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DATE: **January 10, 2012**

TO: **Alexa Arena, Forest City California Residential Development**

FROM: **Sarah Dennis-Phillips, Planning Department**

RE: **PPA Case No. 2011.0409U for 172 Fifth Street, 190 Fifth Street, 910 Howard Street, 912 Howard Street, 924-926 Howard Street, 430 Natoma Street, 435-439 Minna Street, 44 Mary Street, 50 Mary Street, 432-439 Natoma St, 440 Natoma St, 447-449 Minna St, 441-445 Minna St, 967-971 Mission St, 947-949 Mission St, 941-945 Mission St, 939 Mission St, 901-933 Mission St, 425-433 Minna St (Air Rights), 110 Fifth St, 914-918 Howard St, Natoma St (Air Rights), Minna St (Air Rights)**

Please find the attached Preliminary Project Assessment (PPA) for the address listed above. You may contact the staff contact, Kay Cheng, at (415) 575-9094 or kay.cheng@sfgov.org, to answer any questions you may have, or to schedule a follow-up meeting.

Sara Dennis Phillips

Sarah Dennis-Phillips, Senior Planner

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Preliminary Project Assessment

Date:	January, 10th, 2012
Case No.:	**2011.0409U**
Project Address:	172 Fifth Street 3725/005 190 Fifth Street 3725/006 910 Howard Street 3725/008 912 Howard Street 3725/009 924-926 Howard Street 3725/012 430 Natoma Street 3725/042 435-439 Minna Street 3725/043 44 Mary Street 3725/044 50 Mary Street 3725/045 432-439 Natoma St 3725/046 440 Natoma St 3725/047 447-449 Minna St 3725/076 441-445 Minna St 3725/047 967-971 Mission St 3725/086 947-949 Mission St 3725/089 941-945 Mission St 3725/090 939 Mission St 3725/091 901-933 Mission St 3725/093 425-433 Minna St (Air Rights) 3725/094 110 Fifth St 3725/097 914-918 Howard St 3725/098 Natoma St (Air Rights) 3725/099 Minna St (Air Rights) 3725/100
Block/Lot:	3733/005, 006, 008, 009, 012, 042, 043, 044, 045, 046, 047, 076, 077, 086, 089, 090, 091, 093, 094, 097, 098, 099, 100
Zoning:	C-3-S - DOWNTOWN SUPPORT 160-F RSD - SOMA RESIDENTIAL- SERVICE 40-X/85-B
Project Sponsor:	Alexa Arena, Forest City California Residential Development, Inc. 415-836-5930
Staff Contact:	Kay Cheng – 415-575-9094 kay.cheng@sfgov.org

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 approximately four acre project site is located on several parcels located on the southwest corner of Fifth and Mission Streets in the Financial District and SOMA neighborhoods of Downtown San Francisco. The proposal is to demolish several surface parking lots and buildings resulting in seven mixed use buildings totaling a massing of 1,873,000 GSF (Alternative 1,881,000 GSF). Additionally, the proposed project calls for the relocation of the Mary Street Alley between Minna and Natoma Streets. The project site is adjacent to the Central Corridor Plan which will propose changes to the allowed land uses and building heights, and will include a strategy for improving the pedestrian experience in this area.

ENVIRONMENTAL REVIEW:
The project will require the following documentation as part of the environmental review process, which must be completed before any project approval may be granted:

1. An **Environmental Evaluation Application**: In order to facilitate environmental review and comply with the California Environmental Quality Act (CEQA), the applicant will be required to submit an Environmental Evaluation Application (EEA). The information in the EEA shall be supplemented with the following background studies:

    a. *Aesthetics.* The project proposes a phased building program that could result in the development of up to about 1.8 million gross square feet of residential, office, commercial and flex uses in up to eight new and/or renovated buildings across the approximately four-acre project area. CEQA requires that a lead agency evaluate a project's effect on a neighborhood's visual quality and character, as well as effects on visual resources and scenic vistas within the area's broader context. Given the degree of visual change anticipated, the Planning Department will require photomontages of the proposed project buildings from to-be-determined public viewpoints within its surroundings. At minimum, the Department requires "before" and "after" photos of the site from a number of near-, mid- and long-range vantage points to illustrate the project's effect on views, with a particular focus on the project's potential to alter the quality of street view corridors identified in the General Plan. Specific view points will be selected based on a level of visual sensitivity, as well as to evaluate the project's potential implications on the skyline and to urban form.

