

PLANNING COMMISSION

File No. 97.215B
One Second Street,
AKA 39-67 Second
Street & 83 Stevenson Street
Assessor's Block 3708
Lots: 19A, 33, 34
Motion No.14542
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SAN FRANCISCO
PLANNING COMMISSION
MOTION NO. 14542

ADOPTING FINDINGS RELATED TO THE APPROVAL BY THE PLANNING COMMISSION FOR A PROPOSED DEVELOPMENT OF A OFFICE AND RETAIL PROJECT PURSUANT TO SECTIONS 321 and 322 OF THE PLANNING CODE, LOCATED AT ONE SECOND STREET ON ASSESSOR'S BLOCK 3708, LOTS 19A, 33, AND 34, IN A C-3-0 (DOWNTOWN OFFICE) DISTRICT , AND A 300-S AND A 500-S HEIGHT AND BULK DISTRICT.

RECITALS

1. On November 29, 1989, Jaymont Properties, Inc. ("Project Sponsor") filed an Environmental Evaluation application for an office and retail project at One Second Street with the Department of City Planning ("Department").
2. On February 21,1991 the Project Sponsor filed Application No. 89.632B with the Department for project authorization in the "Second Review Period" pursuant to the then effective provisions of the Planning Code ("Code") Sections 320 through 325 for an office and retail project at One Second Street.
3. On July 25, 1991 by Motion No. 13136, the Planning Commission ("Commission") found the Final Environmental Impact Report ("FEIR") to be adequate, accurate and objective, and certified the completion of the FEIR in compliance with the California Environmental Quality Act ("CEQA"), the State CEQA Guidelines and Chapter 31 of the San Francisco Administrative Code.

4. On August 15, 1991 the Commission conducted a duly noticed public hearing on Application No. 89.632X.
5. On September 19, 1991 the Commission continued the proposal to the 1991-1992 Annual Review Period. Because of the downturn in economic conditions the applicant chose to continue the proposal to the current review period.
6. On March 14, 1997, the Project Sponsor filed with the Department, Application No. 97.215B ("Application") for review of a C-3-O (Downtown Office District project at One Second Street under Planning Code ("Code") Section 321 and 322. There are no substantive differences between the Project described in Application No. 89.632B and the Project described in Application No. 97.215B
7. On March 14, 1997, the Project Sponsor submitted an application for environmental review of Application No.89.632E. Subsequently, the Office of Major Environmental Analysis determined that the requirements of CEQA would be satisfied with the preparation of an Addendum to the certified FEIR.
8. On December 22, 1997, the Office of Major Environmental Analysis completed an Addendum to the certified FEIR. The Addendum reviewed the changes to traffic-related impacts from the 1991 FEIR and reached the conclusion that there could be no substantial change in the environmental effects of the Project. The Department on that basis determined pursuant to Section 31.35 of the San Francisco Administrative Code that no further evaluation was required by the provisions of Section 31 of the San Francisco Administrative Code or the provisions of CEQA or the CEQA Guidelines Section 15164.
9. On February 12, 1998 the Commission conducted a duly noticed public hearing on Application No. 97.215B for the Project Authorization.

In reviewing Application No. 97.215B for the Project Authorization in accordance with the provisions of CEQA, the State CEQA Guidelines, and Chapter 31 of the San Francisco Administrative Code, the Department and the Commission have reviewed and considered the information contained in the FEIR and the Addendum and find that no substantial change

to the environmental effects would occur as a result of this Project requiring a supplemental or subsequent EIR and that the addendum complies with the requirements of CEQA, the CEQA Guidelines and Chapter 31 of the San Francisco Administrative Code. The determinations made in this motion do not significantly change the Project or the information contained in the FEIR and the Addendum.

10. In reviewing the Application for Project Authorization for the Project, the Commission has had available to it for its review and consideration the Staff Report, studies, letters, plans, and other materials pertaining to this project in the Department's case files, has reviewed and heard testimony and has received materials from interested parties during the public hearings on the Project.

FINDINGS

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

1. The above recitals are accurate and also constitute findings of this Commission.
2. In determining if the Project would in particular promote the public welfare, convenience and necessity, the Commission has considered the criteria established by Section **321(b)(3)** of the Planning Code and the application of those criteria 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.

There currently exists 2,176,086 square feet of office space available for office buildings exceeding 50,000 square feet of office space. With the approval of this 345,036 square-foot project, of which 283,301 square feet count against the

office limitation cap, there would be a surplus of 1,892,785 square feet of office space available for allocation. On October 17,1998 there will be 837,418 square feet of office space added to the Annual Limit. In subsequent years 875,000 will be added each October 17. Therefore the Commission finds that allocation of the square footage will promote the public welfare, convenience and necessity.

B. The Contribution of the Project to, and Its Effects on, the Objectives and Policies of the General Plan.

1. In accordance with the criteria for approval, the Commission hereby finds as follows:
 11. The Project makes an outstanding contribution to advancing the objectives and policies of the General Plan and has no significant conflicts with any objective or policy of the General Plan.
 12. The Project provides prime downtown office space and back office space in a less intensely developed area of the C-3-0 District adjacent to the Downtown Office Special Development District, thereby furthering numerous Downtown Plan objectives and policies relating to space for commerce.
 13. By using transferable development rights ("TDRs"), and designing the building to respect older development in the area, the Project complements a preservation objective and associated policies of the Downtown Plan.
 14. In terms of transportation, the Project furthers several of the Downtown Plan's objectives and policies by providing short-term parking.

15. In providing Greenhouse, outdoor Urban Garden, and Galleria open space, the Project furthers the open space policy of providing open space in an open space deficient area.
16. The Project furthers numerous objectives and policies relating to design quality and urban design. Its intermediate-level height provides an appropriate transition between the South of Market area and the downtown. The open space pavilion matches the scale of the conservation district. The Mission Street facade relates harmoniously with nearby facade patterns and the base provides a suitable pedestrian scale.
17. The Project has a positive effect on the Downtown Plan's housing objectives and policies by not adding or demolishing housing units and by contributing \$ 1,997,272.00 to the Office Affordable Housing Production Program (OAHPP) towards the construction of additional affordable housing units throughout the City.

C. The Quality of the Design of the Project.

1. The Office Building Design:

At 330 feet in height, the Project is within a transitional height district with taller buildings of the Downtown Business District such as 595 and 525 Market Street immediately to the north and east and generally lower buildings to the south along Second Street. The Project makes an important contribution to the skyline while fitting in with the general stepping-down of scale South of Market., The Project presents a slender arcade to the southeast, the Second Street Corridor being the predominant direction from which the Project is approached and viewed.

