



SAN FRANCISCO PLANNING DEPARTMENT

DATE: June 17, 2013

To: Clark Manus

From: Kimia Haddadan, Planning Department

RE: PPA Case No. 2013.0478U for 559 6th Street

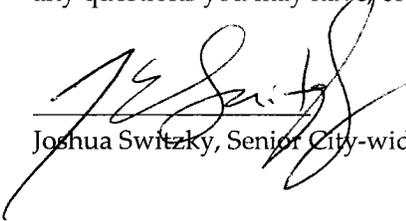
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Please find the attached Preliminary Project Assessment (PPA) for the address listed above. You may contact the staff listed, Kimia Haddadan, at 415-575-9068 or Kimia.haddadan@sfgov.org, to answer any questions you may have, or to schedule a follow up meeting.


Joshua Switzky, Senior City-wide Planner



SAN FRANCISCO PLANNING DEPARTMENT

Preliminary Project Assessment

Date: June 17, 2013
Case No.: **2013.0478U**
Project Address: 559 6th Street
Block/Lot: 3778- 016, 017, 018, 019, 021
Zoning: SALI/ 40/55-x
Area Plan: Western SoMA/ Central Corridor Plan
Project Sponsor: Clark Manus
415-247-1100
Staff Contact: Kimia Haddadan – 415-575-9068
Kimia.haddadan@sfgov.org

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DISCLAIMERS:

Please be advised that this determination does not constitute an application for development with the Planning Department. It also does not represent a complete review of the proposed project, a project approval of any kind, or in any way supersede any required Planning Department approvals listed below. The Planning Department may provide additional comments regarding the proposed project once the required applications listed below are submitted. While some approvals are granted by the Planning Department, some are at the discretion of other bodies, such as the Planning Commission or Historic Preservation Commission. Additionally, it is likely that the project will require approvals from other City agencies such as the Department of Building Inspection, Department of Public Works, Department of Public Health, and others. The information included herein is based on plans and information provided for this assessment and the Planning Code, General Plan, Planning Department policies, and local/state/federal regulations as of the date of this document, all of which are subject to change.

PROJECT DESCRIPTION:

The proposal is to demolish three existing two-story, retail/wholesale buildings and construct a mixed use buildings comprising of office, residential and street fronting retail. The building would be mixed use 11-stories, 130-feet tall, and include 288,442 gross square feet. It would include 125 new residential units, 123,972 gross square feet. of new office space, and 9,973 gross square feet of new retail space on the ground floor. It would also have a basement level with 21,027 gross square feet. of parking.

ENVIRONMENTAL REVIEW:

The proposed project initially requires environmental review either individually, likely in a project-specific Environmental Impact Report (EIR), or in a Community Plan Exemption (CPE) under the Central Corridor Plan Environmental Impact Report (EIR). Section 15183 of the California Environmental Quality Act (CEQA) Guidelines states that projects that are consistent with the development density established by a community plan for which an environmental impact report (EIR) was certified do not require

additional environmental review, except as necessary to determine the presence of project-specific significant effects not identified in the programmatic plan area EIR.

The proposed project is located within the Western SoMa Community Plan Area, which was evaluated in the Western SoMa Community Plan, Rezoning of Adjacent Parcels, and 350 Eighth Street Project Final Environmental Impact Report EIR (Western SoMa FEIR), certified in 2012. However, since the proposed project is not consistent with the land use or development density identified in the Western SoMa Community Plan, it is not eligible for a community plan exemption (CPE) under the Western SoMa FEIR. Given that the project site is within the geographic area evaluated in the Western SoMa FEIR, any development on the project site would potentially still be subject to the mitigation measures promulgated therein. Potentially significant project environmental impacts that were identified in and pertinent mitigation measures and CEQA findings from the Western SoMa FEIR that may be applicable to the proposed project are included below, under the applicable environmental topic. However, it should also be noted that mitigation measures from the Western SoMa FEIR (including those referenced below) could be refined, augmented or superseded under the Central Corridor Plan EIR.

the project site is also located within the active Central Corridor Plan study area. If the proposed project is determined to be consistent with the development density and building height and bulk limits ultimately adopted as part of the Central Corridor Plan, it may be determined to be eligible for a community plan exemption (CPE) under the Central Corridor Plan EIR once the EIR is certified. However, the proposed building heights and density are not within the maximum envelope being considered in the Central Corridor Plan EIR, and so could not be eligible for a CPE under that Plan EIR. If the proposed project were to be scaled down and made consistent with the Central Corridor Plan and the envelope studied in the EIR, it could be eligible for a CPE. Within the CPE process, there can be three different outcomes, as follows:

1. **CPE Only.** In this case, all potentially significant project-specific and cumulatively considerable environmental impacts are fully consistent with significant impacts identified in the underlying area plan EIR, meaning there would be no new “peculiar” significant impacts unique to the proposed project. In these situations, all pertinent mitigation measures and CEQA findings from the underlying area plan FEIR are applied to the proposed project, and a CPE checklist and certificate is prepared. With this outcome, the applicable fees, based on the current fee schedule, in addition to the Environmental Document Determination of \$13,004 are: (a) the \$ 7,216 CPE certificate fee; and (b) a proportionate share fee for recovery of costs incurred by the Planning Department for preparation of the underlying plan EIR. Fees for the preparation of the Central Corridor Plan EIR have yet to be determined.
2. **CPE and Focused Initial Study/Mitigated Negative Declaration.** One or more new significant impacts of the proposed project specific to the site or the project proposal are identified that were not identified in the underlying plan area EIR. If any new significant impacts of the proposed project can be mitigated, then a focused Mitigated Negative Declaration to address these impacts is prepared together with a supporting CPE certificate to address all other impacts that were encompassed by the underlying plan area EIR, with all pertinent mitigation measures and CEQA findings from the underlying plan area EIR also applied to the proposed project. With this

outcome, the applicable fees, based on the current fee schedule, in addition to the Environmental Document determination of \$13,004 are: (a) the standard environmental evaluation (EE) fee based on the cost of construction; and (b) a proportionate share fee for recovery for costs incurred by the Planning Department for preparation of the underlying plan EIR. Fees for the preparation of the Central Corridor Plan EIR have yet to be determined.