    b. *Archeological Study*. According to the PPA application, project implementation would entail soil disturbing activities associated with building construction. It appears that excavation could reach a level of 30-45 feet below grade to accommodate a proposed garage and basement levels that would span across the multi-parcel site. There are known archeological sites and resources in the project's vicinity. Therefore, the project is subject to preliminary archeological review by Department staff. This review will commence after submittal of an EEA and geotechnical study/studies. At that juncture, the Planning Department will evaluate whether additional reporting, research and possibly a testing plan would be required to avoid potentially adverse effects to known or potential archeological resources.

c. *Air Quality Screening and Analysis.* The proposed project includes the siting of sensitive receptors (i.e. residential uses) near potential sources of pollutants (e.g., diesel generators). As part of the environmental review process, a qualified environmental consultant shall conduct preliminary air quality screening to determine whether potential stationary sources of air toxic contaminants exist within 1,000 feet of the project site. The site is also located in an area which may have particulate matter (PM2.5) concentrations greater than two-tenths of a microgram per cubic meter (0.2ug/m3). Newly constructed residential buildings must comply with Ordinance No. 281-08 (Article 38, San Francisco Health Code). Moreover, the analysis will also need to consider construction, operational air quality effects and possible health risks. Upon completion of this initial screening, the Department would determine whether additional air quality analysis is required, which would be required to be prepared by a consultant as part of the overall project's environmental evaluation.

d. *Geotechnical Study.* As stated in the PPA application, the types of proposed building foundations are not yet known. The applicant will be required to submit a geotechnical study that investigates the soils underlying the site, possible foundation types and any geotechnical concerns related to the type(s) of foundation system(s) contemplated. The geotechnical study should determine whether the site is subject to liquefaction and landslides and should highlight any recommendations for mitigating potential impacts, as applicable, associated with any of the geotechnical concerns identified in the study.

e. *Greenhouse Gas Emissions.* The applicant and its consultant will be required to complete the Planning Department's Greenhouse Gas Emissions Checklist, which will be provided after submittal of the EEA. The checklist includes a list of pertinent City regulations, ordinances and other requirements that reduce Greenhouse Gas Emissions consistent with the City's reduction strategy. Projects that do not comply with an ordinance/regulation may be determined inconsistent with San Francisco's qualified GHG reduction strategy and may require the development of specific mitigation as part of an EIR to achieve compliance.

f. *Historic Architectural Resources*. The Department's Planning Information Database notes the following historic ratings for the affected parcels within the project site: 901-933 Mission Street, "Parcel M-1" (1976 Architectural Survey: Y, Heritage C**); 939-949 Mission Street, "Parcel M-2" (1976 Architectural Survey: Y, Heritage C**); 110 5th Street, "Parcel N-1" (age does not qualify it for a rating); 436-438 Natoma, "Parcel N-2" (Unreinforced Masonry Building Survey: Y, Heritage C; Article 11: 5); 447-449 Minna Street, "Parcel N-3" (Downtown Plan: Category I; Heritage B, Unreinforced Masonry Building Survey: Y); "Parcel H-1" (SoMa Survey: 6Z); and 411 Natoma, "Parcel H-2" (SoMa Survey: 6L, 6Z). For parcels where the proposed project includes demolition of structures greater than 50 years in age, the applicant will be required to submit a Historic Resource Evaluation (HRE) document the buildings in question, corroborate the historic resource information the Planning Department has on file and evaluate whether the buildings in question are eligible for listing on the California Register of Historic Places. The HRE should draw from the recently completed South of Market Area historic survey documentation for context. The HRE should also examine the compatibility of the proposed project's building program on the surrounding historic context to determine whether the proposed project could materially damage (or

render ineligible) the listing of individual properties or districts (such as the nearby potential 6th Street Historic Lodginghouse District) ineligible. It is envisioned that the Planning Department will prepare a Historic Resource Evaluation Response (HRER) and both the HRE and HRER will be summarized in the EIR.

