of the project site could combine with the proposed project's construction noise impacts, which would be a significant impact; however, Project Mitigation Measure 5 would minimize cumulative operational noise impacts to less than significant.

Conclusion

With implementation of Project Mitigation Measure 4, General Construction Noise Control Measures, and Project Mitigation Measure 5, Siting of Noise-Generating Uses, the proposed project would not result in significant project-specific or cumulative noise or vibration impacts that were not identified in the Central SoMa PEIR, nor would the project result in noise or vibration impacts that are substantially more severe than those identified in the Central SoMa PEIR.

E.7 Air Quality

Central SoMa PEIR Air Quality Findings

The Central SoMa PEIR identified potentially significant air quality impacts from subsequent development projects related to the generation of criteria air pollutants and impacts to sensitive receptors²⁶ as a result of exposure to elevated levels of diesel particulate matter and other toxic air contaminants (TACs) during project operations. The Central SoMa PEIR identified seven mitigation measures that would reduce these air quality impacts; however, the Central SoMa PEIR determined that impacts from subsequent development projects would remain significant and unavoidable. The mitigation measures identified in the PEIR that are applicable to subsequent development projects are as follows: Central SoMa PEIR Mitigation Measures M-NO-1a, Transportation Demand Management for New Development Projects; M-AQ-3a, Education for Residential and Commercial Tenants Concerning Low-VOC Consumer Products; M-AQ-3b, Reduce Operational Emissions; M-AQ-5a, Best Available Control Technology for Diesel Generators and Fire Pumps; M-AQ-5b, Siting of Uses that Emit Particulate Matter (PM_{2.5}), Diesel Particulate Matter, or Other Toxic Air Contaminants; and M-AQ-5d, Land Use Buffers around Active Loading Docks. Central SoMa PEIR Mitigation Measure M-NO-1a has been superseded by Planning Code section 169, Transportation Demand Management Program.

The Central SoMa PEIR also identified potentially significant air quality impacts from subsequent development projects related to generation of criteria air pollutants resulting from construction activities and impacts to sensitive receptors as a result of exposure to elevated levels of diesel particulate matter and other TACs during project construction. The Central SoMa PEIR identified four mitigation measures applicable to construction projects that would reduce these air quality impacts to less than significant: Central SoMa PEIR Mitigation Measures M-AQ-4a, Construction Emissions Analysis; M-AQ-4b and M-AQ-6a, Construction Emissions Minimization Plan; and M-AQ-6b, Implement Clean Construction Requirements (applicable to city projects only).

All other air quality impacts, including consistency with applicable air quality plans and exposure of objectionable odors, were found to be less than significant, with no mitigation required.

26 The Bay Area Air Quality Management District considers sensitive receptors as children, adults, and older adults occupying or residing in residential dwellings, including apartments, houses, and condominiums; schools, colleges, and universities; daycare centers; hospitals; and senior care facilities (BAAWMD, Recommended Methods for Screening and Modeling Local Risks and Hazards, May 2011, page 12).

Project Analysis

<i>Topics:</i>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal, state, or regional ambient air quality standard?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

E.7.a) The most recently adopted air quality plan for the air basin is the Bay Area Air Quality Management District’s 2017 Clean Air Plan. The primary goals of the clean air plan are to: (1) protect air quality and health at the regional and local scale; (2) eliminate disparities among Bay Area communities in cancer health risk from toxic air contaminants; and (3) reduce greenhouse gas emissions. The clean air plan recognizes that to a great extent, community design dictates individual travel modes, and that a key long-term control strategy to reduce emissions of criteria pollutants, air toxics, and greenhouse gases from motor vehicles is to channel future Bay Area growth into vibrant urban communities where goods and services are close at hand, and people have a range of viable transportation options. The compact development of the proposed project and the availability of non-auto transportation options in the project area would ensure that the project would avoid substantial growth in automobile trips and consequent air pollutant emissions. In addition, as discussed above in the Population and Housing resource topic, the project site is located within a priority development area. Focusing development within such areas is a key land use strategy under Plan Bay Area to meet statewide greenhouse gas reduction goals pursuant to Senate Bill 375. Furthermore, for the reasons described below under topics E.7.b and c, the proposed project would not result in significant air pollutant emissions or expose sensitive receptors to substantial pollutant concentrations. Therefore, the proposed project would not obstruct implementation of the 2017 Clean Air Plan.

E.7.b) In accordance with the state and federal Clean Air Acts, air pollutant standards are identified for the following six criteria air pollutants: ozone, carbon monoxide (CO), particulate matter (PM_{2.5}, and PM₁₀²⁷), nitrogen dioxide (NO₂), sulfur dioxide (SO₂), and lead. These air pollutants are termed criteria air pollutants because they are regulated by developing specific public health- and welfare-based criteria as the basis for setting permissible levels. The bay area air basin is designated as either in attainment or unclassified for most criteria pollutants except for ozone, PM_{2.5}, and PM₁₀. For these pollutants, the air basin is designated as non-attainment for either the state or federal standards. By its very nature, regional air pollution is largely a cumulative impact in that no single project is sufficient in size to, by itself, result in non-attainment of air

²⁷ PM₁₀ is often termed “coarse” particulate matter and is made of particulates that are 10 microns in diameter or smaller. PM_{2.5}, termed “fine” particulate matter, is composed of particles that are 2.5 microns or less in diameter.

quality standards. Instead, a project's individual emissions contribute to existing cumulative air quality impacts. If a project's contribution to cumulative air quality impacts is considerable, then the project's impact on air quality would be considered significant.²⁸ Regional criteria air pollutant impacts resulting from the proposed project are evaluated below.

Construction Dust Control

Project-related construction activities would result in construction dust, primarily from ground-disturbing activities. The board of supervisors adopted the San Francisco Construction Dust Control Ordinance (codified in Health Code article 22B and Building Code section 106.A.3.2.6) with the intent of reducing the quantity of fugitive dust generated during site preparation, demolition, and construction work, in order to protect the health of the general public and of on-site workers and to minimize public nuisance complaints. The project would be required to comply with the construction dust control ordinance, which requires the project sponsor and the contractor responsible for construction activities at the project site to implement a number of practices to control construction dust on the site or other practices that result in equivalent dust control that are acceptable to the director of the building department.

The project would comply with regulations and procedures set forth by the San Francisco Construction Dust Control Ordinance and as a result would have less-than-significant impacts related to construction dust.

Criteria Air Pollutants

The Bay Area Air Quality Management District prepared updated 2017 CEQA Air Quality Guidelines,²⁹ which provide methodologies for analyzing air quality impacts. These guidelines also provide thresholds of significance for ozone and particulate matter. The planning department uses these thresholds to evaluate air quality impacts under CEQA.

The air district has developed screening criteria to determine whether to undertake detailed analysis of criteria pollutant emissions for construction and operations of development projects. Projects that are below the screening criteria would result in less-than-significant criteria air pollutant impacts, and no further project-specific analysis is required.

An air quality technical analysis memo was prepared to estimate emissions of criteria air pollutants during construction and operation of the proposed project.³⁰ The proposed project's 269,300 square feet of office uses and 12,520 square feet of PDR/performance uses would be below the construction screening criteria of 277,000 square feet of office uses and 259,000 square feet of PDR uses, and would be below the operational screening criteria of 346,000 square feet of office uses and 541,000 square feet of PDR uses. Therefore, because the proposed project is below the construction and operational screening levels for criteria air pollutants, the proposed project would not result in a significant impact with regards to a cumulatively considerable net increase in non-attainment criteria air pollutants.

Construction and/or operational criteria air pollutant emissions resulting from the proposed project were evaluated in accordance with the air district's guidelines and are discussed below.

28 Bay Area Air Quality Management District (BAAQMD), *California Environmental Quality Act Air Quality Guidelines*, May 2017, page 2-1.

29 BAAQMD, *CEQA Air Quality Guidelines*, updated May 2017.

30 Ramboll, *CEQA Air Quality Assessment for Construction and Operations at 490 Brannan Street*, San Francisco, California, June 2, 2021.

Construction Criteria Air Pollutants

Construction activities from the proposed project would result in the emission of criteria air pollutants from equipment exhaust, construction-related vehicular activity, and construction worker automobile trips. Construction of the proposed project would occur over an approximately 26 months. Construction-related criteria air pollutants generated by the proposed project were quantified using the California Emissions Estimator Model (CalEEMod) and provided within an air quality assessment.³¹ The model was developed, including default data (e.g., emission factors, meteorology, etc.) in collaboration with California air districts' staff. Default assumptions were used where project-specific information was unknown. Emissions were converted from tons/year to lbs./day using the estimated construction duration in working days. As shown in **Table 4**, unmitigated project construction emissions would be below the threshold of significance for NOx, and impacts relate to criteria air pollutants during project construction would be less than significant.

Table 4: 490 Brannan Street Average Daily Construction Emissions

Emission source	Pollutant Emissions (Average Pounds per Day)			
	ROG	NOx	Exhaust PM10	Exhaust PM2.5
Unmitigated (maximum) project emissions	17	37	1.4	1.3
Significance threshold	54	54	82	54
Significant impact?	No	No	No	No

Source: Ramboll Table 6a.
Abbreviations: ROG = reactive organic gases; NOx= oxides of nitrogen; PM10 = particulate matter < 10 micrometers in diameter; PM2.5 = particulate matter < 2.5 micrometers in diameter

Operational Criteria Air Pollutants

The proposed project would generate criteria pollutant emissions associated with vehicle traffic (mobile sources), on-site area sources (i.e., natural gas combustion for space and water heating, and combustion of other fuels by building and grounds maintenance equipment), energy use, and a 2,500 kilowatt (3,353 horsepower) Tier 4 diesel-fueled emergency generator, assumed to run 50 hours per year. Operational criteria air pollutants generated by the proposed project were also quantified using CalEEMod and provided within the air quality technical analysis memo.

The daily and annual emissions associated with operation of the proposed project and thresholds of significance are shown in **Table 5**.

Table 5: 490 Brannan Street Operational Emissions

Emission source	Pollutant Emissions (Average Pounds per Day)			
	ROG	NOx	Exhaust PM10	Exhaust PM2.5
Unmitigated project emissions	7.8	3.8	5.9	1.6
Significance threshold	54	54	82	54
Significant impact?	No	No	No	No

Source: Ramboll Table 6b.
Abbreviations: ROG = reactive organic gases; NOx= oxides of nitrogen; PM10 = particulate matter < 10 micrometers in diameter; PM2.5 = particulate matter < 2.5 micrometers in diameter

31 Ramboll, CEQA Air Quality Assessment for Construction and Operations at 490 Brannan Street, San Francisco, California, June 2, 2021.

As shown in Table 5, the proposed project would not exceed the thresholds for operational criteria air pollutant emissions.

The generator would meet best available control technology for diesel generators;³² therefore, Central SoMa PEIR Mitigation Measure M-AQ-5a would not be applicable, and project operations would not result in a significant impact related to criteria air pollutants during project operation.

Since construction and operation of the proposed project would generate criteria air pollutant emissions below applicable thresholds, PEIR Mitigation Measures M-AQ-3a: Education and Commercial Tenants Concerning Low-VOC Consumer Products, M-AQ-3b: Reduce Operational Emissions, M-AQ-4a: Construction Emissions Analysis, M-AQ-4b: Construction Emissions Minimization Plan would not apply to the proposed project. The proposed project would not result in significant project or cumulative air quality impacts that were not identified in the Central SoMa PEIR, nor would the project result in air quality impacts that are substantially more severe than those identified in the Central SoMa PEIR.

E.7.c) In addition to regional criteria air pollutants analyzed above, the following air quality analysis evaluates localized health risks to determine whether sensitive receptors would be exposed to substantial pollutant concentrations. The project site is within the *air pollutant exposure zone*. As defined in Health Code Article 38, the air pollutant exposure zone consists of areas that, based on modeling of all known air pollutant sources, exceed health protective standards for cumulative PM_{2.5} concentration or cumulative excess cancer risk. The zone also incorporates health vulnerability factors and proximity to freeways.

Projects within the air pollutant exposure zone require special consideration to determine whether the project's activities would expose sensitive receptors to substantial air pollutant concentrations or add emissions to areas already adversely affected by poor air quality. As discussed above in the setting section, the nearest sensitive receptors are in a residential building at 555 4th Street, approximately 35 feet from the project site across Freelon Street.

Construction Health Risks

The project site is located within an identified air pollutant exposure zone; therefore, the ambient health risk to sensitive receptors from air pollutants is considered substantial. The proposed project would require heavy-duty off-road diesel vehicles and equipment during the 26-month construction period. This is considered a significant impact. Thus, the proposed project would be required to implement Central SoMa PEIR Mitigation Measure M-AQ-6a (which requires compliance with Central SoMa PEIR Mitigation Measure M-AQ-4b regardless of whether the project's construction emissions would exceed the criteria air pollutant thresholds) as **Project Mitigation Measure 6, Construction Emissions Minimization Plan**. This measure would reduce diesel particulate matter exhaust from construction equipment by 89 to 94 percent compared to uncontrolled construction equipment.³³ Through implementation of Project Mitigation Measure 6, Construction Emissions Minimization Plan, impacts related to construction health risks would be less than significant.

32 Emissions factors for the generator are based on United States Environmental Protection Agency (U.S. EPA) federal Tier 4 diesel engine standards for diesel engines with a power rating >560 kilowatts (kW) (751 horsepower) since all new generators within the BAAQMD greater than 1,000 horsepower (hp) must meet Tier 4 final standards. Refer to Bay Area Air Quality Management District, BACT Determination for Diesel Back-Up Engines Greater than or equal to 1,000 Brake Horsepower, December 2020.

33 PM emissions benefits are estimated by comparing off-road PM emission standards for Tier 2 with Tier 1 and 0. Tier 0 off-road engines do not have PM emission standards, but the U.S. Environmental Protection Agency's Exhaust and Crankcase Emissions Factors for Nonroad Engine Modeling – Compression Ignition has estimated Tier 0 engines between 50 hp and 100 hp to have a PM emission factor of 0.72 g/hp-hr and greater than 100 hp

Operational Health Risks

Operational emissions include mobile sources (vehicle trips), area sources (landscaping equipment, consumer products, and architectural coatings), building energy use, and stationary sources (emergency generator). As discussed in E.7.b, the generator would meet the requirement for best available control technology for diesel generators, and Central SoMa PEIR Mitigation Measure M-AQ-5a would not be applicable. PEIR Mitigation Measure M-AQ-5b related to siting of other sources of diesel particulate matter also would not apply because the project would not emit diesel particulate matter.

The proposed project would include childcare, which is considered a sensitive land use for purposes of air quality evaluation. For sensitive use projects within the air pollutant exposure zone, such as the proposed project, Health Code Article 38 requires that the project sponsor submit an enhanced ventilation proposal for approval by the health department that achieves protection from PM_{2.5} equivalent to that associated with a minimum efficiency reporting value 13 (MERV 13) filtration. The building department will not issue a building permit without written notification from the health department that the applicant has an approved enhanced ventilation proposal. In compliance with article 38, the project sponsor has submitted an initial application to the health department.³⁴ Compliance with article 38 would reduce exposure of sensitive receptors that occupy the project site to substantial pollutant concentrations.

Thus, project operations would not result in a significant impact related to operational health risks.

E.7.d) Typical odor sources of concern include wastewater treatment plants, sanitary landfills, transfer stations, composting facilities, petroleum refineries, asphalt batch plants, chemical manufacturing facilities, fiberglass manufacturing facilities, auto body shops, rendering plants, and coffee roasting facilities. During construction, diesel exhaust from construction equipment would generate some odors. However, construction-related odors would be temporary and would not persist upon project completion. The proposed project includes office and PDR uses that would not be expected to create significant sources of new odors. Therefore, odor impacts would be less than significant.

Cumulative Analysis

As discussed above, regional air pollution is by its nature a cumulative impact. Emissions from past, present, and future projects contribute to the region's adverse air quality on a cumulative basis. No single project by itself would be sufficient in size to result in regional nonattainment of ambient air quality standards. Instead, a project's individual emissions contribute to existing cumulative adverse air quality impacts.³⁵ The project-level thresholds for criteria air pollutants are based on levels by which new sources are not anticipated to contribute to an air quality violation or result in a considerable net increase in criteria air pollutants. Therefore, because the proposed project's construction and operational (Topic E.7.b) emissions would not exceed the project-level thresholds for criteria air pollutants, the proposed project would not result in a cumulatively considerable contribution to regional air quality impacts.

to have a PM emission factor of 0.40 g/hp-hr. Therefore, requiring off-road equipment to have at least a Tier 2 engine would result in between a 25 percent and 63 percent reduction in PM emissions, as compared to off-road equipment with Tier 0 or Tier 1 engines. The 25 percent reduction comes from comparing the PM emission standards for off-road engines between 25 hp and 50 hp for Tier 2 (0.45 g/bhp-hr) and Tier 1 (0.60 g/bhp-hr). The 63 percent reduction comes from comparing the PM emission standards for off-road engines above 175 hp for Tier 2 (0.15 g/bhp-hr) and Tier 0 (0.40 g/bhp-hr). In addition to the Tier 2 requirement, ARB Level 3 VDECSs are required and would reduce PM by an additional 85 percent. Therefore, the mitigation measure would result in between an 89 percent (0.0675 g/bhp-hr) and 94 percent (0.0225 g/bhp-hr) reduction in PM emissions, as compared to equipment with Tier 1 (0.60 g/bhp-hr) or Tier 0 engines (0.40 g/bhp-hr).

³⁴ San Francisco Department of Public Health, Application for Article 38 Compliance Assessment, 490 Brannan Street, June 10, 2020.

³⁵ BAAQMD, CEQA Air Quality Guidelines, May 2017, page 2-1.

As discussed above, the project site is located in an area that already experiences poor air quality. The project would add new sources of TACs (e.g., through the use of off-road construction equipment) within an area already adversely affected by poor air quality, resulting in a considerable contribution to cumulative health risk impacts on nearby sensitive receptors. This would be a significant cumulative impact. The proposed project would be required to implement Project Mitigation Measure 6, Construction Emissions Minimization Plan, which could reduce construction period emissions by as much as 94 percent. Implementation of this mitigation measure would reduce the project's contribution to cumulative localized health risk impacts to a less-than-significant level.

Conclusion

With implementation of Project Mitigation Measure 6, Construction Emissions Minimization Plan, the proposed project would not result in significant project or cumulative air quality impacts that were not identified in the Central SoMa PEIR, nor would the project result in air quality impacts that are substantially more severe than those identified in the Central SoMa PEIR.

E.8 Greenhouse Gas

Central SoMa PEIR Greenhouse Gas Emissions Findings

The Central SoMa PEIR concluded that adoption of the Central SoMa Plan would not directly result in operational greenhouse gas (GHG) emissions; however, implementation of development projects in the plan area, including the proposed project, would result in GHG emissions. The Central SoMa Plan includes goals and policies that would apply to the proposed project, and these policies are generally consistent with the City's Strategies to Address Greenhouse Gas Emissions.³⁶ The Central SoMa PEIR concluded that emissions resulting from development under the Central SoMa Plan would be less than significant, and no mitigation measures were required.

The Bay Area Air Quality Management District (air district) has issued guidelines and methodologies for analyzing GHGs. These guidelines are consistent with CEQA Guidelines sections 15064.4 and 15183.5, which address the analysis and determination of significant impacts from a proposed project's GHG emissions and allow for projects that are consistent with an adopted GHG reduction strategy to conclude that the project's GHG impact is less than significant. San Francisco's Strategies to Address Greenhouse Gas Emissions presents a comprehensive assessment of policies, programs, and ordinances that collectively represent San Francisco's GHG reduction strategy in compliance with the air district's guidelines and CEQA Guidelines. These GHG reduction actions have resulted in a 28 percent reduction in GHG emissions in 2017 compared to 1990 levels,³⁷ exceeding the 2020 reduction goals outlined in the air district's 2017 Clean Air Plan,³⁸ Executive Order S-3-05,³⁹

36 San Francisco Planning Department. 2017 Greenhouse Gas Reduction Strategy Update. July 2017. <https://sfplanning.org/project/greenhouse-gas-reduction-strategies>.

37 ICF International. 2015. Technical Review of the 2012 Community-wide GHG Inventory for the City and County of San Francisco. January 21, 2015. From: http://sfenvironment.org/sites/default/files/fliers/files/icf_verificationmemo_2012sfecommunityinventory_2015-01-21.pdf Accessed December 19, 2019.

38 Bay Area Air Quality Management District. 2017. Clean Air Plan. September 2017. <http://www.baaqmd.gov/plans-and-climate/air-quality-plans/current-plans>. Accessed December 19, 2019.

39 Office of the Governor, Executive Order S-3-05, June 1, 2005. Accessed March 3, 2016. <https://www.gov.ca.gov/news.php?id=1861>.

and Assembly Bill 32 (also known as the Global Warming Solutions Act).^{40,41} In addition, San Francisco’s GHG reduction goals are consistent with, or more aggressive than, the long-term goals established under Executive Orders S-3-05⁴² and B-30-15,^{43,44} and Senate Bill (SB) 32.^{45,46} Therefore, projects that are consistent with San Francisco’s GHG Reduction Strategy would not result in GHG emissions that would have a significant effect on the environment, and would not conflict with state, regional, or local GHG reduction plans and regulations.

Project Analysis

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

E.8.a and b) The following analysis of the proposed project’s GHG impact focuses on the project’s contribution to cumulatively significant GHG emissions. Because no individual project could emit GHGs at a level that could result in a significant impact on global climate, this analysis is in a cumulative context only, and the analysis of this resource topic does not include a separate cumulative impact discussion.

The proposed project would be subject to regulations adopted to reduce GHG emissions as identified in the GHG reduction strategy and demonstrated in the GHG checklist completed for the proposed project.⁴⁷ The proposed project would comply with applicable regulations that would reduce the project’s GHG emissions related to transportation, energy efficiency, renewable energy, waste reduction, and conservation. Therefore,

40 California Legislative Information, Assembly Bill 32, September 27, 2006. http://www.leginfo.ca.gov/pub/05-06/bill/asm/ab_0001-0050/ab_32_bill_20060927_chaptered.pdf. Accessed December 19, 2019.

41 Executive Order S-3-05, Assembly Bill 32, and the Bay Area 2010 Clean Air Plan set a target of reducing GHG emissions to below 1990 levels by year 2020.

42 Executive Order S-3-05 sets forth a series of target dates by which statewide emissions of GHGs need to be progressively reduced, as follows: by 2010, reduce GHG emissions to 2000 levels (approximately 457 million metric tons of carbon dioxide equivalent (MT CO2e)); by 2020, reduce emissions to 1990 levels (approximately 427 million MT CO2e); and by 2050 reduce emissions to 80 percent below 1990 levels (approximately 85 million MT CO2e). Because of the differential heat absorption potential of various GHGs, GHG emissions are frequently measured in “carbon dioxide-equivalents,” which present a weighted average based on each gas’s heat absorption (or “global warming”) potential.

43 Office of the Governor, Executive Order B-30-15, April 29, 2015. Accessed March 5, 2019. <https://www.ca.gov/archive/gov39/2015/04/29/news18938/>. Executive Order B-30-15 sets a state GHG emissions reduction goal of 40 percent below 1990 levels by 2030.

44 San Francisco’s GHG reduction goals are codified in Section 902 of the Environment Code and include (i) by 2008, determine City GHG emissions for 1990; (ii) by 2017, reduce GHG emissions by 25 percent below 1990 levels; (iii) by 2025, reduce GHG emissions by 40 percent below 1990 levels; and by 2050, reduce GHG emissions by 80 percent below 1990 levels.

45 Senate Bill 32 amends California Health and Safety Code Division 25.5 (also known as the California Global Warming Solutions Act of 2006) by adding Section 38566, which directs that statewide greenhouse gas emissions to be reduced by 40 percent below 1990 levels by 2030.

46 Senate Bill 32 was paired with Assembly Bill 197, which would modify the structure of the State Air Resources Board; institute requirements for the disclosure of greenhouse gas emissions criteria pollutants, and toxic air contaminants; and establish requirements for the review and adoption of rules, regulations, and measures for the reduction of greenhouse gas emissions.

47 San Francisco Planning Department, Greenhouse Gas Analysis: Compliance Checklist for 490 Brannan Street, April 1, 2021.

the proposed project would not generate significant GHG emissions and would not conflict with state, regional, and local GHG reduction plans and regulations.

Conclusion

For the reasons described above, the proposed project would not result in significant GHG impacts that were not identified in the Central SoMa PEIR.

E.9 Wind

Central SoMa PEIR Wind Findings

The Central SoMa PEIR wind analysis found that the average wind speed exceeded for one hour per year would decrease by 1 mph, from 26 mph under existing conditions to 25 mph with Central SoMa Plan implementation, which represents an incremental improvement. However, the number of locations that would exceed the threshold of significance or hazard criterion (equivalent wind speed of 26 miles per hour as average for a single full hour of the year)^{48, 49} would increase from three to five, and the hours during which the one-hour wind hazard criterion would be exceeded would increase from four hours per year to 81 hours per year. The wind environment around a building is highly dependent on design details beyond the scope of the Central SoMa PEIR’s programmatic analysis (e.g., setbacks, podiums, street wall heights). Thus, the PEIR results indicate only generally how new, taller buildings could affect pedestrian-level winds. Central SoMa PEIR Mitigation Measure M-WI-1, Wind Hazard Criterion for the plan area, was identified to reduce wind impacts from subsequent development within the plan area, and requires project-specific evaluation by a wind expert for projects taller than 85 feet and, if deemed necessary, wind-tunnel testing and implementation of feasible measures to meet the one-hour 26 mph wind hazard criterion. However, because the Central SoMa PEIR could not determine with certainty that each subsequent development project would be able to meet the one-hour, 26 mph wind hazard criterion, the Central SoMa PEIR determined that wind impacts would remain significant and unavoidable with mitigation. Cumulative wind impacts (implementation of the plan in addition to other cumulative projects) were determined to be less than significant.

Project Analysis

<i>Topics:</i>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
Would the project:				
a) Create wind hazards in publicly accessible areas of substantial pedestrian use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

48 The wind ordinance comfort criteria are defined in terms of equivalent wind speed, which is an average wind speed (mean velocity), adjusted to include the level of gustiness and turbulence. Equivalent wind speed is defined as the mean wind velocity, multiplied by the quantity (one plus three times the turbulence intensity) divided by 1.45. This calculation magnifies the reported wind speed when turbulence intensity is greater than 15 percent. Unless otherwise stated, use of the term “wind speed” refers to equivalent wind speeds that are exceeded 10 percent of the time.

49 The wind hazard criterion is derived from the 26 mph hourly average wind speed that would generate a 3-second gust of wind at 20 meters per second, a commonly used guideline for wind safety. Because the original Federal Building wind data was collected at 1-minute averages, the 26 mph hourly average is converted to a one-minute average of 36 mph, which is used to determine compliance with the 26 mph 1-hour hazard criterion in the planning code (Arens, E., et al. 1989. “Developing the San Francisco Wind Ordinance and its Guidelines for Compliance,” Building and Environment, Vol. 24, No. 4, p. 297–303).

E.9.a) Consistent with Central SoMa PEIR Mitigation Measure M-WI-1, a pedestrian wind tunnel study was conducted for the proposed 185-foot-tall building to assess pedestrian wind comfort and safety.⁵⁰ Winds likely to be experienced by pedestrians were measured in a wind tunnel at 27 locations under current, proposed, and cumulative (with future nearby structures) conditions.

Wind Hazard Analysis

Under the hazard criterion, as stated in Planning Code section 148 and used as the threshold for CEQA impacts, wind speeds are not permitted to exceed the hazard level of 26 mph for a single hour of the year, unless an exception is granted by the Planning Commission, and no exceptions may be granted for net new exceedances of 26 mph for nine hours per year. The wind study prepared for the proposed project showed that there were no hazard criterion exceedances in any configuration.

Wind Comfort Compliance

The project site is located within the Central SoMa Special Use District and is also subject to the wind comfort criteria of Planning Code section 249.78(d)(9). These criteria incorporate the criteria of Planning Code section 148 (7 mph and 11 mph wind speeds, exceeded 15 percent of the time) and require that buildings not cause a “substantial increase”—defined as 6 mph—in the wind speed exceeded 15 percent of the time, where the resulting wind speed exceeds the applicable comfort criterion. Planning code exceptions may be granted based on the same findings as for granting of exceptions to the one-hour wind hazard criterion.

A project that would cause exceedances of the wind comfort criteria, but not the wind hazard criterion, would not be considered to have a significant impact. Therefore, exceedances of the wind comfort criterion are presented for informational purposes, and to demonstrate compliance with other planning code requirements.

To evaluate compliance with Planning Code section 249.78(d)(9), the wind study evaluated whether under current, project, and cumulative conditions wind speeds would exceed the comfort criterion. There were seven locations that exceeded the comfort criterion under current conditions, one of which was in direct proximity to the project site. The addition of the proposed 490 Brannan Street project resulted in four net new exceedances of the comfort criterion compared to existing conditions. The cumulative configuration resulted in a net increase of 10 comfort exceedances compared to existing conditions, an increase of six over the proposed project configuration, for a total of 17 locations out of 27 that exceed the comfort criterion.

Based on the wind study’s comfort criterion results, CPP prepared a letter (Appendix C of the wind study) that documents that all feasible measures to reduce wind speeds (through such means as building sculpting and appurtenances, permanent wind baffling measures, and landscaping) have been undertaken, and that reducing wind speeds further would substantially detract from the building design or unduly restrict the square footage of the project.

Wind Effects on Adjacent Buildings

The proposed project may increase wind effects on private properties within the project vicinity at times but would not exceed levels commonly expected in urban areas. Although occupants of nearby property may

⁵⁰ Cermak Peterka Petersen (CPP), *Final Pedestrian-Level Winds Report, Wind Tunnel Tests for 490 Brannan Street, San Francisco, California*, May 12, 2021.

regard the increase in wind as undesirable, the limited increase in wind effects would not be considered a significant impact under CEQA.

Cumulative

As discussed above, the wind study evaluated cumulative conditions and found that no hazard criteria would be exceeded. Therefore, the proposed project would not contribute to a significant cumulative wind impact.

Conclusion

The proposed project would not result in significant wind impacts, either individually or cumulatively. Therefore, the proposed project would not result in significant wind impacts that are substantially more severe than those identified in the Central SoMa PEIR.

E.10 Shadow

Central SoMa PEIR Shadow Findings

The Central SoMa PEIR analyzed the change in shadow on existing area parks and open spaces under the Central SoMa Plan and considered how the shadows would affect the use of those spaces. The Central SoMa PEIR determined that the plan’s shadow impacts would not substantially affect the use of existing public outdoor recreation facilities, and therefore would have a less-than-significant impact with respect to shadow.

Project Analysis

<i>Topics:</i>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
Would the project:				
a) Create new shadow that substantially and adversely affects the use and enjoyment of publicly accessible open spaces?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

E.10.a) The proposed project would construct a 185-foot-tall building; therefore, a preliminary shadow fan analysis was prepared to determine whether the project would have the potential to cast new shadow on nearby parks.⁵¹ The shadow fan analysis determined the proposed project would cast shadow on open space associated with the multi-phased 598 Brannan Street project, which would be built concurrently with or after the 490 Brannan Street project.⁵² Located across 4th Street (approximately 450 feet west) from 490 Brannan Street, the 19,336 square feet of privately owned publicly accessible landscaped open space at the 598 Brannan Street project will consist of a mid-block pedestrian pathways, lawns and landscaping, benches and seating, and a children’s play area in the central “public park” area. **Figure 10, Future 598 Brannan Park Plan**, in Section H, below, shows a feature map of the proposed open spaces at 598 Brannan Street.

51 San Francisco Planning Department, Preliminary Shadow Fan, 490 Brannan Street, March 29, 2019.

52 598 Brannan Street (Case No. 2012.0640ENX) was approved by the planning commission on June 6, 2019 by Motion M-20459.

The proposed project does not have the potential to affect other public parks or privately owned open spaces in the project vicinity, including South Park.

A detailed shadow analysis was prepared to determine if the project would create new shadow that would have an adverse impact on the future 598 Brannan Street park.⁵³

The 19,336 square feet of open space area would be developed after the 598 Brannan Street buildings, so the baseline conditions for the project would be affected most directly by shadow cast by these new nearby buildings—in other words, most of the shadow on 598 Brannan open space would be from the 598 Brannan project buildings. Under these conditions, the open spaces would be substantially shaded in the early morning and late afternoon timeframes year-round with lesser shading occurring around midday hours. The central “public park” area would receive the most sunlight under baseline conditions due to being located the greatest distance from the buildings.

Construction of the proposed 490 Brannan Street project would result in a small amount of net new shadow being cast on an approximately 350-square-foot portion of the 598 Brannan Street open spaces. Net new shadow from the proposed project would occur annually between approximately early May through early August and would be cast only during early morning hours prior to 8 a.m. The shadow would fall on the northwest corner of the open space between Building 3 and 4. The duration of net new shadow would vary through the affected period but would last no longer than 45 minutes. As shown in **Figure 11, Largest Area of Shadow on the Future 598 Brannan Street Park**, in Section H, below, the project’s shadow would be almost directly aligned with the 598 Brannan Street open spaces. The greatest area of net new shadow would occur around 7:30am on June 21st.

Based on the currently proposed plan for the 598 Brannan Street open spaces, the features within the area that would be affected by net new project shadow include paved walkways, four trees, and small landscaped areas. Potentially more sensitive features such as the proposed children’s play area or fixed benches or seating areas would not be affected by project net new shadow at any time throughout the year.

As the net new shading represents a very small increase in the amount of shadow during the early morning at mid-summer, the impact would be less than significant, and no mitigation measures would be required.

The proposed project would also shade portions of nearby streets and sidewalks and private properties at times within the project vicinity. Shadows on streets and sidewalks would not exceed levels commonly expected in urban areas and would be considered a less-than-significant effect under CEQA. Although occupants of nearby property may regard the increase in shadow as undesirable, the limited increase in shading of private properties as a result of the proposed project would not be considered a significant impact under CEQA.

Cumulative

In addition to net new shadow generated by the proposed 490 Brannan Street project, shadow cast by other planned projects in the vicinity would affect the 598 Brannan Street open spaces.⁵⁴ Shadow from these

⁵³ PreVision Design, *Shadow Analysis Report for the Proposed 490 Brannan Street Project per San Francisco Planning and CEQA Standards*, March 31, 2021.

⁵⁴ The proposed project at 598 Bryant Street was omitted from the shadow study in error; however, Prevision Design subsequently confirmed that due to that project’s location almost due north of the 598 Brannan open spaces, it would not contribute any net new shadow on the future open spaces and would not change any of the cumulative condition findings.

cumulative projects would combine to affect various portions of the open spaces primarily in the morning and afternoon/evening hours during spring, summer, and fall, and in the winter throughout the day. Cumulative shadow would affect much larger areas of the open space for longer durations relative to shadow cast by the proposed project and would additionally affect more potentially sensitive areas such as the proposed children’s play area during morning hours over the course of the fall, winter, and spring, however the vast majority of shadow cast on these open spaces would be attributable to the four 598 Brannan Street buildings that were part of the baseline condition. For these reasons, the proposed project would not combine with past, present, and reasonably foreseeable future projects in the project vicinity to create significant cumulative shadow impacts.