The tower massing generally observes the classical tripartite composition

consisting of a base, a shaft, and a top. The detail resolution and surface sophistication of One Second Street borrows heavily in spirit from the contextual relationships of its surrounding while infusing contemporary interpretations of classical tall building details such as the Pacific Telephone and Shell buildings.

The building's base reinforces the character of the street wall along the Second Street Corridor. In keeping with that character, the visual texture of the base is rich with scaling devices which are important to the pedestrian experience. The use of cut stone, polished metal detail, and ornamental light fixtures and grilles enliven the street level and distinguish the building base. A clearly defined building entrance is located centrally on the Second Street facade and frames a 2-story lobby. Street level retail uses with an integrated signage program activate the street level. On Stevenson Street a prominent entrance to the public open space network through the three-story, light-filled Galleria provides access to the adjacent 83 Stevenson Greenhouse space and the landscaped Anthony Street Urban Garden. Building service and parking functions occur off Anthony Street, in a manner which maintains the integrity of the important plates in the lower section of the tower average about 19,500 square feet and are intended to appeal to tenants who require large floors. The base terminates at the eighth floor and is marked by strong neighboring buildings such as the adjacent Pacific Telephone building which is approximately 105 feet tall.

The tower shaft (Lower Tower) is more restrained in its detail with a rhythmic column and window module that emphasizes a strong vertical proportion. The shaft is visually cleft in the center of each of the four primary facades with a vertical recess which further acts to reduce the apparent bulk of the tower while emphasizing the shaft's verticality. Floor plates within this section of the tower average 15,000 square feet with Floor 8 measuring approximately 16,000 square feet and Floor 15 measuring 13,000 square feet. Skin materials continue the palette

established in the building base with a shift to architectural cast stone column wraps and stone band insets. The building top (Upper Tower) consists of floor plates which average 11,000 square feet and are intended to appeal to those local businesses whose space requirements may be smaller but who desire dramatic City views. This portion of the building returns to a higher level of detail and ornament to address the importance of the Project as an element on the skyline. The scale of detail is varied to respond to the variety of points from which this project may be viewed. On a macro scale, strong shapes and profiles, such as the deeply recessed vertical window slots which reinforce the rhythm of the shaft below, the softly rounded form of the mechanical penthouse, and the dramatic pairs of spires on the north and south exposures, are intended to contribute to the skyline image from great distances. At a finer scale, ornamental articulation such as the series of projecting semicircular up-light torchieres reminiscent of the nearby Shell Building, and the metallic "fins" which pierce the uppermost parapet, contribute to a richness of detail that enlivens the building form the vantage point of a viewer on the street near by. The spire elements have been integrated into the outermost faces of the tower as a continuation and punctuation of the vertical aspect of the design. This approach also assures that the spires do not "disappear" as many rooftop features do when viewed from the street below.

2. Design Quality of the Open Space;

One Second Street creates three distinct but interrelated public open space areas. These spaces include a Greenhouse located inside the existing 83 Stevenson Street building, an outdoor Urban Garden located at the terminus of Anthony Street, and a three-story Galleria located within the new construction adjacent to the 83 Stevenson Street Building. The total square footage of open space provided is 8,492 square feet, which is 1,442 square feet or 20% beyond that which is required by the Planning Code. This network of spaces will link Second Street and the

building lobby with Stevenson Street and the Anthony Street outdoor Urban Garden.

83 Stevenson, also known as the California Farmers Building, is an historic structure which will undergo an adaptive restoration so that the structure can satisfy a variety of contemporary needs. This adaptive restoration will be accomplished while leaving the exterior essentially intact. The building will provide a Greenhouse open space area of 4,358 square feet. Sunlight will be enhanced by the addition of a new skylight similar to the three existing skylights, and space will be connected to the Galleria space by the creation of two new openings in the party wall between 83 Stevenson and the new construction. All levels of the California Farmers Building will be made handicap accessible. The intent of the space is to create an oasis for downtown workers which will be attractive even during inclement weather as the enclosed Greenhouse will protect its users from cold, rain and wind while allowing them to enjoy an abundance of natural light.

On February 19, 1991, the Board of Supervisors unanimously adopted a Declaration of Intent to designate the portion of Anthony Street adjacent to the Project as a pedestrian mall/outdoor Urban Garden. The Anthony Street outdoor Urban Garden will be designated as an outdoor open space with a south-facing garden comprising 2,342 square feet receiving welcomed sunlight during the morning and critical lunch-time hours throughout most of the year. Located along the pedestrian corridor of Jessie Street, the outdoor open space will provide an attractive and needed amenity for the downtown office workers and shoppers as well as the students and faculty of Golden Gate University. The design will continue to accommodate the existing entrance to 96 Jessie Street.

The three-story Galleria space serves as the link between Stevenson Street and the Anthony Street outdoor Urban Garden. The Galleria also serves as a transition space between the new building and the 83 Stevenson

Street Greenhouse. This 1,800 square foot space will be skylit at the north end and dramatically lit by large clerestory windows along the east face of the space above the roof of 83 Stevenson Street. In addition to providing a spatial transition, the restaurant located within the adjacent lease space will provide food service for the users of the open space and will serve to animate the open space with spill over activity.

In general, the open space will be available to the public between the hours of 8:00 a.m. and 6:00 p.m.

3. Quality of Art Concept:

Section 149 requires that a project proposed in the C-3 district and exceeding 25,000 square feet of area to include works of art in an amount equal to 1% of the cost of construction of the building in clearly usable on-site areas, including open space. The type and location of the art work, but not the artistic merits of the specific art work proposed, are to be approved by the Commission. The types of permitted art work include sculpture, bas-relief, murals, mosaics, decorative water features or other works permanently affixed to the building.

There is presently a proposal pending to amend Section 149 to permit project sponsors to satisfy their art requirements through contributions towards the restoration of the dome of City Hall. The project sponsor proposes to comply with the art requirement through participation in the dome restoration or, alternatively, by placing a sculpture in project's open space. The amount committed to the Art Program shall meet the 1% minimum requirement (\$360,000)

D. The suitability of the Proposed Office Development for its location, and Any Effects of the Proposed Office Development Specific to that Location.