g. *Noise Measurements.* The project site is located on a block bounded by Mission, Howard, Fifth and Sixth Streets and is bisected by Minna, Natoma and Mary Streets. The Planning Department's noise maps indicate that existing ambient noise levels range between 70 decibels along the project block perimeter to between 55 and 60 decibels within the block's interior. The project involves siting new noise-sensitive uses (e.g., residential uses) along the Mission and Howard Street site frontages. Given the mixed use nature of the project proposal, the Planning Department will require preparation of a noise technical memorandum that describes the project operations and the potential for noise, particularly related to loading and deliveries, to affect existing nearby residences. This analysis shall include at least one 24-hour noise measurement. The analysis must be prepared by persons qualified in acoustical analysis and/or engineering and shall demonstrate with reasonable certainty that Title 24 insulation standards, where applicable can be met, and that there are no peculiar circumstances about the proposed uses or arrangement of uses across the site that warrant heightened concern about noise levels in the vicinity. The findings of the acoustical study are intended to be included in the environmental review document. Finally, detailed information related to construction equipment, phasing and duration of each phase shall be provided to assess construction noise levels and methods to reduce such noise, as feasible.

h. *Phase I Environmental Site Assessment (ESA).* The applicant shall submit an Environmental Site Assessment. The ESA should investigate existing environmental conditions at the project site. Typically, Phase I ESAs investigate the potential for: possible soils contamination associated with surface parking uses; the presence of asbestos-containing building materials (ACBM) and lead-based paint or other possible hazardous building materials; and documented releases of hazardous substances within the vicinity of the proposed project site, if any. The Phase I ESA should also indicate whether the site is located within the City's mapped Maher Zone, where fill and other debris from the 1906 Earthquake is known to include elevated levels of hazardous materials. The applicant shall also submit files and reports associated with the removal of the two previous underground storage tanks on the project site and any documentation from responsible city or local agencies that no further action or remediation associated with these tanks is required. The Phase I ESA should include professional recommendations as to whether further investigation (e.g., soils sampling) in a Phase II ESA is warranted.

i. *Shadow.* Planning Code Section 295 ("Proposition K") restricts new shadow upon public spaces under the jurisdiction of the Recreation and Park Department by any structure exceeding 40 feet, unless the Planning Commission finds the impact to be less than significant. Open spaces in the vicinity of the project site potentially affected include Hallidie Plaza, Union Square and the South of Market Park. Based on a review of the preliminary plans, it appears that the all of the project buildings would have a street wall height of at least 45 feet and some buildings would extend to a height of 400 to 500 feet above

street grade, necessitating a shadow study as part of the project's environmental review. The analysis should examine whether the project would shade Recreation and Park Department-protected spaces. The study should, at minimum, include graphics which depict the proposed buildings' shadow fan at least three times a day, four days of the year, including the winter and summer solstices, and spring and fall equinoxes. If graphics indicate a potential to shade any Proposition K-regulated space, the Planning Department will provide additional guidance on preparing a detailed quantification of shadow square-foot-hours affecting the pertinent space(s). Additionally, within the EIR, the project's shading effects should also be generally described so as to respond to the broader significance criterion on the CEQA Checklist which asks whether the project would, "Create new shadow in a manner that substantially affects outdoor recreation facilities or other public areas?" The analysis will respond to this criterion in reference to the provisions of Planning Codes 146 (Sunlight Access to Public Sidewalks in C-3 Districts) and 147 (Reduction of Shadows on Certain Publicly Accessible Open Spaces in C-3, South of Market Mixed Use, and Eastern Neighborhoods Mixed Use Districts) as applicable.

j. *Stormwater Management and Recycled Water Ordinances.* The City and County of San Francisco Stormwater Management Ordinance (SMO) became effective on May 22, 2010. This ordinance requires that any project, such as this one, resulting in a ground disturbance of 5,000 square feet or greater prepare a Stormwater Control Plan (SCP), consistent with the November 2009 Stormwater Design Guidelines (SDG). Responsibility for review and approval of the SCP is with the San Francisco Public Utilities Commission Wastewater Enterprise, Urban Watershed Management Program (UWMP). The initial CEQA evaluation of a project will broadly discuss how the SMO will be implemented. The project's environmental evaluation would generally evaluate how and where the implementation of required stormwater management and Low Impact Design (LID) 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. Additionally, 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

k. *Transportation Study.* Based on a review of the plans submitted as part of Preliminary Project Assessment, the Planning Department has determined that a Transportation Study is required. As part of any future analysis, the Department will focus on trip generation, intersection level of service, transit capacity, site circulation, ingress and egress, hazards and emergency access, as well as loading. An assessment of cumulative conditions will also be required. Upon submittal of an EEA, the Planning Department will provide additional guidance related to the process for selecting a transportation consultant and direct the development of the scope of work for the analysis with the transportation consultant.