Conclusion

For the reasons stated above, the proposed project would not result in significant shadow impacts, either individually or cumulatively. Therefore, the proposed project would not result in significant shadow impacts that were not identified in the Central SoMa PEIR.

E.11 Recreation

Central SoMa PEIR Recreation Findings

The Central SoMa PEIR found that implementation of the Central SoMa Plan would result in an increase in the use of existing neighborhood parks and recreational facilities, but not to a degree that would lead to or accelerate their physical deterioration or require the construction of new recreational facilities. Although the Central SoMa Plan would increase the population of the area, the Central SoMa Plan EIR acknowledged that one of the primary objectives of the Central SoMa Plan is to expand the network of open space and recreational uses to serve the existing and future population. Because the growth forecasts for the plan area anticipate a considerable amount of employment growth, the Central SoMa PEIR found it is likely that much of the new recreational use resulting from Plan Area development would likely be passive use, since employees are less likely than residents to make active use of parks and open spaces. The Central SoMa PEIR concluded that new publicly available open spaces and a comprehensive pedestrian-friendly network to increase access to existing, new, and improved spaces would help to alleviate the demand for recreational facilities that would be generated by the increase in population.

Given the Central SoMa Plan’s proposed network of new open spaces, including a potential new neighborhood park, several new and expanded linear open spaces and plazas, new mid-block pedestrian/bicycle connections, and privately owned public open space, and continued Planning Code requirements for new residential open space, the PEIR determined that implementation of the Central SoMa Plan would have a less-than-significant impact on recreation and public space, and no mitigation measures were required.

Project Analysis

<i>Topics:</i>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
Would the project:				

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

E.11.a) As discussed in Topic E.2, Population and Housing, the proposed project would add approximately 1,163 new employees of the office, PDR/performance, retail, and childcare uses. These employees would have access to 9,820 square feet of roof terraces on the sixth and tenth levels and the 5,602 mid-block alley open space. The childcare use would have access to an additional 2,250 square feet of open space in the mid-block alley. Within walking distance of the project are the approved open space at 598 Brannan Street (450 feet), South Park (0.2 miles), Yerba Buena Gardens (0.3 miles), Victoria Manalo Draves Park (0.6 miles), and Gene Friend Rec Center (0.6 miles). While the proposed project would introduce a new permanent population to the project site, the number of new employees projected would not be large enough to substantially increase demand for, or use of, neighborhood parks or recreational facilities, such that substantial physical deterioration of the facilities would be expected.

E.11.b) The incremental on-site daytime population growth that would result from the proposed commercial uses would not require the construction of new recreational facilities or the expansion of existing facilities.

Cumulative

Cumulative development in the project vicinity would result in an intensification of land uses and an increase in the use of nearby recreational resources and facilities. The Recreation and Open Space Element of the General Plan provides a framework for providing a high-quality open space system for its residents, while accounting for expected population growth through year 2040. In addition, San Francisco voters passed three bond measures, in 2008, 2012, and 2020, to fund the acquisition, planning, and renovation of the City’s network of recreational resources. As discussed above, there are several parks, open spaces, and other recreational facilities within walking distance of the project site, and a new park will be constructed across 4th Street from the project site as part of the 598 Brannan Street project. These existing and future recreational facilities would be able to accommodate the increase in demand for recreational resources generated by nearby cumulative development projects without resulting in substantial physical degradation of recreational resources. For these reasons, the proposed project would not combine with other projects in the vicinity to create a significant cumulative impact on recreational facilities.

Conclusion

As discussed above, the proposed project would not result in a significant individual or cumulative impact related to recreational resources. Therefore, the proposed project would not result in significant recreational impacts that were not identified in the Central SoMa PEIR.

E.12 Utilities and Service Systems

Central SoMa PEIR Utilities and Service System Findings

The Central SoMa PEIR determined that development under the area plan would not require expansion of the city's water supply system and would not adversely affect the city's water supply. This determination was based on the best available water supply and demand projections available at the time, which were contained in the San Francisco Public Utilities Commission's (SFPUC) 2010 Urban Water Management Plan and a 2013 Water Availability Study prepared by the SFPUC to update demand projections for San Francisco.^{55,56}

Under the 2013 Water Availability Study, the SFPUC determined it would be able to meet the demand of projected growth, including growth that would result from development under the Central SoMa Plan, in years of average precipitation as well as in a single dry year and a multiple dry year event, for each five-year period beginning in 2020 through 2035.⁵⁷ The study projected a small deficit (0.25 percent of demand) for a normal year and single dry year, and a deficit of 2 percent of demand during a multiple-year drought, as a result of development and occupancy of new projects in advance of improvements planned in the SFPUC's water supply. The SFPUC noted in the 2013 Water Availability Study that a 2 percent shortfall in water supplies "can be easily managed through voluntary conservation measures or rationing." Further, it stated that "retail" demand (water the SFPUC provides to individual customers within San Francisco), as opposed to "wholesale" demand (water the SFPUC provides to other water agencies supplying other jurisdictions), has declined by more than 10 percent in the last 10 years.⁵⁸ For the SFPUC's regional system as a whole, which includes retail and wholesale demand, in a single dry year and multiple dry years, it is possible that the SFPUC would not be able to meet 100 percent of demand and would therefore have to impose reductions on its deliveries. Under the SFPUC's Water Shortage Allocation Plan, retail customers would experience no reduction in regional water system deliveries within a 10 percent system-wide shortage. During a 20 percent system-wide shortage, retail customers would experience a 1.9 percent reduction in deliveries. Retail allocations would be reduced to 79.5 million gallons per day (mgd) (98.1 percent of normal year supply), and wholesale allocations would be reduced to 132.5 mgd (72 percent of normal year supply).⁵⁹

The Central SoMa PEIR therefore concluded that with the ongoing development of additional local supplies through implementation of the SFPUC's Water System Improvement Program and rationing contemplated under the water shortage allocation plan, the impacts of development under the area plan on the city's water supply would be less than significant.

The SFPUC is in the process of implementing the sewer system improvement program, which is a 20-year, multi-billion-dollar citywide upgrade to the city's sewer and stormwater infrastructure to have a reliable and seismically safe system. The program includes planned improvements that will serve development in the plan

55 SFPUC, *2013 Water Availability Study for the City and County of San Francisco*, May 2013. Available at: <http://www.sfwater.org/modules/showdocument.aspx?documentid=4168>. Accessed: October 15, 2019. The 2013 Water Availability Study was prepared as an update to the 2010 Urban Water Management Plan to evaluate water demand based on updated growth projections completed by the planning department in 2012 in response to the Association of Bay Area Governments Sustainable Community Strategy Jobs-Housing Connections scenario.

56 The current 2015 Urban Water Management Plan update adopted in 2016 contains updated demand projections and supersedes the 2010 Urban Water Management Plan and 2013 Water Availability Study.

57 SFPUC, *2013 Water Availability Study for the City and County of San Francisco*, May 2013.

58 *Ibid.*

59 *Ibid.*

area, including at the Southeast Treatment Plant, which is located in the Bayview District and treats the majority of flows in the plan area, and the North Point Plant, which is located on the northeast waterfront and provides additional wet-weather treatment capacity. The Central SoMa PEIR found that sufficient dry-weather capacity exists at the Southeast Water Pollution Control Plant, and that development under the Central SoMa Plan would cause a reduction in stormwater flows that is expected to offset estimated increases in wastewater flows during wet weather. The Central SoMa PEIR concluded that development under the Central SoMa Plan, which included the proposed project, would not exceed wastewater treatment requirements of the Regional Water Quality Control Board and would not require construction of new water or wastewater treatment facilities.

Regarding solid waste, the Central SoMa PEIR found that impacts would be less than significant because, given the existing and anticipated increase in solid waste recycling and the existing and potential future landfill capacities, the Central SoMa Plan would not result in either landfill exceeding its permitted capacity or non-compliance with federal, state, or local statutes or regulations related to solid waste.

Project Analysis

<i>Topics:</i>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
Would the project:				
a) Require or result in the relocation or construction of new or expanded wastewater treatment, stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant physical environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years? Require or result in the relocation of new or expanded water facilities, the construction or relocation of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a determination by the wastewater treatment provider that would serve the project that it has inadequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Generate solid waste in excess of state or local standards, or in excess of the capacity or local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

E.12.a and c) The project site is served by San Francisco's combined sewer system, which handles both sewage and stormwater runoff. The Southeast Water Pollution Control Plant provides wastewater and stormwater

treatment and management for the east side of the city, including the project site. Project-related wastewater and stormwater would flow into the city's combined sewer system and would be treated to standards contained in the city's National Pollutant Discharge Elimination System Permit for the Southeast Water Pollution Control Plant prior to discharge into the San Francisco Bay. The treatment and discharge standards are set and regulated by the San Francisco Bay Regional Water Quality Control Board. The Southeast Plant is designed to treat up to 85 million gallons per day of average dry weather wastewater flows and up to 250 million gallons per day of wet weather combined wastewater and stormwater flows. Average dry weather flows to the Southeast Plant ranged from 58 to 61 million gallons per day for the years 2012 to 2014 and are projected to increase to 69 million gallons per day by 2045.⁶⁰

The proposed project would not substantially increase the amount of stormwater entering the combined sewer system because the project would not increase impervious surfaces at the project site. Compliance with the city's Stormwater Management Ordinance and the Stormwater Management Requirements and Design Guidelines would require the design of the proposed project to include installation of appropriate stormwater management systems that retain runoff on site, promote stormwater reuse, and limit discharges from the site from entering the city's combined stormwater/sewer system. Under the stormwater management ordinance, stormwater generated by the proposed project is required to meet a performance standard that reduces the existing runoff flow rate and volume by 25 percent for a two-year 24-hour design storm and therefore would not contribute additional volume of polluted runoff to the city's stormwater infrastructure.

The project site is located within a developed area served by existing electric power, natural gas, and telecommunications. While the project would require local connection to those utilities, it would not necessitate the construction of new power generation, natural gas, or telecommunications infrastructure. Although the proposed project would add new employees to the project site, the combined sewer system has capacity to serve projected growth through year 2045. Therefore, the incremental increase in wastewater treatment resulting from the project would be met by the existing sewer system and would not require expansion of existing wastewater facilities or construction of new facilities.

E.12.b) The following analysis evaluates whether: (1) sufficient water supplies are available to serve the proposed project and reasonably foreseeable future development in normal, dry, and multiple dry years, and (2) the proposed project would require or result in the relocation or construction of new or expanded water supply facilities the construction or relocation of which would have significant environmental impacts that were not identified in the Central SoMa PEIR. To support this analysis, the SFPUC prepared a project-specific water supply assessment based on updated water supply and demand projections. Background on the city's water system and the updated projections are described in the sections below.

Background on Hetch Hetchy Regional Water System

San Francisco's Hetch Hetchy regional water system, operated by the SFPUC, supplies water to approximately 2.7 million people. The system supplies both retail customers – primarily in San Francisco – and 27 wholesale customers in Alameda, Santa Clara, and San Mateo counties. The system supplies an average of 85 percent of its water from the Tuolumne River watershed, stored in Hetch Hetchy Reservoir in Yosemite National Park, and the remaining 15 percent from local surface waters in the Alameda and Peninsula watersheds. The split between these resources varies from year to year depending on hydrological conditions and operational

⁶⁰ San Francisco Planning Department, *Biosolids Digester Facilities Project, Final Environmental Impact Report, Case No. 2015-000644ENV, State Clearinghouse No. 2015062073*, certified March 8, 2018.

circumstances. Separate from the regional water system, the SFPUC owns and operates an in-city distribution system that serves retail customers in San Francisco. Approximately 97 percent of the San Francisco retail water supply is from the regional system; the remainder is comprised of local groundwater and recycled water.

2020 Urban Water Management Plan

The California Urban Water Management Planning Act⁶¹ requires urban water supply agencies to prepare *urban water management plans* to plan for the long-term reliability, conservation, and efficient use of California's water supplies to meet existing and future demands. The act requires water suppliers to update their plans every five years based on projected growth for at least the next 20 years.

Accordingly, the current urban water management plan for San Francisco is the 2020 Urban Water Management Plan (2020 plan) update.⁶² The 2020 plan projects water supplies and demand through 2045 and presents information on the SFPUC's water supply system, water supply reliability, Water Conservation Act of 2009 compliance, water shortage contingency planning, and water demand management.

The 2020 plan compares anticipated water supplies to projected demand through 2045 for normal, single-dry, and multiple-dry water years.⁶³ Under normal hydrologic conditions, the SFPUC projects it will have sufficient supplies to meet projected demands, which increase from 68.8 mgd in 2020 to 80.6 mgd in 2045 (see 2020 plan Table 6-5, page 6-13). According to the 2020 plan, available and anticipated future water supplies would fully meet projected demand in San Francisco through 2045 during normal years. There are several factors affecting the ability of the regional water system to deliver water during droughts, including the adoption of the 2018 Bay-Delta Plan Amendment (discussed below), potential state and federal regulations, and additional water supply decisions.

2018 Bay-Delta Plan Amendment

In December 2018, the State Water Resources Control Board (state water board) adopted amendments to the Water Quality Control Plan for the San Francisco Bay/Sacramento-San Joaquin Delta Estuary (Bay-Delta Plan Amendment), to establish water quality objectives with the stated goal of increasing salmonid populations in three San Joaquin River tributaries (the Stanislaus, Merced, and Tuolumne Rivers) and the Bay-Delta. Specifically, the Bay-Delta Plan Amendment requires the release of 30 to 50 percent of the unimpaired flow⁶⁴ from the three tributaries from February through June every year, whether it is wet or dry. In SFPUC modeling of the new flow standard, it is assumed that the required release from the Tuolumne River is 40 percent of unimpaired flow. During dry years, this would result in a substantial reduction in the SFPUC's water supplies from the Tuolumne River watershed.

If the Bay-Delta Plan Amendment is implemented, the SFPUC would be able to meet the projected demand in normal years but would experience supply shortages in single dry years and multiple dry years.

Implementation of the Bay-Delta Plan Amendment would result in substantial dry-year and multiple dry year water supply shortfalls and rationing throughout the SFPUC's regional water system service area, including

61 California Water Code, division 6, part 2.6, sections 10610 through 10656, as last amended in 2015.

62 San Francisco Public Utilities Commission, *2020 Urban Water Management Plan for the City and County of San Francisco*, adopted June 11, 2021. This document is available at [Urban Water Management Plan | SFPUC](#).

63 A "normal year" is based on historical hydrological conditions that allow the reservoirs to be filled by rainfall and snowmelt, allowing full deliveries to customers; similarly, a "wet year" and a "dry year" is based on historical hydrological conditions with above and below "normal" rainfall and snowmelt, respectively.

64 "Unimpaired flow" represents the water production of a river basin, unaltered by upstream diversions, storage, or by export or import of water to or from other watersheds.

San Francisco. Without the implementation of the Bay-Delta Plan Amendment, the SFPUC would not experience shortages until the fourth and fifth year of a multi-year drought at 2045 levels of projected demand.

The state water board has indicated that it intends to implement the plan amendment on the Tuolumne River by the year 2022, assuming all required approvals are obtained by that time. However, at this time, the implementation of the Bay-Delta Plan Amendment is uncertain due to pending legal challenges and outstanding regulatory actions.⁶⁵

In recognition of the obstacles to implementation of the Bay-Delta Plan Amendment, the state water board directed its staff to help complete a “Delta watershed-wide agreement, including potential flow measures for the Tuolumne River” by March 1, 2019, and to incorporate such agreements as an “alternative” for a future amendment to the Bay-Delta Plan to be presented to the [state water board] as early as possible after December 1, 2019.” In accordance with the state water board’s instruction, on March 1, 2019, the SFPUC, in partnership with other key stakeholders, submitted a proposed project description for the Tuolumne River that could be the basis for a substitute agreement with the state water board that would serve as an alternative path to implementing the Bay-Delta Plan’s objectives. On March 26, 2019, the SFPUC adopted Resolution No. 19-0057 to support its participation in the voluntary agreement negotiation process. To date, those negotiations are ongoing.

Whether, when, and the form in which the Bay-Delta Plan Amendment will be implemented, and how those amendments will affect the SFPUC’s water supply, is currently unknown. In acknowledgment of these uncertainties, the 2020 plan presents future supply scenarios both with and without the Bay-Delta Plan Amendment. The two scenarios provided are intended to bookend the potential future supply conditions for the Regional Water System.

Additional Water Supplies

The SFPUC is increasing and accelerating its efforts to acquire additional water supplies and explore other projects that would improve overall water supply resilience through the Alternative Water Supply Planning Program. Developing these supplies would reduce water supply shortfalls and reduce rationing associated with such shortfalls. The SFPUC has taken action to fund the study of additional water supply projects, which are described in the water supply assessment for the proposed project and the 2020 plan.

The capital projects that are under consideration would be costly and are still in the early feasibility or conceptual planning stages. These projects would take 10 to 30 or more years to implement and would require environmental permitting negotiations, which may reduce the amount of water that can be developed. For these reasons, the yield from these projects is unknown and not currently incorporated into SFPUC’s supply projections.

In addition to capital projects, the SFPUC is also considering developing related water demand management policies and ordinances, such as funding for innovative water supply and efficiency technologies and requiring potable water offsets for new developments.

⁶⁵ For additional information, refer to Section 7.3, Factors Affecting Future RWS Supplies, in the 2020 plan.

Water Supply Assessment

Under sections 10910 through 10915 of the California Water Code, urban water suppliers like the SFPUC must prepare water supply assessments for certain large projects, as defined in CEQA Guidelines section 15155.⁶⁶ Water supply assessments rely on information contained in the water supplier's urban water management plan and on the estimated water demand of both the proposed project and projected growth within the relevant portion of the water supplier's service area. Because the proposed project is a commercial office building having more than 250,000 square feet of floor area, it meets the definition of a water demand project under CEQA. Accordingly, the SFPUC adopted a water supply assessment for the proposed project on August 24, 2021.⁶⁷

The water supply assessment for the proposed project identifies the project's total water demand, including a breakdown of potable and non-potable water demands. The proposed project is subject to the San Francisco Non-potable Water Ordinance (article 12C of the San Francisco Health Code). The non-potable water ordinance requires new commercial, mixed-use, and multi-family residential development projects with 250,000 square feet or more of gross floor area to install and operate an onsite non-potable water system. Such projects must meet their toilet and urinal flushing and irrigation demands through the collection, treatment, and use of available graywater, rainwater, and foundation drainage. While not required, projects may use treated blackwater or stormwater if desired. Furthermore, projects may choose to apply non-potable water to other non-potable water uses, such as cooling tower blowdown and industrial processes, but are not required to do so under the ordinance. The proposed project would meet the requirements of the non-potable water ordinance through its graywater system, which would be located in the basement of the proposed 490 Brannan Street building, and would treat harvested rainwater and the building's graywater supply from sinks and showers for non-potable water reuse. Once treated, the non-potable water would supply toilet and urinal flushing as well as outdoor irrigation demands.

Both potable and non-potable demands for the project were estimated using the SFPUC's Non-potable Water Calculator and supplemented with additional calculations for cooling tower makeup water, swimming pool, and commercial laundry demands. According to the demand estimates, the project's total water demand would be 0.0052 mgd, which would be comprised of 0.002 mgd of potable water and 0.0032 mgd of non-potable water. Accordingly, 61.5 percent of the project's total water demand would be met by non-potable water.

The SFPUC is increasing and accelerating its efforts to acquire additional water supplies and explore other projects that would improve overall water supply resilience through the Alternative Water Supply Planning Program. Developing these supplies would reduce water supply shortfalls and reduce rationing associated with such shortfalls. The SFPUC has taken action to fund the study of additional water supply projects, which are described in the water supply assessment for the proposed project and the 2020 plan.

⁶⁶ Pursuant to CEQA Guidelines section 15155(1), "a water-demand project" means: (A) A residential development of more than 500 dwelling units; (B) A shopping center or business establishment employing more than 1,000 persons or having more than 500,000 square feet of floor space; (C) A commercial office building employing more than 1,000 persons or having more than 250,000 square feet of floor area; (D) A hotel or motel, or both, having more than 500 rooms, (E) an industrial, manufacturing, or processing plant, or industrial park planned to house more than 1,000 persons, occupying more than 40 acres of land, or having more than 650,000 square feet of floor area; (F) a mixed-use project that includes one or more of the projects specified in subdivisions (a)(1)(A), (a)(1)(B), (a)(1)(C), (a)(1)(D), (a)(1)(E), and (a)(1)(G) of this section; or (G) A project that would demand an amount of water equivalent to, or greater than, the amount of water required by a 500 dwelling unit project.

⁶⁷ SFPUC, *490 Brannan Street Project: Water Supply Assessment (2020-005610ENV)*, August 24, 2021.

The capital projects that are under consideration would be costly and are still in the early feasibility or conceptual planning stages. These projects would take 10 to 30 or more years to implement and would require environmental permitting negotiations, which may reduce the amount of water that can be developed. For these reasons, the yield from these projects is unknown and not currently incorporated into SFPUC's supply projections.

In addition to capital projects, the SFPUC is also considering developing related water demand management policies and ordinances, such as funding for innovative water supply and efficiency technologies and requiring potable water offsets for new developments.

The water supply assessment determined that the project's potable water demand of 0.002 mgd would contribute 0.00248 percent to the projected total demand for retail water customers of 80.6 mgd in 2045. The project's total water demand of 0.0052 mgd, which does not account for the 0.0032 mgd savings anticipated through compliance with the non-potable water ordinance, would represent 0.00645 percent of 2045 total demand for retail water customers. Thus, the proposed project represents a small fraction of the total projected water demand in San Francisco through 2045.

The water supply assessment evaluates the ability of the water supply system to meet the demand of the proposed project in combination with both existing development and projected growth in San Francisco under the following water supply scenarios:

- Scenario 1: Current Water Supply
- Scenario 2: Bay-Delta Plan Voluntary Agreement
- Scenario 3: 2018 Bay-Delta Plan Amendment

As discussed below, the water supply assessment concludes that water supplies would be available to meet the demand of the proposed project in combination with both existing development and projected growth in San Francisco through 2045 under each of these water supply scenarios with varying levels of rationing during dry years. The following is a summary of the analysis and conclusions presented in the SFPUC's water supply assessment for the project under each of the three water supply scenarios considered.

Scenario 1 – Current Water Supply

Scenario 1 assumes no change to the way in which water is supplied, and that neither the Bay-Delta Plan Amendment nor a Bay-Delta Plan Voluntary Agreement would be implemented. Thus, the water supply and demand assumptions contained in the 2020 plan for the scenario without implementation of the Bay-Delta Plan Amendment would be applicable for the project's water supply assessment. As stated above, the project is accounted for in the demand projections in the 2020 plan.

Under Scenario 1, the water supply assessment determined that retail water supplies would be available to meet the demand of the project in combination with existing development and projected growth in all years, except for an approximately 4.0 mgd or 5.3-percent shortfall in years four and five during multiple dry years under 2045 demand levels. This relatively small shortfall is primarily due to implementation of the amended 2009 Water Supply Agreement. To manage a small shortfall such as this, the SFPUC may prohibit certain discretionary outdoor water uses and/or call for voluntary rationing by its retail customers. During a prolonged drought at the end of the 20-year planning horizon, the project could be subject to voluntary rationing in response to a 5.3-percent supply shortfall, when the 2018 amendments to the 2009 Water Supply Agreement

are taken into account. This level of rationing is well within the SFPUC's regional water system supply level of service goal of limiting rationing to no more than 20 percent on a system-wide basis (i.e., an average throughout the regional water system).

Scenario 2 – Bay-Delta Plan Voluntary Agreement

Under Scenario 2, a voluntary agreement would be implemented as an alternative to the adopted Bay-Delta Plan Amendment. The March 1, 2019, proposed voluntary agreement submitted to the state water board has yet to be accepted, and the shortages that would occur with its implementation are not known. Negotiations are ongoing under the California Natural Resources Agency. The voluntary agreement proposal contains a combination of flow and non-flow measures that are designed to benefit fisheries at a lower water cost, particularly during multiple dry years, than would occur under the Bay-Delta Plan Amendment. The resulting regional water system supply shortfalls during dry years would be less than those under the Bay-Delta Plan Amendment and would require rationing of a lesser degree and closer in alignment to the SFPUC's adopted level of service goal for the regional water system of rationing of no more than 20 percent system-wide during dry years.

Scenario 3 – Bay-Delta Plan Amendment

Under Scenario 3, the 2018 Bay-Delta Plan Amendment would be implemented as it was adopted by the state water board without modification. Under this scenario, which is assumed to be implemented after 2022, water supplies would be available to meet projected demands through 2045 in wet and normal years with no shortfalls. However, under Scenario 3 the entire regional water system—including both the wholesale and retail service areas—would experience significant shortfalls in single dry and multiple dry years, which occur on average just over once every 10 years. Significant dry-year shortfalls would occur in San Francisco, regardless of whether the proposed project is constructed. Except for the currently anticipated shortfall of about 4.0 mgd (5.3 percent) that is expected to occur under Scenario 1 in years four and five during multiple dry years based on 2045 demand levels, these shortfalls would exclusively result from supply reductions resulting from implementation of the Bay-Delta Plan Amendment. The supply shortfalls under Scenario 3 would not be attributed to the incremental demand associated with the proposed project, because the project's demand is incorporated already in the growth and water demand/supply projections contained in the 2020 plan.

Under the Bay-Delta Plan Amendment, existing and planned dry-year supplies would be insufficient for the SFPUC to satisfy its regional water system supply level of service goal of no more than 20 percent rationing system-wide. As shown in Table 5 of the water supply assessment, total shortfalls under Scenario 3 would range from 11.2 mgd (15.9 percent) in a single dry year to 19.2 mgd (27.2 percent) in years two through five of a multiple year drought based on 2025 demand levels and from 20.5 mgd (25.4 percent) in a single dry year to 28.5 mgd (35.4 percent) in years four and five of a multiple year drought based on 2045 demand.

Impact Analysis

As described above, the supply capacity of the Hetch Hetchy regional water system that provides the majority of the city's drinking water far exceeds the potential demand of any single development project in San Francisco. No single development project alone in San Francisco would require the development of new or expanded water supply facilities or require the SFPUC to take other actions, such as imposing a higher level of

rationing across the city in the event of a supply shortage in dry years. Therefore, a separate project-only analysis is not provided for this topic. The following analysis instead considers whether the proposed project in combination with both existing development and projected growth through 2045 would require new or expanded water supply facilities, the construction or relocation of which could have significant impacts on the environment that were not identified in the Central SoMa PEIR. It also considers whether a high level of rationing would be required that could have significant cumulative impacts. It is only under this cumulative context that development in San Francisco could have the potential to require new or expanded water supply facilities or require the SFPUC to take other actions, which in turn could result in significant physical environmental impacts related to water supply. If significant cumulative impacts could result, then the analysis considers whether the project would make a considerable contribution to the cumulative impact.

Impacts related to New or Expanded Water Supply Facilities

The SFPUC's adopted water supply level of service goal for the regional water system is to meet customer water needs in non-drought and drought periods. The system performance objective for drought periods is to meet dry-year delivery needs while limiting rationing to a maximum of 20 percent system-wide reduction in regional water service during extended droughts. As the SFPUC has designed its system to meet this goal, it is reasonable to assume that to the extent the SFPUC can achieve its service goals, sufficient supplies would be available to serve existing development and planned growth accounted for in the 2020 plan (which includes the proposed project) and that new or expanded water supply facilities are not needed to meet system-wide demand. While the focus of this analysis is on water demand in San Francisco and not the regional water system as a whole, this cumulative analysis considers the SFPUC's regional water supply level of service goal of rationing of not more than 20 percent in evaluating whether new or expanded water supply facilities would be required to meet the demands of existing development and projected growth in San Francisco through 2045. If a shortfall would require rationing more than 20 percent to meet system-wide dry-year demand, the analysis evaluates whether as a result, the SFPUC would develop new or expanded water supply facilities that result in significant physical environmental impacts. It also considers whether such a shortfall would result in a level of rationing that could cause significant physical environmental impacts. If the analysis determines that there would be a significant cumulative impact, then per CEQA Guidelines section 15130, the analysis considers whether the project's incremental contribution to any such effect is "cumulatively considerable".

As discussed above, existing and planned dry-year supplies would meet projected demands for San Francisco water customers through 2045 under Scenario 1 within the SFPUC's regional water system adopted water supply reliability level of service goal. Therefore, the SFPUC could meet the water supply needs for the proposed project in combination with existing development and projected growth in San Francisco through 2045 from the SFPUC's existing system. The SFPUC would not be expected to develop new or expanded water supply facilities for San Francisco customers under Scenario 1 and there would be no significant cumulative environmental impact.

The effect of Scenario 2 cannot be quantified at this time but as explained previously, if it can be designed to achieve the SFPUC's level of service goals and is adopted, it would be expected to have effects similar to Scenario 1. Given the SFPUC's stated goal of maintaining its level of service goals under Scenario 2, it is expected that Scenario 2 effects would be more similar to Scenario 1 than to Scenario 3. In any event, any shortfall effects under Scenario 2 that exceed the SFPUC's service goals would be expected to be less than those under Scenario 3. Therefore, the analysis of Scenario 3 would encompass any effects that would occur

under Scenario 2 if it were to trigger the need for increased water supply or rationing in excess of the SFPUC's regional water system level of service goals.

Under Scenario 3, the SFPUC's existing and anticipated water supplies would be sufficient to meet the demands of existing development and projected growth in San Francisco, including the proposed project, through 2045 in wet and normal years, which have historically occurred in approximately nine out of 10 years on average. During dry and multiple dry years, supply shortfalls of 15.9 to 35.4 percent could occur.

The SFPUC has indicated in its water supply assessment that as a result of the adoption of the Bay-Delta Plan Amendment and the resulting potential limitations on supply to the regional water system during dry years, the SFPUC is increasing and accelerating its efforts to develop additional water supplies and explore other projects that would increase overall water supply resilience. It lists possible projects that it will study. While the SFPUC has taken action to fund several water supply options, the projects are still in the early feasibility or conceptual planning stages. The SFPUC has determined that the identified potential projects would take anywhere from 10 to 30 years or more to implement.

There is also a substantial degree of uncertainty associated with the implementation of the Bay-Delta Plan Amendment and its ultimate outcome, and therefore, there is substantial uncertainty in the amount of additional water supply that may be needed, if any. Moreover, there is uncertainty and lack of knowledge as to the feasibility and parameters of the possible water supply projects the SFPUC is beginning to explore. Consequently, the physical environmental impacts that could result from future supply projects is speculative at this time and would not be expected to be reasonably determined for a period of time ranging from 10 to 30 years. Although it is not possible at this time to identify the specific environmental impacts that could result, this analysis assumes that if new or expanded water supply facilities, such as those listed above under "Additional Water Supplies," were developed, the construction and/or operation of such facilities could result in significant adverse environmental impacts.

As discussed above, the proposed project would represent 0.00645 percent of total demand and 0.00248 percent of potable water demand in San Francisco in 2045, whereas implementation of the Bay Delta Plan Amendment would result in a retail supply shortfall of up to 35.4 percent. Thus, new or expanded dry-year water supplies would be needed under Scenario 3 regardless of whether the proposed project is constructed. As such, any physical environmental impacts related to the construction and/or operation of new or expanded water supplies would occur with or without the proposed project. Therefore, the proposed project would not have a considerable contribution to any significant cumulative impacts that could result from the construction or operation of new or expanded water supply facilities developed in response to the Bay-Delta Plan Amendment.

Impacts related to Rationing

Given the long lead times associated with developing additional water supplies, in the event the Bay-Delta Plan Amendment were to take effect sometime after 2022 and result in a dry-year shortfall, the expected action of the SFPUC for the next 10 to 30 years (or more) would be limited to requiring increased rationing. The remaining analysis therefore focuses on whether rationing at the levels that might be required under the Bay-Delta Plan Amendment could result in any cumulative impacts, and if so, whether the project would make a considerable contribution to these impacts.

The SFPUC has established a process through its 2020 Water Shortage Contingency Plan for actions it would take under circumstances requiring rationing. Rationing at the level that might be required under the Bay-Delta Plan Amendment would require restrictions on irrigation and other outdoor water uses (e.g., car washing), changes to water use behaviors (e.g., shorter and/or less-frequent showers), and changes to how businesses operate, all of which could lead to undesirable socioeconomic effects. Any such effects would not constitute physical environmental impacts under CEQA.

High levels of rationing could however lead to adverse physical environmental effects, such as the loss of vegetation cover resulting from prolonged restrictions on irrigation. Prolonged high levels of rationing within the city could also make San Francisco a less desirable location for residential and commercial development compared to other areas of the state not subject to such substantial levels of rationing, which, depending on location, could lead in turn to increased urban sprawl. Sprawl development is associated with numerous environmental impacts, including, for example, increased greenhouse gas emissions and air pollution from longer commutes and lower density development, higher energy use, loss of farmland, and increased water use from less water-efficient suburban development.⁶⁸ In contrast, as discussed in the transportation section, the proposed project is located in an area where VMT per capita is well below the regional average; projects in San Francisco are required to comply with numerous regulations that would reduce greenhouse gas emissions, as discussed in the greenhouse gas section of this initial study, and San Francisco's per capita water use is among the lowest in the state. Thus, the higher levels of rationing on a citywide basis that could be required under the Bay-Delta Plan Amendment could lead directly or indirectly to significant cumulative impacts. The question, then, is whether the project would make a considerable contribution to impacts that may be expected to occur in the event of high levels of rationing.

While the levels of rationing described above apply to the retail service area as a whole (i.e., 5.3 percent under Scenario 1, 15.9 to 35.4 percent under Scenario 3), the SFPUC may allocate different levels of rationing to individual customers based on customer type (e.g., dedicated irrigation, single-family residential, multi-family residential, commercial, etc.) to achieve the required level of citywide rationing. Allocation methods and processes that have been considered in the past and may be used in future droughts are described in Section 4 of the SFPUC's current Water Shortage Contingency Plan.⁶⁹

In accordance with the Retail Water Shortage Allocation Plan, the level of rationing that would be imposed on the proposed project would be determined at the time of a drought or other water shortage and cannot be established with certainty prior to the shortage event. However, newly constructed buildings, such as the proposed project, have water-efficient fixtures and non-potable water systems that comply with the latest regulations. Thus, if these buildings can demonstrate below-average water use, they would likely be subject to a lower level of rationing than other retail customers that meet or exceed the average water use for the same customer class.

While any substantial reduction in water use in a new, water efficient building likely would require behavioral changes by building occupants that are inconvenient, temporary rationing during a drought is expected to be achievable through actions that would not cause or contribute to significant environmental effects. The effect of such temporary rationing would likely cause occupants to change behaviors but would not cause the substantial loss of vegetation because vegetation on this urban infill site would be limited to ornamental

⁶⁸ Pursuant to the SFPUC 2020 Urban Water Management Plan, San Francisco's per capita water use is among the lowest in the state.