1. The Project is Suitable to its Location:

a) The suitability of the Project for its design is broken down for analytical purposes into various components for separate determinations of compliance with each criteria. In accordance, the Commission hereby finds as follow:

- (1) The building design will make a positive contribution to the visual quality of the City and its design responds well to site constraints.
- (2) The Project proposal successfully considers two important design factors: treatment of a building on the edge of downtown and the location of the open space within a conservation district.
- (3) The Project design results in a building form which is visually interesting and graceful. The stepped forms and highly detailed, sculptured elements provide a transition to taller high-rises to the north and offset the building's mass.
- (4) One Second Street will provide 8,492 square feet of new open space, which is 1,442 square feet or 20 percent beyond that which is required by the Planning Code. The historic California Farmers Building at 83 Stevenson will be adaptively restored as a Greenhouse open space area of 4,358 square feet generously lit with existing and new skylights. This

protected space will create an oasis for downtown workers which will be attractive even during inclement weather.

(5) The Anthony Street outdoor urban garden will provide 2,342 square feet with a south-facing garden that will receive sunlight during the morning and critical lunchtime hours throughout most of the year. The 1,800 square foot, three-story Galleria serves as a transition space between outdoor Urban Garden and the Greenhouse, with dramatic clerestory windows and food services to animate the space.

(6) The quality of the art concept for the Project is consistent with the objectives and priorities of the Code, Downtown Plan and General Plan.

Transit Accessibility -- The project is located within 1/4 mile of 38 MUNI lines, including the MUNI Metro System. Access to all BART lines, all AC Transit Transbay lines and all SamTrans lines serving downtown is within 1/4 mile. Three additional MUNI bus and Cable Car lines are within 1/2 mile.

X *Open Space Accessibility -- The project will provide open space on-site as discussed above and will provide an amount in excess of that required under Code Section 138.*

X *Urban Design -- As discussed above the building design contributes to a visually coherent street scape, is well proportioned in relation to the pedestrian street scape, is massed well in relation to adjacent structures, provides a supportive context for neighboring preservation buildings, and fits gracefully into the skyline.*

X Seismic Safety of Location -- *The project will meet all current building codes relating to seismic safety.*

X One Second Street Will Have No Significant Impacts Related to its Location:

- 1) View Obstruction -- *The project will not block any significant public views.*
- 2) Creation of Shadow -- *At various times of the day and year the project shades parts of Market, Second, Stevenson, Jessie and Anthony , parts of its own open space, portions of the Max's Cafe (595 Market) and the Scherer Cafe (71 Stevenson), 535 Market and Chevron Plazas and rooftop seat area above Wells Fargo Bank.*
- 3) Creation of Wind -- *Wind speed measurements were taken at 20 locations on or near the project site for existing conditions and the proposed maximum building at the time of the Initial Study. All 20 locations meet the City's performance standards for existing conditions. Winds would not exceed the relevant 7 mph or 11 mph criteria at any of the 20 measurement points for the proposed project. The effects of the specific design of the proposed project on wind conditions would be the same or less from the maximum project tested.*
- 4) Housing Displacement -- *The project will not cause any housing displacement as there is none on the site.*
- 5) Small Business Displacement -- *94 office jobs and 27 retail jobs will be displaced due to the need to seismically upgrade the existing structure.*
- 6) Loss of Architectural/Historical Resources - *Demolishes 37-47 Second Street, (Unrated in the downtown Plan, Heritage "C")*

and 51-67 Second Street, Preserves 83 Stevenson (Category III in Downtown Plan, Heritage B", 1976 DCP "3").

7) *Conflict with Transit, Traffic, or Pedestrian Movements* -- *All vehicle access to One Second Street is from Anthony and Jessie Streets, off major transit streets. Left turns at the intersection of Anthony and Mission are legal. During on-street maneuvering of large trucks, circulation on Jessie and Streets, could be affected, as well as entry to and exit from the project's garage, and access to the parking*

The Suitability of the Project for its Location, and the Effects of the Project Specific to that Location.

- (1) The suitability of the Project for its location can be broken down for analytical purposes into various components for separate determinations of compliance with each criteria. The Commission hereby finds as follow:
 - (a) The Project is an appropriate use at this location, since this Project is located in the C-3-0 District, a use district specifically designed for buildings of this type.
 - (b) The Project is highly accessible to transit, since the project is located within 1/4 mile of 38 MUNI lines. All regional carriers, except the Golden Gate Ferries are located within 1/4 mile of the site. Three additional MUNI bus and Cable Car lines are within 1/3 mile of the site.
 - (c) The Project offers accessible open space since the development will include 20 percent more open space than required by Code and is in an open space deficient area and will provide new open space sufficient to accommodate additional demand.

- (d) The Project provides a coherent spatial definition, urban design and composition. It is an appropriate context for preservation and scale.

The Project has no significant adverse effects specific to its location. The FEIR found that the Project would have no project-specific significant adverse environmental impacts, and no additional effects were identified in the Addendum. As noted in the Case Report, the Project will have no material adverse effect on views or housing displacement. The Project has a moderate effect on creation of shadow and a minor effect on small business displacement, creation of wind and on architectural or historical resources. The Project has no localized conflicts with transit, traffic or pedestrian movements and freight loading.

E. The Anticipated Uses of the Project in Light of Employment Opportunities to be Provided, Needs of Existing Businesses, and the Available Supply of Space Suitable for Such Anticipated Uses.

The suitability of the Project for its anticipated uses is broken down for analytical purposes into various components for separate determinations of compliance for each criteria. The Commission hereby finds as follows:

1. Employment Opportunities

a. Intensity of Employment -- Based on the square footage of the project, the Department estimates that 1,287 clerical, management, business and professional service jobs could be accommodated. In addition, the project would produce 21 retail jobs and approximately 28 maintenance, parking and security jobs. Approximately 94 office jobs and 27 retail jobs are currently on site. Thus,

the project could accommodate approximately 1,166 new jobs.

b. Out migration of Existing Jobs -- Due to the current shortage of office space available in the Financial District (particularly the lack of large blocks such as this project will provide), and the rising cost of space, many existing San Francisco businesses are relocating to other Bay Area markets to satisfy their space needs. Therefore, it is anticipated that this project will contribute to slowing the out migration of existing jobs by providing much needed expansion space for San Francisco companies.

c. Strengthening of the City as a Business Center -- The project will offer tenants the latest communications/data interface technology which will help strengthen the City's position as a business center with the necessary infrastructure required by software, multi-media, and financial services companies.

d. Expansion of the Employment Base -- The One Second Street project will make a contribution to expanding the City's employment base for minorities, women, and entry workers. One Second Street proposes to sign MOU's with construction-related unions affirming its commitment to provide maximum opportunities to employ minorities and women in the construction of the project. The project will participate in the CEBA, which will result in providing jobs for minorities, women and entry level workers. The project has hired many vendors and consultants which are minority/women owned and these employ a large of minorities/women. The project sponsor's office is comprised of a majority of women/minority employees.

