



SAN FRANCISCO PLANNING DEPARTMENT

Preliminary Project Assessment

Date: July 23, 2012
Case No.: **2012.0678U**
Project Address: 19-25 Mason Street/2-16 Turk Street
Block/Lot: 0340/002, 005 & 006
Zoning: C-3-G (Downtown-General)
120-X Height and Bulk District
Project Sponsor: Stephen Buchholz, Heller Manus Architects
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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 project site encompasses three connected lots with one lot fronting on Mason Street (lot 002) and the other two lots fronting on Turk Street (lots 005 & 006) on a block bounded by Eddy, Taylor, Mason, and Turk Streets in the Downtown/Civic Center neighborhood. The proposed project would involve construction of a 130,735 square-foot (sf), 12-story, 110 residential unit building with ground floor retail and a ground floor 23-space parking garage on two adjoining surface parking lots on either side of The Metropolis Hotel. The Metropolis would remain in its existing place and continue as a hotel use.

ENVIRONMENTAL REVIEW:

In compliance with the California Environmental Quality Act (CEQA), the environmental review process must be completed before any project approval may be granted. The project sponsor must submit an Environmental Evaluation Application (EEA). The following issues will be investigated as part of the environmental review process.

Historic Resource Evaluation (HRE). The subject properties are identified as non-contributors to the Uptown Tenderloin Historic District, which is listed on the National Register of Historic Places. The vacant lot is considered a "Category B" property (Properties Requiring Further Consultation and Review) for the purposes of the Planning Department's CEQA review procedures since it is located within the

Upper Tenderloin Historic District. As part of this evaluation of historic resources, staff will also evaluate potential project effects on the district, if any.

To assist in analysis of the proposed project, the Department requires a Historic Resource Evaluation Report (HREER), focused on evaluating impacts of the proposed project on identified historical resource(s), to be prepared by a qualified professional who meets the Secretary of the Interior's Professional Qualification Standards in Historic Architecture or Architectural History. The HREER should focus on evaluation of the proposed project for conformance with the *Secretary of the Interior's Standards for Rehabilitation (Secretary's Standards)*, including assessing compatibility of the new design with adjacent buildings, which are contributing resources to the Uptown Tenderloin Historic District, and with the surrounding historic district. In evaluating the proposed project, the architecture, massing, height, materials, and articulation of the proposed construction should be considered. As noted in the *Secretary's Standards*, design for the new work may be contemporary or may reference design motifs from the historic district. In either case, the new construction should not physically harm any historic fabric or features of contributing resources. Additional design comments will be provided upon submittal of the Environmental Evaluation Application and HREER.

As the proposed project will create six or more dwelling units, and/or, construct a new building of 10,000 square feet or more, use of the Historic Resource consultant pool for identification of a preservation consultant to prepare the HRE shall be required. The Department will provide the project sponsor with a list of three consultants from the Historic Preservation Consultant Pool, which shall be known as the "potential consultant list" or "PCL".

Archeology. The project is subject to preliminary archeological review by Planning Department staff. This review will commence after submittal of an EEA identifying the depth of proposed ground disturbance and submittal of the geotechnical study. At that time, the Planning Department will determine whether additional reporting and research will be required to determine whether the project has the potential to adversely affect known or potential archeological resources.

Transportation. The proposed project would add 110 residential units with ground floor retail to the project site. Based on the Department's Transportation Impact Analysis Guidelines (Table C-1), a transportation study is likely to be required for this project. This determination is preliminary in nature, and the determination will be revisited upon submittal of the EEA. The Planning Department will provide additional guidance to the project sponsor related to the process for selecting a transportation consultant and assist in the development of the scope of work for the analysis. Please see the Planning Department's Environmental Planning webpage "Resources for Consultants" for further information on administration of the consultant pool. Additionally, the site plans need to clearly show the existing and proposed curb cuts, dimensions for the proposed garage curb cut, garage aisle dimensions, and an example parking space dimension/lift dimensions.