⁶⁹ San Francisco Public Utilities Commission, *2020 Urban Water Management Plan for the City and County of San Francisco, Appendix K – Water Shortage Contingency Plan*, adopted June 11, 2021. This document is available at [Urban Water Management Plan | SFPUC](#).

landscaping, and non-potable water supplies would remain available for landscape irrigation in dry years. The project would not include uses that would be forced to relocate because of temporary water restrictions, such as a business that relies on significant volumes of water for its operations. While high levels of rationing that would occur under Scenario 3 could result in future development locating elsewhere, office workers and businesses occupying the proposed project would be expected to tolerate rationing for the temporary duration of a drought.

As discussed above, implementation of the Bay-Delta Plan Amendment would result in substantial system-wide water supply shortfalls in dry years. These shortfalls would occur with or without the proposed project, and the project's incremental increase in potable water demand (0.00645 percent of total demand for retail water customers) would have a negligible effect on the levels of rationing that would be required throughout San Francisco under Scenario 3 in dry years.

As such, temporary rationing that could be imposed on the project would not cause or contribute to significant environmental effects associated with the high levels of rationing that may be required on a city-wide basis under Scenario 3. Thus, the project would not make a considerable contribution to any significant cumulative impacts that may result from increased rationing that may be required with implementation of the Bay-Delta Plan Amendment, were it to occur.

Conclusion

As stated above, there is considerable uncertainty as to whether the Bay-Delta Plan Amendment will be implemented. If the Bay-Delta Plan Amendment is implemented, the SFPUC will need to impose higher levels of rationing than its regional water system level of service goal of no more than 20 percent rationing during drought years by 2025 and for the next several decades. Implementation of the plan amendment would result in a shortfall ranging from 15.9 percent in a single dry year and year one of multiple dry years to up to 27.2 percent in years two through five of a multiple year drought in 2025, and dry year shortfalls by 2045 ranging from 25.4 percent in a single dry year and years one through three of a multiple year drought to up to 35.4 percent in years four and five of a multiple year drought. While the SFPUC may seek new or expanded water supply facilities, it has not made any definitive decision to pursue particular actions and there is too much uncertainty associated with this potential future decision to identify environmental effects that would result. Such effects are therefore speculative at this time. In any case, the need to develop new or expanded water supplies in response to the Bay Delta Plan Amendment and any related environmental impacts would occur irrespective of the water demand associated with the proposed project. Given the long lead times associated with developing additional supplies, the SFPUC's expected response to implementation of the Bay-Delta Plan Amendment would be to ration in accordance with procedures in its Water Shortage Contingency Plan.

Both direct and indirect environmental impacts could result from high levels of rationing. However, the proposed project is a commercial development that would be expected to tolerate the level of rationing imposed on it for the duration of the drought, and thus would not contribute to sprawl development caused by rationing under the Bay-Delta Plan Amendment. The project itself would not be expected to contribute to a loss of vegetation because project-generated non-potable supplies would remain available for irrigation in dry years. Nor would the small increase in potable water demand attributable to the project compared to citywide demand substantially affect the levels of dry-year rationing that would otherwise be required throughout the city. Thus, the proposed project would not make a considerable contribution to a cumulative environmental

impact caused by implementation of the Bay-Delta Plan Amendment. Therefore, for the reasons described above, under all three scenarios, this impact would be considered less than significant.

E.12.d and e) The city disposes of its municipal solid waste at the Recology Hay Road Landfill, and that practice is anticipated to continue until 2025, with an option to renew the agreement thereafter for an additional six years. San Francisco Ordinance No. 27-06 requires mixed construction and demolition debris to be transported to a facility that must recover for reuse or recycling and divert from landfill at least 65 percent of all received construction and demolition debris. San Francisco's Mandatory Recycling and Composting Ordinance No. 100-09 requires all properties and persons in the city to separate their recyclables, compostables, and landfill trash.

The proposed project would incrementally increase total city waste generation; however, the proposed project would be required to comply with San Francisco Ordinance Numbers 27-06 and 100-09. Due to the existing and anticipated increase of solid waste recycling in the city and the requirements to divert construction debris from the landfill, any increase in solid waste resulting from the proposed project would be accommodated by the existing Hay Road landfill. Thus, the proposed project would have less-than-significant impacts related to solid waste.

Cumulative Analysis

As explained in the analysis above, existing service management plans for water, wastewater, and solid waste disposal account for anticipated citywide growth. Furthermore, all projects in San Francisco would be required to comply with the same regulations described above which reduce stormwater, potable water, and waste generation. Therefore, the proposed project, in combination with other cumulative development projects would not result in a cumulative utilities and service systems impact.

Conclusion

As discussed above, the proposed project would not result in a significant individual or cumulative impact with respect to utilities and service systems. Therefore, the proposed project would not result in a significant utilities and service system impact that was not disclosed in the Central SoMa PEIR.

E.13 Public Services

Central SoMa PEIR Public Services Findings

The Central SoMa PEIR found that the increased worker population in the area resulting from implementation of the plan would result in greater demand for police and fire protection services, as well as park use, but determined that this demand would not result in the need for new facilities, the construction of which could result in significant physical impacts on the environment. Furthermore, the PEIR found that should it be determined at some point in the future that new facilities are needed, any potentially significant effects from construction of such facilities would be similar to those identified for other development anticipated under the plan; for example, with potential impacts related to noise, archeological resources, air quality (including emissions of dust and other pollutants and diesel exhaust), and temporary street closures or other traffic obstructions. No mitigation measures were identified in the PEIR.

Project Analysis

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

E.13.a) Employees at the project site would be served by the San Francisco Police Department and Fire Departments. The project site is served by the police department’s Southern Station, located approximately 0.7 miles from the site, at 1251 3rd Street, and by Fire Station 8, located approximately 0.1 miles from the project site at 36 Bluxome Street. The increased population at the project site could result in more calls for police, fire, and emergency response. However, the increase in demand for these services would not be substantial given the overall demand for such services on a citywide basis. Moreover, the proximity of the project site to police and fire stations would help minimize the response time for these services should incidents occur at the project site.

The San Francisco Unified School District (school district) maintains a property and building portfolio that has capacity for over 63,400 students.⁷⁰ Total enrollment in the district has increased to about 52,763 in the 2017–2018 school year; approximately 4,502 students enrolled in public charter schools are operated by other organizations but located in school district facilities.^{71,72} Thus, even with increasing enrollment, the school district currently has more classrooms district-wide than needed.⁷³

The school district has engaged Lapkoff & Gobalet Demographic Research, Inc., a demographic consultant, to prepare demographic analyses and enrollment projections (the study), which are being updated over time as additional data are available. Enrollment projections through 2040 include the contribution of new and ongoing large-scale developments (Mission Bay, Candlestick Point, Hunters Point Shipyard/San Francisco Shipyard, Treasure/Yerba Buena Islands, and Parkmerced) and other planned housing units. Enrollment assumptions are informed by historical yield, building type, unit size, unit price, ownership (rented or owner-occupied), whether units are subsidized, whether subsidized units are in stand-alone buildings or in inclusionary buildings, and other site-specific factors. For most developments constructed since 2010, the study found that outside of public housing, new stand-alone family and affordable housing units have the

70 This analysis was informed, in part, by a Target Enrollment Survey the San Francisco Unified School District performed of all schools in 2010.

71 San Francisco Unified School District, *San Francisco Bay Area Planning and Urban Research (SPUR) Forum Presentation, Growing Population, Growing Schools*, August 31, 2016. Online at: https://www.spur.org/sites/default/files/events_pdfs/SPUR%20Forum_August%2031%202016.pptx_.pdf, accessed April 8, 2020.

72 Note that enrollment summaries do not include charter schools. Approximately 4,283 students enrolled in charter schools are operated by other organizations but located in school district facilities.

73 San Francisco Unified School District, *San Francisco Bay Area Planning and Urban Research (SPUR) Forum Presentation, Growing Population, Growing Schools*, August 31, 2016, https://www.spur.org/sites/default/files/events_pdfs/SPUR%20Forum_August%2031%202016.pptx_.pdf, accessed June 27, 2019.

highest student yields – 0.48 students per unit. The study found that student yields for other housing types constructed since 2010 include approximately 0.22 students per unit for inclusionary affordable housing units and 0.01 students per unit for market-rate housing.⁷⁴

The proposed project does not include residential uses, and implementation of the project would not directly result in new children who would utilize public schools in the city. Therefore, the project would not contribute substantial demand that would result in the need for new or expanded school facilities in the city.

Impacts on parks and recreational facilities are addressed above in Topic E.11, Recreation.

Cumulative Analysis

The proposed project, combined with projected citywide growth through 2040, would increase demand for public services, including police and fire protection and public schools. The fire department, the police department, the school district, and other city agencies account for such growth in providing public services to the residents of San Francisco. For these reasons, the proposed project, in combination with projected cumulative development, would not result in significant physical cumulative impacts associated with the construction of new or expanded governmental facilities.

Conclusion

As discussed above, the proposed project would not result in significant individual or cumulative impacts with respect to public services. Therefore, the proposed project would not result in a significant public services impact that was not disclosed in the Central SoMa PEIR.

E.14 Biological Resources

Central SoMa PEIR Biological Findings

The Central SoMa plan area is fully developed with structures and roadways, with little open space (relative to developed land). The plan area contains no special-status species, natural plant communities, riparian corridors, estuaries, marshes, or wetlands that could be affected by the development anticipated to occur under the plan. Vegetation consists of street trees and landscaping occasionally found in backyards throughout the plan area. Therefore, the Central SoMa PEIR determined that future development would not substantially interfere with the movement of any resident or migratory wildlife species. However, Improvement Measure I-BI-2, Night Lighting Minimization, was identified to reduce potentially less-than-significant impacts on birds from nighttime lighting at individual project sites. The Central SoMa PEIR also concluded that implementation of the plan would not result in any significant impacts related to riparian habitat, wetlands, movement of migratory species, local policies or ordinances protecting biological resources, or habitat conservation plans.

The Central SoMa PEIR determined that the potential impacts to special-status bats that may be roosting in trees and underutilized buildings in the plan area would be reduced to a less-than-significant level with implementation of Central SoMa PEIR Mitigation Measure M-BI-1, Pre-Construction Bat Surveys. Central SoMa PEIR Mitigation Measure M-BI-1 requires that conditions of approval for building permits issued for

⁷⁴ Lapkoff & Gobalet Demographic Research, Inc., Demographic Analyses and Enrollment Forecasts for the San Francisco Unified School District, January 2020, page 25.

construction of projects within the Central SoMa Plan area include a requirement for pre-construction special-status bat surveys when large trees are to be removed or underutilized or vacant buildings are to be demolished.

Project Analysis

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

E.14.a-f) As the project is located within the Central SoMa Plan area, the proposed project would not affect any natural vegetation communities, special-status plants, riparian corridors, estuaries, marshes, or wetlands. Further, there are no riparian corridors, estuaries, marshes or wetlands on or adjacent to the project site and there are no environmental conservation plans applicable to the project site. Additionally, the project would be required to comply with the San Francisco Urban Forestry Ordinance, which requires a permit from Public Works to remove any protected trees (landmark, significant, and street trees). The proposed project would not remove any existing street trees. The three existing street trees along the 4th Street project frontage would be retained, and 12 new street trees would be planted along the 4th, Brannan, and Freelon street frontages.

The project would involve demolition of a building that has been vacant for more than six months; therefore, the project would result in potentially significant impacts on biological resources. **Project Mitigation Measure 7, Pre-Construction Bat Survey** (implementing Central SoMa PEIR Mitigation Measure M-BI-1), would be applicable to the proposed project. The mitigation measure requires a preconstruction special-status bat survey, and if active roosts are found, a qualified biologist must take actions to make such roosts unsuitable habitat prior to building demolition. With implementation of Project Mitigation Measure 7, impacts related to biological resources would be less than significant with mitigation.

Cumulative Analysis

With implementation of Project Mitigation Measure 7, the proposed project would have a less-than-significant impact on special-status species or sensitive habitats; thus, the project would not have the potential to contribute to cumulative impacts to special-status species or sensitive habitats. All projects within San Francisco are required to comply with the urban forestry ordinance, which would ensure that any cumulative impact resulting from conflicts with the city ordinance protecting trees would be less than significant.

Conclusion

As discussed above, the proposed project's individual impacts on biological resources would be less than significant with mitigation, and would not result in significant cumulative impacts on biological resources. Therefore, the proposed project would not result in a significant biological resources impact that was not disclosed in the Central SoMa PEIR.

E.15 Geology and Soils

Central SoMa PEIR Geology and Soils Findings

The Central SoMa PEIR noted that implementation of the plan would increase the development density, and subsequent individual development projects in the plan area could include taller buildings and could expose a greater number of people to existing geologic hazards. The PEIR found that impacts related to geology and soils would be less than significant, including impacts related to earthquake fault, seismic groundshaking, seismically induced ground failure, and landslides. The Central SoMa PEIR found that the plan area is generally flat and that implementation of the Central SoMa Plan would have no impact on altering the topography of the plan area. Most of the plan area is located within a potential liquefaction hazard zone identified by the California Geological Survey. Compliance with applicable codes and recommendations made in project-specific geotechnical analyses would reduce the geologic hazards of subsequent development projects to a less-than-significant level. Additionally, development under the Central SoMa Plan could induce ground settlement as a result of excavation for construction of subsurface parking or basement levels, construction dewatering, heave during installation of piles, and long-term dewatering.

The PEIR noted that with implementation of the recommendations provided in project-specific detailed geotechnical studies for subsequent development projects, subject to review and approval by the building department, impacts related to the potential for settlement and subsidence due to construction on soil that is unstable, or could become unstable as a result of such construction, would be less than significant. Thus, the Central SoMa PEIR concluded that implementation of the plan would not result in significant impacts with regard to geology and soils, and no mitigation measures were identified in the Central SoMa PEIR.

The Central SoMa PEIR found that there is low potential to uncover unique or significant fossils within the plan area or vicinity. Construction excavations could encounter undisturbed dune sands, the Colma Formation, or artificial fills associated with previous development (e.g., road bases, foundations, and previous backfills for underground utilities). Due to their age and origin, these geological materials have little to no likelihood of containing unique or significant fossils.

Project Analysis

<i>Topics:</i>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
Would the project:				
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? (Refer to Division of Mines and Geology Special Publication 42.)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Be located on geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code, creating substantial direct or indirect risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The proposed project would connect to San Francisco's sewer and stormwater collection and treatment system and would not use a septic water disposal system. Therefore, Topic E.15.e is not applicable to the project.

This section describes the geology, soils, and seismicity characteristics of the project area as they relate to the proposed project, and relies on the information and findings provided in a geotechnical investigation that was

conducted for the project site and proposed project.⁷⁵ The purpose of the geotechnical study was to evaluate subsurface conditions at the site and provide recommendations for the geotechnical and seismic aspects of the design and construction of the proposed building. The investigation included field exploration and laboratory testing, and six borings were drilled to a depth of 110 to 146 feet below ground surface at the project site. Findings of the investigation are summarized as follows.

The site is within the former Sullivan's Marsh, and within a liquefaction hazard zone as designated by the California Geological Survey (CGS). The site is underlain by approximately 8 to 10 feet of heterogeneous sand, clay, and gravel fill mixture that varies in density and stiffness and in some areas contains rubble including concrete, brick, glass, and wood fragments. The fill is underlain by approximately 8 to 10 feet of a marsh deposit consisting of very soft to medium stiff clay with varying silt and sand content and very loose to loose sand with varying silt and clay content. The field investigation indicates there is a significant organic content in the marsh deposit. The marsh deposit is underlain by 5 to 7 feet of medium dense clayey sand over 12 to 21 feet of dense to very dense silty sand known locally as Colma sand. Interbedded medium dense to very dense clayey sand, silty sand, and sand with silt, and medium stiff to very stiff sandy clay were encountered below the Colma sand. Dense clayey gravel and hard sandy clay with gravel (alluvium/colluvium) and hard gravelly clay (residual soil) are present below the Colma sand. Franciscan Complex bedrock was encountered at depths of 100 to 135 feet below ground surface across the site and becomes deeper from northwest to southeast across the site. Groundwater was encountered at depths of 7.5 to 14.5 feet below ground surface.

E.15.a) San Francisco relies on the state and local regulatory process for review and approval of building permits pursuant to the California Building Code and the San Francisco Building Code, which is the state building code plus local amendments that supplement the state code, including the building department's administrative bulletins. The building department's Administrative Bulletin No. AB-082 provides guidelines and procedures for structural, geotechnical, and seismic hazard engineering design review during the application review process for a building permit.⁷⁶

Administrative Bulletin AB-083 presents requirements and guidelines for seismic structural design and submittal documents for building permits for new tall buildings that use non-prescriptive seismic design procedures.⁷⁷ The building department intends that buildings designed to the requirements and guidelines of AB-083 have seismic performance at least equivalent to that intended of code-prescriptive seismic designs consistent with the San Francisco Building Code. To demonstrate that a building design is capable of providing code-equivalent seismic performance, a three-step procedure involving structural design review, submittal requirements, and seismic design requirements to demonstrate acceptable seismic performance for moderate earthquakes.

75 Langen Engineering and Environmental Services, *Geotechnical Investigation*, 490 Brannan Street, San Francisco, California, March 3, 2020.

76 San Francisco Department of Building Inspection, Administrative Bulletin No. AB-082, Guidelines and Procedures for Structural, Geotechnical, and Seismic Hazard Engineering Design Review, November 21, 2018. Available at <https://sfdbi.org/sites/default/files/AB-082.pdf>.

77 San Francisco Department of Building Inspection, Administrative Bulletin AB-083, Requirements and Guidelines for the Seismic Design of New Tall Buildings using Non-Prescriptive Seismic-Design Procedures, March 25, 2008 (Updated January 1, 2014 for code references), http://sfdbi.org/sites/default/files/Documents/Administrative_Bulletins/2013_AB/AB_083_updated_010114.pdf, accessed July 15, 2021.

San Francisco Building Code section 1803 and the building department's Information Sheet No. S-05 identifies the type of work for which geotechnical reports are required, such as for new construction, building additions, and grading, and report submittal requirements.⁷⁸

The proposed 12-story building would occupy the entire footprint of the site, with a one-level basement with a finished floor at 15 feet below grade. To construct the basement and foundations, the geotechnical study anticipates that an excavation approximately 18 to 20 feet deep would be required. At this depth, the marsh deposit and/or medium dense clayey sand is anticipated to be present. The marsh deposit is soft and should not be relied on for direct support of the building; the Colma sand encountered at about 25 feet below ground surface is capable of supporting the building loads. Thus, the geotechnical investigation recommends that the mat foundation be supported on ground improvement elements that extend foundation loads to the Colma sand layer to support the building. Ground improvement elements (such as auger-cast columns or deep soil mixed columns or panels) would provide uniform foundation support and transfer building loads to extend 5 feet into the Colma layer, which is approximately 30 feet below ground surface. A deep soil mixed cutoff wall is judged to be the most feasible ground improvement method.

During the building department's review of building permit application, the building department would review the construction plans for conformance with recommendations in the project-specific geotechnical report. The building permit application would be reviewed pursuant to the building department's implementation of the building code including administrative bulletins, local implementing procedures such as the building department information sheets, and state laws, regulations, and guidelines would ensure that the proposed project would have no significant impacts related to soils, seismic, or other geological hazards. Thus, the proposed project would not result in significant effects related to soils, seismic, or other geological hazards.

E.15.b) The 36,000-square-foot project site is entirely covered by a building and surface parking. Since the project site is entirely covered by impermeable surfaces, it does not contain native topsoil.

The proposed project would require 26,667 cubic yards of excavation to a depth of 20 feet. Grading and excavation could potentially result in erosion. However, the project sponsor and its contractor would be required to comply with Public Works Code section 146, Construction Site Runoff Control, which requires all construction sites to implement best management practices (BMPs) to minimize surface runoff erosion and sedimentation.⁷⁹ Pursuant to section 146.7, if construction activities disturb 5,000 square feet or more of ground surface, the project sponsor must develop an erosion and sediment control plan. The erosion and sediment control plan must be submitted to public utilities commission for review and approval prior to commencing construction-related activities. The erosion and sediment control plan would identify BMPs to control discharge of sediment and other pollutants from entering the city's combined sewer system during construction. Compliance with section 146 of the public works code would ensure that the proposed project would not result in substantial loss of topsoil or soil erosion. Therefore, Thus, the proposed project would not result in significant impacts related to loss of topsoil or substantial soil erosion.

E.15.c) The basement level of the proposed building would have a finished floor at 15 feet below grade. At this depth, the soil is soft and should not be relied on for direct support of the building. Instead, soil improvement

⁷⁸ San Francisco Department of Building Inspection, Information Sheet No. S-05, Geotechnical Report Requirements, May 7, 2019. Available at <https://sfdbi.org/sites/default/files/IS%20S-05.pdf>.

⁷⁹ SFPUC, San Francisco Construction Site Runoff Control Program, available at <https://sfwater.org/index.aspx?page=235>.

would extend building loads about 30 feet below grade to the Colma sand, which is capable of supporting the building loads.⁸⁰

The proposed project would be required to comply with the mandatory provisions of the California Building Code and San Francisco Building Code. Adherence to these requirements, and conformance with the recommendations of the geotechnical investigation prepared for the project, would further ensure that the project sponsor, through their structural engineer of record and geotechnical engineer in the geotechnical investigation, adequately addresses any potential impacts related to soils that may become unstable and lead to landslide, lateral spreading, subsidence, liquefaction, or collapse. Therefore, any potential impacts related to unstable soils would be less than significant, and no mitigation measures would be required.

E.15.d) Expansive soils are typically very fine grained with a high percentage of clay and can damage structures and buried utilities and increase maintenance requirements. Expansive soils expand and contract in response to changes in soil moisture, most notably when nearby surface soils change from saturated to a low-moisture content condition and back again. The expansion potential of the project site soil, as measured by its plasticity index, has not yet been determined. Nonetheless, the San Francisco Building Code would require an analysis of the project site's potential for soil expansion impacts and, if applicable, implementation of measures to address them as part of the design-level geotechnical investigation prepared for the proposed project. Therefore, the proposed project would not result in significant impacts related to expansive soils.

E.15.e and f) A unique geologic or physical feature embodies distinctive characteristics of any regional or local geologic principles, provides a key piece of information important to geologic history, contains minerals not known to occur elsewhere in the county, and/or is used as a teaching tool. No unique geologic features exist at the project site.

Paleontological resources are the fossilized evidence of past life found in the geologic record. Fossils are preserved in sedimentary rocks, which are the most abundant rock type exposed at the surface of the earth. Despite the abundance of these rocks, and the vast numbers of organisms that have lived through time, preservation of plant or animal remains as fossils can be a rare occurrence. In many cases, fossils of animals and plants occur only in limited areas and in small numbers relative to the distribution of the living organisms they represent. Fossils of vertebrates – animals with backbones – are sufficiently rare to be considered nonrenewable resources.

The proposed 12-story building would occupy the entire footprint of the site, with a one-level basement with a finished floor at 15 feet below grade. The proposed project would involve 26,667 cubic yards of excavation to a depth of 20 feet to construct the basement and mat foundation. The geologic units expected to be encountered during project construction activities are described above.

The probability for finding paleontological resources can be broadly predicted from the geologic units present at or near the surface. Therefore, geologic mapping classifications of soil units can be used for assessing the potential for the occurrence of paleontological resources in consideration of the type of construction activities.⁸¹ There are no known paleontological resources at the project site and the site is identified as having low sensitivity for paleontological resources. For these reasons, construction activities are not anticipated to

⁸⁰ Langen Engineering and Environmental Services, *Geotechnical Investigation, 490 Brannan Street, San Francisco, California*, March 3, 2020.

⁸¹ Bureau of Land Management, *Potential Fossil Yield Classification System for Paleontological Resources on Public Lands*, July 8, 2016, available at https://www.blm.gov/sites/blm.gov/files/uploads/IM2016-124_att1.pdf.

encounter any below-grade significant paleontological resources. Therefore, therefore, the project would not result in impacts related to unique geologic features or paleontological resources.

Cumulative Analysis

Environmental impacts related to geology and soils are generally site specific. All development within San Francisco is subject to the seismic safety standards and design review procedures of the California and local building codes and to construction site runoff regulations of section 146 of the public works code. These regulations would ensure that cumulative effects of development on seismic safety, geologic hazards, and erosion are less than significant. Impacts on paleontological resources and unique geological features are generally site specific and localized. The project would not result in impacts related to paleontological resources or unique geologic features and thus would not have to potential to combine with other projects to result in a significant cumulative impact on unique paleontological or geologic resources, and cumulative impacts would be less than significant. For these reasons, the proposed project would not combine with cumulative projects in the project vicinity to create a significant cumulative impact related to geology and soils.

Conclusion

As discussed above, the proposed project would not result in a significant individual or cumulative impact with respect to geology and soils. Therefore, the proposed project would not result in significant geology and soils impacts that were not disclosed in the Central SoMa PEIR.

E.16 Hydrology and Water Quality

Central SoMa PEIR Hydrology and Water Quality Findings

The Central SoMa PEIR determined that the anticipated increase in population resulting from plan implementation would not result in a significant impact on hydrology and water quality, including the combined sewer system and future flooding hazards, taking into account anticipated sea level rise. The Central SoMa PEIR noted that although portions of the plan area would be exposed to an increased risk of flooding in the future due to sea level rise, Central SoMa Plan development would not exacerbate this risk and, therefore, would not result in a significant impact. Moreover, the Central SoMa Plan includes objectives, policies, and implementation measures intended to maximize flood resilience. All hydrology and water quality impacts of the Central SoMa Plan were determined to be less than significant, and no mitigation measures were identified in the PEIR.

Project Analysis

<i>Topics:</i>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
Would the project:				
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

<i>Topics:</i>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner that would:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(i) Result in substantial erosion or siltation on- or off-site;	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site;	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(iii) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(iv) Impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Conflict or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

E.16.a) The project would generate wastewater and stormwater discharges typical of urban commercial uses. Wastewater and stormwater from the project site would be accommodated by the city’s sewer system and treated at the Southeast Water Pollution Control Plant to the standards set by the San Francisco Bay Regional Water Quality Control Board; therefore, the proposed project would not exceed the waste discharge requirements of the water quality board. Furthermore, as discussed in topic E.16.a, the project is required to comply with construction site runoff control regulations of Public Works Code section 146, which require all construction sites to implement best management practices to prevent the discharge of sediment, non-stormwater and waste runoff from a construction site. The city’s compliance with the requirements of its National Pollutant Discharge Elimination System permit and the project’s compliance with construction site runoff control regulations of Public Works Code section 146 would ensure that the project would not result in significant impacts to water quality.

E.16.b) As discussed under topic E.15, groundwater is approximately 7.5 to 14.5 feet below the ground surface at the project site and may be encountered during excavation. Therefore, dewatering is likely to be necessary during construction. The project would not require long-term dewatering and does not propose to extract any underlying groundwater supplies. In addition, the project site is located in the Downtown San Francisco Groundwater Basin. This basin is not used as a drinking water supply and there are no plans for development

of this basin for groundwater production.⁸² For these reasons, the proposed project would not deplete groundwater supplies or substantially interfere with groundwater recharge. This impact would be less than significant, and no mitigation measures are necessary.

E.16.c) No streams or rivers exist in the vicinity of the project site. Therefore, the proposed project would not alter the course of a stream or river, or substantially alter the existing drainage pattern of the project site or area. For the reasons discussed in topics E.12.a and E.16.a, the proposed project would not substantially increase the rate or amount of surface runoff such that substantial flooding, erosion, or siltation would occur on or offsite. Compliance with the City's stormwater management ordinance would ensure that design of the proposed project would include installation of appropriate stormwater management systems that retain runoff on site and limit substantial additional sources of polluted runoff.

E.16.d) The project site is not located within a 100-year flood hazard zone, or a tsunami or seiche hazard area. Therefore, topic 16.d is not applicable to the proposed project.

E.16.e) For the reasons discussed in topic E.16a, the project would not interfere with the San Francisco Bay water quality control plan. Further, the project site is not located within an area subject to a sustainable groundwater management plan and the project would not routinely extract groundwater supplies.

Cumulative Analysis

The proposed project would have no impact with respect to the following topics and therefore would not have the potential to contribute to any cumulative impacts for those resource areas: location of the project site within a 100-year flood hazard area, tsunami or seiche zone, alterations to a stream or river or changes to existing drainage patterns. The proposed project and other development within San Francisco would be required to comply with stormwater management and construction site runoff regulations that would reduce the amount of stormwater entering the combined sewer system and prevent discharge of construction-related pollutants into the sewer system. As the project site is not located in a groundwater basin that is used for water supply, the project would not combine with cumulative projects to result in significant cumulative impacts to groundwater. Therefore, the proposed project in combination with other projects would not result in significant cumulative impacts related to hydrology and water quality.

Conclusion

As discussed above, the proposed project would not result in a significant individual or cumulative impact with respect to hydrology and water quality. Therefore, the proposed project would not result in a significant hydrology and water quality impact that was not disclosed in the Central SoMa PEIR.

E.17 Hazards and Hazardous Materials

Central SoMa PEIR Hazards and Hazardous Materials Findings

The Central SoMa PEIR found that implementation of the Central SoMa Plan would not result in any significant impacts with respect to hazards or hazardous materials that could not be mitigated to a less-than-significant

⁸² The San Francisco Public Utilities Commission (SFPUC) supplies water to all of San Francisco residents and businesses. The SFPUC's groundwater supply program includes two groundwater projects: one along the peninsula and the other supplying groundwater from San Francisco's Westside Groundwater Basin aquifer, approximately 400 feet below ground surface. For more information see: <https://sfwater.org/index.aspx?page=184>. Accessed November 19, 2018.

level. The Central SoMa PEIR determined that compliance with the San Francisco Health Code, which incorporates state and federal requirements, would minimize potential exposure of site personnel and the public to any accidental releases of hazardous materials or waste and would also protect against potential environmental contamination. In addition, transportation of hazardous materials is regulated by the California Highway Patrol and the California Department of Transportation. Therefore, potential impacts related to the routine use, transport, and disposal of hazardous materials associated with Central SoMa Plan implementation was determined to be less than significant.

The PEIR determined that compliance of subsequent development projects with the San Francisco fire and building codes, which are implemented through the City’s ongoing permit review process, would ensure that potential fire hazards related to development activities would be minimized to less-than-significant levels. The plan area is not within two miles of an airport land use plan or an airport or private air strip, and, therefore, would not interfere with air traffic or create safety hazards in the vicinity of an airport. The Central SoMa PEIR did not identify any cumulative impacts related to hazards or hazardous materials.

The Central SoMa PEIR determined that demolition and renovation of buildings in the plan area could expose workers and the public to hazardous building materials or release those materials into the environment. Such materials include asbestos-containing materials, lead-based paint, polychlorinated biphenyls (PCBs), di (2-ethylhexyl) phthalate (DEHP), and mercury. Hazardous building materials addressed in the Central SoMa PEIR include asbestos, electrical equipment such as transformers and fluorescent light ballasts that contain PCBs or DEHP, fluorescent lights containing mercury vapors, and lead-based paints. The area plan PEIR noted that asbestos and lead-based paint may present a health risk to existing building occupants if they are in a deteriorated condition. If removed during demolition of a building, these materials would also require special disposal procedures.

Central SoMa PEIR Mitigation Measure M-HZ-3, Hazardous Building Materials Abatement, which requires abatement of certain hazardous building materials other than asbestos and lead paint, was identified to reduce impacts to less than significant; however, this mitigation measure is not necessary because regulations address these common hazardous building materials.

Project Analysis

<i>Topics:</i>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

<i>Topics:</i>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The project site is not located within an airport land use plan area or within an airport land use plan, or within two miles of a public airport or public use airport which would result in a safety hazard or excessive noise for people residing or working in the area. Therefore topic E.15.e is not applicable to the proposed project.

E.17.a) The proposed project would demolish the existing one-story commercial building on the project site that was constructed in 1965. As noted in the area plan EIR discussion above, some building materials commonly used in older buildings could present a public health risk if disturbed during an accident or during demolition or renovation of an existing building.

Asbestos-containing Building Materials

California Health and Safety Code section 19827.5 requires that local agencies not issue demolition or alteration permits until an applicant has demonstrated compliance with notification requirements under applicable federal regulations regarding hazardous air pollutants, including asbestos. Any asbestos-containing material disturbance at the project site would be subject to the requirements of air district Regulation 11, Rule 2: Hazardous Materials—Asbestos Demolition, Renovation, and Manufacturing. The local office of Cal OSHA must also be notified of asbestos abatement to be carried out. Asbestos abatement contractors must follow state regulations contained in Title 8 of California Code of Regulations section 1529 and sections 341.6 through 341.14, where there is asbestos related work involving 100 square feet or more of asbestos-containing material. The owner of the property where abatement is to occur must have a Hazardous Waste Generator Number assigned by and registered with the Office of the California Department of Health Services. The contractor and hauler of the material are required to file a Hazardous Waste Manifest that details the hauling of the material from the site and the disposal of it.

The project would follow existing regulations that address the disposal of asbestos-containing building materials. Therefore, the project would not result in significant impacts related to asbestos-containing building materials.

Lead-based Paint

The existing building was constructed in 1965 and may contain lead paint. Lead may cause a range of health effects, from behavioral problems and learning disabilities, to seizures and death. Children six years old and under are most at risk. Demolition must be conducted in compliance with Section 3425 of the San Francisco Building Code (Building Code), Work Practices for Lead-Based Paint on Pre-1979 Buildings and Steel Structures. Any work that may disturb or remove interior or exterior lead-based paint on pre-1979 buildings, structures and properties and on steel structures is required to use work practices that minimize or eliminate the risk of lead contamination of the environment. Section 3425 contains performance standards, including establishment of containment barriers and identifies prohibited practices that may not be used in disturbance or removal of lead-based paint. Any person performing work subject to Section 3425 shall make all reasonable efforts to prevent migration of lead paint contaminants beyond containment barriers during the course of the work, and any person performing regulated work shall make all reasonable efforts to remove all visible lead paint contaminants from all regulated areas of a project's property prior to completion of the work.

The project would follow existing regulations that address lead-based paint. Therefore, the project would not result in significant impacts related to lead-based paint.

Use and Disposal of Hazardous Materials

The proposed project's commercial and PDR uses could use hazardous materials for building maintenance such as chemicals for cleaning, and herbicides and pesticides for landscape maintenance. These materials are properly labeled to inform the user of potential risks as well as handling procedures. Most of these hazardous materials would be consumed upon use and would produce very little waste. Any hazardous wastes that are produced would be managed in accordance with Article 22 of the San Francisco Health Code. In addition, the transportation of hazardous materials is regulated by the California Highway Patrol and the California Department of Transportation. The use of any of these hazardous materials are not expected to cause any substantial health or safety hazards. Therefore, the proposed project would not result in significant impacts related to the routine use, transport, and disposal of hazardous materials.

E.17.b) The following discusses the project's potential to release hazardous materials into the environment.