l. *Wind Analysis*. As discussed under the "Planning Department Approvals" section below, the height of the buildings proposed as part of the development program would trigger a wind study in order to ensure that the project will not exceed the comfort criteria (ground level wind levels not to exceed 11mph in areas of substantial pedestrian use or 7mph in public

seating areas) established in Section 148 of the Planning Code. Section 148 specifically outlines these criteria for the Downtown Commercial (C-3) Districts, including the project site. The comfort criteria are based on pedestrian-level wind speeds that include the effects of turbulence; these are referred to as "equivalent wind speeds" (defined in the Planning Code as "an hourly mean wind speed adjusted to incorporate the effects of gustiness or turbulence on pedestrians"). If existing wind speeds exceed the comfort level, or when a project would result in exceedances of the comfort criteria, an exception may be granted, pursuant to Planning Code Section 309, if the building or addition cannot be designed to meet the criteria "without creating an unattractive and ungainly building form and without unduly restricting the development potential" of the site, and it is concluded that the exceedance(s) of the criteria would be insubstantial "because of the limited amount by which the comfort level is exceeded, the limited location in which the comfort level is exceeded, or the limited time during which the comfort level is exceeded." Section 148 also establishes a hazard criterion, which is a 26 mph equivalent wind speed for a single full hour. No exception shall be granted for exceeding a hazardous level.

Based on a preliminary review of the information contained within the PPA application, it appears that the project, given it's size, scope and mix of uses, could have a significant effect on the environment and thus the Planning Department requires preparation of an Environmental Impact Report (EIR). The Planning Department requires that the applicant select an environmental consultant to prepare the requisite CEQA documentation. The selection of environmental consultants is subject to the Planning Department's *Consultant Selection Guidelines* and this process will be managed by an environmental planner that will be assigned to this case upon receipt of the EEA and documentation listed above. Please proceed with consultant selection only in conjunction with direction provided by the assigned environmental case planner.

Once a consultant is selected, the first step of the environmental review process is to prepare an Initial Study (IS) and Notice of Preparation (NOP). The Initial Study contains all topics on the City's standardized CEQA checklist and assists in scoping those environmental topics that may require further analysis in the EIR. The NOP consists of a project description and indicates to the general public which of the environmental topic areas may be potentially significant and the subject of the EIR.

Environmental Evaluation 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.

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.

1. **Special Use District (SUD).** The majority of the project site is located within the C-3-S (Downtown Commercial, Support) District. The parcels that comprise the "H-1" and "H-2" development sites (near the intersection of 5th and Howard Streets) are located within the RSD (Residential Service) District. The 40-X/85-B, 90-X, and 160-F Height and Bulk Districts apply to various portions of the project site. Multiple aspects of the proposed do not conform to the existing regulations of districts,

including maximum height (see Item #2 below), bulk limitations, maximum floor area ratio, and zoning changes would be required in order for the project to proceed.
As indicated in the PPA Application, the sponsor intends to propose a Special Use District that would comprehensively address use and development controls for the project site. The SUD proposal would have to include controls that address the project's design as well as the public amenities it will provide, such as a Design for Development (D4D) document to assure design quality for the entirety of the project, and a Development Agreement (DA) to address other binding commitments. Current Planning staff would evaluate future submittals in greater detail, taking into consideration the proposals for the SUD controls, as well as evolution of the project design. Staff would also consider whether any changes to the underlying zoning districts are appropriate or desirable, in addition to the controls proposed for the SUD.

2. **Height District Reclassification/General Plan Amendment:** The height of the project would exceed the height limit of the existing 40-X/85-B, 90-X, and 160-F Height and Bulk Districts, as well as the height limits specified on Map 5 ("Proposed Height and Bulk Districts") within the Downtown Plan of the General Plan. In order for the project to proceed, the Board of Supervisors would need to approve a Height District Reclassification, per Section 302, as well as a General Plan Amendment, per Section 340. The Planning Commission would first make a recommendation to the Board of Supervisors regarding these actions. Please note that, as the project evolves further, staff will analyze whether other specific aspects of the project would trigger additional amendments to the General Plan.