Air Quality (AQ) Analysis. The project includes construction of an 120-foot tall building with 110 residential units and a 2,955 sf of retail space. Project-related 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 comply with applicable dust control requirements outlined in the ordinance.

In addition to construction dust, demolition and construction activities would require the use of heavy-duty diesel equipment, which emit 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 also includes sensitive land uses (110 residential dwelling units) that may be affected by nearby roadway-related pollutants and other stationary sources that may emit toxic air contaminants. In addition, 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 please see: <http://www.sfdph.org/dph/EH/Air/default.asp>

Lastly, the proposed project is likely to require a diesel back-up generator which 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. 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.

Greenhouse Gases. The City and County of San Francisco's Strategies to Address Greenhouse Gas Emissions presents a comprehensive assessment of policies, programs, and ordinances that represents San Francisco's Qualified Greenhouse Gas (GHG) Reduction Strategy. Projects that are consistent with San Francisco's Qualified GHG Reduction Strategy would result in less-than-significant impacts from GHG emissions. In order to facilitate a determination of compliance with San Francisco's Qualified GHG Reduction Strategy, the Planning Department has prepared a Greenhouse Gas Analysis Compliance Checklist. The environmental planner assigned or CEQA consultant in coordination with the project sponsor will prepare this checklist in coordination with the project sponsor.

Geology, Soils, and Seismicity. The project involves excavation below grade. A geotechnical study prepared by a qualified consultant should be submitted with the EEA. The study should address whether the site is subject to liquefaction and landslides, and should provide recommendations for addressing any geotechnical concerns identified in the study.

Shadow. Planning Code Section ("Section") 295 generally prohibits new buildings that would cast new shadow on open space that is under the jurisdiction of the San Francisco Recreation and Park Commission between one hour after sunrise and one hour before sunset, at any time of the year, unless that shadow would not result in a significant adverse effect on the use of the open space.

As indicated below in the "Planning Department Approvals" section of this document, Department staff has prepared a preliminary shadow fan analysis to determine whether the proposed 120-foot project could potentially cast shadow on Recreation and Park Department public open space. It does not appear that the project would cast shadow on public open space. However, should the project conditions change, resulting in a shadow fan analysis that indicates that the project would cast shadow on public open space, further shadow analysis would need to be prepared that includes intervening buildings in order to determine whether the project would create new shadow in a manner that substantially affects outdoor recreation facilities or other public areas pursuant to CEQA, or whether the project would result in an adverse impact to public open space pursuant to Planning Code Section 295.

The Planning Department Environmental Planning Staff also review project's shadow on non-Rec/Park privately owned public open space (POPOS). This is in accordance with the Planning Code Section 147 and the Department's initial study checklist question regarding whether the project would create new shadow that would substantially affect the usability of outdoor recreation facilities and other public areas. Additionally, Planning Code Section 146 requires that buildings be shaped such that they minimize shadow on public sidewalks, if it can be done without creating an unattractive design and without unduly restricting the development potential of the site.

Wind. As discussed under item six in "Preliminary Planning Code" project comments section below, the height of the proposed residential building would trigger a wind analysis 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, but the Department, as lead agency, for the implementation of CEQA, uses the Planning Code's wind hazard criterion and pedestrian-comfort criteria for evaluating the wind impacts of a proposed building located anywhere in the city, 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.

Noise. The proposed project site is located on Gough Street between Turk and Eddy Streets. The Planning Department's noise maps indicate that existing ambient noise levels on surrounding streets are at, or exceed 70 decibels. The project involves the siting of new noise-sensitive uses (e.g., residential uses) and therefore requires an acoustical analysis demonstrating that the building will meet Title 24 noise insulation standards. This analysis shall include at least one 24-hour noise measurement (with maximum noise level readings taken at least every 15 minutes). The analysis must be prepared by persons qualified in acoustical analysis and/or engineering and shall demonstrate with reasonable certainty that Title 24 noise insulation standards, where applicable, can be met, and that there are no particular circumstances about the project site that warrant heightened concern about noise levels in the vicinity. To the maximum extent feasible open space provided as per the Planning Code should be protected from existing ambient noise levels that could prove annoying or disruptive to users of the open space.