e. *Diversification: This project, by appealing to the burgeoning high tech and multimedia industries, will help promote the diversification of the San Francisco employer base.*

f. *San Francisco Resident Employment -- One Second Street proposes to sign MOU's with construction-related unions affirming its commitment to provide maximum opportunities to employ San Francisco residents in the construction of the project. They have also committed to using CEBA. There is currently a shortage of office space available for lease in San Francisco's Financial District. As a result, many corporations with San Francisco offices are reviewing other Bay Area office markets with available space for their expansion. When these companies relocate they typically hire a larger percentage of workers residing in closer proximity to the new offices. Jaymont's project will help maintain or increase San Francisco resident employment by providing much needed office space for companies to remain in San Francisco where they can employ local residents.*

2. Needs of Existing Businesses

a. *Pre-Leasing -- The project is currently negotiating with a number of companies with interest in leasing significant large blocks of space in the building, however, no firm commitments are anticipated prior to project review.*

b. *Existing Business Interest -- There is significant interest in the availability of office space for lease at One Second Street.*

3. The Available Supply of Space Suitable for the Anticipated

Users.

a. Space in General in Short Supply -- Office space in the Financial District is in very short supply. Class A office space of the type represented by One Second Street currently has only a 3-4 % overall vacancy. There are currently no Class A blocks of space available or forecast to become available during 1998, in the size of 100,000 square feet or larger. There are currently only 2 blocks of space larger than 50,000 square feet available. It will take more than two years to construct the next financial district office building to alleviate this shortage.

b. Specialized Type of Space Needed -- This building has been designed to meet the particular technical requirements for tenants specializing in high tech and in multimedia services.

F. The Extent to Which the Proposed Development Will be Owned and Occupied by a Single Entity.

One Second Street will be entirely owned by the Project Sponsor. It is not anticipated to be occupied by a single entity. Jaymont has owned this project site since 1989 and plans to maintain sole ownership. Jaymont intends to finance the project with its own cash reserves and \$200 million credit facility. No outside financing is required or sought.

G. The Use of Transferable Development Rights (TDRs) by the Project Sponsor.

The Project, like the previous project, requires approximately 113,052 square feet of TDRs. The Project Sponsor has not completed purchase of the required TDRs. The transfer of TDRs could result in the retention of an existing building within the C-3 district

3. City Planning Code Section 101.1 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 Enhanced

None of the existing businesses on the project site are "neighborhood-serving retail uses." New retail uses on site could provide opportunities for resident employment in and ownership of such businesses.

2. That Existing Housing and Neighborhood Character be Conserved and protected in Order to Preserve the Cultural and Economic Diversity of Our Neighborhoods

No housing exists on the project site. The new building will conserve the character of the area with the construction of the replacement building along with the street level pedestrian outdoor open space.

- C. That the City's Supply of Affordable Housing be Preserved and Enhanced

Existing housing will not be displaced. The project will comply with the OAHPP Program with the payment of \$1,997,272.00 to the City's Affordable Housing Fund.

4. That Commuter Traffic Not Impede Muni Transit Service or Overburden our Streets or Neighborhood Parking

The amount of commuter traffic generated by the project will not impede Muni transit service or overburden streets or neighborhood parking all parking will enter and exit from minor side streets as opposed to Mission or Second Street..

5. 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 uses on-site are office and retail. The new building will continue and expand the office uses on site There are no industrial or service sector uses displaced by the project.

6. That the City Achieve the Greatest Possible Preparedness to Protect Against Injury and Loss of Life in an Earthquake

The project will replace structures not conforming to current seismic standards with a building that will conform to the structural and seismic requirements of the Building Code. The project sponsor will develop an evacuation emergency response plan to provide for building occupants in the event of emergency and ensure coordination with the City's emergency planning activities The building at 83 Stevenson will be retrofitted to meet today's seismic standards..

7. That Landmarks and Historic Buildings be Preserved

The project does not demolish any city landmarks or historic buildings. One Heritage "C" rated building would be demolished. However, this building was not designated in the Downtown Plan for retention or incorporation in a Conservation District. The Category III 83 Stevenson Street building will be upgraded and seismically strengthened, but would not be substantially altered on the exterior.

8. That our Parks and Open Space and their Access to Sunlight and Vistas be Protected from Development

The project will not affect sunlight access to or vistas from parks and open space. The project would cast some shadow only on privately-owned open space.

4. Consistency with the General Plan:

The Project will affirmatively promote, is consistent with, and will not adversely affect the General Plan, including, among others, the following objectives and policies:

Downtown Plan

Preserving the Past

The Project involves the repair and adaptive reuse of 83 Stevenson, a Category II Significant building, thereby furthering Objective 12 and Objective 12, Policy 1.

The Project provides a visual transition from the lower, historic structures to the south of the Project and the more modern, taller office highrises north of the Project. Thereby furthering Objective 12, Policy 3.

Urban Form

- X The design of the Project, including adaptive reuse of the historic 83 Stevenson building, will maintain an urban form for downtown San Francisco that enhances its stature as one of the world's most visually attractive cities, thereby furthering Objective 13.
- X The Project is designed in a classic tripartite organization, with distinctively designed forms and building top, thereby furthering Objective 13, Policies 2 and 3.
- X The Project steps back on its eastern face to enhance building separation and reduced its upper tower volume, thereby furthering Objective 13, Policy 4 to maintain building separation and to avoid excessive bulk.
- X The Project offers highly articulated, ground floor architecture that relates to the a pedestrian scale, a sunlit and protected Galleria to promote pedestrian circulation between Stevenson and Mission Street, thereby sustaining Objective 14.

- X The Project will have no significant effect on sunlight access to open spaces and other public areas, consistent with Objective 14 and Policy 1.
- X The Project will have no significant effect on ground level wind currents near the base of the building, consistent with Objective 14 and Policy 2.
- X The Project, through the repair of the 83 Stevenson building and the detailed design of the new tower, maintains and preserves a building form that is visually interesting and harmonizes with the surrounding area, thereby promoting Objective 15 and Policies 1, 2, and 3.
- X The building's beltline, cornices, and articulation respect and enhance the existing Second Street streetscape, conserving the traditional street-to-building relationship and thereby advancing Objective 16 and Policies 1-5.

Urban Design

- X The Project's height, scale and visual characteristics help to enhance both the Second Street Corridor and the high-rise core and to emphasize characteristic urban elements, thereby sustaining Objective 1
- X The Project offers a transitional in height between Market Street's high-rise corridor and the Second Street Conservation District, conforming to Objective 1 and Policy 3.
- X The Project involves the adaptive reuse of 83 Stevenson, thereby providing continuity with the past and preserving a Category III structure, consistent with Objective 2, Policy

Moving Around

- X The Project will provide bicycle parking, engage in traffic reduction activities, and contribute fees towards reducing the number of downtown auto trips and promoting

Objective 18 and Policy 2.