3. **Section 309 Review.** In order for the project to proceed, the Planning Commission would need to determine that the project complies with Planning Code Section 309. This Section establishes a framework for review of project within C-3 Districts to ensure conformity with the Planning Code and the General Plan, and modifications may be imposed on various aspects of the project to achieve this conformity. These aspects include overall building form, impacts to public views, shadows and wind levels on sidewalks and open spaces, traffic circulation, relationship of the project to the streetscape, design of open space features, improvements to adjacent sidewalks (including street trees, landscaping, paving material, and street furniture), quality of residential units, preservation of on-site and off-site historic resources, and minimizing significant adverse environmental effects. Through the Section 309 Review process, the project sponsor may also request exceptions from certain requirements of the Planning Code.

4. **Building Permit Applications.** Permit applications are required for the demolition of the existing buildings, preparation of the site, and for the proposed new construction. Building permit applications are available at the Department of Building Inspection at 1660 Mission Street.

5. **General Plan Referral.** The project appears to indicate vacation, changes to the alignment, or changes to the use of several public rights-of-way (including the proposed bridges over Minna and Natoma Streets). Please be aware that the Department of Public Works would request a General Plan Referral from the Planning Department for these aspects of the development, so that staff may evaluate the consistency of the project with the General Plan, as well as the Priority Policies of Planning Code Section 101.1.

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 "Applications" tab. All registered neighborhood group mailing lists are available online at www.sfplanning.org under the "Publications" tab.

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

1. **Central Corridor Plan & Rezoning.** The Central Corridor Plan, located generally in the vicinity of 4th St between Townsend and Market Streets, is currently in plan development, with a draft plan to be released early 2012 along with the initiation of an Environmental Impact Review (EIR). The draft Plan will propose changes to the allowed land uses and building heights, and will include a strategy for improving the pedestrian experience in this area. The Plan's associated rezoning is tentatively scheduled to be completed by March 2014.

   The subject property falls within the Central Corridor Plan Area, although the project is requesting to be reviewed under an SUD process separate from that Plan. Absent this project, it is likely the site would be rezoned under that plan's eventual rezoning. Thus the overall program, scale, and character of the proposed project should be generally in keeping with the developing intent of that Plan. The proposed project is compatible with the preliminary land use and urban form principles developed for that plan as it:

   - Supports substantial development in transit rich area.
   - Favors office development over other kinds of growth, incorporates significant commercial space as a part of mixed-use, supports the growth of the technology sector, and supports job growth by firms who are not typically in financial district, i.e. tech sector by allowing and encouraging large-floor plate, mid rise buildings
   - Supports open space, and provides open space at key sites/important locations to provide relief for pedestrians and focal gathering areas.
   - Supports the development of housing.

   As described by the principles above, one of the fundamental goals of the Central Corridor Plan is to increase jobs adjacent to transit. The proposed project provides significant commercial space in its N1 and H2 buildings. The proposed alternative (N1 Residential Tower Alternative) would convert over 800,000 proposed square feet of commercial development to residential, and is unlikely to be supported under the principles of this Plan.

2. **Urban Form.** The urban form of the project should respect its site location at a point of transition from the Downtown high-rise district to lower-scaled adjacent areas to its south and west. The

proposed towers at 390 feet and 400-500 feet in height on the N1 and H1 parcels, and the proposed building at 175 feet in height on the H2 parcel, are not in keeping with the transition specified by the Downtown Plan. Given the need to maintain the hierarchy of the core of Downtown, and transition from that core, we maintain serious concerns about tower proposals over 350 feet on this site.

The diversity of building massing is appreciated, and appropriate for the site's location at the edge of the Downtown core, and adjacent to lower rise, transitioning districts to its south and west. Also, the Central Corridor Plan's preliminary land use and urban form principles call for building stepbacks above the street wall height from sidewalk and from interior property lines for large floor plate buildings to preserve a comfortable street environment as well as light and air; and the proposed stepbacks above the various buildings' base podiums are an appropriate means of further modulating that massing.

- The two towers proposed at the N1 and H1 parcels should continue this diversity through a height difference of at least in 50- 100 feet between them, and through unique, distinguishable architectural design.
- The massing represented by the N1 tower is inappropriate for residential use. Modifications to its floorplate would be required if the N1 Residential Tower Alternative were pursued.
- The Central Corridor Plan's preliminary land use and urban form principles call for limiting the height of large floorplate buildings. The height and massing represented by the proposed building on the H2 parcel contrasts with this principle. Further design details would be required to support a building of this height and bulk.