Tree Planting and Protection Checklist. The project site contains no mature trees onsite or along its perimeter. 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. Please submit a Tree Planting and Protection Checklist with the EEA. Any tree identified in the Tree Planting and Protection Checklist must be shown on the project site plans with size of the trunk diameter, tree height, and accurate canopy dripline.

Stormwater and Flooding. The City and County of San Francisco Stormwater Management Ordinance became effective May 22, 2010. As addressed in Public Works Code Section 147.2, stormwater design guidelines have been instituted to minimize the disruption of natural hydrology. The ordinance requires preparation of a Stormwater Control Plan (SCP) for any project resulting in a ground disturbance of 5,000 square feet or greater prior to issuance of a building permit. Responsibility for review and approval of the SCP is with the San Francisco Public Utilities Commission (SFPUC) Wastewater Enterprise, Urban Watershed Management Program (UWMP). 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. Low impact design approaches may include a reduction of impervious cover, stormwater reuse, and increased infiltration. More information is available at: <http://sfwater.org/index.aspx?page=446>

Please note that this project is not likely to qualify for a Categorical Exemption under CEQA. If the additional analysis performed after submittal of the EEA indicates that the project may have a significant effect on the environment, an Initial Study would be prepared to determine whether an Environmental Impact Report (EIR) is needed. The initial study may be prepared either by an environmental consultant from the Planning Department's environmental consultant pool or by Department staff. If the Department determines that the project would not have a significant effect on the environment, the Department would issue a Preliminary Negative Declaration (PND). If the Department finds that the project would have significant impacts that can be reduced to a less-than-significant level by mitigation measures agreed to by the project sponsor, then the Department would issue a Preliminary Mitigated Negative Declaration (PMND). The PND or PMND would be circulated for public review for a period of 20 calendar days, during which time concerned parties may appeal the determination. If an appeal is filed, the Planning Commission would hold a hearing to decide the appeal. If no appeal is filed, the

Planning Department would issue a final negative declaration (FND) or final mitigated negative declaration (FMND), and CEQA review is complete.

If the initial study indicates that the project would result in a significant impact that cannot be mitigated to below a significant level, an EIR must be prepared by an environmental consultant from the Planning Department's environmental consultant pool. For example, if the transportation study determines that the project would result in a significant impact to roadway level of service, the Planning Department would require the preparation of an EIR. The Planning Department would provide more detail to the project sponsor regarding the EIR process should this level of environmental review be required.

http://www.sf-planning.org/ftp/files/MEA/Environmental_consultant_pool.pdf.

To determine fees for environmental review, please refer to page 2 of the current fee schedule, "Environmental Applications – Studies for Projects outside of Adopted Plan Area."

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. **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 projects 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. As proposed, it appears that the project would need to be redesigned to comply with the Code, or may require the following exceptions:
 - Rear Yard (see Item #3 under 'Preliminary Project Comments').
 - Open Space (see Item #4 under 'Preliminary Project Comments').
 - Ground-Level Wind Currents (see Item #14 under 'Preliminary Project Comments').
2. **Variations.** As currently proposed, and as discussed under 'Preliminary Project Comments' below, several aspects of the project do not comply with the requirements of the Planning Code. These aspects are not eligible for an exception under Planning Code Section 309. Therefore, the project must be revised to comply with the Planning Code, or Variations must be sought for these aspects of the project:
 - Publicly Accessible Open Space (see Item #5 under 'Preliminary Project Comments').
 - Exposure (see Item #8 under 'Preliminary Project Comments').
 - Bicycle Parking (see #9 under 'Preliminary Project Comments').