- X The Project will provide up to p109 tandem parking spaces and use a rate structure favoring short-term parking, thereby promoting Objective 18, Policy 3 and Objective 20, Policy 7.
- X The Project will provide at least six bicycle parking spaces, consistent with Objective 19, Policy 1, and Objective 20.
- X The Project will meet the anticipated demand for freight loading and service vehicles by providing two trucking loading docks and two delivery van spaces, consistent with Objective 21, Policies 1 and 4.
- X The ground-level truck loading spaces and the van spaces will be accessed from Anthony Street, thereby promoting Objective 21, Policy 2.
- X The Project will create a new urban garden at the stub end of Anthony Street, and an enclosed Galleria linking the Project and the Garden, thereby fulfilling Objective 22, Policies 1, 4, and 5.

Open Space

- X The Project provides high quality open space that is 20 percent larger in size than required by Code, thereby sustaining Objective 9, Policy 1, Objective 10, Policies 1-5, Objective 11, and Policies 1 and 2.
- X The Project's open space consists of three different environments with varying amounts of sunlight seating, consistent with Objective 9, Policies 1-4.
- X The creation of an outdoor urban park at the end of the Anthony Street right-of-way is consistent with Objective 9, Policy 5.

Seismic Safety

- X The Project will reduce hazards to life safety and minimize property damage and economic dislocation resulting from future earthquakes by seismically rehabilitating 83 Stevenson and replacing two other unreinforced buildings, which suffered significant damage during the 1989 Loma Prieta earthquake, with a new commercial office building that complies with all contemporary structural and seismic codes, thereby promoting Objective 23.

Commerce and Industry Element

- X The Project will provide additional commercial space in the downtown area and will provide approximately 1,166 new jobs without creating any significant adverse effects, thereby promoting Objective 1, Objective 2, Policies 1 and 2, Objective 5, and Policy 1.
- X Some of the jobs created at the Project will provide employment improvement opportunities for unskilled and semi-skilled workers, thereby promoting Objective 3, Policy 1.
- X The Project will create new retail uses downtown, thereby promoting Objective 3 and Policy 2

6. CUMULATIVE IMPACTS

In certifying the FEIR, the Commission found that no project specific significant impacts were identified and that the Project would have the following significant cumulative effects which cannot be mitigated: The Project will contribute to cumulative downtown traffic increases and cumulative passenger loadings on MUNI and BART and other transit carriers. Such cumulative transportation impacts could cause violations to fine

particulate matter standards in San Francisco with concomitant health effects and reduced visibility.

7. REJECTED EIR ALTERNATIVES

(1) Alternative A: ■No Project●

The following Project Alternatives to the Project described in the FEIR, which would reduce or avoid significant unmitigated cumulative impacts and which are not included as part of the project, are infeasible for the reasons set forth below.

This alternative would entail no change to the site. The proposed project would not be built. The three existing buildings on the site would be retained. If the No Project alternative were implemented none of the impacts associated with the project would occur. The environmental characteristics of this alternative would be generally as described in the Environmental Setting sections of this report (see Chapter III, Environmental Setting, pages 29-54, for a discussion of existing conditions) Transportation and noise impacts associated with the demolition of the two on - site buildings and subsequent construction of the project would not occur.

Transportation and air quality conditions (as described in Chapter IV, Environmental Impacts, pages 55 - 134) as base conditions with cumulative development, but without the project, would continue to exist around the site. There would be no change in energy demand on the site. Employment on the site would not increase as it would with the project. Land uses, site views, shadows and winds would not change. This alternative would not contribute to cumulative impacts on transportation at local intersection or to additional air quality impacts. This alternative would not contribute to growth inducement in areas surrounding the project site. The building at One Second street, rated ■C● by Heritage, would not be demolished; nor would 51 - 67 Second Street 41 Anthony Street, rated ■ D● by Heritage. Both buildings have spaces for small businesses. The California Farmer building at 83 Stevenson, rated ■1● by the Department of City Planning (1976) ■B● by Heritage and III in the Downtown Plan, would not be rehabilitated as under the proposed project. This alternative would preserve the option to develop a similar or different type of building on the site in the

future.

The existing building at One Second Street is partially vacant, and the existing building at 83 Stevenson Street is fully vacant. Under the No Project alternative, it could be reasonably assumed that the vacant space would be leased. Based on employment density factors presented in Section IV. J., Population and Employment, the project site, as it currently exists could support about 170 additional office employees than are currently on - site. Thus, assuming the lease of vacant space, this alternative would result in a total of 290 employees on - site, 1,136 less than the number projected for the proposed project.

The ■No Project• alternative, which assumes full occupancy of the current office space available would generate about 80% fewer p.m. peak - hour vehicle trips than the proposed project. This is because ■full occupancy• of the building would add 170 new office employees to the existing site.

This alternative was rejected by the project sponsor because it would not use the development potential of the site allowable under the Downtown Plan. In the sponsor's opinion, this alternative would not further policies of the Downtown Plan concerning location of the development preservation of architecturally significant buildings and open space.

(2) Alternative B: ■No Exception to The Planning Code; Parking and TDRs•:

This alternative would contain the same amount of square feet for all uses as the proposed project but would not require exceptions to the Planning Code for volume and bulk (upper tower extension, upper tower volume reduction and upper tower length). This alternative would include: 359,010 sq. ft. of office space; 41,460 sq. ft. for basement parking, mechanical and service space; 19,730 sq. ft. for lobby, retail and other ground floor uses; 8,000 sq. ft. of open space; and 3,025 sq. ft. of on - site childcare space. The California Farmer building at 83 Stevenson Street would be retained and rehabilitated as with the proposed project. There would be 127,026 sq. ft. of TDRs transferred from one or more sites within the same district, resulting in a floor area ration (FAR) of 13.9:1, as with the proposed project. (see Figure 24, page

155.)

Following the massing requirements as set forth in the planning Code, the design of the building under this alternative would have a series of three setbacks (see Figure 24, page 155,) all of which would be at the maximum height limit for each portion of the building. The first setback would occur at 103 ft., for the base portion of the tower. A second setback would occur at 210 ft. for the lower tower portion, a third setback would occur at 330 ft. for the upper tower portion. The length, width and diagonal dimensions of floor plates for the base, lower and upper tower portions would all be the maximum allowable by the Planning Code.