3. **CPE and Focused Environmental Impact Report (EIR).** One or more new significant impacts of the proposed project specific to the site or the project proposal are identified that was not identified in the underlying plan area EIR. If any new significant impacts of the proposed project cannot be mitigated, then a focused EIR to address these impacts is prepared together with a supporting CPE certificate to address all other impacts that were encompassed by the underlying plan area EIR, with all pertinent mitigation measures and CEQA findings from the underlying are plan EIR also applied to the proposed project. With this outcome, the applicable fees, based on the current fee schedule, in addition to the Environmental Document Determination of \$13,004 are: (a) the standard environmental evaluation (EE) fee based on the cost of construction; (b) one-half of the standard EIR fee; and (c) a proportionate share fee for recovery of costs incurred by the Planning Department for preparation of the underlying plan EIR. Fees for the preparation of the Central Corridor Plan EIR have yet to be determined.

Alternatively, the proposed project could be analyzed individually in a separate environmental review document. This would obviate the proposed project's reliance on the certification of the Central Corridor Plan EIR, and potentially have beneficial effects to the environmental review schedule. In this case, the applicable fees would be (a) the standard environmental evaluation (EE) fee based on the cost of construction; and (b) the standard EIR fee, if an EIR is required.

In either case, based on our preliminary review the following topic areas would require additional study. An **Environmental Evaluation Application** is required for the full scope of the project (demolition and expansion) and may include the following:

- a) *Transportation Study.* Based on the Planning Department's Transportation Impact Analysis Guidelines, the 11-story, 288,442 sq. ft. office and residential building with 9,973 square feet of ground-floor retail space, 21,027 sq. ft. of basement space would require additional transportation analysis. The Transportation Impact Study (TIS) would need to be prepared by a qualified consultant working at the direction of the Planning Department staff. The Planning Department's list of approved transportation consultants is available at http://www.sf-planning.org/ftp/files/MEA/Transportation_consultant_pool.pdf. Please see "Transportation Impact Analysis Guidelines for Environmental Review" on the Planning Department's website and "Miscellaneous Fees" in the Planning Department's current Fee Schedule for Applications. As noted on the Fee Schedule, there is a separate fee to SFMTA for review of the transportation report. Preliminary plans submitted with the Environmental Evaluation Application should show loading areas, site circulation and access, the number of vehicle and bicycle parking spaces, and detailed plans of the basement levels and ground floor.

- b) *Hazardous Materials*. The project site is known to be underlain by artificial fill and the proposal includes excavation of approximately 20 feet below grade. The Western SoMa FEIR identified a potential impact associated with encountering subsurface contamination during site-specific development and required Mitigation Measure M-HZ-3: Site Assessment and Corrective Action, which requires the project sponsor to ensure that a site-specific Phase I Environmental Site Assessment (ESA) be prepared to determine the potential for site contamination and the level of exposure risk associated with the project. The Phase I ESA and any related documentation should be submitted with the Environmental Evaluation Application. The Phase I will determine whether any additional analysis (e.g., a Phase II soil sampling) will be necessary. If the level(s) of chemical(s) would create an unacceptable risk to human health or the environment, appropriate cleanup levels for each chemical, based on current and planned land use, shall be determined in accordance with accepted procedures adopted by the lead regulatory agency providing oversight (e.g., the Department of Toxic Substances Control [DTSC], the Regional Water Quality Control Board [RWQCB], or San Francisco Department of Public Health [DPH]). A remedial action plan or similar plan for remediation may be required for review and approval by the appropriate regulatory agency. Upon determination that site remediation has been successfully completed, the regulatory agency shall issue a closure letter to the responsible party. For sites that are cleaned to levels that do not allow unrestricted land use, or where containment measures were used to prevent exposure to hazardous materials, the DTSC may require a limitation on the future use of the property. The requirements of these plans and the land use restriction shall transfer to the new property owners in the event that the property is sold.

Review of the Phase I and any additional studies recommended by the Phase I would require oversight from the San Francisco Department of Public Health (DPH), which may recommend that the project sponsor enroll in its Voluntary Remedial Action Program (VRAP). Such recommendations would likely be included in the environmental review document as site-specific mitigation measures, under a CPE these would be referred to as “peculiar,” site-specific impacts, unless the Central Corridor Plan EIR includes a programmatic mitigation measure regarding compliance with the VRAP. Please note that the DPH charges a fee for their review. More information on DPH’s Voluntary Remedial Action Program may be found at <http://www.sfdph.org/dph/EH/HazWaste/hazWasteVoluntaryRemedial.asp>.

The Western SoMa FEIR also requires implementation of Mitigation Measure M-HZ-2: Hazardous Building Materials Abatement, which requires subsequent projects to properly dispose of any polychlorinated biphenols (PCB) such as florescent light ballasts or any other hazardous building materials in accordance with applicable local, state and federal laws.

- c) *Air Quality (AQ) Analysis*. The proposed project includes demolition of all structures on the project site and the construction of a new office and residential building with ground-floor retail space. The proposed project of 125,352 sq. ft. of office use and 125 dwelling units (125,352 sq. ft.) and 9,973 sq. ft. of ground-floor retail use exceeds the Bay Area Air Quality Management District’s (BAAQMD) construction and operational screening levels for criteria air pollutants. Therefore an analysis of the project’s criteria air pollutant emissions is likely to be required. Project-related demolition, excavation, grading and other construction activities may cause wind-

blown dust that could contribute particulate matter into the local atmosphere. To reduce construction dust impacts, the San Francisco Board of Supervisors approved a series of amendments to the San Francisco Building and Health Codes generally referred hereto as the Construction Dust Control Ordinance (Ordinance 176-08, effective July 30, 2008) with the intent of reducing the quantity of dust generated during site preparation, demolition, and construction work in order to protect the health of the general public and of onsite workers, minimize public nuisance complaints, and to avoid orders to stop work by the Department of Building Inspection (DBI). Pursuant to the Construction Dust Ordinance, the proposed project would be required to prepare a Construction Dust Control Plan for review and approval by the San Francisco Department of Public Health (DPH).