3. **Shadow Study.** As discussed in the “Environmental Review” section of this document, projects over 40’-0” in height require a Shadow Analysis Application under Section 295 (“Proposition K”) to ensure that new buildings do not cast new shadows on properties that are under the jurisdiction of the San Francisco Recreation and Park Department. A preliminary shadow analysis was conducted based on the plans submitted as part of the PPA Application, which indicated that there would not be any shadows cast on properties under the jurisdiction of the Recreation and Park Department. Nonetheless, a Shadow Analysis Application must be filed in order to document that the project will not cast any shadows on Recreation and Park properties.

Applications for the actions listed above 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.

4. **Building Permit Applications.** Permit application is required for the proposed new vertical addition. 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.

PRELIMINARY PROJECT COMMENTS:

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

1. **Lot Merger.** In order for the Department to accurately assess the proposed project, it would be advisable to consolidate the three separate parcels through a lot merger or lot line adjustment.
2. **Interdepartmental Project Review.** This review is required for all proposed new construction in seismic hazard zones, in which the subject property falls.
3. **Floor Area Ratio.** The basic floor area ratio of parcels within the C-3-G District is 6.0 to 1. For the project site of approximately 14,219 square feet (assuming the existing three parcels are merged into a single lot), the allowable floor area would be approximately 85,314 gross square feet. The project proposes approximately 130,735 gross square feet of development.

Additional floor area may be applied to the project, or development, site through Transfer of Development Rights (TDR) as outlined in Section 128. Per Section 123(c)(2) the gross floor area of a structure on a lot in the C-3-G Districts may not exceed a floor area ratio that is 1½ times the basic floor area limit for the district as provided in Section 124, or for this project site approximately 127,970 gross square feet.

As an alternative to TDR, pursuant to Section 124(f), additional square footage above that permitted by the base floor area ratio limits set forth above may be approved for construction of dwellings on the site of the building affordable for 20 years to households whose incomes are within 150 percent of the median income as defined herein, in accordance with the conditional use procedures and criteria as provided in Section 303 of this Code.

4. **Upper-Level Setbacks/Separation of Towers.** Per Section 132.1(a), setbacks of upper parts of a building may be required through the Section 309 process, in order to preserve the openness of the street to the sky, reduce unrelieved massing of adjacent tall buildings, and maintain the continuity of a predominant street wall.
5. **Rear Yard.** Per Section 134, within C Districts, the minimum rear yard depth shall be equal to 25 percent of the total depth of the lot on which the building is situated. Rear yards shall be provided at the lowest story containing a dwelling unit, and at each succeeding level or story of the building. Based on the configuration of the parcel, with two street frontages, the Department may select either frontage in order to determine the required rear yard depth. Based on a very preliminary assessment, it appears that when measured from Mason Street, the required rear yard would have a stepped configuration that was approximately 15.5 feet and 34 feet deep from the western property line. The "interior corner" configuration proposed for the rear yard is not permitted in C-3 Districts. In C-3 Districts, an exception to the rear yard requirements of this Section may be allowed, in accordance with the provisions of Section 309, provided that the building location and configuration assure adequate light and air to windows within the residential units and to the usable open space provided.
6. **Residential Open Space.** Per Section 135, private or common open space is required for each dwelling unit. "Private usable open space" shall mean an area or areas private to and designed for use by only one dwelling unit (or bedroom in group housing). "Common usable open space" shall mean an area or areas designed for use jointly by two or more dwelling units (or bedrooms in group housing). In C-3 Districts the requirement is 36 square feet of private open space, or 47.75 square feet of common open space, per dwelling unit. For the proposed 110 units, approximately 5252.5 square feet of common open space would be required. Additionally, any such open spaces must meet the dimensional requirements of Subsections (f) and (g). The proposed project includes approximately 1,160 square feet of open space at the second floor rear yard and 4,180 square feet at roof deck for a total of approximately 5,345 square feet of common open space, which appears to satisfy square footage requirement of this Section. However, the common space at the second floor does not meet the 15-foot minimum dimension and in those locations may not be included in the open space square footage calculation. Therefore, the proposed project may require revision to meet the minimum open space requirement, or you may request and justify an open space Variance. The Department generally would recommend providing an equivalent amount of open space.
7. **Publicly Accessible Open Space.** Per Section 138, within the C-3-G District, one square foot of publicly-accessible open space must be provided for each 50 gross square feet of proposed uses excluding residential. Based on approximately 3,000 gross square feet of proposed retail/commercial space, there is a requirement to provide approximately 60 square feet of publicly accessible open space. It is not clear from the proposed plans whether provision of such space in a manner that meets the requirements of the Code is proposed. The project needs to be revised to clearly satisfy this requirement or a Variance is required.