Soil and Groundwater Contamination

The proposed project would involve 26,667 cubic yards of excavation in an area that the San Francisco Health Department, as set forth in San Francisco Building Code section 106A.3.2.4, has identified as likely containing hazardous substances in the soil or groundwater. Therefore, before the project may obtain a building permit, it must comply with the requirements of article 22A of the San Francisco Health Code, which the San Francisco Department of Public Health (the health department) administers. Under article 22A (commonly called "the Maher program"), the project sponsor must retain the services of a qualified professional to prepare a phase I environmental site assessment. The site assessment must determine whether hazardous substances may be present on the site at levels that exceed health risk levels or other applicable standards established by California Environmental Protection Agencies, the Regional Water Quality Control Board, and the Department of Toxics Substances Control (Cal/EPA). If so, the project sponsor is required to conduct soil and/or groundwater sampling and analysis under a work plan approved by the health department. The sampling analysis must provide an accurate assessment of hazardous substances present at the site that may be disturbed, or may cause a public health or safety hazard, given the intended use of the site. Where such

analysis reveals the presence of hazardous substances that exceed Cal/EPA public health risk levels given the intended use, the project sponsor must submit a site mitigation plan (SMP) to the health department. The SMP must identify the measures that the project sponsor will take to assure that the intended use will not result in public health or safety hazards in excess of the acceptable public health risk levels established by Cal/EPA or other applicable regulatory standards. The SMP also must identify any soil and/or groundwater sampling and analysis that it recommends the project sponsor conduct following completion of the measures to verify that remediation is complete. If the project sponsor chooses to mitigate public health or safety hazards from hazardous substances through land use or activity restrictions, the project sponsor must record a deed restriction specifying the land use restrictions or other controls that will assure protection of public health or safety from hazardous substances remaining on the site.

The project sponsor enrolled in the health department's Maher program and submitted a Phase I environmental site assessment to the health department.⁸³ The health department reviewed the Phase I environmental site assessment that included the results of previous subsoil investigations at the project site, and the letter's findings are summarized here.⁸⁴ Constituents in the soil above environmental screening levels were total petroleum hydrocarbon in the diesel and motor oil ranges, total cyanide, antimony, and lead at levels considered hazardous waste. These constituents were detected at depths of less than 5 feet below grade. Groundwater sampling detected total cyanide at a concentration that exceeds the environmental screening level but does not exceed the San Francisco Wastewater Discharge limits. Arsenic in groundwater samples exceeds the environmental screening level for potential drinking water; however, the groundwater is not a potential drinking water source and does not exceed San Francisco Wastewater Discharge limits.

Because the entire site would be excavated to a depth of 20 feet, no constituents of potential concern would be left at the project site. Thus, the department of public health finds that the project is in compliance with health code article 22A. The project sponsor is required to submit to the health department a soil management plan that includes procedures for testing, handling, and disposing soil. The project must separately submit a dust control plan to comply with health code article 22B.

The project would comply with health code articles 22A and 22b, and therefore, the proposed project would not result in significant impacts related to the release of hazardous materials.

E.17.c) Bessie Carmichael Middle School, at 824 Harrison Street, is located 0.25 miles from the project site. Any hazardous waste at the project site would be remediated and handled in accordance with local, state and federal law. Therefore, the project would not result in impacts related to hazardous materials within one-quarter mile of an existing or proposed school.

E.17.d) Pursuant to Section 65962.5 of the Government Code, the Secretary for Environmental Protection maintains a list of sites with potentially hazardous wastes, commonly referred to as the Cortese list. The Cortese list includes hazardous waste sites from the Department of Toxic Substances Control's (DTSC's) EnviroStor database, hazardous facilities identified by DTSC that are subject to corrective action pursuant to Health and Safety Code section 25187.5, a leaking underground storage tank sites from the State Water Resources Control Board's (state board's) Geotracker database, solid waste disposal sites maintained by the state board, and sites with active cease and desist orders and clean up and abatement orders.

83 Ramboll Environ US Corporation, *Phase I Environmental Site Assessment*, 490 Brannan Street, May 2015.

84 San Francisco Department of Public Health, SFHC Article 22A Compliance/Soil Management & Separate Dust Control Plan Requested, 490 Brannan Street, EHB-SAM No. SMED: 1960, May 20, 2020.

California Health & Safety Code section 25297.01 authorizes the water board to implement the local oversight program (LOP) for the abatement of, and oversight of, unauthorized releases of hazardous substances from underground storage tanks by certified local agencies. SFPDH is the certified local agency for San Francisco that provides regulatory oversight of abatement of unauthorized releases at underground storage tank sites in accordance with State laws and regulations. Because the project would be overseen by SFPDH, and based on the performance standards required by the State, it can be clearly demonstrated that the project has no potential to have significant environmental effects with respect to hazardous substances on the Section 65962.5 database.

E.17.f) The proposed project, located within a city block, would not impair implementation of an emergency response or evacuation plan adopted by the City of San Francisco. Project construction and operation would not close roadways or impede access to emergency vehicles or emergency evacuation routes. Thus, the proposed project would not result in impacts related to implementation of the city's emergency response and evacuation plans.

E.17.g) As discussed above, the Central SoMa plan area is not located in or near wildland areas with high fire risk. Construction of the proposed project would conform to the provisions of the building code and fire code. Final building plans would be reviewed by the building and fire departments to ensure conformance with the applicable life-safety provisions, including development of an emergency procedure manual and an exit drill plan. Therefore, the proposed project would not result in significant impacts related to fire hazards.

Cumulative Analysis

Environmental impacts related to hazards and hazardous materials are generally site-specific. Nearby cumulative development projects would be subject to the same regulations addressing use of hazardous waste (Article 22 of the health code), hazardous soil and groundwater (Article 22B of the health code) and building and fire codes addressing emergency response and fire safety. For these reasons, the proposed project would not combine with other projects in the project vicinity to create a significant cumulative impact related to hazards and hazardous materials.

Conclusion

The proposed project's impact related to hazardous materials would be less than significant and would not result in significant hazards and hazardous materials impacts that were not identified in the Central SoMa PEIR.

E.18 Mineral Resources

Central SoMa PEIR Mineral Resources Findings

The plan area does not include any natural resources routinely extracted and the rezoning does not result in any natural resource extraction programs. Therefore, the Central SoMa PEIR concluded that implementation of the area plan and rezoning would not result in a significant impact on mineral resources. No mitigation measures were identified in the PEIR.

Project Analysis

<i>Topics:</i>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
Would the project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

E.18.a, b) The project site is not located in an area with known mineral resources and would not routinely extract mineral resources. Therefore, the proposed project would have no impact on mineral resources.

Cumulative

The proposed project would have no impact on mineral resources and therefore would not have the potential to contribute to any cumulative mineral resource impact.

Conclusion

For the reasons stated above, the proposed project would not result in significant impacts either individually or cumulatively related to mineral resources. Therefore, the proposed project would not result in impacts on mineral resources that were not identified in the Central SoMa PEIR.

E.19 Energy Resources

Central SoMa PEIR Energy Resources Findings

The Central SoMa PEIR determined that development under the area plan would not encourage the use of large amounts of fuel, water, or energy or use these in a wasteful manner. Therefore, the Central SoMa PEIR concluded that implementation of the area plan would not result in a significant impact on energy resources. No mitigation measures were identified in the PEIR.

Project Analysis

<i>Topics:</i>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
Would the project:				
a) Result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

E.19.a) Energy demand for the proposed project would be typical of office, PDR, retail, and childcare uses and would meet, or exceed, current state and local codes and standards concerning energy consumption, including the San Francisco Green Building Ordinance and Title 24 of the California Code of Regulations. As documented in the greenhouse gas compliance checklist for the proposed project, the project would be required to comply with applicable regulations promoting water conservation and reducing potable water use. As discussed in topic E.5, Transportation and Circulation, the project site is located in a transportation analysis zone that experiences low levels of vehicle miles traveled per capita. Therefore, the project would not encourage the use of large amounts of fuel, water, or energy or use these in a wasteful manner.

E.19.b) In 2002, California established its Renewables Portfolio Standard Program, with the goal of increasing the percentage of renewable energy in the state's electricity mix to 20 percent of retail sales by 2017. In November 2008, Executive Order S-14-08 was signed requiring all retail sellers of electricity to serve 33 percent of their load with renewable energy by 2020. In 2015, Senate Bill 350 codified the requirement for the renewables portfolio standard to achieve 50 percent renewable energy by 2030, and in 2018, Senate Bill 100 requires 60 percent renewable energy by 2030 and 100 percent by 2045.⁸⁵

San Francisco's electricity supply is 41 percent renewable, and San Francisco's goal is to meet 100 percent of its electricity demand with renewable power.⁸⁶ CleanPowerSF is the city's Community Choice Aggregation Program operated by the SFPUC, which provides renewable energy to residents and businesses. GreenFinanceSF allows commercial property owners to finance renewable energy projects, as well as energy and water efficiency projects, through a municipal bond and repay the debt via their property tax account.

As discussed above in topic E.19.a, the project would comply with the energy efficiency requirements of the state and local building codes and therefore would not conflict with or obstruct implementation of city and state plans for renewable energy and energy efficiency.

Cumulative

All development projects within San Francisco are required to comply with applicable regulations in the City's green building ordinance and Title 24 of the California Code of Regulations that reduce both energy use and potable water use. The majority of San Francisco is located within a transportation analysis zone that experiences low levels of vehicle miles traveled per capita compared to regional vehicle miles traveled levels. Therefore, the proposed project, in combination with other reasonably foreseeable cumulative projects would not encourage activities that result in the use of large amounts of fuel, water, or energy or use these in a wasteful manner.

Conclusion

For the reasons stated above, the proposed project would not result in significant impacts either individually or cumulatively related to energy resources. Therefore, the proposed project would not result impacts on energy resources not identified in the Central SoMa PEIR.

85 California Energy Commission, California Renewable Energy Overview and Programs, available at: <https://www.energy.ca.gov/renewables/>, accessed April 24, 2019.

86 San Francisco Mayor's Renewable Energy Task Force Recommendations Report, September 2012, available at: https://sfenvironment.org/sites/default/files/fliers/files/sfe_re_renewableenergytaskforcerecommendationsreport.pdf, accessed on April 24, 2019.

E.20 Agriculture and Forest Resources

Central SoMa PEIR Agriculture and Forest Resources Findings

The Central SoMa PEIR determined that no agricultural or forest resources exist in the plan area; therefore, the Central SoMa Plan would have no effect on agricultural and forestry resources. As a result, implementation of the plan would not convert any prime farmland, unique farmland, or farmland of statewide importance to non-agricultural use. In addition, the plan would not conflict with existing zoning for agricultural land use or a Williamson Act contract, nor would it involve any changes to the environment that could result in the conversion of farmland. The plan would not result in the loss of forest land or conversion of forest land to non-forest uses. No mitigation measures were identified in the Central SoMa PEIR.

Project Analysis

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

E.20.a-e) The project site is within an urbanized area in the City and County of San Francisco that does not contain any prime farmland, unique farmland, or farmland of statewide importance; forest land; or land under Williamson Act contract. The area is not zoned for any agricultural uses. Topics E.20.a through E.20.e are not applicable to the proposed project and the project would have no impact either individually or cumulatively on agricultural or forest resources.

Conclusion

For the above reasons, the proposed project would not result in new or more severe impacts to agricultural or forest resources that were not identified in the Central SoMa PEIR.

E.21 Wildfire

Central SoMa PEIR Wildland Fire Findings

The plan area is located within an urbanized area that lacks an urban-wildland interface. The Central SoMa PEIR did not explicitly analyze impacts of the plan on wildfire risk, but the plan area is not located in or near state responsibility areas. No mitigation measures were identified in the PEIR.

Project Analysis

<i>Topics:</i>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:				
a) Substantially impair an adopted emergency response plan or emergency evacuation plans?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Expose people or structures to significant risks including downslope or downstream flooding or landslides as a result of runoff, post-fire slope instability, or drainage changes?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

E.21.a - d) The project site is not located in or near state responsibility lands for fire management or lands classified as very high fire hazard severity zones. Therefore, this topic is not applicable to the project.

F. Public Notice and Comment

On March 12, 2021, a “Notification of Project Receiving Environmental Review” was mailed to occupants and owners of properties within 300 feet of the project site and to South of Market and citywide neighborhood groups. Concerns and issues raised by the public in response to the notice were taken into consideration and incorporated in the environmental review as appropriate for CEQA analysis. Seven neighbors sent letters with the following concerns:

- Traffic flow on Freelon, Zoe, and Welsh streets due to increased vehicle activities for deliveries, loading, and childcare drop-off and pick-up; cumulative transportation/circulation impacts in consideration of the Central Subway line, stadium activities, and nearby development projects; access to 555 4th Street’s loading docks, which also are on Freelon Street; pedestrian safety; width of Freelon street to accommodate large turning vehicles; and emergency access (addressed in topic E.5).

- Noise impacts during construction, and from vehicle parking and loading on Freelon Street during project operation (addressed in topic E.6).
- Air quality emissions from construction equipment and from the increase in vehicles on Freelon Street during project operation (addressed in topic E.7).
- Carbon footprint of PDR use due to the types of materials and chemicals they may use in their work space (hazardous materials from PDR uses are discussed in topic E.17a; greenhouse gas effects are discussed in topic E.8; energy use is discussed in topic E.19.a).
- Shadow effect on nearby residences (addressed in topic E.10)
- Wind effects on residents of 455 4th Street (addressed in topic E.9)

As discussed in the cited analysis topics, the proposed project would not result in significant adverse environmental impacts associated with the issues identified by the public beyond those identified in the Central SoMa PEIR.

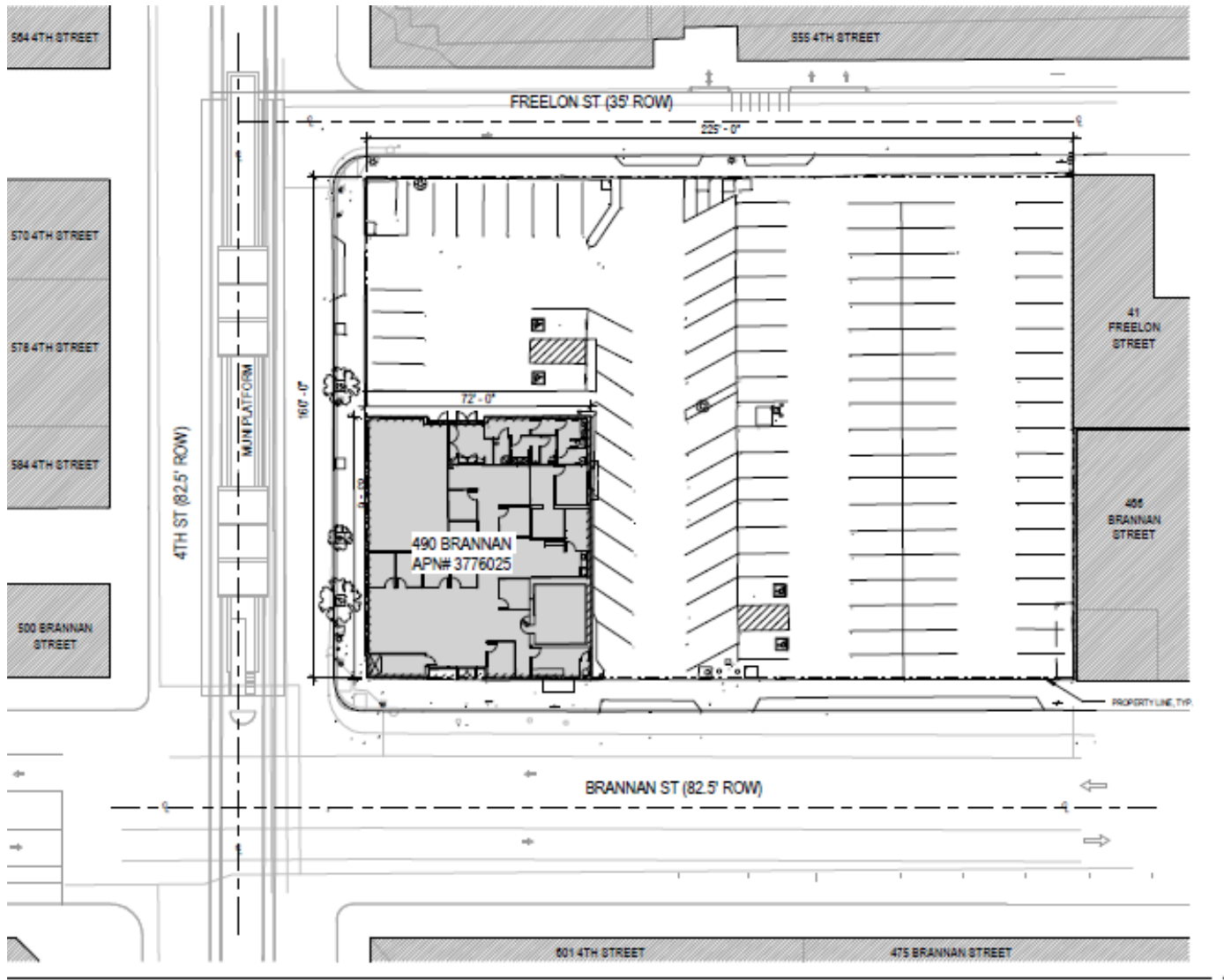
Public comments were also received concerning building lighting and public safety, and sunlight and air effects on neighboring residences. These topics will be addressed during project review for planning code compliance and general plan consistency.

G. Figures

Note: a Full set of project plans is available at <https://citypln-m-extnl.sfgov.org/SharedLinks.aspx?accesskey=9ad43307b02ce141b1178f26d4f5eaedd0232bd7058405cab34eeccff67a0d4&VaultGUID=A4A7DACD-B0DC-4322-BD29-F6F07103C6E0>



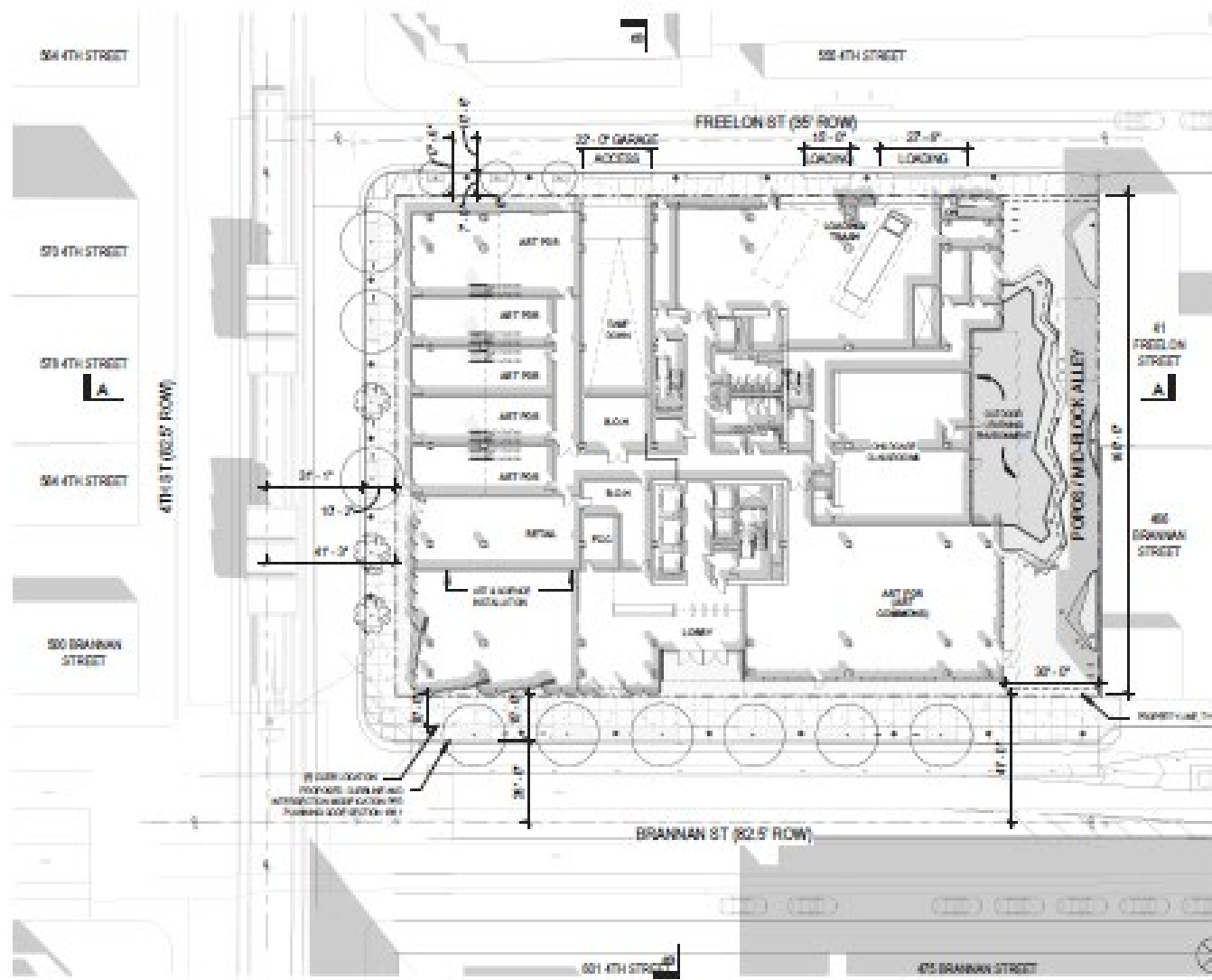
Figure 1: Project Location



Existing Site Plan

Perkins&Will
 ENX_LPA: 06.17.2021

Figure 2: Existing Site Plan



Scale: 1/32" = 1'-0"

490 Brannan Street
STRADA | CONSULTING GROUP

Site Plan

Perkins&Will
ENX_LPA: 06.02.2021

Figure 3: Site Plan

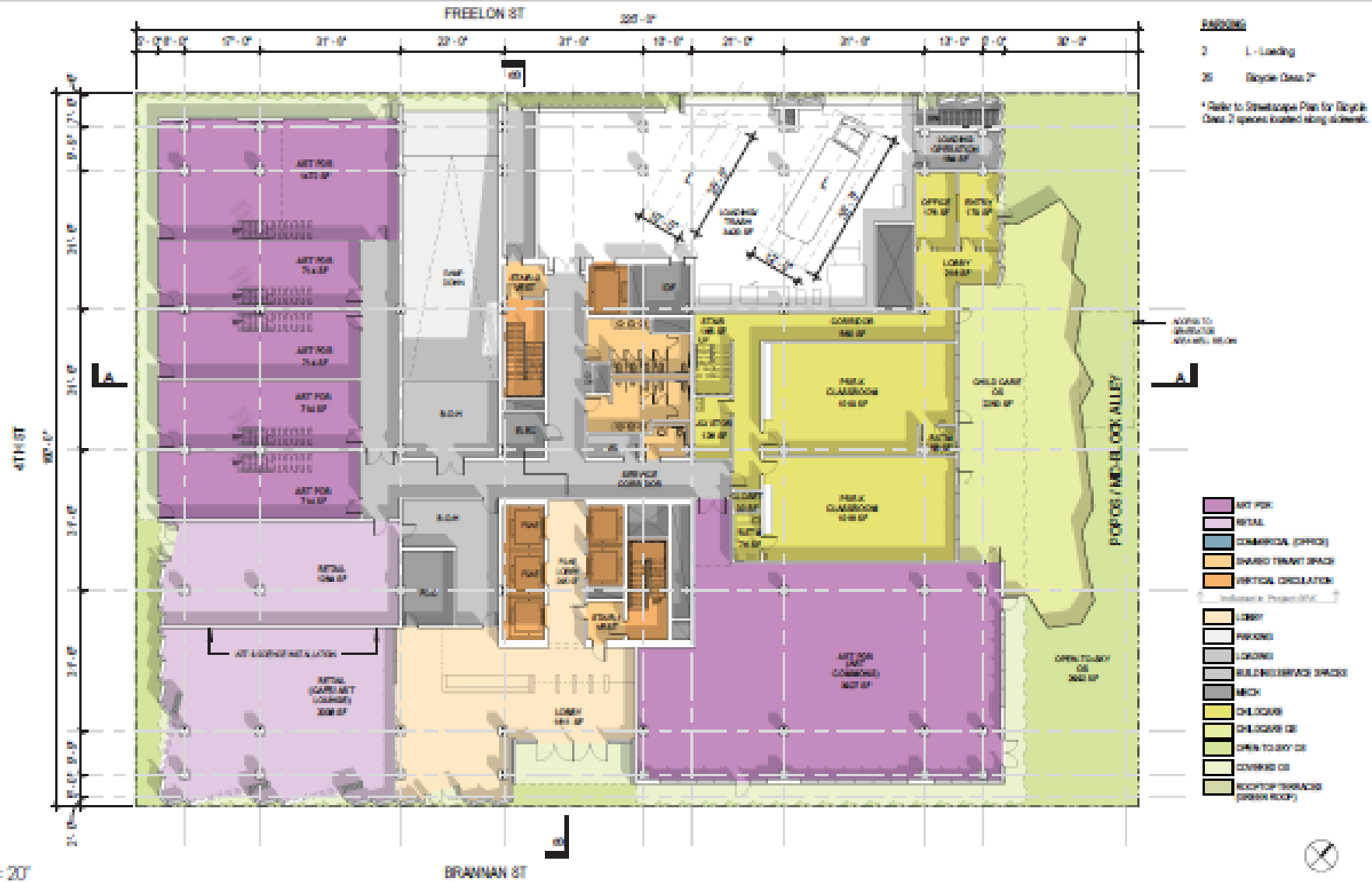


Figure 4: Ground Floor Plan

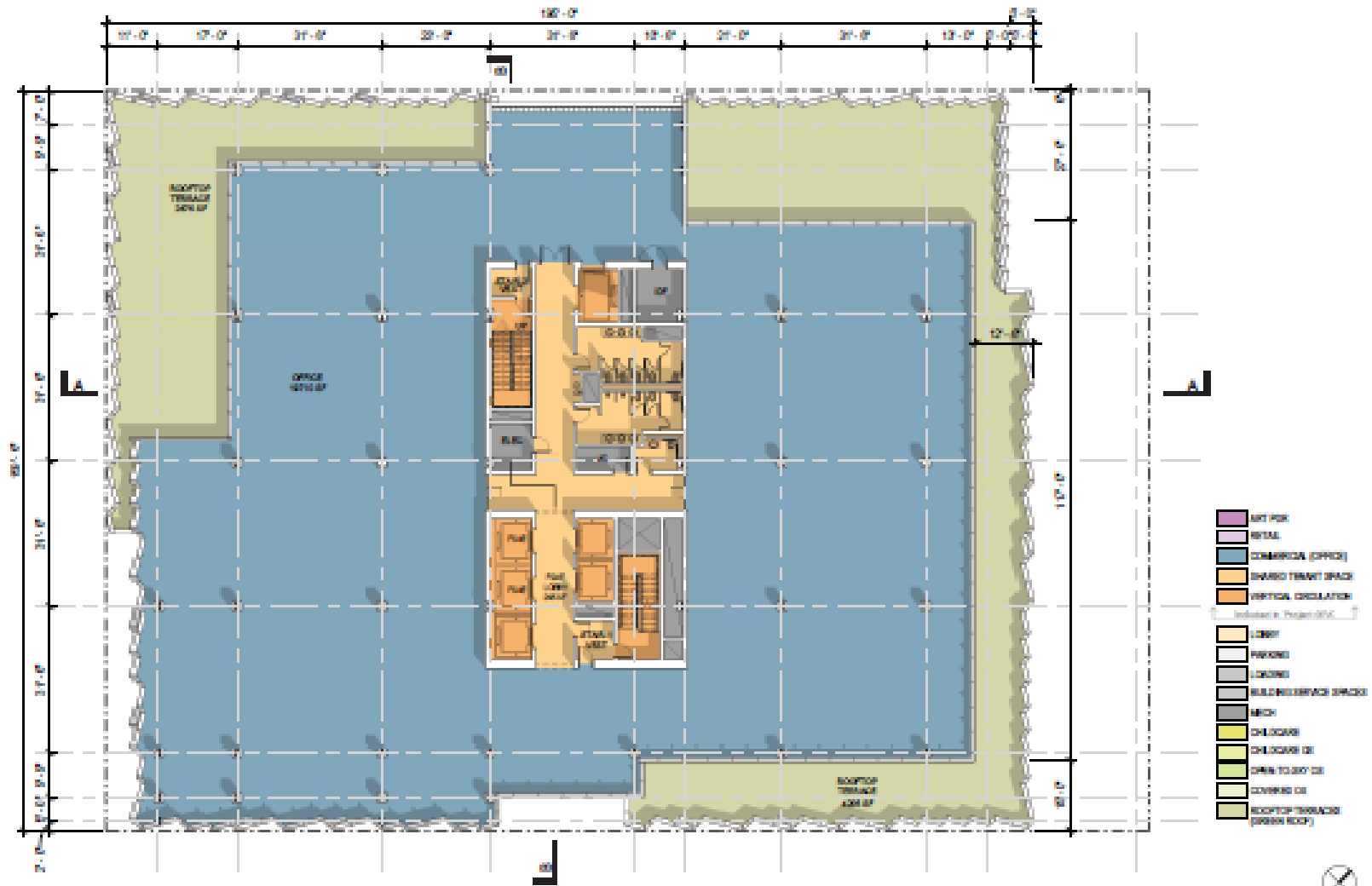
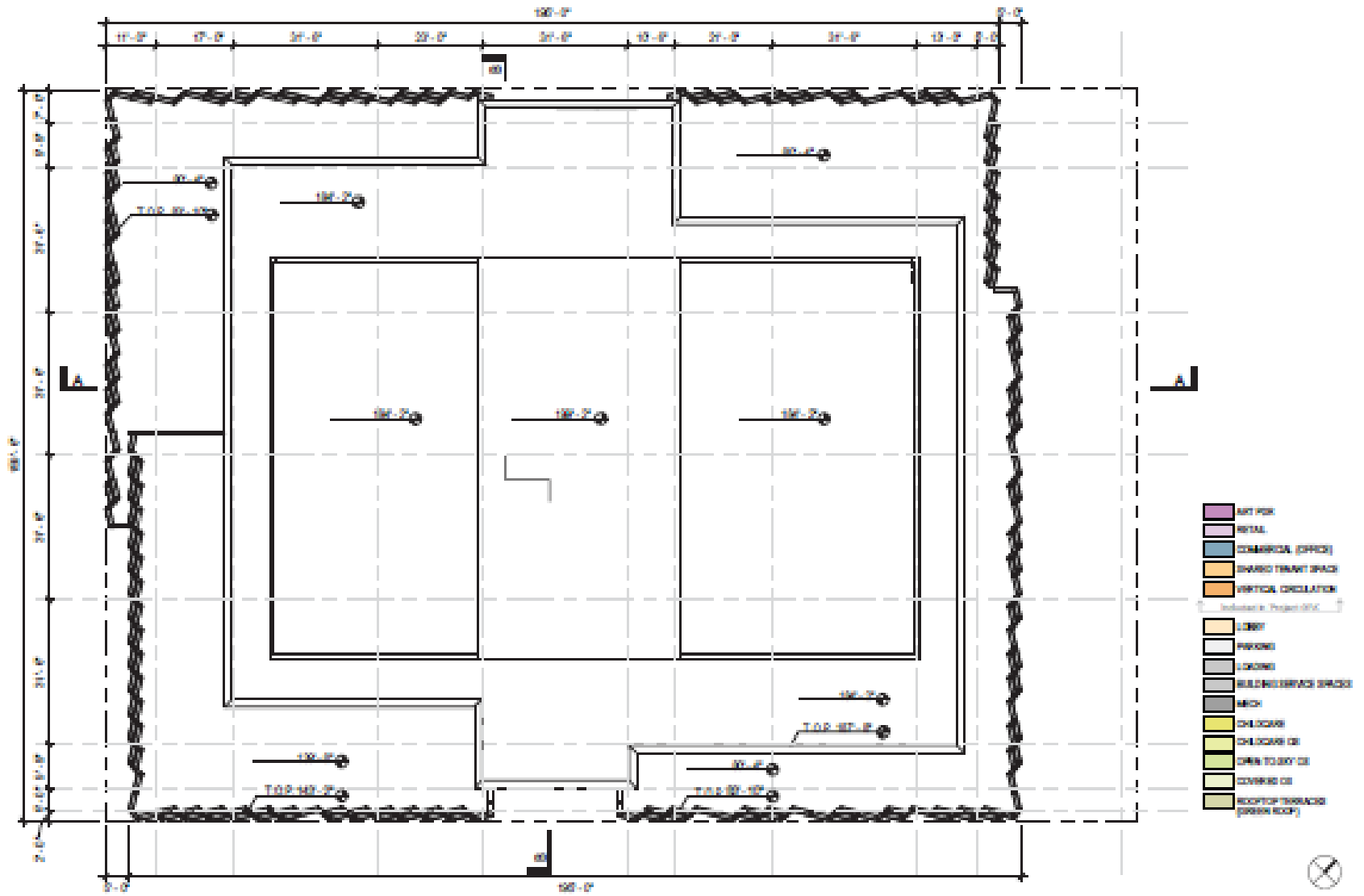


Figure 5: Representative Upper Floor Plan



Scale: 1" = 20'

490 Brannan Street
STRADA | ARCHITECTURE GROUP

Roof

Perkins&Will
ENX_LPA: 06.02.2021

Figure 6: Roof Plan



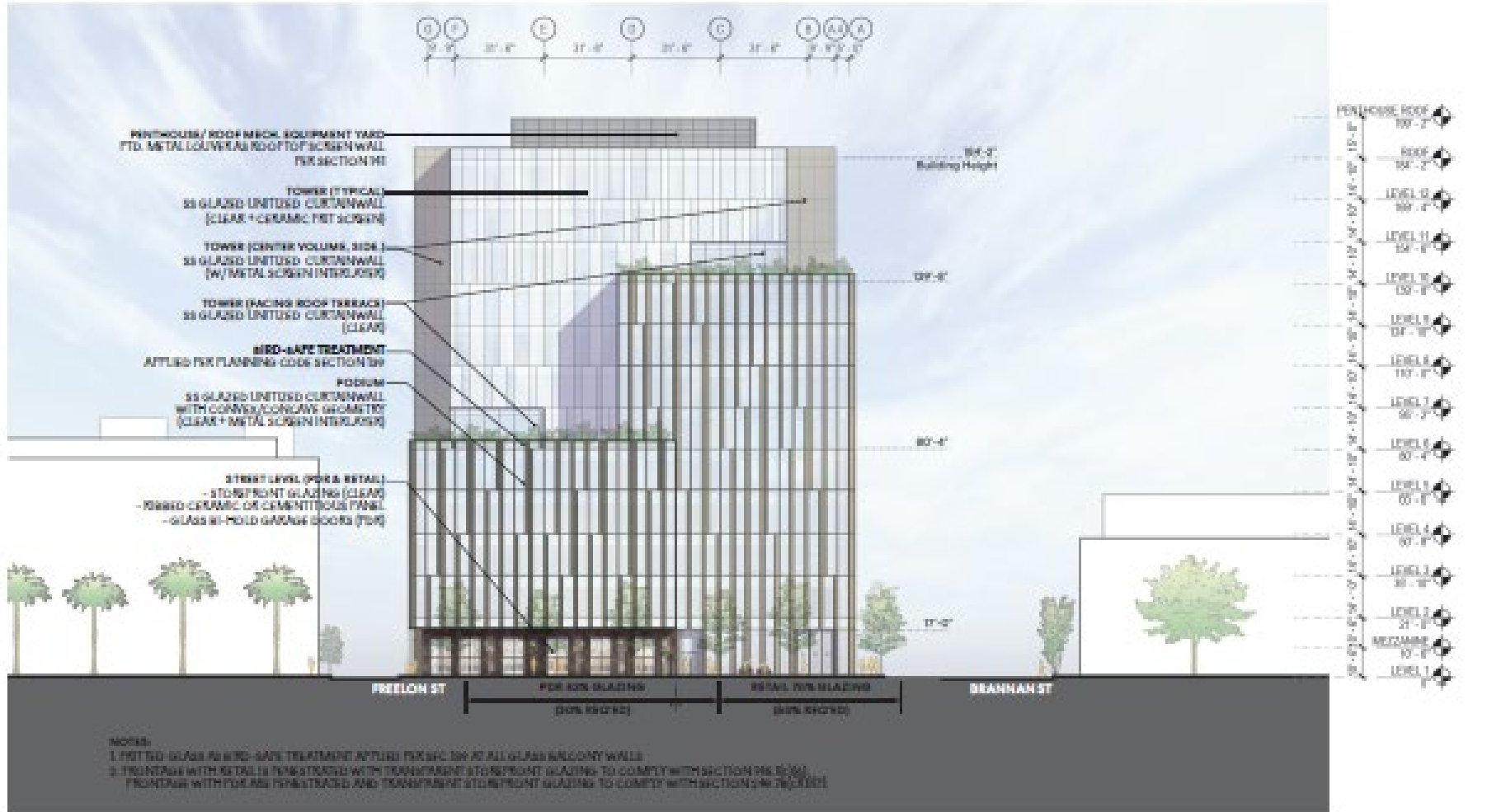
Scale: 1/32" = 1'-0"