Environmental impacts of this alternative would be the same as with the proposed project, except for those related to urban design and visual quality. The width of shadows projected by this alternative would be slightly wider than those projected by the proposed project, causing the extent and duration of shadow effects to be increased. Complying fully with the Planning Code would affect the proportions of the building and the transition between upper and middle towers. The alternative would be less slender than the proposed project, with a larger setback between the upper two towers. The proposed project would reduce the bulk of the lower tower compared to this alternative and would increase the bulk of the upper tower.

This alternative was rejected by the project sponsor as the full compliance to the Planning Code without allowable exceptions would reduce the efficiency of the building with a smaller upper tower floor plate, and restrict the design of the building to appear more massive and bulky than the proposed project.

(3) *Alternative C: No Exception to the Planning Code; Parking, No TD.*

The proposed project would include the transfer of about 127,026 sq. ft. of development rights. This alternative considers a building without TDRs. The FAR of this alternative would be 9:1, the basic allowable FAR in the C-3-O District, compared to 13.9:1 for the proposed project. (See figure 25, p. 157.)

This alternative would contain about 231,984 sq. ft. of office space, compared to 359,010 sq. ft. under the proposed project, and would contain about 16,240 sq. ft.

of parking on one level below grade (about 75 vehicles under tandem-valet operation) compared to 25,000 sq. ft., or 109 vehicles under tandem-valet operation for the proposed project. This alternative would be required to provide the equivalent of two-off street loading spaces; the project would be required to provide three such spaces. This alternative would contain about 9,500 sq. ft. of retail space, as would the proposed project.

The open space requirement for this project would be about 4,830 sq. ft., which would be provided in the 83 Stevenson Street building, as with the project. About 2,400 sq. ft. of exterior open space included as part of the proposed project located at the Anthony Street terminus, would not be part of this alternative. This alternative would require no exceptions to City Planning Code requirements, in comparison to the project which would require allowable exceptions for upper tower extension, upper tower volume reduction, and upper tower length.

This alternative would be a 215-foot tall, 15-story building compared to 330 ft. tall, 25 stories for the project. It would be about 115 feet shorter than the proposed project and, therefore, would be less visible from mid- and long-range views than the proposed project. This alternative would not require the transfer of development rights and would not, through the use of TDRs provide for preservation of an architecturally or historically significant building elsewhere in the C-3 District in contrast with the project. As with the project, the existing One Second Street building, and 51-67 Second/41 Anthony, rated ■C• and ■D• by Heritage, respectively, would be demolished, and 83 Stevenson would be retained.

Shadows from this alternative would be about 31% less than with the proposed project, due to the shorter building height. This alternative would not result in winds exceeding the pedestrian comfort criterion at any one of the 20 locations tested; neither would the project.

Travel demand, air quality and energy impacts associated with on-site uses would be about 43% less than those of the proposed project because of the

smaller amount of office space than with the proposed project. This alternative would have fewer parking spaces than the proposed project, which would result in less traffic and fewer air quality effects at local intersections than with proposed project. Construction noise impacts would be of a shorter duration, as the construction period would be shorter . Potential impacts on cultural resources would be less with this alternative, as the depth of excavation would be to one basement level, not to two as with the proposed project. This alternative would provide employment for about 924 employees, compared to about 1,426 employees with the proposed project. It would generate a demand for about 74 new dwelling units in San Francisco, based on the OAHPP Formula, compared to 115 with project. Growth inducing impacts of this alternative would be similar to those for the proposed project.

The project sponsor has rejected this alternative because, in the sponsor's opinion, it would not provide for the full use of the development potential allowable under the City Planning Code and would not provide for preservation of architecturally significant buildings, through the use of TDR. It would not meet stated policies of the Downtown Plan to redirect growth to the South of Market, and to situate major new development in close proximity to transit nodes. The sponsor believes that if sites are not developed to their full potential in the area specifically identified in the Downtown Plan for increased growth, development, pressures would continue in areas outside of where the Downtown Plan attempts to redirect growth, such as the North of Market of Chinatown areas.

(4) *Alternative D: No Parking*:

This alternative would be identical to the proposed project, but would contain no parking. The FAR of this alternative would be 13.9:1, like the proposed project, and it would contain about 359,010 sq. ft. of office space and about 9,500 sq. ft. of retail space. Like the proposed project, this alternative would include 25 floors and a mechanical penthouse. This alternative would contain one level below grade for mechanical space.

This alternative would have no parking spaces, which would result in less traffic and fewer air quality effects at local intersections than with the proposed project. As this alternative would only contain one basement level, and as the existing buildings contain basements, minimal amounts of excavation and grading would be required, resulting in less potential for cultural resources impacts. All other impacts would be the same as for the same as for the proposed.

This alternative was rejected by the project sponsor because the elimination of parking would not meet the project sponsor's objective of providing parking to major tenants. In addition, the 28 short-term parking spaces would help meet the demand for short-term parking attributable to the project on-site, without disruption of transportation or transit in the project vicinity.

8. Pursuant to CEQA Section 21002, the Commission considered Mitigation Measures as described in the FEIR, concurring in the statement that certain specified mitigation measures are under the jurisdiction of other agencies, and has included all other mitigation measures as conditions of approval.
 - a. Mitigation measures herein adopted as conditions of approval are listed in Exhibit C, in Motion 97.215X, mitigation measures and monitoring program.
 - b. *In those cases in which the language of the mitigation measures adopted as conditions of approval differs somewhat from the language in the FEIR, the Commission finds that the adopted language will be equivalent with respect to mitigating the identified impacts.*

9. The following benefits are generated by the Project:

- a. Improvement of downtown land with a new office structure, consistent with the objectives of the Downtown Plan and the Commerce and Industry Element of the General Plan;

- b Creation of approximately 140 person years of construction employment.
 - c Accommodation of approximately 1,336 permanent full-time jobs, an increase of approximately 1,116 jobs on the site;
 - d Creation of approximately 96 additional person-years of employment would be generated in the Bay Area as a result of the multiplier effect;
 - e Significant contributions to total property, payrolls, sales, gross receipts, parking and utility tax revenues to the City;
 - f Expansion of public transit capacity, housing, public art, child care services and public parks through required mitigation measures and conditions;
 - g Further strengthening of the C-3-O district as a compact center for financial, technical, professional and administrative services, an objective of the Downtown Plan and the Commerce and Industry Element of the General Plan;
 - h. Making more efficient use of scarce downtown land resources to carry out the economic, fiscal and employment objectives in a manner consistent with San Francisco's General Plan, Codes and the Downtown Plan.
 - i. Provision of highly visible, accessible open space in an open space deficient area.
10. Each and every finding contained in Motion No.97.215X granting Project Authorization for the Project under Section 309 of the Code is incorporated by reference herein as though fully set forth herein
11. After balancing unavoidable significant and other adverse effects on the environment and the benefits of the Project, the Commission concludes that the benefits of the Project outweigh any unavoidable adverse effects on the environment, which are hereby found to be acceptable, and that the social, economic, and environmental benefits of the Project constitute overriding considerations justifying approval.