In addition to construction dust, demolition and construction activities would require the use of heavy-duty diesel equipment that emits diesel particulate matter (DPM). DPM is a designated toxic air contaminant, which may affect sensitive receptors located up to and perhaps beyond 300 feet from the project site. Additional measures may be required to reduce DPM emissions from construction vehicles and equipment. The proposed project is located in an area that experiences poor air quality (termed "air pollution hot spot") and project construction activities in combination with existing levels of air pollution could result in a significant impact to nearby sensitive receptors necessitating special construction measures and equipment emission controls.

The proposed project includes sensitive land uses, 125 residential dwelling units, that may be affected by nearby roadway-related pollutants and other stationary sources that may emit toxic air contaminants. Health Code Article 38 applies to the proposed project. Health Code Article 38 requires that new residential development greater than 10 units located within the Potential Roadway Exposure Zone perform an Air Quality Assessment to determine whether PM_{2.5} concentrations from roadway sources exceed 0.2 micrograms per cubic meter (0.2 µg/m³). Sponsors of projects on sites exceeding this level are required to install ventilation systems or otherwise redesign the project to reduce the outdoor PM_{2.5} exposure indoors. The proposed project is located within the Potential Roadway Exposure Zone, therefore an analysis of annual exposure to roadway related particulate matter would be required. You may choose to have the air quality assessment prepared by a qualified firm and forwarded to DPH for review, or you may request that DPH conduct the assessment. For more information on Health Code Article 38 see: <http://www.sfdph.org/dph/EH/Air/default.asp>. If the project would generate new sources of toxic air contaminants including, but not limited to: diesel generators or boilers, or any other stationary sources, the project would result in toxic air contaminants that may affect both on-site and off-site sensitive receptors.

During the environmental review process the proposed project will be reviewed to determine whether mitigation measures in the form of either construction emissions minimization measures or air filtration and ventilation mitigation measures will be required and whether any additional mitigation measures identified in the underlying Western SoMa FEIR will be required. Should the project include stationary sources of air pollutants including, but not limited to, diesel boilers or back-up generators, an Air Quality Technical Report may be required for additional air pollutant modeling. If an Air Quality Technical Report is required, the project sponsor must

retain a consultant with experience in air quality modeling to prepare a scope of work that must be approved by Environmental Planning prior to the commencement of any required analysis and/or modeling determined necessary.

The Western SoMa FEIR identified a significant impact related to violation of an air quality standard and included Mitigation Measure M-AQ-2: Transportation Demand Management Strategies for Future Development Projects which is applicable to projects that generate over 3,500 daily vehicle trips and M-AQ-3: Reduction in Exposure to Toxic Air Contaminants for New Sensitive Receptors for projects which have sensitive receptors. The FEIR also found significant impacts related to uses that emit Diesel Particulate Matter (DPM) and included Mitigation Measure M-AQ-4: Siting of Uses that Emit PM_{2.5} or DPM and other TACs (Toxic Air Contaminants), significant impacts related to construction emissions included Mitigation Measure M-AQ-6: Construction Emissions Minimization Plan for Criteria Air Pollutants and Mitigation Measure M-AQ-7: Construction Emissions minimization Plan for Health Risks and Hazards. During the environmental review process the project will be screened for potential air quality impacts to identify all applicable mitigation measures from the Western SoMa FEIR and/or the Central Corridor Plan EIR.

- d) *Greenhouse Gas Compliance Checklist for Private Development Projects.* Potential environmental effects related to greenhouse gas emissions from the proposed project need to be addressed in a project's environmental evaluation. An electronic version of the Greenhouse Gas Compliance Checklist Table 1 for Private Development Projects is available on the Planning Department's website at <http://www.sfplanning.org/index.aspx?page=1886>. The project sponsor would be required to submit the completed table regarding project compliance with the identified regulations and provide project-level details in the discussion column. This information will be reviewed by the environmental planner during the environmental review process to determine if the project would comply with San Francisco's Greenhouse Gas Reduction Strategy. Projects that do not comply with an ordinance or regulation may be determined to be inconsistent with San Francisco's Greenhouse Gas Reduction Strategy.
- e) *Geotechnical.* The project site is located in a Seismic Hazard Zone, specifically a liquefaction hazard zone, as identified in the San Francisco General Plan. The investigation of geotechnical and soil conditions and the application of the building codes for new development based on these conditions would reduce the potential for impacts related to structural damage, ground subsidence, liquefaction, landslides, and surface settlement to less-than-significant levels. To assist our staff in their determination, it is recommended that you provide a copy of a geotechnical investigation with boring logs for the proposed project. This study will also help inform the archeological review.

In addition, Interdepartmental Project Reviews are mandatory for new construction projects that propose buildings eight stories or more and new construction on parcels identified by the State of California Department of Conservation, Division of Mines and Geology as Seismic Hazard Zones in the City and County of San Francisco. As such, the project sponsor must request and participate in an Interdepartmental Project Review prior to any application that requires a public hearing before the Planning Commission or building permit. Project Sponsors may elect to

request an interdepartmental review for any project at any time. However, it is strongly recommended that the request is made prior to the submittal of a building permit or Conditional Use application. The Planning Department acts as the lead agency in collaboration with the Department of Building Inspection (DBI); the Department of Public Works (DPW); and the San Francisco Fire Department (SFFD). Staff from each of these disciplines will attend the Interdepartmental Project Review meeting.