490 Brannan Street
STRADA | ARCHITECTURE + INTERIOR DESIGN

Elevation - Brannan St (Southeast)

Perkins&Will
ENX_LPA: 06.02.2021

Figure 7: Brannan Street Elevation



Scale: 1/32" = 1'-0"

490 Brannan Street
STRADA | ARCHITECTURE

Elevation - 4th St (Southwest)

Perkins&Will
ENX_LPA: 06.02.2021

Figure 8: 4th Street Elevation

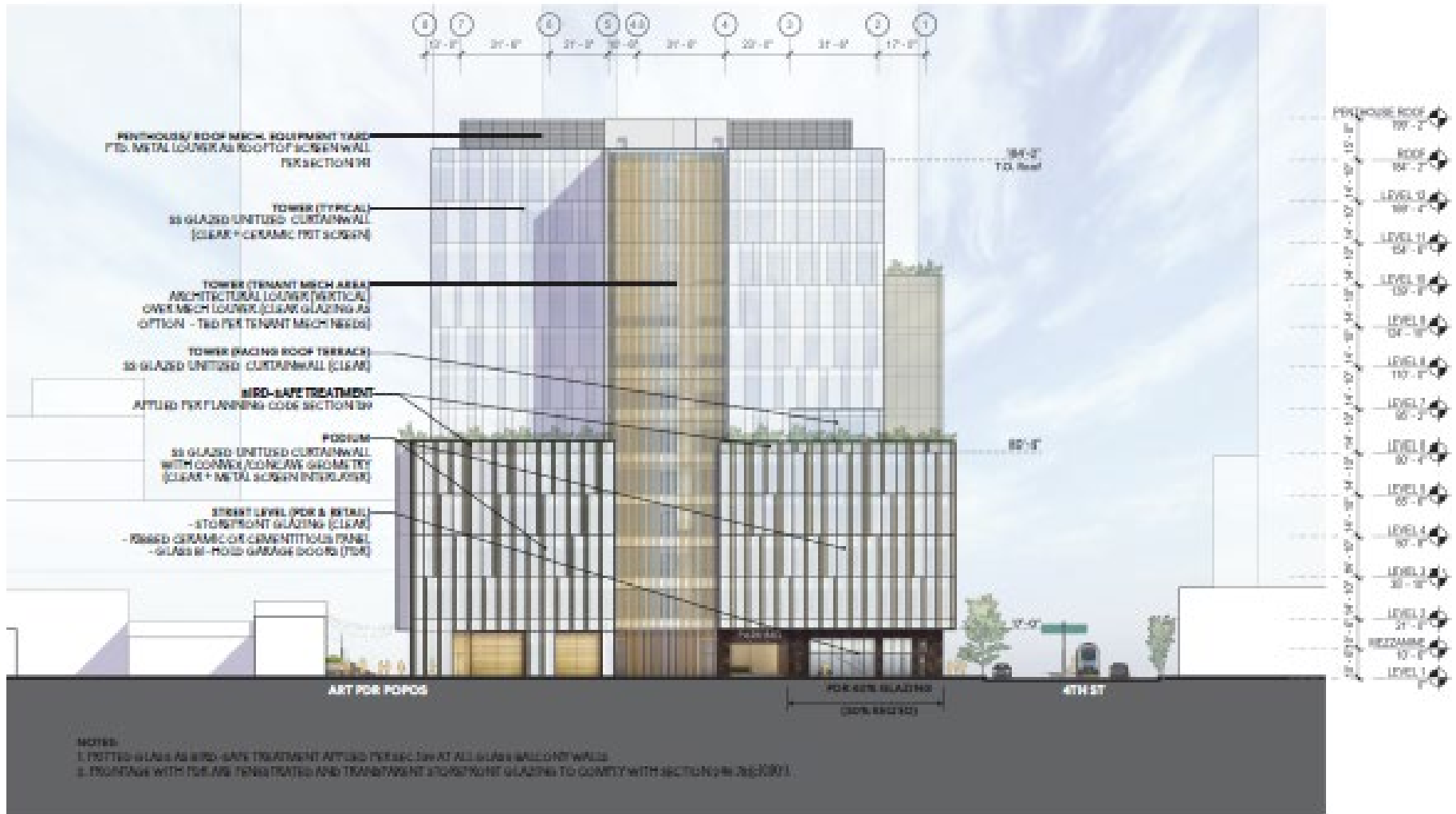


Figure 9: Freelon Street Elevation



Figure 10: Future 598 Brannan Park Plan



Figure 11: Approximate Largest Area of Net New Shadow on the Future 598 Brannan Street Park (June 21st at 7:30 am)

ATTACHMENT B

AGREEMENT TO IMPLEMENT MITIGATION MONITORING AND REPORTING PROGRAM

Record No.: 2020-005610ENV
Project Title: 490 Brannan Street
BPA Nos: N/A
Zoning: CMUO (Central SoMa-Mixed Use Office) Use District
 200-CS Height and Bulk District

Block/Lot: 3776/025
Lot Size: 36,000 square feet
Project Sponsor: Clarke Miller, Strada Investment Group
Lead Agency: San Francisco Planning Department
Staff Contact: Jeanie Poling – 628.652.7559

The table below indicates when compliance with each mitigation measure must occur. Some mitigation measures span multiple phases. Substantive descriptions of each mitigation measure's requirements are provided on the following pages in the Mitigation Monitoring and Reporting Program.

Adopted Mitigation Measure	Period of Compliance			Compliance with Mitigation Measure completed?
	Prior to the start of Construction*	During Construction**	Post-Construction or Operational	
Project Mitigation Measure 1: Archeological Testing (implementing Central SoMa PEIR Mitigation Measure M-CP-4a)	X	X		
Project Mitigation Measure 2: Tribal Cultural Resources Program (implementing Central SoMa PEIR Mitigation Measure M-CP-5)	X	X		
Project Mitigation Measure 3: Construction Transportation Management Plan and Construction Coordination (implementing Central SoMa PEIR Mitigation Measure M-TR-9)	X	X		
Project Mitigation Measure 4: General Construction Noise Control Measures (implementing Central SoMa PEIR Mitigation Measure M-NO-2a)	X	X		
Project Mitigation Measure 5: Siting of Noise-Generating Uses (implementing Central SoMa PEIR Mitigation Measure M-NO-1b)	X			

Project Mitigation Measure 6: Construction Emissions Minimization Plan (implementing Central SoMa PEIR Mitigation Measure M-AQ-4b)	X	X		
Project Mitigation Measure 7: Pre-Construction Bat Survey (implementing Central SoMa PEIR Mitigation Measure M-BI-1)	X			

NOTES:

- * Prior to any ground disturbing activities at the project site.
- ** Construction is broadly defined to include any physical activities associated with construction of a development project including, but not limited to: site preparation, clearing, demolition, excavation, shoring, foundation installation, and building construction.



I agree to implement the attached mitigation measure(s) as a condition of project approval.



Jesse Blout (Aug 17, 2021 13:55 PDT)

Aug 17, 2021

Property Owner or Legal Agent Signature

Date

Note to sponsor: Please contact CPC.EnvironmentalMonitoring@sfgov.org to begin the environmental monitoring process prior to the submittal of your building permits to the San Francisco Department Building Inspection.

MITIGATION MONITORING AND REPORTING PROGRAM

MONITORING AND REPORTING PROGRAM

Adopted Mitigation Measure	Monitoring and Reporting Program ^a			
	Implementation Responsibility	Mitigation Schedule	Monitoring/Reporting Responsibility	Monitoring Actions/Completion Criteria
MITIGATION MEASURES AGREED TO BY PROJECT SPONSOR				
<p>Mitigation Measure 1: Archeological Testing. Based on a reasonable presumption that archeological resources may be present within the project site, the following measures shall be undertaken to avoid any potentially significant adverse effects from the proposed project on buried or submerged historical resources. The project sponsor shall retain the services of an archeological consultant from the rotational qualified archeological consultants list (QACL) maintained by the planning department. All the consultants on this list have expertise in California prehistoric and urban historical archeology. After the first project approval action or as directed by the Environmental Review Officer (ERO), the project sponsor shall contact the department archeologist to obtain the names and contact information for the next three archeological consultants on the QACL.</p> <p>The archeological consultant shall undertake an archeological testing program as specified herein. In addition, the consultant shall be available to conduct an archeological monitoring and/or data recovery program if required pursuant to this measure. The archeological consultant's work shall be conducted in accordance with this measure at the direction of the Environmental Review Officer (ERO). All plans and reports prepared by the consultant as specified herein shall be submitted first and directly to the ERO for review and comment and shall be considered draft reports subject to revision until final approval by the ERO. Archeological monitoring and/or data recovery programs required by this measure could suspend construction of the project for up to a maximum of four weeks. At the direction of the ERO, the suspension of construction can be extended beyond four weeks only if such a suspension is the only feasible</p>	Project sponsor's qualified archeological consultant and construction contractor	Prior to issuance of construction permits and throughout the construction period	Environmental Review Officer	Considered complete after Final Archeological Resources Report is approved.

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<p>means to reduce to a less than significant level potential effects on a significant archeological resource as defined in CEQA Guidelines Sect. 15064.5 (a)(c).</p> <p>Archeological Testing Program. The purpose of the archeological testing program will be to determine to the extent possible the presence or absence of archeological resources and to identify and to evaluate whether any archeological resource encountered on the site constitutes an historical resource under CEQA.</p> <p>The archeological testing program shall be conducted in accordance with the approved Archeological Testing Plan (ATP). The archeological consultant and the ERO shall consult on the scope of the ATP, which shall be approved by the ERO prior to any project-related soils disturbing activities commencing. The ATP shall be submitted first and directly to the ERO for review and comment and shall be considered a draft subject to revision until final approval by the ERO. The archaeologist shall implement the approved testing as specified in the approved ATP prior to and/or during construction.</p> <p>The ATP shall identify the property types of the expected archeological resource(s) that potentially could be adversely affected by the proposed project, lay out what scientific/historical research questions are applicable to the expected resource, what data classes the resource is expected to possess, and how the expected data classes would address the applicable research questions. The ATP shall also identify the testing method to be used, the depth or horizontal extent of testing, and the locations recommended for testing and shall identify archeological monitoring requirements for construction soil disturbance as warranted.</p> <p>Discovery Treatment Determination. At the completion of the archeological testing program, the archeological consultant shall submit a written summary of the findings to the ERO. The findings memo shall describe and identify each resource and provide an initial assessment of the integrity and significance of encountered archeological deposits.</p> <p>If the ERO in consultation with the archeological consultant determines that a significant archeological resource is present and that the resource could be adversely affected by the proposed project, the ERO, in</p>	<p>Project sponsor's qualified archeological consultant and construction contractor</p>	<p>Prior to issuance of construction permits and throughout the construction period</p>	<p>Planning Department</p>	<p>Considered complete after approval of Archeological Testing Plan.</p>
<p>If the ERO in consultation with the archeological consultant determines that a significant archeological resource is present and that the resource could be adversely affected by the proposed project, the ERO, in</p>	<p>The archeological consultant, Project Sponsor and project contractor at the direction of the ERO.</p>	<p>Monitoring of soils disturbing activities.</p>	<p>Archeological consultant to monitor soils disturbing activities specified in AMP and immediately notify the ERO of any encountered archeological resource.</p>	<p>Considered complete upon completion of AMP.</p>

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<p>consultation with the project sponsor, shall determine whether preservation of the resource in place is feasible. If so, the proposed project shall be re-designed so as to avoid any adverse effect on the significant archeological resource and the archeological consultant shall prepare an archeological resource preservation plan (ARPP), which shall be implemented by the project sponsor during construction. The consultant shall submit a draft ARPP to the planning department for review and approval.</p> <p>If preservation in place is not feasible, a data recovery program shall be implemented, unless the ERO determines that the archeological resource is of greater interpretive than research significance and that interpretive use of the resource is feasible. The ERO in consultation with the archeological consultant shall also determine if additional treatment is warranted, which may include additional testing and/or construction monitoring.</p> <p>Consultation with Descendant Communities. On discovery of an archeological site associated with descendant Native Americans, the Overseas Chinese, or other potentially interested descendant group an appropriate representative of the descendant group and the ERO shall be contacted. The representative of the descendant group shall be given the opportunity to monitor archeological field investigations of the site and to offer recommendations to the ERO regarding appropriate archeological treatment of the site, of recovered data from the site, and, if applicable, any interpretative treatment of the associated archeological site. A copy of the Archeological Resources Report (ARR) shall be provided to the representative of the descendant group.</p> <p>Archeological Data Recovery Plan. An archeological data recovery program shall be conducted in accordance with an Archeological Data Recovery Plan (ADRP) if all three of the following apply: 1) a resource has potential to be significant, 2) preservation in place is not feasible, and 3) the ERO determines that an archeological data recovery program is warranted. The archeological consultant, project sponsor, and ERO shall meet and consult on the scope of the ADRP prior to preparation of a draft ADRP. The archeological consultant shall submit a draft ADRP to the ERO. The ADRP shall identify how the proposed data recovery program will</p>	<p>The archeological consultant, Project Sponsor and project contractor at the direction of the ERO.</p> <p>Project sponsor's qualified archeological consultant and construction contractor</p>	<p>During testing and if applicable monitoring of soils disturbing activities.</p> <p>In the event that an Archeological site is uncovered during the construction period</p>	<p>Consultation with ERO on identified descendant group</p> <p>Planning Department</p>	<p>Descendant group provides recommendations and is given a copy of the ARR.</p> <p>Considered complete approval of Final Archeological Results Report.</p>

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<p>preserve the significant information the archeological resource is expected to contain. That is, the ADRP will identify what scientific/historical research questions are applicable to the expected resource, what data classes the resource is expected to possess, and how the expected data classes would address the applicable research questions. Data recovery, in general, should be limited to the portions of the historical property that could be adversely affected by the proposed project. Destructive data recovery methods shall not be applied to portions of the archeological resources if nondestructive methods are practical.</p> <p>The scope of the ADRP shall include the following elements:</p> <ul style="list-style-type: none"> • <i>Field Methods and Procedures.</i> Descriptions of proposed field strategies, procedures, and operations. • <i>Cataloguing and Laboratory Analysis.</i> Description of selected cataloguing system and artifact analysis procedures. • <i>Discard and Deaccession Policy.</i> Description of and rationale for field and post-field discard and deaccession policies. • <i>Security Measures.</i> Recommended security measures to protect the archeological resource from vandalism, looting, and non-intentionally damaging activities. • <i>Final Report.</i> Description of proposed report format and distribution of results. • <i>Curation.</i> Description of the procedures and recommendations for the curation of any recovered data having potential research value, identification of appropriate curation facilities, and a summary of the accession policies of the curation facilities. <p>Human Remains and Funerary Objects. The treatment of human remains and funerary objects discovered during any soils disturbing activity shall comply with applicable State and federal laws. This shall include immediate notification of the Medical Examiner of the City and County of San Francisco and, in the event of the Medical Examiner's determination that the human remains are Native American remains, notification of the California State Native American Heritage Commission, which will appoint a Most Likely Descendant (MLD). The MLD will complete his or her</p>	<p>Project sponsor / archeological consultant in consultation with the San Francisco Medical Examiner, NAHC, and MLD.</p>	<p>In the event that human remains are uncovered during the construction period</p>	<p>Planning Department</p>	<p>Considered complete after approval of Final Archeological Results Report and disposition of human remains has occurred</p>

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<p>inspection of the remains and make recommendations or preferences for treatment within 48 hours of being granted access to the site (Public Resources Code section 5097.98). The ERO also shall be notified immediately upon the discovery of human remains.</p> <p>The project sponsor and ERO shall make all reasonable efforts to develop a Burial Agreement (“Agreement”) with the MLD, as expeditiously as possible, for the treatment and disposition, with appropriate dignity, of human remains and associated or unassociated funerary objects (as detailed in CEQA Guidelines section 15064.5(d)). The Agreement shall take into consideration the appropriate excavation, removal, recordation, scientific analysis, custodianship, curation, and final disposition of the human remains and associated or unassociated funerary objects. If the MLD agrees to scientific analyses of the remains and/or associated or unassociated funerary objects, the archeological consultant shall retain possession of the remains and associated or unassociated funerary objects until completion of any such analyses, after which the remains and associated or unassociated funerary objects shall be reinterred or curated as specified in the Agreement.</p> <p>Nothing in existing State regulations or in this mitigation measure compels the project sponsor and the ERO to accept treatment recommendations of the MLD. However, if the ERO, project sponsor and MLD are unable to reach an Agreement on scientific treatment of the remains and associated or unassociated funerary objects, the ERO, with cooperation of the project sponsor, shall ensure that the remains associated or unassociated funerary objects are stored securely and respectfully until they can be reinterred on the property, with appropriate dignity, in a location not subject to further or future subsurface disturbance.</p> <p>Treatment of historic-period human remains and of associated or unassociated funerary objects discovered during any soil-disturbing activity, additionally, shall follow protocols laid out in the project’s Archeological treatment documents, and in any related agreement established between the project sponsor, Medical Examiner and the ERO.</p>				as specified in Agreement.

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<p>Archeological Public Interpretation Plan. The project archeological consultant shall submit an Archeological Public Interpretation Plan (APIP) if a significant archeological resource is discovered during a project. If the resource to be interpreted is a tribal cultural resource, the APIP shall be prepared in consultation with and developed with the participation of Ohlone tribal representatives. The APIP shall describe the interpretive product(s), locations or distribution of interpretive materials or displays, the proposed content and materials, the producers or artists of the displays or installation, and a long-term maintenance program. The APIP shall be sent to the ERO for review and approval. The APIP shall be implemented prior to occupancy of the project.</p>	<p>Archeological consultant at the direction of the ERO will prepare APIP. Measure laid out in APIP are implemented by sponsor and consultant.</p>	<p>Following completion of treatment, analysis, and interpretation of by archeological consultant.</p>	<p>Archeological consultant submits draft APIP to ERO for review and approval.</p>	<p>APIP is complete on review and approval of ERO. Interpretive program is complete on certification to ERO that program has been implemented</p>
<p>Archeological Resources Report. Whether or not significant archeological resources are encountered, the archeological consultant shall submit a written report of the findings of the testing program to the ERO. The archeological consultant shall submit a draft Archeological Resources Report (ARR) to the ERO that evaluates the historical significance of any discovered archeological resource and describes the archeological, historical research methods employed in the archeological testing/monitoring/data recovery program(s) undertaken, and if applicable, discusses curation arrangements. Formal site recordation forms (CA DPR 523 series) shall be attached to the ARR as an appendix. Once approved by the ERO, copies of the ARR shall be distributed as follows: California Archeological Site Survey Northwest Information Center (NWIC) shall receive one (1) copy and the ERO shall receive a copy of the transmittal of the ARR to the NWIC. The environmental planning division of the planning department shall receive one (1) bound hardcopy of the ARR. Digital files that shall be submitted to the environmental division include an unlocked, searchable PDF version of the ARR, GIS shapefiles of the site and feature locations, any formal site recordation forms (CA DPR 523 series), and/or documentation for nomination to the National Register of Historic Places/California Register of Historical Resources. The PDF ARR, GIS files, recordation forms, and/or nomination documentation should be submitted via USB or other stable storage device. If a descendant group was consulted during archeological</p>	<p>Archeological consultant at the direction of the ERO.</p>	<p>At completion of archeological investigations</p>	<p>Planning Department</p>	<p>Considered complete after ARR is approved.</p>

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<p>treatment, a PDF of the ARR shall be provided to the representative of the descendant group.</p> <p>Curation. If archeological data recovery is undertaken, materials and samples of future research value from significant archaeological resources shall be permanently curated at a facility approved by the ERO.</p>	Project archeologist prepares collection for curation and project sponsor pays for curation costs.	Upon acceptance by the ERO of the final report	Upon submittal of the collection for curation the sponsor or archaeologist shall provide a copy of the signed curatorial agreement to the ERO	Considered complete upon acceptance of the collection by the curatorial facility
<p>Mitigation Measure 2: Tribal Cultural Resources.</p> <p>Preservation in place. In the event of the discovery of an archeological resource of Native American origin, the Environmental Review Officer (ERO), the project sponsor, and the tribal representative, shall consult to determine whether preservation in place would be feasible and effective. If it is determined that preservation-in-place of the tribal cultural resource (TCR) would be both feasible and effective, then the archeological consultant shall prepare an archeological resource preservation plan (ARPP), which shall be implemented by the project sponsor during construction. The consultant shall submit a draft ARPP to Planning for review and approval.</p> <p>Interpretive Program. If the ERO, in consultation with the affiliated Native American tribal representatives and the project sponsor, determines that preservation-in-place of the tribal cultural resources is not a sufficient or feasible option, then archeological data recovery shall be implemented as required by the ERO and in consultation with affiliated Native American tribal representatives. In addition, the project sponsor shall implement an interpretive program of the tribal cultural resource in consultation with affiliated tribal representatives. A Tribal Cultural Resources Interpretation Plan (TCRIP) produced in consultation with the ERO and affiliated tribal representatives, at a minimum, and approved by the ERO would be required to guide the interpretive program. The plan shall identify, as appropriate, proposed locations for installations or displays, the proposed content and materials of those displays or installation, the producers or artists of the displays or installation, and a</p>	<p>Project sponsor archeological consultant, and ERO, in consultation with the affiliated Native American tribal representatives</p> <p>Project sponsor in consultation with the tribal representative</p>	<p>If significant archeological resource is present, during implementation of the project</p> <p>After determination that preservation in place is not feasible, and subsequent to Archeological data recovery</p>	<p>Planning Department</p> <p>Sponsor or archeological consultant shall submit the TCRIP to the ERO for review and approval</p>	<p>Considered complete upon project redesign, completion and ERO approval of ARPP</p> <p>Complete upon sponsor verification to ERO that interpretive program was implemented</p>

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<p>long-term maintenance program. The interpretive program may include artist installations, preferably by local Native American artists, oral histories with local Native Americans, cultural displays and interpretation, and educational panels or other informational displays. Upon approval by the ERO and affiliated Native American tribal representatives, and prior to project occupancy, the interpretive program shall be implemented by the project sponsor.</p>				
<p>Mitigation Measures 3: Construction Transportation Management Plan and Construction Coordination.</p> <p>The project sponsor shall develop and, upon review and approval by the SFMTA and Public Works, implement a Construction Management Plan, addressing transportation related circulation, access, staging, and hours of delivery. The Construction Management Plan would disseminate appropriate information to contractors and affected agencies with respect to coordinating construction activities to minimize overall disruption and ensure that overall circulation in the project area is maintained to the extent possible, with particular focus on ensuring transit, pedestrian, and bicycle connectivity. The Construction Management Plan would supplement and expand, rather than modify or supersede, and manual, regulations, or provisions set forth by the SFMTA, Public Works, other City departments and agencies, and Caltrans.</p> <p>If construction of the proposed project is determined to overlap with nearby adjacent projects as to result in transportation-related impacts, the project sponsor or its contractor(s) shall consult with various City departments such as the SFMTA and Public Works through ISCOTT, and other interdepartmental meetings as deemed necessary by the SFMTA, Public Works, and the Planning Department, to develop a Coordinated Construction Management Plan. The Coordinated Construction Management Plan shall address construction-related vehicle routing, detours, and maintaining transit, bicycle, vehicle, and pedestrian movements in the vicinity of the construction area for the duration of the construction period overlap. Key coordination meetings shall be held jointly between project sponsors and other project contractors for which the City departments determine construction impacts could overlap.</p>	Project sponsor and construction contractor(s)	Prior to the start of construction and throughout the construction period.	SFMTA, Public Works, and Planning Department	Considered complete upon approval of the construction management plan and the completion of construction activities.

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<p>The Construction Management Plan and, if required, the Coordinated Construction Management Plan, shall include, but not be limited to, the following:</p> <ul style="list-style-type: none"> • Restricted Construction Truck Access Hours - Limit construction truck movements to the hours between 9:00 a.m. and 4:00 p.m., or other times if approved by the SFMTA, to minimize disruption to vehicular traffic, including transit during the a.m. and p.m. peak periods. • Construction Truck Routing Plans - Identify optimal truck routes between the regional facilities and the project site, taking into consideration truck routes of other development projects and any construction activities affecting the roadway network. • Coordination of Temporary Lane and Sidewalk Closures - The project sponsor shall coordinate travel lane closures with other projects requesting concurrent lane and sidewalk closures through the ISCOTT and interdepartmental meetings process, to minimize the extent and duration of requested lane and sidewalk closures. Travel lane closures shall be minimized especially along transit and bicycle routes, so as to limit the impacts to transit service and bicycle circulation and safety. • Maintenance of Transit, Vehicle, Bicycle, and Pedestrian Access - The project sponsor/ construction contractor(s) shall meet with Public Works, SFMTA, SFFD, Muni Operations and other City agencies to coordinate feasible measures to include in the Coordinated Construction Management Plan to maintain access for transit, vehicles, bicycles and pedestrians. This shall include an assessment of the need for temporary transit stop relocations or other measures to reduce potential traffic, bicycle, and transit disruption and pedestrian circulation effects during construction of the project. • Carpool, Bicycle, Walk and Transit Access for Construction Workers - The construction contractor shall include methods to encourage carpooling, bicycling, walk and transit access to the project site by construction workers such as providing transit subsidies to construction workers and secure bicycle parking 				

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<p>spaces, participating in free-to-employee ride matching program from www.511.org, participating in emergency ride home program through the City (www.sferh.org), and providing transit information to construction workers.</p> <ul style="list-style-type: none"> • Construction Worker Parking Plan - The location of construction worker parking shall be identified as well as the person's responsible for monitoring the implementation of the proposed parking plan. The use of on-street parking to accommodate construction worker parking shall be discouraged. All construction bid documents shall include a requirement for the construction contractor to identify the proposed location of construction worker parking. If on-site, the location, number of parking spaces, and area where vehicles would enter and exit the site shall be required. If off-site parking is proposed to accommodate construction workers, the location of the off-site facility, number of parking spaces retained, and description of how workers would travel between off-site facility and project site shall be required. • Project Construction Updates for Adjacent Businesses and Residents - To minimize construction impacts on access for nearby institutions and businesses, the project sponsor shall provide nearby residences and adjacent businesses with regularly-updated information regarding project construction, including construction activities, peak construction vehicle activities (e.g., concrete pours), travel lane closures, and lane closures. At regular intervals to be defined in the Construction Management Plan and, if necessary, in the Coordinated Construction Management Plan, a regular email notice shall be distributed by the project sponsor that shall provide current construction information of interest to neighbors, as well as contact information for specific construction inquiries or concerns. 				
<p>Project Mitigation Measure 4: General Construction Noise Control Measures. The project sponsor shall undertake the following:</p>	Project sponsor and construction general contractor	During construction period	Planning Department, Department of	Considered complete upon submittal and implementation of

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<ul style="list-style-type: none"> Require the general contractor to ensure that equipment and trucks used for project construction utilize the best available noise control techniques (e.g., improved mufflers, equipment redesign, use of intake silencers, ducts, engine enclosures and acoustically attenuating shields or shrouds), wherever feasible. Require the general contractor to locate stationary noise sources (such as compressors) as far from adjacent or nearby sensitive receptors as possible, to muffle such noise sources, and to construct barriers around such sources and/or the construction site, which could reduce construction noise by as much as 5 dBA. To further reduce noise, the contractor shall locate stationary equipment in pit areas or excavated areas, if feasible. Require the general contractor to use impact tools (e.g., jack hammers, pavement breakers, and rock drills) that are hydraulically or electrically powered wherever possible to avoid noise associated with compressed air exhaust from pneumatically powered tools. Where use of pneumatic tools is unavoidable, an exhaust muffler on the compressed air exhaust shall be used, along with external noise jackets on the tools, which could reduce noise levels by as much as 10 dBA. Include noise control requirements in specifications provided to construction contractors. Such requirements could include, but are not limited to, performing all work in a manner that minimizes noise to the extent feasible; use of equipment with effective mufflers; undertaking the most noisy activities during times of least disturbance to surrounding residents and occupants, as feasible; and selecting haul routes that avoid residential buildings to the extent that such routes are otherwise feasible. Prior to the issuance of each building permit, along with the submission of construction documents, submit to the Planning Department and Department of Building Inspection (DBI) a list of measures that shall be implemented and that shall respond to and track complaints pertaining to construction noise. These measures shall include (1) a procedure and phone numbers for notifying DBI and the Police Department (during regular construction hours and 			Building Inspection (as requested and/or on complaint basis, Police Department (on complaint basis)	construction noise control plan and completion of construction activities pursuant to the plan

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<p>off-hours); (2) a sign posted on-site describing noise complaint procedures and a complaint hotline number that shall be answered at all times during construction; (3) designation of an on-site construction complaint and enforcement manager for the project; and (4) notification of neighboring residents and non-residential building managers within 300 feet of the project construction area at least 30 days in advance of extreme noise generating activities (defined as activities generating anticipated noise levels of 80 dBA or greater without noise controls, which is the standard in the Police Code) about the estimated duration of the activity.</p>				
<p>Project Mitigation Measure 5: Siting of Noise-Generating Uses.</p> <p>Prior to approval of a building permit, the project sponsor shall submit documentation to the Environmental Review Officer (ERO) or the ERO's designee, demonstrating with reasonable certainty that the building's fixed mechanical equipment (such as heating, ventilation and air conditioning [HVAC] equipment) meets the noise limits specified in section 2909 of the noise ordinance (i.e., a 5 dB increase above the ambient noise level at the property plane for noise from residential uses or an 8 dB increase above the ambient noise level at the property plane for noise from commercial or industrial uses; and interior noise limits of 55 dBA and 45 dBA for daytime and nighttime hours inside any sleeping or living room in a nearby dwelling unit on a residential property assuming windows open, respectively).</p> <p>Acoustical treatments required to meet the noise ordinance may include but are not limited to:</p> <ul style="list-style-type: none"> • Enclosing noise-generating mechanical equipment with sound-rated sides; • Installing relatively quiet models of air handlers, exhaust fans, and other mechanical equipment; • Using mufflers or silencers on equipment exhaust fans; • Orienting or shielding equipment to protect noise-sensitive receptors (residences, hospitals, convalescent homes, schools, churches, 	<p>Planning Department, project sponsor, and acoustical consultant</p>	<p>Prior to issuance of a building permit</p>	<p>Planning Department</p>	<p>Considered complete upon Planning Department approval of plan set showing project-specific noise reduction measures.</p>

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<p>hotels and motels, and sensitive wildlife habitat) to the greatest extent feasible;</p> <ul style="list-style-type: none"> Increasing the distance between noise-generating equipment and noise-sensitive receptors; and/or Placing barriers around the equipment to facilitate the attenuation of noise. <p>Compliance with this measure does not obviate the need for the equipment to demonstrate compliance with the noise ordinance throughout the lifetime of the project.</p>				
<p>Project Mitigation Measure 6: Construction Emissions Minimization Plan. The project sponsor shall submit a construction emissions minimization plan (plan) to the Environmental Review Officer (ERO) for review and approval by an environmental planning air quality specialist. The plan shall be designed to reduce air pollutant emissions to the greatest degree practicable. The plan shall detail project compliance with the following requirements.</p> <ol style="list-style-type: none"> All off-road equipment greater than 25 horsepower and operating for more than 20 total hours over the entire duration of construction activities shall meet the following requirements: <ol style="list-style-type: none"> Where access to alternative sources of power is available, portable diesel engines shall be prohibited; All off-road equipment shall have: <ol style="list-style-type: none"> Engines that meet or exceed either U.S. Environmental Protection Agency or California Air Resources Board Tier 2 off-road emission standards, and Engines that are retrofitted with an ARB Level 3 Verified Diesel Emissions Control Strategy) and Engines shall be fueled with renewable diesel (at least 99 percent renewable diesel or R99). Exceptions: <ol style="list-style-type: none"> Exceptions to 1(a) may be granted if the project sponsor has submitted information providing evidence to the satisfaction of the ERO that an alternative source of power is 	Project sponsor and Planning Department	Prior to the start of construction	Planning Department (ERO, air quality technical staff)	Considered complete upon Planning Department review and acceptance of construction emissions minimization plan, implementation of the plan, and completion of construction activities pursuant to the plan

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<p>limited or infeasible at the project site and that the requirements of this exception provision apply under this circumstance, the sponsor shall submit documentation of compliance with 1(b) for onsite power generation.</p> <p>ii) Exceptions to 1(b)(ii) may be granted if the project sponsor has submitted information providing evidence to the satisfaction of the ERO that a particular piece of off-road equipment with an ARB Level 3 VDECS (1) is technically not feasible, (2) would not produce desired emissions reductions due to expected operating modes, (3) installing the control device would create a safety hazard or impaired visibility for the operator, or (4) there is a compelling emergency need to use off-road equipment that are not retrofitted with an ARB Level 3 VDECS and the sponsor has submitted documentation to the ERO that the requirements of this exception provision apply. If granted an exception to 1(b)(ii), the project sponsor shall comply with the requirements of 1(c)(iii).</p> <p>iii) If an exception is granted pursuant to 1(c)(ii), the project sponsor shall provide the next cleanest piece of off-road equipment as provided by the step down schedule in Table M-AQ-4B:</p> <table border="1"> <caption>TABLE M-AQ-4B OFF-ROAD EQUIPMENT COMPLIANCE STEP-DOWN SCHEDULE*</caption> <thead> <tr> <th>Compliance Alternative</th> <th>Engine Emission Standard</th> <th>Emissions Control</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>Tier 2**</td> <td>ARB Level 2 VDECS</td> </tr> <tr> <td>2</td> <td>Tier 2</td> <td>ARB Level 1 VDECS</td> </tr> </tbody> </table> <p>* How to use the table. If the requirements of 1(b) cannot be met, then the project sponsor would need to meet Compliance Alternative 1. Should the project sponsor not be able to supply off-road equipment meeting Compliance Alternative 1, then Compliance Alternative 2 would need to be met.</p> <p>** Tier 3 off road emissions standards are required if NO_x emissions exceed applicable thresholds.</p>	Compliance Alternative	Engine Emission Standard	Emissions Control	1	Tier 2**	ARB Level 2 VDECS	2	Tier 2	ARB Level 1 VDECS			
Compliance Alternative	Engine Emission Standard	Emissions Control										
1	Tier 2**	ARB Level 2 VDECS										
2	Tier 2	ARB Level 1 VDECS										
<p>iv) Exceptions to 1(b)(iii) may be granted if the project sponsor has submitted information providing evidence to the satisfaction of the ERO that a renewable diesel is not</p>												

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Adopted Mitigation Measure	Monitoring and Reporting Program ^a			
	Implementation Responsibility	Mitigation Schedule	Monitoring/Reporting Responsibility	Monitoring Actions/Completion Criteria
<p>commercially available in the SFBAAB. If an exception is granted pursuant to this section, the project sponsor shall provide another type of alternative fuel, such as biodiesel (B20 or higher).</p> <p>2) The project sponsor shall require the idling time for off-road and on-road equipment be limited to no more than two minutes, except as provided in exceptions to the applicable State regulations regarding idling for off-road and on-road equipment. Legible and visible signs shall be posted in multiple languages (English, Spanish, Chinese) in designated queuing areas and at the construction site to remind operators of the two minute idling limit.</p> <p>3) The project sponsor shall require that construction operators properly maintain and tune equipment in accordance with manufacturer specifications.</p> <p>4) The Plan shall include estimates of the construction timeline by phase with a description of each piece of off-road equipment required for every construction phase. Off-road equipment descriptions and information may include, but is not limited to, equipment type, equipment manufacturer, equipment identification number, engine model year, engine certification (Tier rating), horsepower, engine serial number, and expected fuel usage and hours of operation. For the VDECS installed: technology type, serial number, make, model, manufacturer, ARB verification number level, and installation date and hour meter reading on installation date. For off-road equipment not using renewable diesel, reporting shall indicate the type of alternative fuel being used.</p> <p>5) The Plan shall be kept on-site and available for review by any persons requesting it and a legible sign shall be posted at the perimeter of the construction site indicating to the public the basic requirements of the Plan and a way to request a copy of the Plan. The project sponsor shall provide copies of Plan as requested.</p> <p>6) Reporting. Quarterly reports shall be submitted to the ERO indicating the construction phase and off-road equipment information used during each phase including the information required in Paragraph 4, above. In addition, for off-road equipment not using renewable</p>				

MONITORING AND REPORTING PROGRAM

Adopted Mitigation Measure	Monitoring and Reporting Program ^a			
	Implementation Responsibility	Mitigation Schedule	Monitoring/Reporting Responsibility	Monitoring Actions/Completion Criteria
<p>diesel, reporting shall indicate the type of alternative fuel being used. Within six months of the completion of construction activities, the project sponsor shall submit to the ERO a final report summarizing construction activities. The final report shall indicate the start and end dates and duration of each construction phase. For each phase, the report shall include detailed information required in Paragraph 4. In addition, for off-road equipment not using renewable diesel, reporting shall indicate the type of alternative fuel being used.</p> <p>7) Certification Statement and On-site Requirements. Prior to the commencement of construction activities, the project sponsor shall certify (1) compliance with the Plan, and (2) all applicable requirements of the Plan have been incorporated into contract specifications.</p>				
<p>Project Mitigation Measure 7: Pre-Construction Bat Survey. The project sponsor shall conduct a pre-construction special-status bat survey of the vacant to be demolished. If active day or night roosts are found, a qualified biologist (i.e., a biologist holding a California Department of Fish and Wildlife (CDFW) collection permit and a Memorandum of Understanding with the CDFW allowing the biologist to handle and collect bats) shall take actions to make such roosts unsuitable habitat prior to building demolition. A no disturbance buffer shall be created around active bat roosts being used for maternity or hibernation purposes at a distance to be determined in consultation with CDFW. Bat roosts initiated during construction are presumed to be unaffected, and no buffer would necessary.</p>	Project sponsor and qualified biologist	Prior to issuance of demolition permit	Planning Department and CDFW if applicable	Considered complete upon issuance of demolition permit

NOTES:

^a Definitions of MMRP Column Headings:

Adopted Mitigation and Improvements Measures: Full text of the mitigation measure(s) copied verbatim from the final CEQA document.