11. The Commission finds that granting the Project Authorization for the Project will in particular promote the public welfare, convenience, and necessity for the reasons set forth above.

DECISION

The Commission, after carefully balancing the competing public and private interests, after considering the criteria of Planning Code Section 321 and 322, and subject to the conditions attached hereto as Exhibit A.

I hereby certify that the foregoing Motion was ADOPTED by the Planning Commission on February 12, 1998.

Linda Avery
Commission Secretary

AYES: Commissioners Chinchilla, Mills, Hills, Antenore, Joe, Theoharis

NOES: None

ABSENT: Martin

ADOPTED: February 12, 1998

EXHIBIT A

CONDITIONS OF APPROVAL

Wherever "Project Sponsor" is used in the following conditions, the conditions shall also bind any successor to the Project or other persons having an interest in the Project or underlying property.

1. GENERAL CONDITIONS

- A. Certain mitigation measures based upon the FEIR are adopted as Conditions of Approval and as set forth in case 97.215X, Mitigation Measures and Reporting Program.
- B. The Project Sponsor will include in all construction contracts a written provision that no loading, unloading or parking shall occur along Stevenson Street, that no construction vehicles shall be routed along Stevenson Street and that no construction workers shall be dropped off or picked up along Stevenson Street. The contracts shall further provide that no construction staging areas or activities shall occur along Stevenson Street, except for construction equipment required for the construction of the Stevenson Street facade of the Project or the sidewalk along Stevenson Street in front of the Project, or any other similar activity which can only be performed on Stevenson Street, provided that Project Sponsor agrees to limit such construction staging on Stevenson Street to the maximum extent feasible. In no event, however, shall such construction equipment or staging block vehicular access along Stevenson Street at any time without prior consultation with the Department of Parking and Traffic and with owners/tenants along Stevenson Street whose access to garages or loading docks may be affected. The purpose of such consultation shall be to find ways (such as nighttime or weekend construction) to limit inconvenience to such building owners/tenants to the maximum extent feasible. The construction contractor shall be required to fence the construction site such that there is no access to the construction site from Stevenson

Street at any time during construction, except as expressly permitted in this paragraph.

- C. Prior to the commencement of construction, the Project Sponsor shall appoint a Community Liaison(s) to respond to any public inquires and concerns relating to the term, hours, and duration of construction; noise; dust; or any other issue of concern. The Community Liaison(s) shall be available during all regular business hours and all hours of construction on the project for consultation with interested parties upon their request. On a monthly basis during construction, Project Sponsor shall provide written information on the anticipated construction schedule and activities for the next month to any building owners located within 300 feet of the Project property boundaries who request such information in writing from Project Sponsor.
- D. Prior to commencing piledriving, the Project Sponsor shall consult with the Department of Public Works to determine the time when pile-driving would cause the least disturbance to neighboring uses in accordance with the terms of the MMRP, consistent with Project Sponsor's desire to undertake piledriving in a continuous eight hour shift. The final decision on the time and duration of piledriving rests with the City department overseeing the consultation described in this paragraph. The Department of City Planning may elect to shift such consultation requirement to the Department of Building Inspection, the Department of City Planning or another City department, provided that, in all events, such consultation does occur with a City department prior to the commencement of piledriving. The Project Sponsor shall provide at least ten (10) days advance written notice of such consultation and of the right to participate in such consultation to any property owner located within 300 feet of the Project property boundary who has indicated to Project Sponsor in writing that they wish to be invited to the consultation.
- E. In addition to the construction barrier requirements set forth in the MMRP, the Project Sponsor shall require all construction contractors to implement construction noise reduction techniques, insofar as they are not economically or technically disadvantageous. Such techniques might include using mufflers on all vehicles used on the site; using scrapers as much as possible for earth removal, rather than noiser boarders and hauling trucks, using a back hoe for backfilling, rather than, a bulldozer or loader; using a motor grader rather than a bulldozer for final grading; shielding and enclosing power saws where practical; and using nail guns where possible, rather than manual hammering.
- F. In addition to the measures listed in the MMRP to improve air quality during the operation

of construction equipment, the Project Sponsor shall cease grading during winds in excess of 30 mph if such winds cause substantial airborne dust to occur.

2. Recordation

Prior to the issuance of any new or amended building permit for the construction of 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, which notice shall state that construction of the Project has been authorized by and is subject to the conditions of this Motion. From time to time after the recordation of such notice, at the request of the Project Sponsor or the successor thereto, the Zoning Administrator shall affirm in writing the extent to which the conditions of this Motion have been satisfied.

3. Reporting

The project sponsor shall submit to the Zoning Administrator two copies of a written report describing the status of compliance with the conditions of approval contained within this motion, including the mitigation measures in Exhibit C, every six months from the date of approval until the issuance of the Final Addendum to the Site Permit. Thereafter, the submittal of the report shall be on an annual basis. This requirement shall lapse when the Zoning Administrator determines that all conditions of approval have been satisfied or that the report is no longer required for other reasons.

4. Monitoring Fee

Pursuant to Section 351 (g) of the Planning Code, the Central Permit Bureau shall collect \$5,000.00 prior to the issuance of building permit for the Project in order to compensate the Department for the cost of monitoring compliance with Sections 149, 163, 164, 165 and 321 of the Code.

5. Housing Requirement

The Project Sponsor prior to issuance of the first site permit or building permit for the project, must pay to the Controller the sum of \$1,997,272.00.

6. CONDITIONS TO BE MET PRIOR TO THE ISSUANCE OF TEMPORARY OR PERMANENT CERTIFICATE OF OCCUPANCY

A. Open Space

The Project Sponsor shall place an informational plaque for Project open space conforming to the requirements of Code Section 138(i).

B. Public Artwork; Recognition of Architect and Artists

1) The Project Sponsor shall provide a work of art, a sculpture, in the open space area of the Project. The work of art shall have a value equal to 1% of the hard construction costs of the Project as determined by the Director of the Department of Building Inspection. If the Zoning Administrator concludes that it is not feasible to install the works of art within the time herein specified and the Project Sponsor provides adequate assurances that such works will be installed in a timely manner, the Zoning Administrator may extend the time for installation for a period if not more than twelve (12) months.