- f) *Noise*. The Western SoMa FEIR identified a number of noise mitigation measures applicable to construction activity. The project site is located in an area where traffic-related noise exceeds 60 Ldn (a day-night averaged sound level). There are two mitigation measures, M-NO-1a: Interior Noise Levels for Residential Uses and M-NO-1b: Siting of Noise-Sensitive Uses, which would apply to the project due to its residential component. These mitigation measures would require the project sponsor to conduct a noise analysis including noise monitoring on the site and an analysis of the feasibility of various construction measures, i.e. STC-rated windows, insulation and wall construction techniques, to meet Title 24 noise requirements. The project would be required to adhere to measures intended to minimize the impact of construction noise on surrounding land uses as specified in Mitigation Measure M-NO-2a: General Construction Noise Control Measures, including the use of trucks and equipment with the best noise control devices, the placement and muffling of stationary noise sources (e.g. compressors and generators) away from noise-sensitive uses, the use of hydraulically- or electrically-powered impact tools, and the provision of contact information of the construction contractor and/ or project sponsor for surrounding land uses to notify in the event of noise issues. If pile driving is used, M-NO-2b: Noise Control Measures During Pile Driving would apply and measures, including the use of quieter pile driving techniques (e.g. pre-drilling of piles and sonic pile driver), and the construction of temporary noise attenuation barriers, would need to be implemented to reduce construction-related noise impacts. Additionally, if pile driving would occur within proximity to historical resources, project sponsors would be required to incorporate Mitigation Measures M-CP-7a, Protect Historical Resources from Adjacent Construction Activities, and Mitigation Measure M-CP-7b, Construction Monitoring Program for Historical Resources, that include monitoring and the implementation of measures to minimize any construction-vibration damage to historic resources.
- g) *Historic Resource Evaluation Report (HRER)*. According to Planning Department records, the existing buildings on the project site were constructed in 1956, making them approximately 57 years old at the time of this review. The buildings at 575 6th Street were included in the South of Market Historic Resource Survey (SoMa Survey) survey, during which it was determined that assessment of the California Flower Market complex could not be accurately completed without additional information. Thus, the environmental analysis will require a Historic Resource Evaluation Report (HRE) to determine whether the structures on the site are considered historic resources. The HRE shall be prepared by a qualified professional who meets the Secretary of the Interior's Professional Qualification Standards in Historic Architecture or Architectural History. The qualified professional must be selected from one of three historic resource consultants assigned by Tina Tam, Senior Preservation Planner at the Planning Department. Please contact Tina Tam at (415) 558-6325 or at tina.tam@sfgov.org.

Instructions on completing this report are included in "San Francisco Preservation Bulletin No. 16: City and County of San Francisco Planning Department CEQA Review Procedures for Historic Resources." The preservation bulletin is available at www.sfplanning.org under: "Plans & Programs" "Historic Preservation" "Preservation Bulletins." Prior to initiating work on the Historic Resource Evaluation Report, please have the selected consultant contact Planning Department Preservation Staff to scope the report.

All but one of the three structures proposed for demolition has been found to not have the potential to be a historic resource in the South of Market Historic Resources Survey available at: <http://www.sfplanning.org/index.aspx?page=1826>. This survey found that 563 Sixth Street (Block 3778/016) additional study of the building at 563 Sixth Street would need to be completed to determine whether it is a historic resource. Other eligible resources exist adjacent, or in close proximity to, the project site. The project would need to be evaluated for its potential adverse impact on these nearby off-site resources. A Historic Resource Evaluation (HRE) would need to be prepared evaluating the impacts of the proposed project on identified historical resource(s) and the building at 563 Sixth Street by a qualified professional who meets the Secretary of the Interior's Professional Qualification Standards in Historic Architecture or Architectural History. The HRE should focus on the evaluation of the proposed project for conformance with the Secretary of the Interior's Standards for Rehabilitation (Secretary's Standards). If impacts to historic resources are found, the environmental analysis will need to consider preservation alternatives that avoid or substantially lessen the project's impact to historic resources. The HRE must be prepared by a qualified firm listed in the Department's Historic Preservation Consultant Pool. The Department will provide the project sponsor with a list of three consultants from the Historic Preservation Consultant Pool. Please contact Tina Tam, Senior Preservation Planner, at (415) 558-6325 to coordinate the selection of a consultant. A general scope of work for the HRE is included on page 35 of the San Francisco Preservation Bulletin No. 16, and it is strongly recommended that the consultant submit a revised scope of work to the Department's Preservation Division for review prior to drafting the report. San Francisco Preservation Bulletin No. 16 is available at www.sfplanning.org under "Historic Preservation." If it is determined that the project would cause a substantial adverse change in the significance of a historical resource through demolition, Mitigation Measure M-CP-1a: Documentation of a Historical Resource, Mitigation Measure M-CP-1b: Oral Histories, and/or Mitigation Measures M-CP-1c: Interpretive Program from the Western SoMa FEIR may apply.

- h) *Archeological Resources.* The proposed project includes demolition, excavation, grading, and foundation work to a depth greater than five feet below grade. Mitigation Measure M-CP-4a: Project Specific Preliminary Archeological Assessment would apply. This measure applies to properties for which no archeological assessment report has been prepared. Projects to which this mitigation measure applies are subject to Preliminary Archeology Review (PAR) or a Preliminary Archeological Sensitivity Study (PASS) by the San Francisco Planning Department archeologist. If required, an Archeological Research Design Treatment (ARDTP) shall be prepared by an archeological consultant with from the pool of qualified archeological consultants maintained by the Planning Department archeologist.