Implementation Responsibility: Entity who is responsible for implementing the mitigation measure. In most cases this is the project sponsor and/or project's sponsor's contractor/consultant and at times under the direction of the planning department.

Mitigation Schedule: Identifies milestones for when the actions in the mitigation measure need to be implemented.

Monitoring/Reporting Responsibility: Identifies who is responsible for monitoring compliance with the mitigation measure and any reporting responsibilities. In most cases it is the Planning Department who is responsible for monitoring compliance with the mitigation measure. If a department or agency other than the planning department is identified as responsible for monitoring, there should be an expressed agreement between the planning department and that other department/agency. In most cases the project sponsor, their contractor, or consultant are responsible for any reporting requirements.

Monitoring Actions/Completion Criteria: Identifies the milestone at which the mitigation measure is considered complete. This may also identify requirements for verifying compliance





490 Brannan MMRP to sign v2

Final Audit Report

2021-08-17

Created:	2021-08-17
By:	Clarke Miller (cmiller@stradasf.com)
Status:	Signed
Transaction ID:	CBJCHBCAABAavz0vV521Qzhs_TocunWe2oU1BS8laHe-

"490 Brannan MMRP to sign v2" History

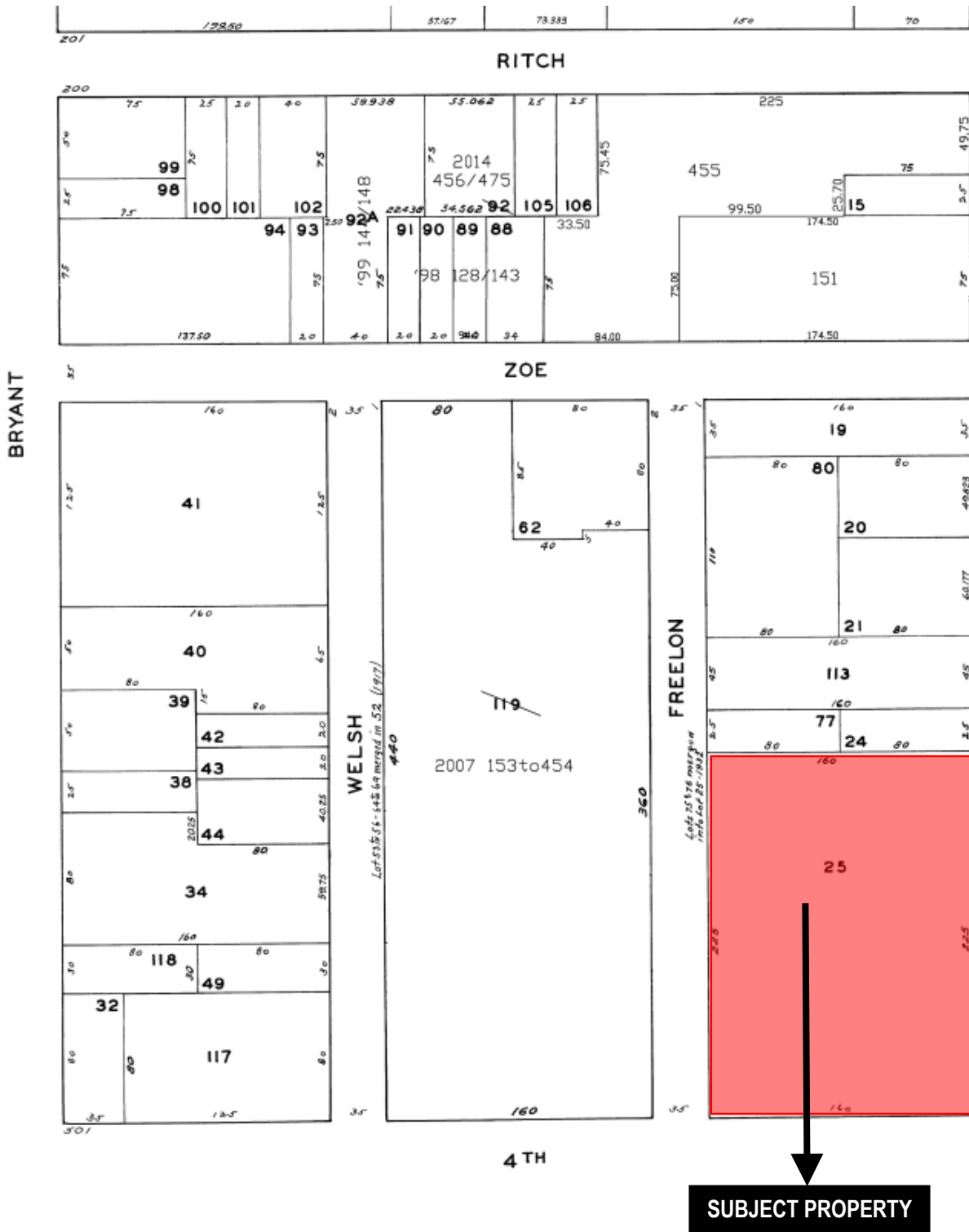
-  Document created by Clarke Miller (cmiller@stradasf.com)
2021-08-17 - 8:27:47 PM GMT- IP address: 76.103.156.54
-  Document emailed to Jesse Blout (jblout@stradasf.com) for signature
2021-08-17 - 8:30:32 PM GMT
-  Email viewed by Jesse Blout (jblout@stradasf.com)
2021-08-17 - 8:54:37 PM GMT- IP address: 24.23.228.76
-  Document e-signed by Jesse Blout (jblout@stradasf.com)
Signature Date: 2021-08-17 - 8:55:17 PM GMT - Time Source: server- IP address: 24.23.228.76
-  Agreement completed.
2021-08-17 - 8:55:17 PM GMT

Land Use Information

Project Address: 490 Brannan Street
Record No.: 2020-005610ENX/OFA/VAR

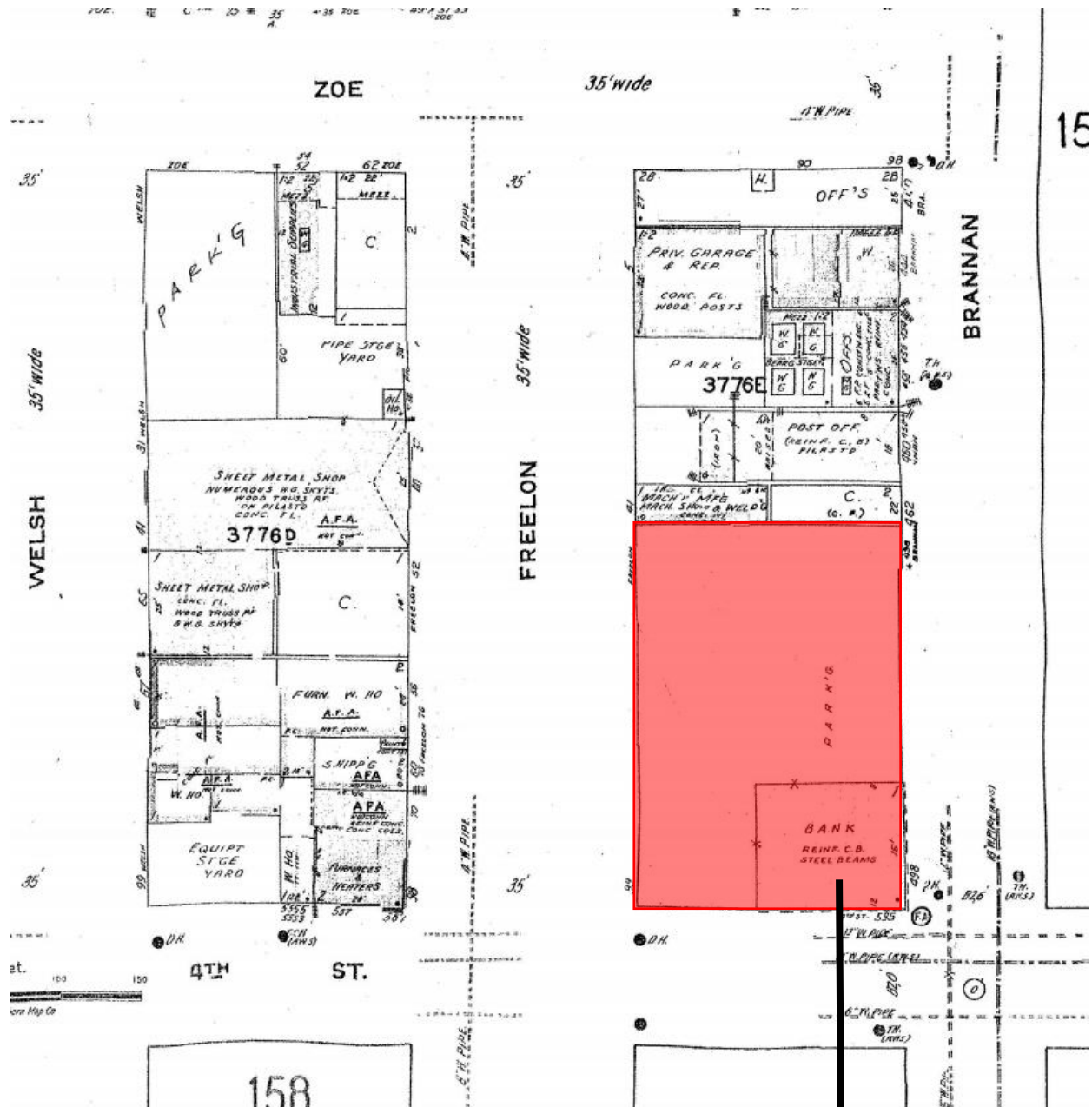
	EXISTING	PROPOSED	NET NEW
GROSS SQUARE FOOTAGE (GSF)			
Parking GSF	0 <i>(Open to sky parking lot)</i>	15,930	15,930
Residential GSF	N/A	N/A	N/A
Retail/Commercial GSF	6,048	3,272	-2,776
Office GSF	0	269,296	269,296
Industrial/PDR GSF <i>(Production, Distribution, & Repair)</i>	0	12,506	12,506
Medical GSF	N/A	N/A	N/A
Visitor GSF	N/A	N/A	N/A
CIE GSF <i>(Cultural, Institutional, Educational)</i>	0	5,391	5,391
Usable Open Space	0	12,075	12,075
Public Open Space	0	5,602	5,602
Other ()	N/A	N/A	N/A
TOTAL GSF	6,048	355,630	349,582
	EXISTING	NET NEW	TOTALS
PROJECT FEATURES (Units or Amounts)			
Dwelling Units – Affordable	N/A	N/A	N/A
Dwelling Units – Market Rate	N/A	N/A	N/A
Dwelling Units – Total	N/A	N/A	N/A
Hotel Rooms	N/A	N/A	N/A
Number of Buildings	1	0	1
Number of Stories	1	11	12
Parking Spaces	75	-51	24
Loading Spaces	0	6	6 <i>(2 freight spaces + 4 service spaces)</i>
Bicycle Spaces	0	86	86 <i>(60 Class I + 26 Class II)</i>
Car Share Spaces	0	4	4
Other ()			

Parcel Map

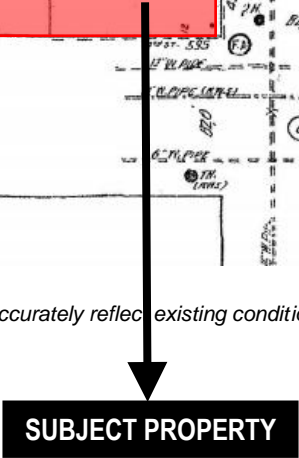


Planning Commission Hearing
 Case Number 2020-005610ENX/OFA/VAR
 490 Brannan Street

Sanborn Map

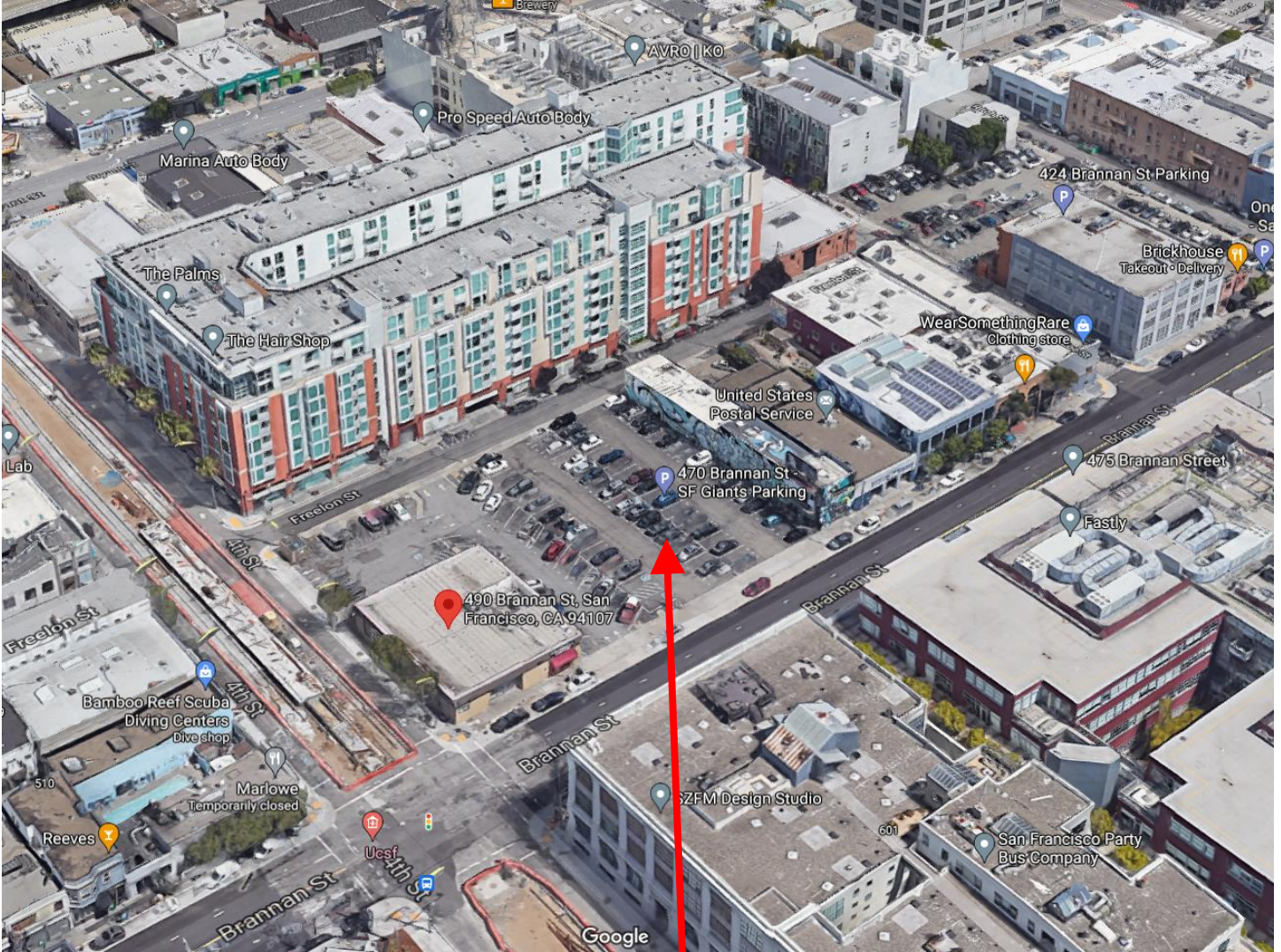


*The Sanborn Maps in San Francisco have not been updated since 1998, and this map may not accurately reflect existing conditions.



Planning Commission Hearing
 Case Number 2020-005610ENX/OFA/VAR
 490 Brannan Street

Aerial Photo

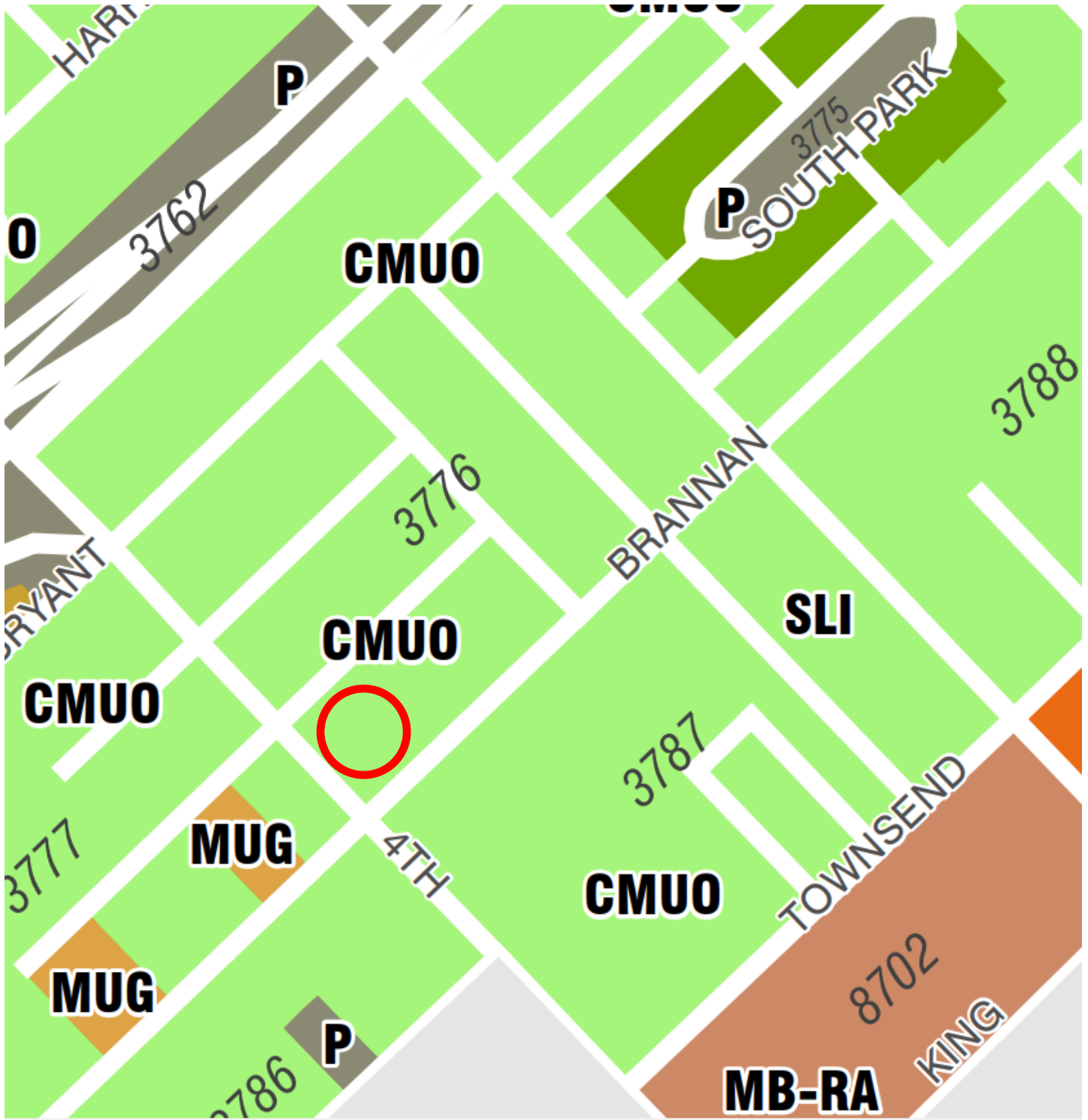


SUBJECT PROPERTY

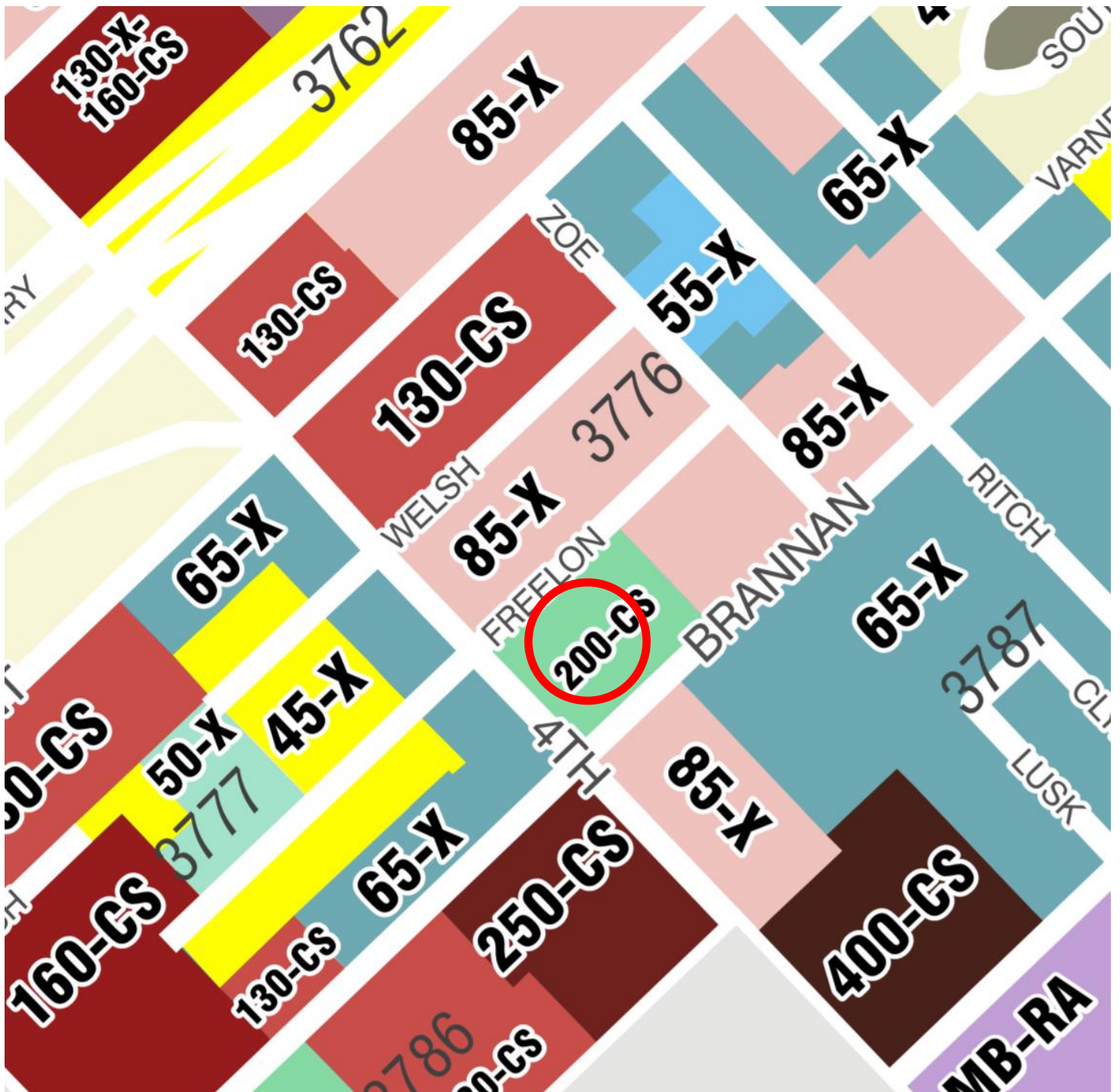


Planning Commission Hearing
Case Number 2020-005610ENX/OFA/VAR
490 Brannan Street

Zoning District Map



Height & Bulk District Map



Site Photo

Brannan Street Frontage



4th Street Frontage



Planning Commission Hearing
Case Number 2020-005610ENX/OFA/VAR
490 Brannan Street

REUBEN, JUNIUS & ROSE, LLP

John Kevlin
jkevin@reubenlaw.com

August 31, 2021

Delivered by Email (xinyu.liang@sfgov.org)

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

**Re: 490 Brannan Street
Planning Case Number: 2020-005610ENX/OFA
Hearing Date: September 9, 2021
Our File No.: 6783.05**

Dear President Koppel and Commissioners:

This office represents Strada Investment Group (the “Project Sponsor”), the Sponsor of the project at 490 Brannan Street (the “Property”), which is identified as “Key Site 6: Wells Fargo” under the Central SoMa Area Plan. The project encompasses half of the subject block with frontages on Brannan, Freelon, and Fourth Streets, and will contain a new mixed use office building with 12,506 square feet of PDR use, 5,391 square feet of childcare use, and 3,272 square feet of retail space (the “Project”).

The Project requires a Large Project Authorization (“LPA”) for new construction exceeding a height of 85 feet and containing more than 50,000 square feet in the Central SoMa neighborhood, and an Office Allocation for 269,296 square feet.

The Project is the result of a multi-year design review process, during which the Sponsor has worked closely with Planning staff and neighborhood stakeholders to address community preferences. The Project advances the goals of the Central SoMa Plan and its Key Sites Guidelines, which call for development of a three- to four-hundred thousand square foot mixed-use office, PDR, and retail project on this site, and allow flexibility for certain design controls in recognition of the Project’s substantial public benefits, including below market rate PDR space, the addition of a childcare facility, and the creation of a midblock alley.

We look forward to presenting this Project to the Commission on September 9th.

A. Project Description

The Project includes the demolition of the existing 6,000 square foot vacant building and new construction of a twelve-story, 185-ft tall, mixed-use office building that will total approximately 355,630 square feet. The Project will include 269,296 square feet of office use,

San Francisco Office
One Bush Street, Suite 600, San Francisco, CA 94104
tel: 415-567-9000 | fax: 415-399-9480

Oakland Office
456 8th Street, 2nd Floor, Oakland, CA 94607
tel: 510-257-5589

www.reubenlaw.com

six PDR arts activities spaces totaling 12,506 square feet (at least 10,000 square feet of which is provided at no more than 60% below-market rate rent), 5,391 square feet of childcare use, and three retail spaces, including two micro-retail spaces, totaling 3,272 square feet. The Project includes 5,602 square feet of public open space along the perimeter of the site and in the through-lot mid-block alley, 9,820 square feet of usable open space on roof terraces, and 2,250 square feet of usable open space devoted to the child care use. There will be 24 off-street below-grade parking spaces, 6 off-street loading spaces, 4 car-share parking space, 60 Class 1 bicycle parking spaces, and 26 Class 2 bicycle parking spaces.

The Project has been sculpted to address development goals for the site while providing a pedestrian scale that is compatible with the surrounding context. Although a building up to 200 feet is permitted at the site, the proposed 185-foot building was designed to maximize the amount of light and air along Freelon Street. The 30'x160' through-lot mid-block alley provides a pedestrian connection between Brannan and Freelon Street and serves as a buffer between the adjacent low-rise buildings. The project is contemporary in its character and utilizes contrasting materials in addition to setbacks and a 21-foot tall ground floor to break up the façade and provide a pedestrian scale. Overall, the Project provides a unique design that is consistent and compatible with the buildings in the surrounding neighborhood.

B. Project Benefits

The Project is providing a significant amount of community benefits. It strikes an ideal balance between the amount of amenities it is providing and the exceptions sought by the Commission. Approval of the Project will provide the following substantial benefits to the neighborhood and the City at large:

- **Below Market Rate, Community-Based Arts Space.** The Project provides 12,506 square feet of arts space on the ground floor, at least 10,000 square feet of which will be provided at rents below 60% of market rate. Arts studio spaces will activate the ground floor frontage along Fourth Street. A larger “Arts Common” space will be provided along Brannan Street. Strada is currently in negotiation with a partnership comprising Kularts, the Filipino American Development Fund and the Asian Pacific Islander Cultural Center, to establish a community theater in the arts common space. The project sponsor is also in discussions with Tenant and Owners Development Corporation (TODCO) for a below market lease of the arts spaces along Fourth Street.
- **On-Site Child Care Facility.** The Project will provide 5,391 gross square feet of childcare use serving up to 40 students at the ground floor, with an accompanying 2,506 square feet of open space fronting the POPOS. This exceeds the amount required under the Central SoMa SUD. These spaces will meet all City regulations for child care facilities.
- **Neighborhood-Serving Retail.** The Project will activate the ground-floor street frontages with 3,272 square feet of neighborhood-serving retail space. The Project includes two

micro-retail spaces and one larger retail space at the corner of Brannan and Fourth Streets that will serve as a café and art gallery that will further support the arts/PDR space in the building by providing space to display the tenant's artwork.

- **POPOS & Mid-Block Alleys.** 5,602 square feet of POPOS, including a mid-block alley, are provided by the Project. These publicly-accessible open areas will frame the active ground-floor PDR and retail spaces. The mid-block alley will help form a network of mid-block alleys in Central SoMa by connecting pedestrians from Brannan and Freelon Streets. The mid-block alley also serves as a buffer between the adjacent low-rise buildings.
- **Streetscape Enhancements.** The Project will include sidewalk and street improvements to Brannan, Fourth, and Freelon Streets. The Brannan Street sidewalk will be expanded from 10 feet to 15 feet along the Project frontage. New accessible sidewalk ramps, bike racks, and street trees will also be installed. The project will also provide a generous 21-foot tall first floor, which is 4 feet taller than what is required by code
- **Office Development.** The Project will build flexibly-configured office space near the downtown core and adjacent to the future Central Subway line. This furthers goals of the Central SoMa Plan to increase jobs capacity in this transit-rich location.
- **Development Impact Fees.** A robust package of development impact fees will be provided that will be used to fund Central SoMa neighborhood and citywide improvements.

C. Community and Neighborhood Outreach

Over the last four years, the Project Sponsor has conducted extensive neighborhood outreach, including meetings with individual stakeholders and separate community outreach forums, including an open house and a pre-app meeting. The Sponsor met with numerous residents of the Palms condominium building located directly to the north of the proposed project. Additionally, the Project Sponsor began discussions with SOMA Pilipinas in summer 2020 to create space on a portion of the ground floor and mezzanine of the building for a live performance dance theater and has more recently commenced negotiations with TODCO around master leasing the Fourth Street arts spaces. The Sponsor and an affiliate of SOMA Pilipinas, the Filipino American Foundation, are finalizing a Letter of Intent for a 30-year lease of the space. The facilities manager for the dance theater will be the Asian Pacific Islander Cultural Center (APICC), and Kularts will be the program manager. **See attached overview of Kularts and their intentions for the space.**

D. Conclusion


The Project is the result of a multi-year planning and design review process. It will encompass development of office, retail, PDR, and child care uses consistent with the zoning requirements and Key Sites Guidelines for this location under the Central SoMa Plan. The Project features exemplary design and would provide numerous public benefits, including

President Joel Koppel and Commissioners
San Francisco Planning Commission
August 31, 2021
Page 4

provision of PDR and child care space in excess of that required under the Code; the construction of a new mid-block alley; and payment of a robust package of development impact fees necessary to fund local and citywide improvements. For these reasons we urge you to approve the requested Large Project Authorization application and Office Allocation.