3. **Preservation.** Preservation of the original Chronicle Building, particularly the clock tower at 5th and Mission, is critical. Any vertical additions to the Chronicle Building should respect the visual prominence of the tower as a local landmark by maintaining an appropriate setback. Additionally, the building at 447 Minna is a known historic resource and should be preserved as proposed.

4. **Housing/ Dwelling Unit Mix.** No information is provided on residential unit type. Please note that the Central Corridor Plan's preliminary land use and urban form principles call for support of a diversity of housing, especially below market rate units. Also note that rezonings associated with recently adopted Plan Areas similar to the developing Central Corridor Plan have required that no less than 40 percent of the dwelling units shall contain at least two bedrooms (See Section 207.6). They have also encouraged the provision of moderately priced and "middle income" (housing affordable to households making between 120 and 150% of median income) units.

5. **Parking/ Bicycle Parking/ Car Sharing.** The proposed project calculates parking based on the current San Francisco Code. Please note that further reductions in parking would be supported given the project's transit rich location.
   - The location of parking access indicated at Minna, 5th and Howard Streets, with no new curb cuts provided along Mission Street, is supported. However, please note that Planning Code Section 155.5, allows a maximum width of 22' for garage entries; the proposed 3-lane entry off Howard Street would not be permitted.
   - No information is provided on bicycle parking or car sharing. Please note Planning Code Section 155.4 and 155.5, which provide bicycle parking requirements for commercial and residential buildings.

6. **Active Ground Floor Uses/Ground Floor Ceiling Height.** No information is provided on the project's ground floor uses or ceiling heights. Please see Planning Code Section 145.1(c)(3), which requires active street frontages with the exception of space allowed for parking and loading access, building egress, and access to mechanical systems; and Section 145.1 (c)(4)(b), which requires ground floor non-residential uses in all C-3 districts to have a minimum floor-to-floor height of 14 feet, as measured from grade.

7. **Obstructions Over Streets and Alleys.** The proposed pedestrian passages over Minna Street and floor extension over Natoma Street are not permitted per Planning Code Section 136. The General Plan discourages building over public rights-of-way as building development in or over street spaces can reduce light and air, and in no case would we permit two such obstructions in this one project. If pursued, the proposed 40' extension over Minna would have to be minimized to proportions appropriate for a pedestrian passageway, with a width of no greater than 20'. If pursued, the proposed Natoma Street connection would have to be justified by the building's program, and would require further evaluation regarding design of the bridge; design of the alley including height, lighting and art inclusion; design of the buildings fronting the covered portion of the alley; uses opening onto the alley; and alley activity and program. Furthermore, development of either obstruction would require sale or lease of air rights over those alleys.

8. **Streetscape, Circulation and Open Spaces.** Mission, 5th and Howard Streets, as well as all of the site's interior alleys, must be designed to include standard streetscape elements per the appropriate Better Streets Plan street type, as well as the required street tree for every 20 feet of frontage. A detailed streetscape plan will be reviewed as part of overall project approvals, and may include additional improvements beyond minimum requirements, such as bulbouts and transit amenities. The extensive inclusion of shared streets proposed by the project is commendable. Design of these shared alleys should follow the guidelines for shared public ways in the Better Streets Plan. Raised crosswalks should be considered as a standard treatment at all alley intersections (if they are not designed as curbless alleys), with particular attention at the crosswalk connecting the proposed Mary St pedestrian alley across Minna to Mary Court.

   Preliminary coordination with SFMTA has indicated that the proposed circulation changes, including the proposed relocation of the middle section of Mary St and the pedestrianization of the northern segment of Mary Street, are acceptable. However, full approval of these changes will require following the City's proper process, including A General Plan Referral as previously mentioned, and a transfer of property rights. Please note that the realignment of Mary Street should result in a new dedicated public right-of-way, with the City retaining full ownership of the new segment.

   The proposed project is commendable for its inclusion of significant open space at Mary Court, the Howard Street Pocket Park and rooftop space above the retained Chronicle building, in addition to creatively developed rights-of-way that will also address recreational needs. All of these spaces should be designed to be not only publicly accessible, but highly visible and easy to get to, with obvious connections linking the public rights of way to rooftop spaces. No information is provided on open space for the residential units, but we assume additional open space would be provided for those units in the form of common courtyards, balcony or terraces.