- i) *Shadow Study.* The proposed project would result in construction of a building 40 feet or greater in height. As part of the Preliminary Project Assessment, Planning Department staff prepared a shadow fan analysis to determine whether the project would shade any property managed by the San Francisco Recreation and Parks Department. The shadow fan analysis shows that the project would not cast shadows on these recreational resources. During the environmental review process, review of potential shadow impacts on non-San Francisco Recreation and Parks public spaces and publically-accessible open spaces will be conducted.
- j) *Wind Study.* The proposed project would involve construction of a building over 80 feet in height. The Western SoMa FEIR identified a potential impact related to wind, and the project is subject to Mitigation Measure M-WS-1: Screening-Level Wind Analysis and Wind Testing. Any structure proposed within the Plan Area over 80 feet in height is required to undergo screening-level wind impact analysis that takes into account the surrounding topography and building heights. As part of this analysis, a qualified wind expert shall review the proposed building plans as well as results of other wind tests conducted nearby, if available. Based on this review, a determination shall be made as to whether wind hazards are expected as a result of project development. If not enough information is available to make a determination with relative certainty that no wind hazard criteria are expected, a project-level wind test shall be conducted. If required, a project-level wind test shall be prepared by a qualified wind expert to determine impacts on pedestrian-level wind speeds. The methodology of a wind test shall be consistent with accepted San Francisco Planning Department practice. The consultant would be required to prepare a proposed scope of work for review and approval by the Environmental Planning case manager prior to preparing the analysis.
- k) *Tree Disclosure Affidavit.* The Department of Public Works Code Section 8.02-8.11 requires disclosure and protection of landmark, significant, and street trees located on private and public property. Any tree identified in this Disclosure Statement must be shown on the Site Plans with size of the trunk diameter, tree height, and accurate canopy drip line. Please submit an Affidavit with the Environmental Evaluation Application and ensure trees are appropriately shown on site plans.
- l) *Biological Resources.* Due to the proposed demolition of buildings on the project site, the project is subject to Mitigation Measures M-BI-1a: Pre-Construction Special-Status Bird Surveys and M-BI-1b: Pre-Construction Special-Status Bat Surveys. Mitigation Measure M-BI-1a requires that conditions of approval for building permits issued for construction of project within the Western SoMa Plan Area include a requirement for pre-construction special-status bird surveys when trees would be removed or buildings demolished as part of an individual project. Pre-construction special-status bird surveys shall be conducted by a qualified biologist between February 1 and August 15 if tree removal or building demolition is scheduled to take place during that period. Mitigation Measure M-BI-1b requires pre-construction special-status bat surveys by a qualified bat biologist when large trees (those with trunks over 12 inches in diameter) are to be removed, or vacant buildings or buildings used seasonally or not occupied, especially in the upper stories, are to be demolished. The Department suggests that the sponsor consider Improvement Measure I-BI-2: Night Lighting Minimization to reduce the less-than-significant effects on birds from night lighting. This would entail reducing building lighting from exterior and interior sources.

- m) *Stormwater Management.* Prior to issuance of a building permit, the project sponsor is required to prepare and submit a Stormwater Control Plan (SCP) to the San Francisco Public Utilities Commission (SFPUC) Wastewater Enterprise, Urban Watershed Management Program. The SCP shall demonstrate compliance with the City's Stormwater Design Guidelines. The project's environmental evaluation would generally evaluate how and where the implementation of required stormwater management and low-impact design approaches would reduce potential negative effects of stormwater runoff. This may include environmental factors such as the natural hydrologic system, city sewer collection system, and receiving body water quality. For more information on the SFPUC's stormwater management requirements, see <http://stormwater.sfwater.org>.
- n) *Flood Notification.* This lot is on a block that has the potential to flood during storms. Please contact Cliff Wong at the San Francisco Public Utilities Commission at (415) 554-8339.
- o) *Notification of a Project Receiving Environmental Review.* If a Community Plan Exemption (CPE) is pursued for the proposed project notice is required to be sent to occupants of properties adjacent to the project site and owners of properties within 300 feet of the project site at the initiation of the CPE process.

This environmental review may be done in conjunction with the required approvals listed below, but must be completed before any project approval may be granted. Please see "Studies for Project inside of Adopted Plan Areas - Community Plan Fees" in the Planning Department's current *Fee Schedule for Applications*. Environmental evaluation applications are available at the Planning Information Center at 1660 Mission Street, and online at www.sfplanning.org.

PLANNING DEPARTMENT APPROVALS:

The project requires the following Planning Department approvals. These approvals may be reviewed in conjunction with the required environmental review, but may not be granted until after the required environmental review is completed. Note that the subject parcel is within the Central Corridor Plan area, with associated rezoning tentatively scheduled for late 2014. The project as proposed could not be approved under the existing SALI zoning or the existing height limits, and would thus require rezoning. Please be advised that the remainder of this review is based on the Central Corridor Plan Draft for Public Review published in April 2013 and is contingent on the approval of the proposed Central Corridor Plan rezoning by the Planning Commission and Board of Supervisors.

1. **Zoning Reclassification.** The project site is currently located within SALI (Service/Arts/Light Industrial) District. In order to proceed, the proposal would require reclassification by the Planning Commission and the Board of Supervisors to a zoning district that permits the proposed office and housing uses. The draft zoning concepts published in April 2013 Central Corridor Plan indicate that a reclassification to MUO (Mixed-Use Office) is being considered for the site. The project would be assessed based on the zoning in place at the time that the Planning Department entitlement is sought.
2. **Height District Reclassification.** The project site is located within the 40-X/55-X Height and Bulk District. The proposed 130-foot building could not be approved under the current zoning. In order to

proceed, the proposal would require reclassification by the Planning Commission and the Board of Supervisors to a height and bulk district that permits the proposed building envelope. The envisioned height and bulk designation for the project site in the proposed Central Corridor Plan Area is 55-X, and so is not consistent with the height and bulk districts proposed and being studied for the site. The project would be assessed based on the height districts in place at the time that the Planning Department entitlement is sought.

3. **Large Project Authorization** from the Planning Commission is required per Planning Code Section 329 for the new construction of a building greater than 75 feet in height and greater than 25,000 gross square feet.
4. **Office Allocation.** An Office Allocation from the Planning Commission is required per Planning Code Section 321 et seq. to establish more than 25,000 gross square feet of new office space. Please be advised that as of the date of this letter, the Small Cap contains 1,215,167 square feet and the Large Cap contains 3,758,749 square feet. As proposed, your project would fall under the large cap. However, should all proposed/pending projects move forward, the office cap would be exceeded.
5. A **Building Permit Application** is required for the demolition of the existing buildings on the subject property.
6. A **Building Permit Application** is required for the proposed new construction on the subject property.