Very truly yours,

REUBEN, JUNIUS & ROSE, LLP



John Kevlin

cc: Kathrin Moore, Commission Vice-President
Deland Chan, Commissioner
Sue Diamond, Commissioner
Frank S. Fung, Commissioner
Theresa Imperial, Commissioner
Rachael Tanner, Commissioner
Xinyu Liang, Project Planner



Multidisciplinary Arts Space

VISION FOR THE DECADE

KULARTS in partnership with [Filipino American Development Foundation](#) and [Asian Pacific Islander Cultural Center](#) is developing a multidisciplinary art space in San Francisco's Filipino Cultural Heritage District with Strada Investment Group.



SUSTAINABLE SPACE FOR ARTS & CULTURE IN SOMA PILIPINAS

The SF Bay Area is home to thriving arts and artists communities. There are numerous Pilipinx dancers, musicians, composers, choreographers, and theater artists from folkloric dance practitioners to hip hop to contemporary dance.

With rising real estate costs across the Bay Area, performing art spaces are closing left and right. The lack of space is constraining the development of our thriving arts scene.

For the last 7 years, we have been presenting dance works at the Bindlestiff Studio, 80-seat black box theater best for theater productions and less optimum for multidisciplinary dance productions. There is a great need to grow affordable performance and rehearsal space suited for dance in the city San Francisco. Rather than a monolithic art center, our approach is a collaborative archipelagic ecosystem.

KULARTS has been renting theater spaces since our inception in 1985, and collaborating with organizations with gallery and public spaces for our visual arts exhibition. Current rental for performance space is expensive and often booked 12 months in advance. Desired dates are often unavailable due to priorities given for their own programs and high costs prevent multiple weekend showings.

OUR VISION



PERFORMING ARTS THEATER

125-150 seat performing arts theater equipped to showcase solo to small ensembles and works-in-progress.

REHEARSAL STUDIO

Rehearsal and workshop/class space for large folkloric and dance groups of 15-30 people.



GALLERY

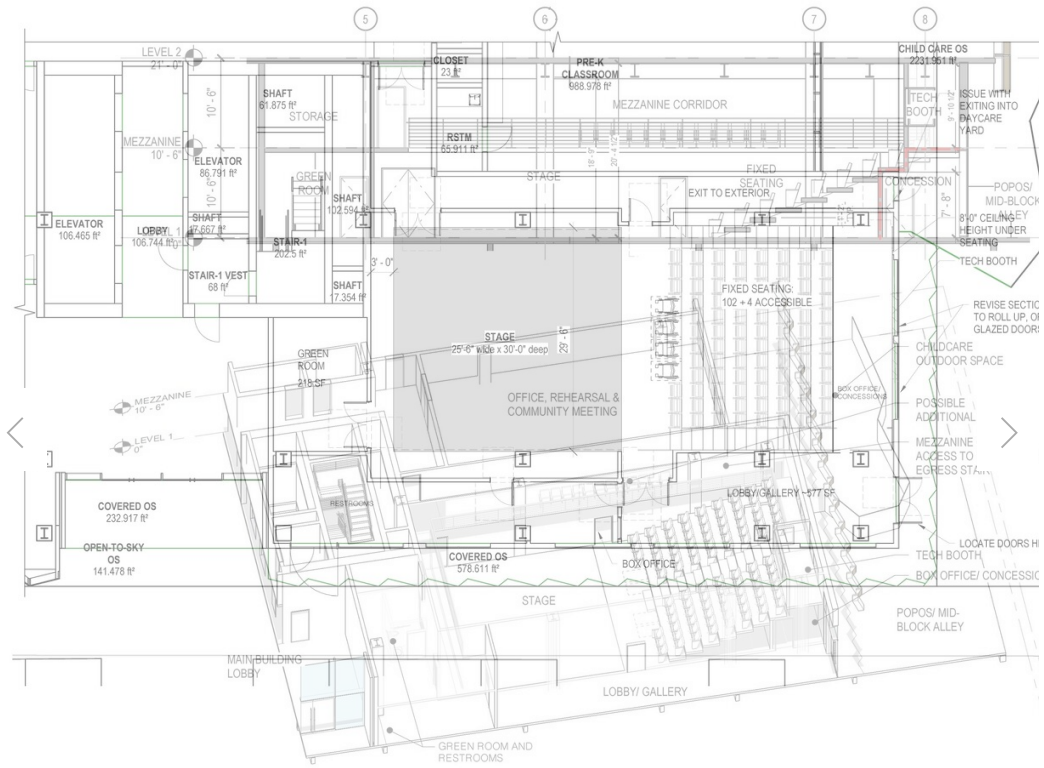
Street level, open gallery and lobby space to showcase the visual arts with rotating exhibitions periodically.

TERRACE / OUTDOOR SPACE

Indoor-outdoor public space for additional activation during openings and to hold small performances

ARCHITECTURAL PLANS

Theater study by Janey Madamba and Perkins & Will



Theater study

WE WILL NEED YOUR SUPPORT!





WRITE A LETTER OF
SUPPORT

PARTICIPATE IN PUBLIC
COMMENT FOR THE SF
PLANNING COMMISSION
HEARING IN SUPPORT OF
THE PROJECT

SPONSOR THIS PROJECT

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KULARTS © 2018



OUR STORY



Founded in 1985, Kulintang Arts, Inc., now known popularly as Kularts, is the premier presenter of contemporary and tribal Pilipino arts in the United States. Through our three decades of service, Kularts has grown into a leading elder arts organization, uniting generations of artists and community activists in a common effort to build a collective space and sense of belonging within our city, specifically the SOMA Pilipinas: Filipino Cultural Heritage District. Kularts creates work that makes visible the contributions of Pilipino Americans and creates room for cultural continuity and knowledge.

The founders, musician Robert L. Henry, dancer Marcella Pabros, and choreographer/director Alleluia Panis chose "kulintang" in honor of the ancient music tradition of Mindanao, Philippines. Its first office and rehearsal space was in the South of Market Cultural Center in San Francisco.

Kulintang Arts's primary program was the work of Kulintang Arts Ensemble (KAE), a ten-member music and dance ensemble which presented contemporary work rooted in the indigenous Filipino traditions. Danongan Kalanduyan, a musician from the Southern Philippines, was KAE's resident artist and kulintang music director/instructor (1985-88). KAE members included Musiban Guiabar, Frank Holder, Joey Maliga, Dana Nuñez, Anna Sun Foo, Frances Cachapero, Ric Serrano, Joshua Francisco, Daniel Giray, Sharon Sato, Jesse Bie, among others. Panis choreographed full-evening works: *Ancient Rhythms/Urban Sounds* (1988); *Lm' Ehek: at the heART of the sharpenING stONE* (1989); *Cycles: Timeless Rituals to Ancient Icons* (1990); and *Diwata* (1993).

KAE performed at the San Francisco Ethnic Dance Festival from 1985 to 1990 and toured nationally and internationally; including the Dance Theater Workshop, New York; Lincoln Center, New York City; the Kennedy Center; the Bumbershoot Festival, Seattle; the Verona Jazz Festival, Italy; the Baguio Arts Festival, Philippines; and the Asian Arts Festival, Singapore. KAE Music recordings include Fred Ho's 1988 album *A Song For Manong*, originally released by Asian Improv. Recordings released by Kulintang Arts Inc. include *Ancient Rhythms/Urban Sounds*; *Kulintang Arts Live! In Concert with Jon Jang*; and *Cycles: Timeless Rituals to Ancient Icons*.

Kulintang Arts Ensemble (KAE): 1989 Cotabato City, Philippines

Kulintang Arts Nov 1989 Kapimpilan



Kularts logo design
made by Santiago
Bose 1949-2002

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KULARTS © 2018



AFFIDAVIT FOR FIRST SOURCE HIRING PROGRAM - ADMINISTRATIVE CODE CHAPTER 83

APPLICATION

Project Sponsor's Information

Name: 490 Brannan Street LLC

Address: 101 Mission St., Suite 420, SF, CA

Email Address: cmiller@stradasf.com

Telephone: 415-572-7640

Property Information and Related Applications

Project Address: 490 Brannan Street

Block/Lot(s): 3776-025

Building Permit Application No(s): N/A

Estimated Residential Units: 0

Estimated SQ FT Commercial Space: 290,000

Estimated Height/Floors: 185' / 12 stories

Estimated Construction Cost: \$136,000,000

Anticipated Start Date: Summer 2022

FIRST SOURCE HIRING PROGRAM VERIFICATION

CHECK ALL BOXES APPLICABLE TO THIS PROJECT	YES
Project is wholly residential	
Project is wholly commercial	✓
Project is mixed use	
A: The project consists of ten (10) or more residential units.	
B: The project consists of 25,000 square feet or more of gross commercial floor area/	✓
C: Neither A nor B apply	

Notes:

- If you checked C, this project is NOT subject to the First Source Hiring Program. Sign Section 4: Declaration of Sponsor of Project and submit to the Planning Department.
- If you checked A or B, your project IS subject to the First Source Hiring Program. Please complete the reverse of this document, sign, and submit to the Planning Department prior to any Planning Commission hearing. If principally permitted, Planning Department approval of the Site Permit is required for all projects subject to Administrative Code Chapter 83.
- For questions, please contact OEWD's CityBuild program at CityBuild@sfgov.org or 415.701.4848. For more information about the First Source Hiring Program visit www.workforcedevelopmentsf.org
- If the project is subject to the First Source Hiring Program, you are required to execute a Memorandum of Understanding (MOU) with OEWD's CityBuild program prior to receiving construction permits from Department of Building Inspection.

FIRST SOURCE HIRING PROGRAM - WORKFORCE PROJECTION

Per Section 83.11 of Administrative Code Chapter 83, it is the developer's responsibility to complete the following information to the best of their knowledge.

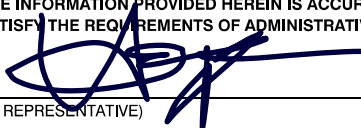
Provide the estimated number of employees from each construction trade to be used on the project, indicating how many are entry and/or apprentice level as well as the anticipated wage for these positions.

Check the anticipated trade(s) and provide accompanying information (Select all that apply):

TRADE/CRAFT	ANTICIPATED JOURNEYMAN WAGE	# APPRENTICE POSITIONS	# TOTAL POSITIONS	TRADE/CRAFT	ANTICIPATED JOURNEYMAN WAGE	# APPRENTICE POSITIONS	# TOTAL POSITIONS
Abatement Laborer	NA	0	0	Laborer	\$89	3	18
Boilermaker	NA	0	0	Operating Engineer	\$90	0	10
Bricklayer	\$110	2	12	Painter	\$95	2	10
Carpenter	\$117	2	18	Pile Driver	NA	0	0
Cement Mason	\$97	2	22	Plasterer	NA	0	0
Drywall/Latherer	\$117	2	8	Plumber and Pipefitter	\$123	2	12
Electrician	\$120	4	24	Roofer/Water proofer	\$119	4	24
Elevator Constructor	\$250	0	6	Sheet Metal Worker	\$123	3	16
Floor Coverer	\$110	0	5	Sprinkler Fitter	\$123	0	3
Glazier	\$123	1	8	Taper	\$117	1	7
Heat & Frost Insulator	\$125	1	6	Tile Layer/ Finisher	\$95	1	9
Ironworker	\$100	15	40	Other:	\$100	5	25
		TOTAL:	149			TOTAL:	134

- | | | |
|--|-------------------------------------|--------------------------|
| | YES | NO |
| 1. Will the anticipated employee compensation by trade be consistent with area Prevailing Wage? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 2. Will the awarded contractor(s) participate in an apprenticeship program approved by the State of California's Department of Industrial Relations? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 3. Will hiring and retention goals for apprentices be established? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 4. What is the estimated number of local residents to be hired? | <u>57</u> | |

DECLARATION OF SPONSOR OF PRINCIPAL PROJECT

PRINT NAME AND TITLE OF AUTHORIZED REPRESENTATIVE	EMAIL	PHONE NUMBER
Howard Yao, Vice President	hyao@are.com	628-333-1689
I HEREBY DECLARE THAT THE INFORMATION PROVIDED HEREIN IS ACCURATE TO THE BEST OF MY KNOWLEDGE AND THAT I COORDINATED WITH OEWD'S CITYBUILD PROGRAM TO SATISFY THE REQUIREMENTS OF ADMINISTRATIVE CODE CHAPTER 83.		
		3/1/2021
(SIGNATURE OF AUTHORIZED REPRESENTATIVE)		(DATE)

FOR PLANNING DEPARTMENT STAFF ONLY: PLEASE EMAIL AN ELECTRONIC COPY OF THE COMPLETED AFFIDAVIT FOR FIRST SOURCE HIRING PROGRAM TO OEWD'S CITYBUILD PROGRAM AT CITYBUILD@SFGOV.ORG

Cc: Office of Economic and Workforce Development, CityBuild
 Address: 1 South Van Ness 5th Floor San Francisco, CA 94103 Phone: 415.701.4848
 Website: www.workforcedevelopmentsf.org Email: CityBuild@sfgov.org

Free Recording Requested Pursuant to
Government Code Section 27383

When recorded, mail to:
San Francisco Planning Department
49 South Van Ness Ave, Suite 1400
San Francisco, California 94103
Attn: Planning Director Rich Hillis

Lot 025 in Assessor's Block 3776

**AGREEMENT TO LIMIT THE RENT CHARGED FOR COMMERCIAL SPACE
CONSTRUCTED UNDER SAN FRANCISCO PLANNING CODE SECTION 321(a)(6)(C)**

THIS AGREEMENT TO LIMIT THE RENT CHARGED FOR NEWLY-CONSTRUCTED COMMERCIAL SPACE TO NO MORE THAN 60% OF COMPARABLE MARKET RENT under Section 321(a)(6)(C) of the San Francisco Planning Code, is dated for reference purposes only as of this 9th day of September, 2021 and is by and between the CITY AND COUNTY OF SAN FRANCISCO, a political subdivision of the State of California (the "City"), acting by and through its Planning Department, and 490 Brannan Street LLC ("Project Sponsor") with respect to the project proposed to be constructed at 490 Brannan Street in San Francisco, California. City and Project Sponsor are also sometimes referred to individually as a "Party" and together as the "Parties."

RECITALS

This Agreement is made with reference to the following facts:

A. Description of the Project.

The Project Sponsor proposes to develop a project (the "Project") located at 490 Brannan Street, Assessor's Block 3776, Lot 025 (the "Property"), which includes demolition of a 6,048-square-foot commercial building and removal of a surface parking lot and construction of an approximately 355,630-square-foot, 12-story, 185-foot-tall building. The building would contain approximately 269,296 square feet of office use, 12,506 square feet of art-focused Production, Distribution, and Repair ("PDR") use, 3,272 square feet of Retail Sales and Service use, a 5,391-square-foot Child Care Facility, 24 vehicle parking spaces, six commercial loading spaces, 85 bicycle parking spaces, and 9,825 square feet of rooftop open space. A 30-foot-wide mid-block alley along the east side of the lot would contain 5,602 square feet of Privately Owned Public Open Space (POPOS) and 2,250 square feet of childcare outdoor space. The Project Sponsor has an option to purchase the Property, and will become owner of the Property prior to issuance of the site permit for the Project. This Agreement will be executed prior to the San Francisco Planning Commission's consideration of the Project, but will not be recorded on the real property records for the Property until Project Sponsor is owner of the Property, provided that the Project Sponsor is the owner of the Property and has recorded this Agreement prior to issuance of the site permit for the Project.

B. Code Authorizations.

California Civil Code Chapter 2.6, Sections 1954.25 *et seq.* (hereafter the "Civil Code"), authorizes an owner of commercial real property to establish the initial and all subsequent rental rates for a commercial property with certain exceptions, including an exception set forth in Civil Code Section 1954.28(d) for commercial property where an owner agrees with a public entity to offer any real property for rent under a specified formula for ascertaining a stipulated or maximum rental amount, in consideration for a direct financial contribution.

Sections 320 *et seq.* of the Planning Code, the Office Development Limit Program ("Program"), limits the amount of office space that may be approved each year in San Francisco. Currently, the City has approved more than the amount of office space that is available under the Program, and would not be able to approve the necessary 269,296 square feet of office space allocation for the Project in 2021. The date when such approval could be granted would be uncertain. Nevertheless, Planning Code Section 321(a)(6) establishes a "Central SOMA Incentive Reserve," which allows the Planning Commission to approve up to an additional 1.7 Million square feet of office space located in the Central SOMA Special Use District. Office development may be approved if the proposed office development meets the following criteria: (1) an application for the proposed office development was submitted before September 11, 2019; (2) the proposed office development contains more than 49,999 square feet of additional office space; (3) the amount of the proposed development exceeds the square footage available under the Program; and (4) the office project provides one of 3 options set forth in Planning Code Section 321(a)(6)(C).

The Property is located in the Central SOMA Special Use District. Project Sponsor has elected one of the 3 options provided in Planning Code Section 321(a)(6)(C)(iv) to provide community arts PDR space of approximately 12,506 square feet (the "Art Space") that will be affordable to tenants at no more than 60% of comparable market rent for no less than 30 years under Planning Code Section 321(a)(6)(C)(iv)(b).

Project Sponsor acknowledges that the Civil Code permits the City to impose restrictions on rents charged for commercial rental space, such as the Art Space, provided that the Project Sponsor and the City enter an agreement, and there is a direct financial contribution from the City to the Project Sponsor. The City's approval of the development project includes both the ability to develop office space earlier than would otherwise be allowed under the Program, as well as numerous exceptions to City Planning Code requirements, as set forth in more detail in Section 2.2 of this Agreement.

Project Sponsor acknowledges the Civil Code provisions and explicitly agrees that the Planning Code exceptions granted for development of the Project and the ability to develop the Project through the Central SOMA Incentive Reserve sooner than would be permitted under the Program constitute direct financial contributions as contemplated by the Civil Code.

C. Property Subject to this Agreement. The Property that is the subject of this Agreement consists of the real property and improvements located at 490 Brannan Street in the City and County of San Francisco, California, which is Lot 025 in Assessor's Block 3776. The Property is more particularly described in Exhibit A attached hereto and will be owned in fee by the Project Sponsor before a site permit is issued for the Project.

D. **Development Proposal; Intent of the Parties.** Pursuant to Planning Code Sections 321 *et seq.*, and Section 309, the Project Sponsor will construct an office development project, including retail, childcare, and the Arts Space described in Recital A, above. The Project Sponsor has asked the City to waive or grant exceptions from the Planning Code requirements described in Section 2.2 of this Agreement in order to construct the Project, and the Planning Commission will grant the exceptions and allow the 269,296 square feet of office space to be allocated to this Project, subject to the execution of this Agreement.

E. **Compliance with All Legal Requirements.** It is the intent of the Parties that all acts referred to in this Agreement shall be accomplished in such a way as to fully comply with the Civil Code, the Planning Code, and all other applicable laws and regulations.

AGREEMENT

The Parties acknowledge the receipt and sufficiency of good and valuable consideration and agree as follows:

1. **INCORPORATION OF RECITALS AND EXHIBITS.**

The preamble paragraph, Recitals, Exhibits, if any, and all defined terms contained therein, are hereby incorporated into this Agreement as if set forth in full.

2. **CITY'S DIRECT FINANCIAL CONTRIBUTION IN RETURN FOR SUBJECTING COMMERCIAL SPACE TO THE RENT LIMITATIONS SET FORTH IN THIS AGREEMENT.**

2.1 **Civil Code Restrictions on Commercial Rental Control; Rent Limitations In This Agreement Apply.** The Parties acknowledge that Civil Code Sections 1954.25 *et seq.* restricts the City's ability to impose commercial rental control, as defined in Civil Code Section 1954.26(f), on any commercial real property, as defined in Civil Code Section 1954.26(d). Civil Code Section 1954.28(d) allows the Project Sponsor and the City to enter into an agreement to stipulate a maximum rental formula in consideration for a direct financial contribution. The Parties further understand and agree that the exception contained in Civil Code Section 1954.28(d) applies to the Art Space because, by this Agreement, the Project Sponsor is entering into a contract with a public entity pursuant to Section 1954.28(d) in consideration for a complete or partial waiver of several Planning Code requirements, and the ability to develop office space that would otherwise not be permitted at this time. The direct financial contributions applicable to the Property are set forth in Section 2.2 of this Agreement.

2.2 **Direct Financial Contributions.** The Project Sponsor has received the following waiver(s) of Planning Code requirements, which the Project Sponsor explicitly acknowledges and agrees qualify as direct financial contributions permitted by Civil Code Sections 1954.25 *et seq.*, in return for subjecting the Art Space to a maximum allowable rent equal to 60% of comparable market rent:

- Development of approximately 269,296 square feet of office space that cannot be approved currently and would otherwise be delayed under the terms of the Program, resulting in additional costs for the Project Sponsor of no less than approximately \$60,000.00 each month of delay, as well as substantial uncertainty about the City's ability to approve the office development for this Project at all;

- Building Setback and Streetwall Articulation controls pursuant to Planning Code Section 132.4;
- Controls for POPOS design pursuant to Planning Code Section 138;
- Controls for Wind pursuant to Planning Code Section 249.78;
- Mid-block Passage setback requirements pursuant to Planning Code Section 261.1;
- Bulk controls pursuant to Planning Code Section 270; and
- Variances for Parking and Loading Entrances under Planning Code Section 145.1 and Ground Floor Height pursuant to Planning Code Section 249.78.

3. COVENANTS OF PROJECT SPONSOR

3.1 **Art Space Subject to Rent Limitation.** Pursuant to Planning Code Sections 321(a)(6), and in consideration of the direct financial contributions set forth in Section 2.2 of this Agreement, the Project Sponsor agrees to subject the Art Space to rent control so that the Art Space will be a minimum of 10,000 square feet that will be affordable to tenants at no more than 60% of comparable market rent (the "Reduced Art Space Rent") for 30 years.

3.2 **Determination of Rental Rate for the Art Space.** Before the Project Sponsor enters into a lease for the Art Space, Project Sponsor shall provide to the City a copy of a signed letter of intent or a copy of the draft lease, together with an independent third party appraisal (the "Appraisal Report") certifying the fair market rental value of the premises based on the proposed lease terms. The Appraisal Report shall be addressed to the City, and in conformity with the Uniform Standards of Professional Appraisal Practice. The Appraisal Report must state that the total rent and expenses payable by Tenant for the space are equal to or less than 60% of the fair market value of comparable space in the neighborhood (the "Rent Conformance Determination").

The appraiser selected by Project Sponsor shall be a member in good standing of the Appraisal Institute and designated as a MAI, and have at least 10 years' experience valuing commercial property in the City and County of San Francisco, or as otherwise approved by the City's Real Estate Director. To the extent Project Sponsor has any questions regarding the appraisal instructions or the suitability of a proposed appraiser, Project Sponsor may request advance approval of the instructions or the appraiser from the City's Real Estate Director. Upon receipt of the Appraisal Report, the City's Real Estate Director may retain a review appraiser, at Project Sponsor's cost, to confirm the Rent Conformance Determination. City will approve or deny the Rent Conformance Determination in writing within 60 days of Project Sponsor's delivery of the signed letter of intent or draft lease together with the Appraisal Report meeting the above requirements.

In the event City does not approve the Rent Conformance Determination, then Project Sponsor shall have the right to elect, within twenty (20) days thereafter, to submit the Rent Conformance Determination to arbitration (the "Project Sponsor's Arbitration Notice"). Within twenty (20) business days following Project Sponsor's delivery of the Project Sponsor's Arbitration Notice, each of Project Sponsor and City shall make a separate, binding Rent Conformance Determination (each, a "Submitted Rent Conformance Determination") and such Submitted Rent Conformance Determination shall be submitted to arbitration as described below, unless the Submitted Rent Conformance Determinations are within five percent (5%) of each other, in which case the Submitted Rent Conformance Determinations shall be averaged and the resulting amount shall be the permitted total rent and expenses payable by Tenant under

the proposed lease for all or a portion of the Art Space. The failure of City or Project Sponsor to submit a Submitted Rent Conformance Determination within such twenty (20) business day period shall conclusively be deemed to be such party's approval of the Submitted Rent Conformance Determination submitted by the other party.

If necessary, within twenty-five (25) business days after the date of delivery of the Project Sponsor's Arbitration Notice, City and Project Sponsor shall agree upon and appoint one arbitrator who shall by profession be an MAI appraiser that meets the qualifications in this Section 3.2 above (a "**Neutral Arbitrator**"), and (i) neither the City or Project Sponsor may, directly, or indirectly, consult with the Neutral Arbitrator prior or subsequent to his or her appearance, (ii) the Neutral Arbitrator cannot be someone who has represented City and/or Project Sponsor during the five (5) year period prior to such appointment, and (iii) each party may require the Neutral Arbitrator to demonstrate to the reasonable satisfaction of the parties that the Neutral Arbitrator has no conflicts of interest with either City or Project Sponsor.

The Neutral Arbitrator shall be retained via an arbitration agreement (the "**Arbitration Agreement**") jointly prepared by City's counsel and Project Sponsor's counsel, which Arbitration Agreement shall set forth the following: (i) an agreement to by the Neutral Arbitrator to undertake the arbitration and render a decision in accordance with this Section 3.2; (ii) rights for City and Project Sponsor to submit to the Neutral Arbitrator (with a copy to the other party), on or before the date that occurs thirty (30) days following the appointment of the Neutral Arbitrator, an advocate statement (and any other information such party deems relevant) prepared by or on behalf of City or Project Sponsor, as the case may be, in support of City's or Project Sponsor's respective Rent Conformance Determination (the "Briefs"); (iii) rights for each party to provide the Neutral Arbitrator (with a copy to the other party), within ten (10) days of submittal of Briefs with a written rebuttal to the other party's Brief (the "Rebuttals"); provided, however, such Rebuttals shall be limited to the facts and arguments raised in the other party's Brief and shall identify clearly which argument or fact of the other party's Brief is intended to be rebutted; (iv) the date, time and location of the arbitration, which shall be mutually and reasonably agreed upon by City and Project Sponsor, which date shall in any event be within fifty (50) days following the appointment of the Neutral Arbitrator; (v) that no discovery or independent investigation shall take place in connection with the arbitration, other than to verify the factual information that is presented by City or Project Sponsor, and the Neutral Arbitrator shall be permitted to visit the Property and other buildings which contain the supporting transactions; and (vi) rights for each party to present oral arguments to the Neutral Arbitrator at the arbitration for a period of time not to exceed three (3) hours and up to two (2) additional hours to present additional arguments and/or to rebut the arguments of the other party.

Not later than ten (10) days after the date of the arbitration, the Neutral Arbitrator shall render a decision (the "**Ruling**") indicating whether City's or Project Sponsor's Submitted Rent Conformance Determination is closer to the actual Reduced Art Space Rent . The Submitted Rent Conformance Determination that is determined by the Neutral Arbitrator to be closer to the actual Reduced Art Space Rent shall then become the applicable rent under the proposed lease of Art Space (subject to agreement by the proposed Tenant thereunder). The Ruling shall be binding on City and Project Sponsor with respect to the particular Rent Conformance Determination at issue.

3.3 Project Sponsor's Waiver of Rights Under Civil Code Section 1954.25 et seq. as to the Art Space. As the Parties have acknowledged in Section 2.1 of this Agreement, under

Civil Code Section 1954.25 *et seq.*, the Project Sponsor has the right to set rental rates for the Art Space unless otherwise agreed to pursuant to the provisions of Section 1954.28(d) of the Civil Code. The Parties understand and agree that by entering into this Agreement, Civil Code Sections 1954.25 *et seq.* do not and in no way shall limit or otherwise affect application of the rent restrictions to the Art Space, and that the City may restrict the rental rates for the Art Space for no less than 30 years because this Agreement, as a contract with a public entity in consideration for a direct financial contribution, including but not limited to the waivers and exceptions specified in Section 2.2 above, falls within the exception in Section 1954.28(d) of the Civil Code as described in Section 2.1 of this Agreement. Project Sponsor acknowledges that the waivers and exceptions described in Section 2.2 result in identifiable and actual cost reductions to the Project.

As a material part of the consideration for entering into this Agreement, Project Sponsor, on behalf of itself and all its successors and assigns to this Agreement, hereby expressly waives, now and forever, any and all rights it may have under Civil Code Sections 1954.25 *et seq.* with respect to the Art Space consistent with Section 3.1 of this Agreement. This waiver applies only to the Art Space and not to any other space on the Property. Without limiting the foregoing, Project Sponsor, on behalf of itself and all successors and assigns to this Agreement, agrees not to bring any legal or other action against City seeking application of Civil Code Sections 1954.25 *et seq.* to the Art Space for no less than 30 years from the date of recordation of this Agreement. The Parties understand and agree that the City would not be willing to enter into this Agreement without the waivers and agreements set forth in this Section 3.

4. MUTUAL OBLIGATIONS

4.1 **Good Faith and Fair Dealing.** The Parties shall cooperate with each other and act in good faith in complying with the provisions of this Agreement.

4.2 **Other Necessary Acts.** Each Party shall execute and deliver to the other all further instruments and documents as may be reasonably necessary to carry out this Agreement, and applicable law in order to provide and secure to each Party the full and complete enjoyment of its rights and privileges hereunder.

5. PROJECT SPONSOR REPRESENTATIONS, WARRANTIES AND COVENANTS.

5.1 **Interest of Project Sponsor.** Project Sponsor represents that it has an option on the Property that gives it the right to become the legal and equitable owner of a fee simple interest in the Property prior to or at the same time this Agreement must be recorded on title as provided in Recital A, that it has the power and authority to bind all other persons with legal or equitable interest in the Art Space to the terms of this Agreement, and that all other persons holding legal or equitable interest in the Project, or the Art Space, are to be bound by this Agreement.

5.2 **No Conflict With Other Agreements; No Further Approvals; No Suits.** Project Sponsor warrants and represents that it is not a party to any other agreement that would conflict with the Project Sponsor's obligations under this Agreement. Neither Project Sponsor's articles of organization, bylaws, or operating agreement, as applicable, nor any other agreement or law in any way prohibits, limits or otherwise affects the right or power of Project Sponsor to enter into and perform all of the terms and covenants of this Agreement. No consent,

authorization or approval of, or other action by, and no notice to or filing with, any governmental authority, regulatory body or any other person is required for the due execution, delivery and performance by Project Sponsor of this Agreement or any of the terms and covenants contained in this Agreement. To Project Sponsor's knowledge, there are no pending or threatened suits or proceedings or undischarged judgments affecting Project Sponsor or any of its members before any court, governmental agency, or arbitrator which might materially adversely affect Project Sponsor's business, operations, or assets or Project Sponsor's ability to perform under this Agreement.

5.3 **No Inability to Perform; Valid Execution.** Project Sponsor warrants and represents that it has no knowledge of any inability to perform its obligations under this Agreement. The execution and delivery of this Agreement and the agreements contemplated hereby by Project Sponsor have been duly and validly authorized by all necessary action. This Agreement will be a legal, valid and binding obligation of Project Sponsor, enforceable against Project Sponsor in accordance with its terms.

5.4 **Conflict of Interest.** Through its execution of this Agreement, the Project Sponsor acknowledges that it is familiar with the provisions of Section 15.103 of the City's Charter, Article III, Chapter 2 of the City's Campaign and Governmental Conduct Code, and Section 87100 et seq. and Section 1090 et seq. of the California Government Code, and certifies that it does not know of any facts which constitute a violation of said provisions and agrees that it will immediately notify the City if it becomes aware of any such fact during the term of this Agreement.

5.5 **Nondiscrimination.** In the performance of this Agreement, Project Sponsor agrees not to discriminate on the basis of the fact or perception of a person's, race, color, creed, religion, national origin, ancestry, age, height, weight, sex, sexual orientation, gender identity, domestic partner status, marital status, disability or Acquired Immune Deficiency Syndrome or HIV status (AIDS/HIV status), or association with members of such protected classes, or in retaliation for opposition to discrimination against such classes, against any City employee, employee of or applicant for employment with the Project Sponsor, or against any bidder or contractor for public works or improvements, or for a franchise, concession or lease of property, or for goods or services or supplies to be purchased by the Project Sponsor. A similar provision shall be included in all subordinate agreements let, awarded, negotiated or entered into by the Project Sponsor for the purpose of implementing this Agreement.

6. AMENDMENT; TERMINATION

6.1 **Amendment or Termination.** Except as provided in Sections 6.2 (Automatic Termination) and 8.3 (Remedies for Default), this Agreement may only be amended or terminated with the mutual written consent of the Parties.

6.2 **Automatic Termination.** This Agreement shall automatically terminate on the date that is 30 years following issuance of a Temporary or Final Certificate of Occupancy or equivalent approval by the City that permits a tenant to occupy the Art Space.

6.3 **Effect of Termination.** If this Agreement is terminated for any reason other than the expiration of the 30-year restriction on rental rates for the Art Space, the City's waivers of Planning Code requirements described in Section 2.1 shall no longer be in effect and the

Property shall be subject to the provisions of the Planning Code that would otherwise have applied to the Project.

7. TRANSFER OR ASSIGNMENT; RELEASE; RIGHTS OF MORTGAGEES; CONSTRUCTIVE NOTICE

7.1 **Agreement Runs With The Land.** Project Sponsor may assign or transfer its duties and obligations under this Agreement to another entity, provided such entity is the legal and equitable fee owner or lessee of the Property ("Transferee"). Project Sponsor acknowledges that the Project Approvals are dependent on this Agreement, and that any party that wishes to develop some or all of the Project on the Property must assume all of Project Sponsor's rights and obligations under this Agreement. As provided in Section 9.2, this Agreement runs with the land and any Transferee will be bound by all of the terms and conditions of this Agreement.

7.2 **Rights of Project Sponsor.** The provisions in this Section 7 shall not be deemed to prohibit or otherwise restrict Project Sponsor from (i) granting easements or licenses to facilitate development of the Property, (ii) encumbering the Property or any portion of the improvements thereon by any mortgage, deed of trust, or other device securing financing with respect to the Property or Project, (iii) granting a leasehold interest in all or any portion of the Property, or (iv) transferring all or a portion of the Property pursuant to a sale, transfer pursuant to foreclosure, conveyance in lieu of foreclosure, or other remedial action in connection with a mortgage. None of the terms, covenants, conditions, or restrictions of this Agreement shall be deemed waived by City by reason.

7.3 **Constructive Notice.** Every person or entity who now or hereafter owns or acquires any right, title or interest in or to any portion of the Project or the Property is and shall be constructively deemed to have consented and agreed to every provision contained herein, whether or not any reference to this Agreement is contained in the instrument by which such person acquired an interest in the Project or the Property.

8. ENFORCEMENT OF AGREEMENT; REMEDIES FOR DEFAULT; DISPUTE RESOLUTION

8.1 **Enforcement.** The only parties to this Agreement are the City and the Project Sponsor. This Agreement is not intended, and shall not be construed, to benefit or be enforceable by any other person or entity whatsoever.