9. **Sustainability.** The green building practices required by Chapter 13C Green Building Requirements further the goal of reducing the greenhouse gas emissions in the City and County of San Francisco to 20 percent below 1990 levels by the year 2012, as stated in Board of Supervisors Resolution No. 158-02 and the City's 2004 Climate Action Plan. Additional sustainable site development requirements may be recommended for inclusion into any Design for Development or other Design Guideline document prepared for the site. Possible sustainable site development requirements could include development controls and design guidelines with reference to Building Performance, Energy Efficiency, Renewable Energy, Reduced Potable Water use, Recycling and Waste Management, and Stormwater Management.

10. Other Project Requirements.

a. *Ground-Level Wind Currents.* As discussed in Item l. *(page 6)* under 'Environmental Review', Section 148 includes specific comfort- and hazard-level criteria for ground-level wind currents. If the project creates new exceedances of the comfort-level criteria, or if the project fails to fails to ameliorate existing exceedances, an exception may be sought through the Section 309 review process. No exception may be sought, however, if the project creates new exceedances of the hazard-level criteria.

b. *Shadow Analysis.* As discussed in Item i. *(page 5)* under 'Environmental Review' above, Section 295 requires that a shadow analysis must be performed to determine whether the project has the potential to cast shadow on properties under the jurisdiction of the San Francisco Recreation and Park Commission. In addition, Sections 146 and 147 require that buildings in C-3 Districts be designed in a manner that minimizes additional shadows on public sidewalks, and other open spaces that are not subject to Section 295. The sponsor should evaluate the shadow impacts on sidewalks and open spaces in the vicinity, specifically considering the area, timing, and duration of the shadow, and the nature of the use of the area being shadowed. Additionally, please note that the Central Corridor Plan's preliminary land use and urban form principles call for sculpting of building height limits to avoid adding significant new shading on public open spaces and school yards.

c. *Public Art.* Pursuant to Section 429, the Project will be required to include works of art costing an amount equal to one percent of the construction cost of the development within the C-3 District. The art will need to be installed in a location that is physically and/or visually accessible to the public. In certain circumstances, upon approval from relevant agencies, the art could be installed on public property (such as an adjacent right-of-way).

d. *Inclusionary Affordable Housing.* Per Section 415, the project must satisfy the requirements of the Inclusionary Affordable Housing Program through the payment of an Affordable Housing Fee that is equivalent to the applicable percentage of the number of dwelling units in the principal project, which is 20 percent of the total number of units proposed. As an alternative, the project may be eligible to satisfy the requirements of Section 415 through the provision of on-site or off-site affordable units. In order to qualify for this alternative, the sponsor must demonstrate that the units would not be subject to the Costa Hawkins Rental Housing Act.

For further information, please refer to the publication "Affidavit for Compliance with the Inclusionary Affordable Housing Program", which is available from 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.

e. *Impact Fees.* Several Citywide or Downtown-based impact fees apply. The TIDF applies to all projects creating more than 3,000 square feet of new non-residential space, per Planning Code Section 411 et seq. The Jobs-Housing Linkage Program and associated fees apply to projects creating more than 25,000 square feet of new non-residential space, per Planning Code Section 413 et seq. Child Care requirements apply to projects creating more than 25,000 square feet of new office or hotel space, per Planning Code Section 414 et seq., call for child care to be provided on-site, or the payment of an in-lieu fee.

   Additionally, it is likely that community impact fees will be assessed on development projects within the Central Corridor Project Area upon rezoning, and will be relevant to this project. These fees will be discussed during the planning process and eventual adoption hearings for the proposed Central Corridor Plan, which are anticipated to take place sometime after September 2013.

f. *First Source Hiring.* 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 proposes more than ten dwelling units and therefore, 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
   50 Van Ness, San Francisco, CA 94102
   Direct: 415.581.2303
   Fax: 415.581.2368

PRELIMINARY DESIGN COMMENTS:

The proposed project does not yet include details on architectural design. We look forward to discussing that level of design at the appropriate stage in the project's development, and strongly encourage you to envision the buildings as independent entities, designed by multiple architects, to create variety and visual interest.

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 **July 15th, 2013**. 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

cc: Alexa Arena, Forest City California Residential Development, Inc., Sponsor
Kevin Guy, Current Planning
Michael Jacinto, Environmental Planning
Sarah Dennis Philips, Citywide Policy & Analysis
Kay Cheng, Citywide Policy & Analysis

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