Applications are available in the Planning Department lobby at 1650 Mission Street Suite 400, at the Planning Information Center at 1660 Mission Street, and online at www.sfplanning.org. Building Permit applications are available at the Department of Building Inspection at 1660 Mission Street.

NEIGHBORHOOD NOTIFICATIONS AND PUBLIC OUTREACH:

Project Sponsors are encouraged to conduct public outreach with the surrounding community and neighborhood groups early in the development process. Additionally, many approvals require a public hearing with an associated neighborhood notification. Differing levels of neighborhood notification are mandatory for some or all of the reviews and approvals listed above.

This project is required to conduct a **Pre-application** meeting with surrounding neighbors and registered neighborhood groups before a development application may be filed with the Planning Department. The Pre-application packet, which includes instructions and template forms, is available at www.sfplanning.org under the "Permits & Zoning" tab. All registered neighborhood group mailing lists are available online at www.sfplanning.org under the "Resource Center" tab.

PRELIMINARY PROJECT COMMENTS:

The following comments address specific Planning Code and other general issues that may significantly impact the proposed project:

1. **Existing Zoning.** The subject property is currently in the SALI Zoning District. No office uses are permitted in the SALI. This current zoning also does not allow housing on the property. Therefore, the project could not be approved under existing zoning.
2. **Central Corridor Plan.** The subject property falls within the ongoing Central Corridor Plan study area, initiated in 2011. The Central Corridor Draft Plan, generally bounded by 2nd, 6th, Townsend and Market Streets, was published in April 2013. The draft plan will be evaluated in an Environmental Impact Report (EIR) which commenced in April 2013 as well. The draft Plan will propose changes to the allowed land uses and building heights, and will include a strategy for improving the public realm in this area. The Plan and its rezoning are anticipated to be before decision-makers for approval in late 2014.
The Central Corridor Draft Plan includes recommendations for new land use controls as well as new height and bulk controls for the subject property. The Draft Plan is available for download at <http://centralcorridor.sfplanning.org>
3. **Land Use.** The Central Corridor Plan concepts recommend rezoning the subject property to the MUO (Mixed Use-Office) zoning district. In the MUO, office, housing, hotel, and retail uses are allowed. The office use is generally consistent with key objectives of the Central Corridor Plan, which include providing support for development in this transit-rich area, and favoring commercial development over other kinds of growth, particularly on large parcels. To implement the objective to favor commercial growth, the Central Corridor Plan concepts includes a new Special Use District south of Harrison Street that would limit new residential development to smaller parcels or, on larger parcels, as a component in a mixed-use project with major commercial development. The proposed office use would need to conform to FAR requirements on the parcel. The Central Corridor EIR will also analyze a reduced housing variant in which housing would not be permitted.
4. **Height.** The Central Corridor Plan concepts recommend changes to the height limits on this property to 55-X. The proposed 130 foot building is not consistent with the height limits being considered in this Plan or analyzed in the Plan's EIR. The Central Corridor Plan also establishes as one of its urban form principles to step down the heights towards 6th street and lower scale areas to the west of this street that have 45'-55' height limits.
5. **Eco-District.** An Eco-district is a neighborhood or district where residents, community institutions, property owners, developers, and businesses join together with city leaders and utility providers to meet sustainability goals and co-develop innovative projects at a district or block-level. The Planning Department has identified the Central Corridor Plan area as a Type 2 Eco-District. All major new development in the Central Corridor Plan area will be expected to participate in the Eco-District program and the Sustainability Management Association set up to guide it. Please see <http://www.sfplanning.org/index.aspx?page=3051> or contact Kate McGee at 558-6367 for more information.
6. **Rear Yard.** Planning Code Section 134 requires the project to provide a rear yard of at least 25 percent of the lot depth at the lowest story containing a dwelling unit, and at each succeeding level or story of the building. The project does not propose a code-complying rear yard. The project should strive to provide a comparable rear yard at the level of proposed residential use.

7. **Open Space – Residential.** Planning Code Section 135 requires that usable open space be located on the same lot as the dwelling units it serves. At least 80 square feet of usable open space per dwelling unit, or 54 square feet per dwelling unit of publicly accessible open space, is required. Up to 50 percent of the publicly accessible open space may be provided off-site. The proposed roof deck and pedestrian walkway do not meet the square footage or the dimensional requirements. For a project on a sizeable lot, code-complying open space should be accommodated.
8. **Open Space – Non-Residential.** Planning Code Section 135.3 requires this project to provide one square foot of open space for every 250 occupied square feet of retail space, and one square foot of open space for every 50 occupied square feet of office space. The proposed roof deck and pedestrian walkway do not meet the square footage or the dimensional requirements. If the open space provided does not meet the minimum requirements, an in-lieu fee may be paid per Section 426. Please be aware that while under the current Planning Code, non-residential open space is not required to be open to the public in the MUO District, the Central Corridor Plan proposes to require non-residential open space to be open to the public. To that end, non-residential open space should be designed with public accessibility and use in mind, such that roof decks or spaces internal to buildings may not be practical or desirable.
9. **The Green Landscape Ordinance.** Planning Code Section 138.1 requires permeable paving and street trees to be installed by the property owner or developer in the case of the construction of a new building, relocation of a building, or addition of gross floor area equal to 20 percent or more of the gross floor area of the existing building. The minimum installation shall be one 24-inch box tree for each 20 feet of frontage of the property along each street or alley, with each remaining 10 feet requiring one additional tree.
10. **Better Streets Plan.** In any district, streetscape and pedestrian elements in conformance with the Better Streets Plan shall be required per Planning Code Section 138.1(c)(2), if all the following conditions are present: (1) the project is on a lot that (a) is greater than ½-acre in total area, (b) contains 250 feet of total lot frontage on one or more publicly-accessible rights-of-way, or (c) the frontage encompasses the entire block face between the nearest two intersections with any other publicly-accessible rights-of-way, and (2) the project includes (a) new construction; (b) addition of 20% or more of gross floor area to an existing building; or (c) alteration to greater than 50% of the existing square footage of a building.