8.2 **Default.** For purposes of this Agreement, the following shall constitute a default under this Agreement: the failure to perform or fulfill any material term, provision, obligation, or covenant hereunder and the continuation of such failure for a period of thirty (30) calendar days following a written notice of default and demand for compliance; provided, however, if a cure cannot reasonably be completed within thirty (30) days, then it shall not be considered a default if a cure is commenced within said 30-day period and diligently prosecuted to completion thereafter, but in no event later than one hundred twenty (120) days.

8.3 **Remedies for Default.** In the event of an uncured default under this Agreement, the remedies available to a Party shall include specific performance of the Agreement in addition to any other remedy available at law or in equity. In addition, the non-defaulting Party may terminate this Agreement subject to the provisions of this Section 8 by sending a Notice of Intent to Terminate to the other Party setting forth the basis for the termination. The Agreement will be

considered terminated effective upon receipt of a Notice of Termination. The Party receiving the Notice of Termination may take legal action available at law or in equity if it believes the other Party's decision to terminate was not legally supportable.

8.4 **No Waiver.** Failure or delay in giving notice of default shall not constitute a waiver of default, nor shall it change the time of default. Except as otherwise expressly provided in this Agreement, any failure or delay by a Party in asserting any of its rights or remedies as to any default shall not operate as a waiver of any default or of any such rights or remedies; nor shall it deprive any such Party of its right to institute and maintain any actions or proceedings that it may deem necessary to protect, assert, or enforce any such rights or remedies.

9. MISCELLANEOUS PROVISIONS

9.1 **Entire Agreement.** This Agreement, including the preamble paragraph, Recitals and Exhibits, constitute the entire understanding and agreement between the Parties with respect to the subject matter contained herein.

9.2 **Binding Covenants; Run With the Land.** From and after recordation of this Agreement, all of the provisions, agreements, rights, powers, standards, terms, covenants and obligations contained in this Agreement shall be binding upon the Parties, and their respective heirs, successors (by merger, consolidation, or otherwise) and assigns, and all persons or entities acquiring the Property, any lot, parcel or any portion thereof, or any interest therein, whether by sale, operation of law, or in any manner whatsoever, and shall inure to the benefit of the Parties and their respective heirs, successors (by merger, consolidation or otherwise) and assigns. All provisions of this Agreement shall be enforceable during the term hereof as equitable servitudes and constitute covenants and benefits running with the land pursuant to applicable law, including but not limited to California Civil Code Section 1468.

9.3 **Applicable Law and Venue.** This Agreement has been executed and delivered in and shall be interpreted, construed, and enforced in accordance with the laws of the State of California. All rights and obligations of the Parties under this Agreement are to be performed in the City and County of San Francisco, and such City and County shall be the venue for any legal action or proceeding that may be brought, or arise out of, in connection with or by reason of this Agreement.

9.4 **Construction of Agreement.** The Parties have mutually negotiated the terms and conditions of this Agreement and its terms and provisions have been reviewed and revised by legal counsel for both City and Project Sponsor. Accordingly, no presumption or rule that ambiguities shall be construed against the drafting Party shall apply to the interpretation or enforcement of this Agreement. Language in this Agreement shall be construed as a whole and in accordance with its true meaning. The captions of the paragraphs and subparagraphs of this Agreement are for convenience only and shall not be considered or referred to in resolving questions of construction. Each reference in this Agreement to this Agreement shall be deemed to refer to the Agreement as it may be amended from time to time pursuant to the provisions of the Agreement, whether or not the particular reference refers to such possible amendment.

9.5 **Project Is a Private Undertaking; No Joint Venture or Partnership.**

9.5.1 The Project proposed to be undertaken by Project Sponsor on the Property is a private development. The City has no interest in, responsibility for, or duty to third persons

concerning any of said improvements. The Project Sponsor shall exercise full dominion and control over the Property, subject only to the limitations and obligations of the Project Sponsor contained in this Agreement or in the approvals for the Project.

9.5.2 Nothing contained in this Agreement, or in any document executed in connection with this Agreement, shall be construed as creating a joint venture or partnership between the City and the Project Sponsor. Neither Party is acting as the agent of the other Party in any respect hereunder. The Project Sponsor is not a state or governmental actor with respect to any activity conducted by the Project Sponsor hereunder.

9.6 **Signature in Counterparts.** This Agreement may be executed in duplicate counterpart originals, each of which is deemed to be an original, and all of which when taken together shall constitute one and the same instrument.

9.7 **Notices.** Any notice or communication required or authorized by this Agreement shall be in writing and may be delivered personally or by registered mail, return receipt requested. Notice, whether given by personal delivery or registered mail, shall be deemed to have been given and received upon the actual receipt by any of the addressees designated below as the person to whom notices are to be sent. Either Party to this Agreement may at any time, upon written notice to the other Party, designate any other person or address in substitution of the person and address to which such notice or communication shall be given. Such notices or communications shall be given to the Parties at their addresses set forth below:

To City:

Rich Hillis
Director of Planning
San Francisco Planning Department
49 South Van Ness Ave, Suite 1400
San Francisco, California 94103

with a copy to:

Dennis J. Herrera, Esq.
City Attorney
City Hall, Room 234
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102
Attn: Austin Yang, Deputy City Attorney

To Project Sponsor:

490 Brannan Street, LLC
101 Mission Street, Suite 420
San Francisco, CA 94105
ATTN: Jesse Blout

9.8 **Severability.** If any term, provision, covenant, or condition of this Agreement is held by a court of competent jurisdiction to be invalid, void, or unenforceable, the remaining provisions of this Agreement shall continue in full force and effect unless enforcement of the

remaining portions of the Agreement would be unreasonable or grossly inequitable under all the circumstances or would frustrate the purposes of this Agreement.

9.9 **MacBride Principles.** The City urges companies doing business in Northern Ireland to move toward resolving employment inequities and encourages them to abide by the MacBride Principles as expressed in San Francisco Administrative Code Section 12F.1 et seq. The City also urges San Francisco companies to do business with corporations that abide by the MacBride Principles. Project Sponsor acknowledges that it has read and understands the above statement of the City concerning doing business in Northern Ireland.

9.10 **Tropical Hardwood and Virgin Redwood.** The City urges companies not to import, purchase, obtain or use for any purpose, any tropical hardwood, tropical hardwood wood product, virgin redwood, or virgin redwood wood product.


9.11 **Sunshine.** The Project Sponsor understands and agrees that under the City's Sunshine Ordinance (San Francisco Administrative Code, Chapter 67) and the State Public Records Law (Gov't Code Section 6250 et seq.), this Agreement and any and all records, information, and materials submitted to the City hereunder are public records subject to public disclosure.

9.12 **Effective Date.** This Agreement will become effective on the date that the last Party duly executes and delivers this Agreement.

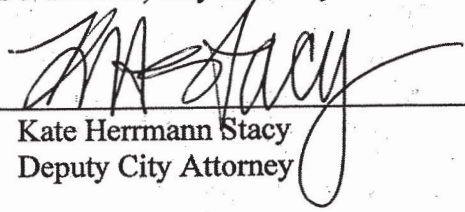
IN WITNESS WHEREOF, the Parties hereto have executed this Agreement as of the day and year first above written.

CITY:

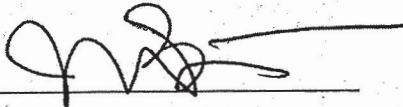
CITY AND COUNTY OF SAN FRANCISCO,
a municipal corporation

By: 
Rich Hillis
Director of Planning

Approved as to form:
Dennis J. Herrera, City Attorney

By: 
Kate Herrmann Stacy
Deputy City Attorney

PROJECT SPONSOR:

Signature: 
Printed Name: Jesse Blout
Title, if applicable: Authorized Signatory

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

CIVIL CODE § 1189

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California)
County of Alameda)

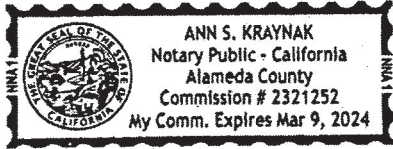
On August 24, 2021 before me, Ann S. Kraynak, Notary Public

Date Here, Insert Name and Title of the Officer
personally appeared Jesse Blout
Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Signature [Handwritten Signature]
Signature of Notary Public

Place Notary Seal Above

OPTIONAL

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: Agreement Document Date: _____
Number of Pages: _____ Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____
 Corporate Officer — Title(s): _____
 Partner — Limited General
 Individual Attorney in Fact
 Trustee Guardian or Conservator
 Other: _____
Signer Is Representing: _____

Signer's Name: _____
 Corporate Officer — Title(s): _____
 Partner — Limited General
 Individual Attorney in Fact
 Trustee Guardian or Conservator
 Other: _____
Signer Is Representing: _____

EXHIBIT A

LEGAL DESCRIPTION

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF SAN FRANCISCO, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT FORMED BY THE INTERSECTION OF THE NORTHWESTERLY LINE OF BRANNAN STREET AND THE NORTHEASTERLY LINE OF FOURTH STREET; RUNNING THENCE NORTHWESTERLY ALONG THE NORTHEASTERLY LINE OF FOURTH STREET 160 FEET TO THE SOUTHEASTERLY LINE OF FREELON STREET; THENCE NORTHEASTERLY ALONG THE SOUTHEASTERLY LINE OF FREELON STREET 225 FEET; THENCE AT A RIGHT ANGLE SOUTHEASTERLY 160 FEET TO THE NORTHWESTERLY LINE OF BRANNAN STREET; THENCE SOUTHWESTERLY ALONG THE NORTHWESTERLY LINE OF BRANNAN STREET 225 FEET TO ITS INTERSECTION WITH THE NORTHEASTERLY LINE OF FOURTH STREET AND THE POINT OF BEGINNING.

BEING A PORTION OF 100 VARA BLOCK NO. 367.

APN: 3776-025

San Francisco Building and

1188 FRANKLIN STREET • SUITE 203
SAN FRANCISCO, CA 94109
EMAIL: rudy@sfbuildingtradesCouncil.org



*A Century of Excellence
in Craftsmanship*

Construction Trades Council

TEL (415) 345-9333
www.sfbuildingtradesCouncil.org

LARRY MAZZOLA, JR.
President

RUDY GONZALEZ
Secretary - Treasurer

JOHN DOHERTY
VINCE COURTNEY, JR.
Vice Presidents

August 30, 2021

San Francisco Planning Commission
49 South Van Ness Avenue Suite 1400
San Francisco, CA 94103

Dear Commissioners:

On behalf of the thirty-two unions of the San Francisco Building and Construction Trades Council, AFL-CIO, I am writing to express support for the 490 Brannan project. In addition to the commitment to enter into a Project Labor Agreement, which will deliver a skilled and trained work force to the build, the developer will also be advancing workforce training for our community. As you know, our unions and industry partners cultivate career pathways through registered apprenticeship. Through these high road training partnerships we lift job seekers up and pay them to learn and hone their craft. This results in economic mobility and positive community impacts for our City.

From a planning perspective, 490 Brannan is a thoughtfully designed project in accordance with the Central SOMA Plan requirements and presents a great opportunity to activate this critically important site at the corner of Fourth and Brannan Streets. Strada's proposal will turn this vacant parking lot into a dynamic mixed-use project with an array of interesting ground floor spaces that will add value to the neighborhood for decades to come.

We particularly appreciate the partnership that Strada formed with Kularts, The Filipino American Development Fund and the Asian Pacific Islander Cultural Center to provide a 150-seat performing arts center on the Brannan Street side of the project. This performance venue, which will be deeply subsidized by Strada, is thoughtfully designed to allow for a range of cultural performances and is situated to take full advantage of the 5,600 square foot "Art Alley", a POPOS that Strada is building to connect Brannan Street to Freelon Street.

We are also excited about the fact that Strada is proposing a childcare center along this Art Alley. Having a childcare facility this close to transit, with the opportunity to provide dedicated outdoor space adjacent to the facility, is a huge benefit for families in the neighborhood.

Finally, the below market art gallery and studio spaces that Strada has placed on the ground floor along Fourth Street represent a great way to activate the sidewalk adjacent to the new Central Subway stop and to provide much-needed affordable space for local artists. Commissioners, we urge you to support the 490 Brannan Project. With Strada's long track record of partnership with the SF Building & Construction Trades Council, this project represents a great opportunity to deliver important community benefits for the neighborhood and well-paying jobs for our members.

Sincerely,

A handwritten signature in black ink, appearing to read 'Rudy Gonzalez', with a stylized flourish at the end.

Rudy Gonzalez
Secretary-Treasurer



NEIGHBORHOOD BUILDING SINCE 1971

San Francisco Planning Commission
City Hall
San Francisco CA 94102

August 31, 2021

RE: 490 Brannan Street

We are writing in support of approval for this project by the Planning Commission on September 9, as envisioned by the Central SOMA Plan approved three years ago.

TODCO and our affiliate Yerba Buena Neighborhood Consortium have a September 2019 Community Benefit Agreement with the developer, Strada Investment Group, that the project will include at least 10,000 sq ft of PDR space at 40% below market rent for 30 years to meet community needs.

Strada is now proposing to make about 14,000 sq ft of ground/mezzanine level PDR spaces available for nonprofit community arts facilities under these terms. This is very important for the future stability of SOMA community-based arts organizations and programs. There has been very substantial displacement of community arts in SOMA in the last 20 years due to commercial gentrification, and if any are to survive permanently affordable spaces such as 490 Brannan's must be secured.

The project's new childcare center will also be a welcome addition to our SOMA community as well. And its housing/community benefit fees – at the highest rates of any in the City thanks to the Central SOMA Plan – will be timely.

In view of all the above, the project's City permit processing etc. should also be accelerated as possible.

John Elberling
President

August 30, 2021

San Francisco Planning Commission
49 South Van Ness Avenue Suite 1400
San Francisco, CA 94103

Dear Commissioners:

My name is Bruce Agid and I live at 300 Berry St. (in the greater neighborhood of 490 Brannan Street). For identification purposes only, I'm a native San Franciscan, on the Board of the South Beach/Rincon/Mission Bay Neighborhood Association, as well as involved in various community advocacy and advisory groups.

I am writing to express support for Strada's 490 Brannan project. 490 Brannan is a well-designed, mixed-use project that is responsive to the guidelines for the site as spelled out in the Central SOMA Plan (which as we know has been in the planning approval process for over 10 years).

490 Brannan proposes a dynamic ground floor plan with significant community benefits. This starts with the 150-seat performing arts center on the Brannan Street side of the project that will be operated by Kularts in partnership with the Asian Pacific Islander Cultural Center and the Filipino American Development Fund. This theater, which Strada is deeply subsidizing, provides a long-term home for these groups in a part of the City where affordable performance spaces are in short supply.

The mix of other ground floor uses – including affordable arts space, childcare facilities and small-scale retail – all contribute to make a dynamic sidewalk experience. In addition, this location, directly adjacent to a new stop on the Central Subway, a few blocks from BART and one block from Caltrain, makes it truly accessible by various modes of public transit minimizing a reliance on autos (a truly transit rich location).

This project is one of many needed to start bringing the Central SOMA plan to life. We have been waiting a long time and I look forward to seeing this and the other developments as proposed in the Central SOMA plan move forward creating the vibrant community long promised.

I urge you to support the 490 Brannan Project.

Sincerely,



Bruce Agid
300 Berry St. Unit 1301
San Francisco, Ca. 94158



KEIL SONOMA CORPORATION

ESTABLISHED 1848

Xinyu Liang
San Francisco Planning Department
San Francisco, CA 94103

Re: 490 Brannan Street

September 2, 2021

Dear Xinyu:

I am writing to express my support for the 490 Brannan Street Development. This project is in line with the central SOMA guidelines and will greatly enhance the corner.

Keil Sonoma Corporation owns the immediately adjacent buildings at 41 Freelon Street and 466 Brannan Street.

The planned 30-foot setback from our buildings will create safe passage for pedestrian traffic and an enjoyable urban experience.

I urge you to support this exciting and innovative project to enhance one of San Francisco's most vibrant corridors.

Sincerely,

Russell D. Keil
President
Keil Sonoma Corporation



THE KEIL COMPANIES
ESTABLISHED 1848

SAN FRANCISCO CA 940

25 AUG 2021PM 4 L



RECEIVED

AUG 26 2021

CITY & COUNTY OF S.F.
PLANNING DEPARTMENT
RECEPTION DESK

Xingyu Liang

SF Planning

49 South Van Ness Ave Ste 1400

SF CA 94103

94103-379950



Liang, Xinyu (CPC)

From: Heather Morgan <hmdmorgan@gmail.com>
Sent: Wednesday, August 25, 2021 9:13 AM
To: Liang, Xinyu (CPC)
Subject: 490 Proposed Development

Follow Up Flag: Follow up
Flag Status: Completed

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

Hello,

I own a unit in the Palms building / 555 4th Street. I reviewed the plans for 490 Brannan, which would occupy the adjacent parcel.

The proposed loading zone abuts one side of the Palms building. It would be very disruptive for the Palms community to have a loading zone with trucks coming and going or idling on Freelon, which is a one-way, rather narrow alley. The entrance to the Palms parking garage is also very close to the proposed loading zone for this new building.

Thank you,
Heather Morgan

Liang, Xinyu (CPC)

From: Joshua Zerkel <joshuazerkel@gmail.com>
Sent: Thursday, August 26, 2021 10:28 AM
To: Liang, Xinyu (CPC); Haneystaff (BOS)
Subject: Deny approval for high-rise tower at 490 Brannan, Record No. 2020-005610ENX/OFA/VAR

Follow Up Flag: Follow up
Flag Status: Completed

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

Dear San Francisco Planning Commission and Supervisor Matt Haney,

Hi, I'm Joshua Zerkel, and I live at 310 Townsend Street. I'm very concerned about runaway office overdevelopment in our area. Developers of the proposed new office tower at 490 Brannan Street are requesting variance approval from the San Francisco Planning Commission (with no less than seven code variances, Record No. 2020-005610ENX/OFA/VAR) so they can build a market-rate office tower almost 200 feet high, nearly double the height of any existing building in the immediate area. This new building's plan was created with no input from and no regard for the wants and needs of the area's current residents and workers.

We simply don't need more large-scale offices in this immediate area. There are already many current and planned large offices up and down the nearby blocks on Brannan and Townsend - and nearly all of the existing buildings have "for lease" signs. The two existing large-scale developments which are currently under construction across the street from each other on the corner of Brannan and 5th also have no tenants. Nobody is interested in renting these spaces, yet we already have years of construction on these two existing projects ahead of us, with corresponding noise, traffic, dirt, and expected delays. Residents shouldn't have to suffer through more construction to create another empty building in the area - we already have too many.

490 Brannan is dramatically out of scale with the surrounding buildings. 490 Brannan is proposed to be double the height of the buildings immediately around it. The size is out of place for the area, and doesn't make sense in the context of the buildings around it. We're lucky to be in a sunnier part of the city, but even in the developer's own renderings, it shows the building casting shadows all the way down the block. As a resident of the area, I don't see how another huge tower like this won't cause shadows all over the neighborhood and will stick out like a sore thumb.

Proposed developer "enhancements" won't significantly mitigate impact or improve the neighborhood. The developers have created three mitigations that they are offering in exchange for passing their variances - a POPOS, artist space, and a childcare center. The POPOS (privately owned public space) is currently slated to be an alley, similar to the alley next to the Pinterest building on Brannan and 4th or the one next to the Stripe building on Townsend and 6th. Anyone who's been through either alley knows they are far from pleasant, and definitely not places where you'd want to spend any time. Alleys are not inviting public spaces and won't meaningfully add to the neighborhood. The artist space is simply discounted rental space for artists, not a space that's free for artists to use as studios or for showing their work. As for a childcare center, that's a fantastic idea - but it shouldn't take building a massive office tower to create a neighborhood childcare center.

The immediate area on and around 4th street between Townsend and Bryant has been under constant construction for nearly the past decade. Construction in San Francisco always takes longer than estimated. As an example, the Muni line on 4th street was supposed to have been completed in 2018 - it is now scheduled to be completed by spring 2022 (at the earliest). Caltrain is also beginning a massive multi-year project to electrify the tracks at Caltrain station at 4th and Townsend. Another already-approved, multi-year project on 4th and Townsend will demolish the HD Buttercup building as well as several surrounding buildings to build two massive towers. As it is, nearly every retailer, restaurant and bar on 4th street between Bryant and Townsend moved out pre-pandemic, as the constant construction made it hard to do business with the intense disruptions occurring in the neighborhood. All of us are already experiencing the burden of upheaval around us, which includes increased traffic congestion, reduced pedestrian safety, constant noise

and dirt, and problematic power outages. We don't need to add another large multi-year project in the same one-block radius into the mix.

There are many fantastic alternative uses for the parcel at 490 Bryant, none of which involve creating an out-of-scale tower, and instead create space for the residents of and workers in the area to activate, share, and enjoy. For example, the city could create a public park; this area doesn't have one, which could include a childcare or recreation center. We could have a food truck park, like Spark Social, that's open to everyone. Or, if commercial development is necessary, a low-rise residential building could also be a great use of the space.

Please, no more large scale construction in this area, and certainly no more high-rise offices. San Francisco already has a glut of unused office space - we don't need more, and we definitely don't need more massive construction at such a mismatched scale on this particular block.

Sincerely,

Joshua Zerkel
310 Townsend Street

Liang, Xinyu (CPC)

From: Ken Gwynn <kengwynn@gmail.com>
Sent: Thursday, August 26, 2021 8:00 PM
To: Liang, Xinyu (CPC); Haneystaff (BOS)
Subject: Deny approval for high-rise tower at 490 Brannan, Record No. 2020-005610ENX/OFA/VAR

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

Dear San Francisco Planning Commission and Supervisor Matt Haney, Hi, I'm Ken Gwynn, and I live at 310 Townsend Street. I'm very concerned about runaway office overdevelopment in our area. Developers of the proposed new office tower at 490 Brannan Street are requesting variance approval from the San Francisco Planning Commission (with no less than seven code variances, Record No. 2020-005610ENX/OFA/VAR) so they can build a market-rate office tower almost 200 feet high, nearly double the height of any existing building in the immediate area. This new building's plan was created with no input from and no regard for the wants and needs of the area's current residents and workers. We simply don't need more large-scale offices in this immediate area. There are already many current and planned large offices up and down the nearby blocks on Brannan and Townsend - and nearly all of the existing buildings have "for lease" signs. The two existing large-scale developments which are currently under construction across the street from each other on the corner of Brannan and 5th also have no tenants. Nobody is interested in renting these spaces, yet we already have years of construction on these two existing projects ahead of us, with corresponding noise, traffic, dirt, and expected delays. Residents shouldn't have to suffer through more construction to create another empty building in the area - we already have too many. 490 Brannan is dramatically out of scale with the surrounding buildings. 490 Brannan is proposed to be double the height of the buildings immediately around it. The size is out of place for the area, and doesn't make sense in the context of the buildings around it. We're lucky to be in a sunnier part of the city, but even in the developer's own renderings, it shows the building casting shadows all the way down the block. As a resident of the area, I don't see how another huge tower like this won't cause shadows all over the neighborhood and will stick out like a sore thumb. Proposed developer "enhancements" won't significantly mitigate impact or improve the neighborhood. The developers have created three mitigations that they are offering in exchange for passing their variances - a POPOS, artist space, and a childcare center. The POPOS (privately owned public space) is currently slated to be an alley, similar to the alley next to the Pinterest building on Brannan and 4th or the one next to the Stripe building on Townsend and 6th. Anyone who's been through either alley knows they are far from pleasant, and definitely not places where you'd want to spend any time. Alleys are not inviting public spaces and won't meaningfully add to the neighborhood. The artist space is simply discounted rental space for artists, not a space that's free for artists to use as studios or for showing their work. As for a childcare center, that's a fantastic idea - but it shouldn't take building a massive office tower to create a neighborhood childcare center. The immediate area on and around 4th street between Townsend and Bryant has been under constant construction for nearly the past decade. Construction in San Francisco always takes longer than estimated. As an example, the Muni line on 4th street was supposed to have been completed in 2018 - it is now scheduled to be completed by spring 2022 (at the earliest). Caltrain is also beginning a massive multi-year project to electrify the tracks at Caltrain station at 4th and Townsend. Another already-approved, multi-year project on 4th and Townsend will demolish the HD Buttercup building as well as several surrounding buildings to build two massive towers. As it is, nearly every retailer, restaurant and bar on 4th street between Bryant and Townsend moved out pre-pandemic, as the constant construction made it hard to do business with the intense disruptions occurring in the neighborhood. All of us are already experiencing the burden of upheaval around us, which includes increased traffic congestion, reduced pedestrian safety, constant noise and dirt, and problematic power outages. We don't need to add another large multi-year project in the same one-block radius into the mix. There are many fantastic alternative uses for the parcel at 490 Bryant, none of which involve creating an out-of-scale tower, and instead create space for the residents of and workers in the area to activate,

share, and enjoy. For example, the city could create a public park; this area doesn't have one, which could include a childcare or recreation center. We could have a food truck park, like Spark Social, that's open to everyone. Or, if commercial development is necessary, a low-rise residential building could also be a great use of the space. Please, no more large scale construction in this area, and certainly no more high-rise offices. San Francisco already has a glut of unused office space - we don't need more, and we definitely don't need more massive construction at such mismatched scale on this particular block. Sincerely, Ken Gwynn 310 Townsend Street

San Francisco, CA 94107

Liang, Xinyu (CPC)

From: Jennifer Soller <sollje2002@yahoo.com>
Sent: Friday, August 27, 2021 6:09 AM
To: Liang, Xinyu (CPC)
Subject: Re: Deny approval for high-rise tower at 490 Brannan, Record No. 2020-005610ENX/OFA/VAR

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

Dear San Francisco Planning Commission

Hi, I'm Jennifer Soller, and I live at 88 King Street. I've lived in this area for 19 years and I am very concerned about runaway office overdevelopment in our area. Developers of the proposed new office tower at 490 Brannan Street are requesting variance approval from the San Francisco Planning Commission (with no less than seven code variances, Record No. 2020-005610ENX/OFA/VAR) so they can build a market-rate office tower almost 200 feet high, nearly double the height of any existing building in the immediate area. This new building's plan was created with no input from and no regard for the wants and needs of the area's current residents and workers.

We simply don't need more large-scale offices in this immediate area. There are already many current and planned large offices up and down the nearby blocks on Brannan and Townsend - **and nearly all of the existing buildings have "for lease" signs**. The two existing large-scale developments which are currently under construction across the street from each other on the corner of Brannan and 5th also have no tenants. Nobody is interested in renting these spaces, yet we already have years of construction on these two existing projects ahead of us, with corresponding noise, traffic, dirt, and expected delays. Residents shouldn't have to suffer through more construction to create another empty building in the area - we already have too many.

490 Brannan is dramatically out of scale with the surrounding buildings. 490 Brannan is proposed to be double the height of the buildings immediately around it. The size is out of place for the area, and doesn't make sense in the context of the buildings around it. We're lucky to be in a sunnier part of the city, but even in the developer's own renderings, it shows the building casting shadows all the way down the block. As a resident of the area, I don't see how another huge tower like this won't cause shadows all over the neighborhood and will stick out like a sore thumb.

Proposed developer "enhancements" won't significantly mitigate impact or improve the neighborhood. The developers have created three mitigations that they are offering in exchange for passing their variances - a POPOS, artist space, and a childcare center. The POPOS (privately owned public space) is currently slated to be an alley, similar to the alley next to the Pinterest building on Brannan and 4th or the one next to the Stripe building on Townsend and 6th. Anyone who's been through either alley knows they are far from pleasant, and definitely not places where you'd want to spend any time. Alleys are not inviting public spaces and won't meaningfully add to the neighborhood. The artist space is simply discounted rental space for artists, not a space that's free for artists to use as studios or for showing their work. As for a childcare center, that's a fantastic idea - but it shouldn't take building a massive office tower to create a neighborhood childcare center.

The immediate area on and around 4th street between Townsend and Bryant has been under constant construction for nearly the past decade. Construction in San Francisco always takes longer than estimated. As an example, the Muni line on 4th street was supposed to have been completed in 2018 - it is now scheduled to be completed by spring 2022 (at the earliest). Caltrain is also beginning a massive multi-year project to electrify the tracks at Caltrain station at 4th and Townsend. Another already-approved, multi-year project on 4th and Townsend will demolish the HD Buttercup building as well as several surrounding buildings to build two massive towers. As it is, nearly every retailer, restaurant and bar on 4th street between Bryant and Townsend moved out **pre-pandemic**, as the constant construction made it hard to do business with the intense disruptions occurring in the neighborhood. All of us are already experiencing the burden of upheaval around us, which includes increased traffic congestion, reduced pedestrian safety, constant noise and dirt, and problematic power outages. We don't need to add another large multi-year project in the same one-block radius into the mix.

There are many fantastic alternative uses for the parcel at 490 Bryant, none of which involve creating an out-of-scale tower, and instead create space for the residents of and workers in the area to activate, share, and enjoy. For example, the city could create a public park; this area doesn't have one, which could include a childcare or recreation center. We could have a food truck park, like Spark Social, that's open to everyone. Or, if commercial development is necessary, a low-rise residential building could also be a great use of the space.

Please, no more large scale construction in this area, and certainly no more high-rise offices. San Francisco already has a glut of unused office space - we don't need more, and we definitely don't need more massive construction at such mismatched scale on this particular block.

Sincerely,

Jennifer Soller
88 King Street

Liang, Xinyu (CPC)

From: Margaret Casey <margaretjcasey@yahoo.com>
Sent: Saturday, August 28, 2021 8:40 AM
To: Liang, Xinyu (CPC); Haneystaff (BOS)
Subject: Deny approval for high-rise tower at 490 Brannan, Record No. 2020-005610ENX/OFA/VAR

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Dear San Francisco Planning Commission and Supervisor Matt Haney,

Hi, I'm Margaret Casey, and I live at 300 Channel Street, 94158. I'm aghast at the glut of office development in our area. Developers of the proposed new office tower at 490 Brannan Street are requesting variance approval from the San Francisco Planning Commission (with no less than seven code variances, Record No. 2020-005610ENX/OFA/VAR) so they can build a market-rate office tower almost 200 feet high, nearly double the height of any existing building in the immediate area.

This new building's plan was created without context and appropriate regard for the character of the area. We honestly don't need more large-scale offices in this immediate area. There is already surplus of planned large offices up and down the nearby blocks on Brannan and Townsend and almost all the existing buildings have significant vacancies. Please consider there are two existing large-scale developments which are currently under construction across the street from each other on the corner of Brannan and 5th.

I have lived here for over 10 years and the noise, traffic, dirt, and expected delays are unreasonable and inexcusable. The sidewalks and streets have cracked and buckled under the weight of all this construction. How is it the Planning Commission continues to approve these projects without mitigation for the damage to roads and sidewalks? Is it the Commission's intent to permanently block natural light for residents and workers?

Proposed developer enhancements don't significantly mitigate impact or improve the neighborhood. The developers have created a few mitigations that they are offering in exchange for passing their variances - a POPOS, artist space, and a childcare center. The POPOS (privately owned public space) is currently slated to be an alley, similar to the alley next to the Pinterest building on Brannan and 4th or the one next to the Stripe building on Townsend and 6th. Alleys are not inviting public spaces and won't meaningfully add to the neighborhood. The artist space is simply a meager and token offer. If the developer needs to add a childcare center, that's a fantastic idea but it shouldn't take building a massive office tower to create a childcare center that will almost certainly be for the incoming workers, not neighborhood children.

The immediate area on and around 4th street between Townsend and Bryant has been under constant construction for almost the past decade. Construction in San Francisco always takes longer than estimated. As an example, the Muni line on 4th street was supposed to have been completed in 2018 - it is now scheduled to

be completed by spring 2022 (at the earliest). Caltrain is also beginning a massive multi-year project to electrify the tracks at Caltrain station at 4th and Townsend. Another already-approved, multi-year project on 4th and Townsend will demolish the HD Buttercup building as well as several surrounding buildings to build two massive towers. Nearly every retailer, restaurant and bar on 4th street between Bryant and Townsend moved out pre-pandemic, as the constant construction made it hard to do business with the intense disruptions occurring in the neighborhood.

Increased traffic congestion, reduced pedestrian safety, constant noise and dirt, and problematic power outages are the norm in this neighborhood. San Francisco already has a glut of unused office space - we don't need more, and we definitely don't need more massive construction at such disproportionate scale on this particular block.

Sincerely,

Margaret J Casey
300 Channel Street, #28
SF CA 94158

margaretjcasey@yahoo.com

ph: 415 515-1236

Liang, Xinyu (CPC)

From: CPC-Commissions Secretary
Sent: Monday, August 30, 2021 9:25 AM
Cc: Liang, Xinyu (CPC); Feliciano, Josephine (CPC)
Subject: FW: 490 Brannan Street

Commission Affairs

San Francisco Planning
49 South Van Ness Avenue, Suite 1400, San Francisco, CA 94103
Direct: 628.652.7600 | www.sfplanning.org
[San Francisco Property Information Map](#)

Expanded in-person services at the Permit Center at 49 South Van Ness Avenue are available. Most other San Francisco Planning functions are being conducted remotely. Our staff are available by e-mail, and the Planning and Historic Preservation Commissions are convening remotely. The public is encouraged to participate. Find more information on our services here.

From: Martin Harband <meharband@hotmail.com>
Sent: Saturday, August 28, 2021 4:02 PM
To: CPC-Commissions Secretary <commissions.secretary@sfgov.org>
Subject: 490 Brannan Street

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

To the Planning Commission.
Project site: 490 Brannan Street.

I own the property at 458 Brannan Street, four parcels east of the project site.

I object to the height of the proposed project, which is described as "approximately 185 feet in height".
185 feet equates to 18 stories, more or less.

A building of this size is completely out of character and disproportionate to the neighborhood.

I urge the Planning Commission not to approve a project that includes a building "approximately 185 feet in height".

Even half that size would be a "tower" in this SOMA neighborhood.

Please do not repeat the error of the Salesforce tower, and place a grossly disproportionate in our neighborhood.

Thank you.

Martin Harband

Martin Harband
meharband@hotmail.com

Liang, Xinyu (CPC)

From: Nathaniel Trevor Gotfredson <tgotfred@gmail.com>
Sent: Tuesday, August 31, 2021 8:06 PM
To: Liang, Xinyu (CPC); Haneystaff (BOS)
Subject: Approve approval for high rise tower at 490 Brannan

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

Dear SF Planning Commission and Sup. Haney,

My name is Nathaniel Gotfredson and I live at 81 Albion Street in the Mission. I live and work (somewhat) near to this proposed development and wish to express my support for additional density (office AND housing) near the new muni T line along 4th. We should be maximizing height and density along transit corridors like this one. The proposal at 490 Brannan (Record No. 2020-005610ENX/OFA/VAR) sets an excellent example for transit oriented development in the city. This is important from a practicality, accessibility and sustainability standpoint. Working here would be easy for me to access and a taller building allows for more people like me to work near transit.

Opposition to granting these variants are based on false notions and unrealistic expectations for urban living. I implore you to maximize large scale construction along transit corridors (housing, especially).

Thank you,
Nathaniel