2) The Project Sponsor shall place a plaque or cornerstone, identifying the Project architect, the artwork creator, and the Project erection date, in a publicly conspicuous location on the Project prior to issuance of the first certificate of occupancy for the Project (whether temporary or permanent) in accordance with the requirements of Planning Code Section 149(b).

3) Alternatively, the Project Sponsor may participate in the restoration of the historic City Hall dome in lieu of installing works of art in the Project costing an amount equal to 1% of the hard

construction costs of the Project as determined by the Director of the Department of Building Inspection. The Project Sponsor shall provide to the Director necessary information to make the determination of construction cost hereunder.

C. Transportation

(1) Prior to issuance of a Fire Permit for the garage, the Project sponsor shall submit to the Department, for its review and approval, a parking management plan, documenting parking layout and operating methods and practices for all spaces including freight loading and service vehicles, and pricing strategies for parking spaces made available to non-occupants the building. There should be effective mechanisms to insure that the minimum number of designated short term and rideshare spaces will be provided and available, and that freight loading and service vehicle spaces will be available as needed and not used for parking. The Project Sponsor shall notify, in writing, all building tenants and Project Sponsor managers (e.g., building managers, leasing managers) and vendors, upon execution of contracts with the vendors and managers or execution of leases with tenants, and annually thereafter, that Stevenson Street may not be used for freight of passenger loading, unloading, or parking, and that deliveries, messenger services, maintenance services and move-in and move-out will not be permitted on Stevenson Street. Project Sponsor shall provide an exemplar of such written notices to the Department of City Planning. Project Sponsor shall include these same provisions in its parking management plan.

(2) All vehicular driveways shall include warning devices (lighted signs and noise-emitting devices) to alert pedestrians to vehicles exiting the structure onto Jessie and Anthony Streets. Evidence of installation of warning devices shall be submitted to MEA prior to building occupancy.

D. Local Employment Program

(1) The Project Sponsor shall prepare a local employment program for

approval by the Director of Planning or the Director's designee prior to issuance of the first addendum. The local employment program shall be designed to meet the goals, requirements and objectives set forth in Planning Code Section 164 and shall conform to any guidelines adopted by the Commission.

- (2) The Project Sponsor agrees to actively promote to its prospective tenants and its tenant employers the use of its local employment program and the employment of San Francisco residents. The Project Sponsor shall include in marketing materials to all prospective tenants and in its space leases to tenants of the Project a statement of the Project Sponsor's obligation to provide employment services pursuant to Section 164.

Project Sponsor agrees that for as long as the agency remains designated by the Department as the Central Employment Brokerage Agency for the purpose of carrying out obligations under Sec. 164, the Project Sponsor will contract with the CEBA to provide, and pay a fee for the following services as required pursuant to Sec. 164: (1) providing employment brokerage services to building employers (building management and tenants); (2) preparing a local employment program as required by the Department of City Planning; (3) carrying out all reporting requirements of the Department of City Planning.

E. Downtown Park Fee

- (1) The Project Sponsor shall pay the Downtown Park Fee as required by Section 139 of the Planning Code.

F. Child-care Brokerage Services and Fees

- (1) The Project Sponsor shall execute an agreement with the Department and the Mayor's Office of Community Development for the provision of child-care-brokerage services and preparation of a child-care plan to be

approved by the Director of Planning. The child-care plan and child-care brokerage services shall be designed to meet the goals and objectives set forth in Planning Code Section 165.

- (2) Prior to the issuance of the first occupancy permit, the Project Sponsor shall pay the in lieu child-care fee of \$1.00, for each newly created square foot of office space, to the City Controller as required under Planning Code Section 314. The net addition of gross floor area of office use subject to this requirement shall be 283,301 square feet.

7. CONDITIONS TO BE MET FOLLOWING THE ISSUANCE OF THE TEMPORARY OR FINAL CERTIFICATE OF OCCUPANCY

A. Transportation

- (1) It is anticipated that area-wide transportation surveys may be conducted approximately every four years. In lieu of conducting transportation surveys specific to the building every two years pursuant to published implementation guidelines for City Planning Code Section 163, every fourth year, the Project Sponsor may elect to participate in area-wide transportation surveys for the Downtown and vicinity. If the Project Sponsor elects to participate in the area-wide surveys, a survey specific to the building shall be conducted at four year intervals alternating with area-wide surveys. Thus every two years, an area-wide survey shall alternate with a building specific survey. The Project Sponsor may participate in area-wide surveys through contribution of a dollar amount proportional to the ratio of Project employees to the total number of employees in the buildings contributing to the area surveys, based upon a contract amount for each area-wide survey. The Project Sponsor shall notify, in writing, all building tenants and Project Sponsor managers (e.g., building managers, leasing managers) and vendors, upon execution or contracts with the vendors and managers of execution of leases with tenants, and annually thereafter, that Stevenson Street may not be used for freight of passenger loading, unloading, or parking, and that deliveries, messenger services, maintenance services and move-in and move-out will not be permitted on Stevenson Street. Project Sponsor

shall provide an exemplar of such written notices to the Department of City Planning. Project Sponsor shall include these same provisions in its parking management plan.

Additional conditions relating to transportation are set forth in Exhibit C

B. Emergency Preparedness Plan

An additional condition relating to Emergency Preparedness is set forth in Exhibit C.

C. Energy

(1) The Project shall incorporate energy mitigation such as variable air volume HVAC 100% outside air economizer, multiple light switching and flow restrictors for plumbing fixtures.

(2) The sponsor shall perform a thorough energy audit of the structure's actual energy use after the first year of occupancy and implement all cost-effective alterations to the structure's energy system identified in the audit. Within one month of the audit, results shall be presented to the City, along with a list of alterations proposed to be undertaken.

D. Street Trees

Street trees shall be installed in conformity with a landscaping plan to be developed with Planning Department staff and such trees shall be maintained throughout the life of the Project.

E. Recycling

The Project shall provide containers to collect and store recyclable solid waste and the Project Sponsor shall contract for recycling pickup. Project sponsor shall report to the Chief Administrative Officer's Office of Special Projects upon installation of containers and upon completion of the contract for recycling.

PLANNING COMMISSION

File No. 97.215B
One Second Street,
AKA 39-67 Second
Street & 83 Stevenson Street
Assessor's Block 3708
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F. Performance

This authorization may be extended at the discretion of the Zoning Administrator only where the failure to issue a permit by the Bureau of Building Inspection to construct the proposed building is delayed by a City, state or federal agency or by any appeal of the issuance of such a permit(s).

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