The project triggers requirement for the Better Streets Plan by meeting Conditions 1(a), (b) and 2(a). Project sponsors shall submit a streetscape plan to the Planning Department showing the location, design, and dimensions of all existing and proposed streetscape elements in the public right-of-way directly adjacent to the fronting property, including street trees, sidewalk landscaping, street lighting, site furnishings, utilities, driveways, and curb lines, and the relation of such elements to proposed new construction and site work on the subject property.

The Department recommends that the sponsor consider public realm features such as corner bulb-outs, as well as a pedestrian priority shared street improvements to Morris. Such ideas can be further

explored in future meetings with the Department. For more information on process, guidelines, and requirements for street improvements, refer to www.sfbetterstreets.org. See <http://www.sfbetterstreets.org/design-guidelines/street-types/> to identify relevant street types and suggested treatment for the project frontage. It is important to note that, required streetscape and pedestrian improvements are not eligible for in-kind fee credit.

11. **Standards for Bird Safe Buildings.** Planning Code Section 139 outlines bird-safe standards for new construction to reduce bird mortality from circumstances that are known to pose a high risk to birds and are considered to be "bird hazards." Feature-related hazards may create increased risk to birds and need to be mitigated. Any feature-related hazards, such as free-standing glass walls, wind barriers, or balconies must have broken glazed segments 24 square feet or smaller in size. Please review the standards and indicate the method of window treatments to comply with the requirements where applicable.
12. **Exposure.** Planning Code Section 140 requires that each dwelling unit have at least one room that meets the 120-square-foot minimum superficial floor area requirement of Section 503 of the Housing Code face directly on a street right-of-way, code-complying rear yard, or an appropriately sized courtyard. For a project on a sizeable lot, exposure to dwelling units should be accommodated.
13. **Shadow.** The proposed project would involve construction of a building(s) greater than 40 feet in height and would therefore require a shadow study. However, a preliminary shadow analysis indicates that the proposed project would not cast new shadow on Victoria Manalo Draves Park, a nearby property owned by the San Francisco Recreation and Park Department, as represented in the plan set submitted with the Preliminary Project Assessment application.
14. **Parking.** No parking details were provided as part of the submittal. The proposed zoning under the Central Corridor planning process (MUO) would require no parking. However, applicable parking requirements under Planning Code Section 151.1 would apply, based on the zoning at the time that the entitlements are sought.
15. **Bicycle Parking.** Planning Code Sections 155.4 and 155.5 provides requirements for bicycle parking in new commercial and residential developments. No bike parking is shown in the PPA application. Please note that currently the bicycle parking requirements in the Code are under review for significant changes that would likely affect the requirements for this project. The Planning Commission approved these changes and the legislation is pending Board decision. For review of potential changes, please see: <http://commissions.sfplanning.org/cpcpackets/2011.0397T.pdf>. These proposals are currently under review and are subject to change. The minimum amount and type of bicycle parking will be required to be provided. Bike parking should be as close as possible to lobbies or garage entrances to minimize the travel distance through the garages and conflicts with automobiles.
16. **Transportation Management Program.** Pursuant to Planning Code Section 163, an agreement will be required to be executed with the Planning Department to ensure that transportation brokerage services are provided for the life of the project.

17. **Car sharing.** Pursuant to Planning Code Section 166, an undetermined number of car share spaces shall be required, depending on the total number of non-residential off-street parking spaces provided.
18. **Dwelling Unit Mix.** Planning Code Section 207.6 requires 40 percent of the total proposed units to contain at least two bedrooms, or 30 percent of the total proposed units to contain at least three bedrooms.
19. **Bulk: Horizontal Mass.** Planning Code Section 270.1 requires any project with a frontage of more than 200 feet to incorporate one or more mass reduction breaks in the building that reduce the horizontal scale of the building into discrete sections not more than 200 feet in length. The minimum dimensions required for such a break are 30 feet of width and 60 feet of depth above 25 feet. The project should provide code-complying horizontal mass breaks in a formal submittal.
20. **Bulk: Mid-Block Alley.** Planning Code Section 270.2 requires new construction on lots with frontage greater than 200 linear feet but less than 300 feet to provide a publicly-accessible mid-block alley for the entire depth of the property. Although the project proposes a mid-block alley through 6th Street, the alley does not meet minimum dimensional requirements. Given the significant size of the project, a code complying mid-block alley should be provided. Note that portions of mid-block alleys that are non-vehicular could be counted toward open space requirements.
21. **Jobs-Housing Linkage Program.** Pursuant to Planning Code Section 413 et seq., the Jobs-Housing Linkage Program fee will apply to this project.
22. **Transit Impact Development Fee.** Pursuant to Planning Code Section 411 et seq., the Transit Impact Development Fee will apply to this project. Please be aware that an ongoing process – the Transportation Sustainability Program – may eventually replace the Transit Impact Development Fee. You can find more information about this program here:
<http://www.sf-planning.org/index.aspx?page=3035>
23. **Child Care Requirements.** This project will be subject to the child care requirements, and/or the associated in-lieu fee, of Planning Code Section 414 et seq.
24. **Public Art.** This project will be subject to the public art requirements of Planning Code Section 429 et seq.
25. **First Source Hiring Agreement.** Chapter 83 of the San Francisco Administrative Code, passed in 1998, established the First Source Hiring Program to identify available entry-level jobs in San Francisco and match them with unemployed and underemployed job-seekers. The intent is to provide a resource for local employers seeking qualified, job ready applicants for vacant positions while helping economically disadvantaged residents who have successfully completed training programs and job-readiness classes.

The ordinance applies to (1) any permit application for commercial development exceeding 25,000 square feet in floor area involving new construction, an addition or a substantial alteration which results in the addition of entry level positions for a commercial activity; or (2) any application which requires discretionary action by the Planning Commission relating to a commercial activity over 25,000 square feet, but not limited to conditional use; or (3) any permit application for a residential development of ten units or more involving new construction, an addition, a conversion or substantial rehabilitation.

The project is subject to the requirement. For further information or to receive a sample First Source Hiring Agreement, please see contact information below:

Ken Nim, Workforce Compliance Officer
CityBuild, Office of Economic and Workforce Development
City and County of San Francisco
1 South Van Ness, San Francisco, CA 94102
Direct: 415.701.4853, Email: ken.nim@sfgov.org
Fax: 415.701.4897
Website: <http://oewd.org/Workforce-Development.aspx>

26. **Stormwater.** Projects that disturb 5,000 square feet or more of the ground surface must comply with the Stormwater Design Guidelines and submit a Stormwater Control Plan to the SFPUC for review. To view the Guidelines and download instructions for preparing a Stormwater Control Plan, go to <http://stormwater.sfwater.org/>. Applicants may contact stormwaterreview@sfwater.org for assistance.
27. **Recycled Water.** The City requires property owners to install dual-plumbing systems for recycled water use in accordance with Ordinances 390-91, 391-91, and 393-94, within the designated recycled water use areas for new construction projects larger than 40,000 square feet. Please see the attached SFPUC document for more information.
28. **Flood Notification.** The project site is located in a flood-prone area. Please see the attached bulletin regarding review of the project by the San Francisco Public Utilities Commission.
29. **Eastern Neighborhoods Impact Fees.** The Eastern Neighborhoods Area Plan Impact Fee applies to the Project. Fees shall be assessed per net new gross square footage on residential and nonresidential uses within the Plan area. Fees shall be assessed on mixed-use projects according to the gross square feet of each use in the project. Currently, the project is within the Impact Fee Tier 1, however the Fee Tier applicable to this project will be revised upon any rezoning of the property to increase height limits, density allowances, or allowed uses, such as would be necessary for the proposed project to proceed. The Eastern Neighborhoods Impact Fees would continue to apply upon adoption of the Central Corridor Plan. However, due to the anticipated rezoning, one or two additional fee tiers may be added. The Impact Fee shall be paid before the City issues a first construction document, with an option for the project sponsor to defer payment to prior to issuance of the first certificate of occupancy upon agreeing to pay a deferral surcharge in accordance with Section 107A.13.3 of the San Francisco Building Code. This option to defer fees will expire on July 1, 2013.

30. **Option for In-Kind Provision of Community Improvements and Fee Credits.** Project sponsors may propose to directly provide community improvements to the City. In such a case, the City may enter into an In-Kind Improvements Agreement with the sponsor and issue a fee waiver for the Eastern Neighborhoods Impact Fee from the Planning Commission, for an equivalent amount to the value of the improvements. This process is further explained in Section 412.3(d) of the Planning Code. More information on in-kind agreements can be found in the Application Packet for In-Kind Agreement on the Planning Department website.

PRELIMINARY DESIGN COMMENTS:

The following comments address preliminary design issues that may significantly impact the proposed project:

1. **Building Massing, Site design, and Open Space.** The proposed heights significantly exceed what is allowed under the current zoning (40') and also significantly exceeds what is envisioned in the proposed Central Corridor Plan Area for this site (55'). The Department recommends reducing the proposed project height per the proposed height limits.

For large sites, massing breaks and mid-block alleys are envisioned, similar to the controls in the Eastern Neighborhoods mixed-use districts. The Department recommends providing a public accessible pedestrian mid-block connection that connects Sixth Street with Morris Street and that is a minimum of 20 feet wide open to the sky for at least 60% of its length. If the connection is intended to allow vehicular traffic, the alley must be wider than 20 feet to accommodate sidewalks or ample width for both vehicular and pedestrian use.

The non-residential open space for the project must be publicly accessible and meet the design standards typical for Privately Owned Public Open Spaces (POPOS), such as those listed in Section 135(h) and 138 of the Code. The proposed open space located on the roof may not meet the public accessibility and use standards and expectations of the requirements. To be more accessible and usable, the Department's preference is for such spaces to be at-grade. A shared space alley and plaza design that could accommodate limited vehicular access but retain pedestrian priority public space may be one option for meeting the publicly accessible open space and mid-block alley requirements.

In general, the building should be built to the street wall and create a consistent frontage. Recessed areas may be incorporated into the mid-block alleys entrances. Staff recommends locating small retail at the corners of the mid-block alley.

2. **Architecture.** The application is diagrammatic and is assumed to be preliminary. The Department will provide additional architectural review and comments in a subsequent formal application.

The massing breaks as shown may or may not be relevant to the ultimate building design. If they are retained, attention to how they differentiate the massing should be refined, by a combination of material changes and greater depth, and programmatic function.

PRELIMINARY PROJECT ASSESSMENT EXPIRATION:

This Preliminary Project Assessment is valid for a period of **18 months**. An Environmental Evaluation, Conditional Use Authorization, or Building Permit Application, as listed above, must be submitted no later than **December, 16, 2014**. Otherwise, this determination is considered expired and a new Preliminary Project Assessment is required. Such applications and plans must be generally consistent with those found in this Preliminary Project Assessment.

Enclosure: Neighborhood Group Mailing List
 Interdepartmental Project Review Application
 Flood Notification: Planning Bulletin
 SFPUC Recycled Water Information Sheet

cc: Clark Manus, Property Owner Representative
 Ben Fu, Current Planning
 Heidi Klein, Environmental Planning
 Kimia Haddadan, Citywide Planning and Analysis
 Joshua Switzky, Citywide Planning and Analysis
 Jerry Robbins, MTA
 Jerry Sanguinetti, DPW