8. **Streetscape Improvements.** Per Planning Code Section 138.1, the Department may require standard streetscape elements and sidewalk widening for the appropriate street type per the Better Streets Plan, including street trees, landscaping, site furnishings, and/or sidewalk widening (see Better Streets Plan Section 4 for Standard Improvements: www.sfbetterstreets.org). The project sponsor is required to submit a Streetscape Plan illustrating these features, and the Department will work with the project sponsor and other relevant agencies to determine an appropriate streetscape design.
9. **Bird Safety.** The newly adopted standards for providing bird-safe buildings identify location and feature related hazards and treatment requirements. Please refer to the published document on the Planning Department website for details and specific requirements:
<http://www.sf-planning.org/index.aspx?page=2506>
10. **Exposure.** Per Section 140, every dwelling unit shall face directly on an open area of one of the following types: a public street, public alley at least 25 feet in width, side yard at least 25 feet in width, or rear yard meeting the requirements of this Code. The proposed rear yard does not appear to be code-complying and does not provide a large enough courtyard to meet the exposure requirement for those units that only have windows fronting the rear yard area. The center units on floors 2-9 also do not face onto a space that meets the requirements of this Section. Therefore, the proposed project requires revision to meet the minimum exposure requirement, or you may request and justify an exposure Variance. The Department generally encourages projects to minimize the number of units needing an exposure Variance.
11. **Bicycle Parking.** Per Section 155.5 bicycle parking shall be provided in the following amount: for projects over 50 dwelling units, 25 Class 1 spaces plus one Class 1 space for every 4 dwelling units over 50. As the project proposes 110 dwelling units, 40 Class 1 bicycle parking spaces are required. The proposed project contains no bicycle parking.
12. **Car Share.** Per Section 166, in newly constructed buildings containing residential uses or existing buildings being converted to residential uses, if parking is provided, car-share parking spaces shall be required. For buildings containing 50-200 units, where parking is provided, one (1) car-share space is required. The proposed project contains no car share spaces.
13. **Unbundled Parking.** All off-street parking spaces accessory to residential uses in new structures of 10 dwelling units or more, or in new conversions of non-residential buildings to residential use of 10 dwelling units or more, shall be leased or sold separately from the rental or purchase fees for dwelling units for the life of the dwelling units.
14. **Reduction of Shadows.** New buildings and additions to existing buildings in C-3 Districts where the building height exceeds 50 feet shall be shaped, consistent with the dictates of good design and without unduly restricting the development potential of the site in question, to reduce substantial shadow impacts on public plazas and other publicly accessible spaces other than those protected under Section 295. In determining the impact of shadows, the following factors shall be taken into account: The amount of area shadowed, the duration of the shadow, and the importance of sunlight to the type of open space being shadowed. Determinations under this Section with respect to C-3 Districts shall be made in accordance with the provisions of Section 309 of this Code.

15. **Shadow Impacts.** Section 295 generally prohibits new buildings that would cast new shadow on open space that is under the jurisdiction of the San Francisco Recreation and Park Commission between one hour after sunrise and one hour before sunset, at any time of the year. As discussed under the “Environmental Review” section, to determine whether the proposed project would conform to Section 295, a shadow fan analysis is required.

Staff has prepared a preliminary shadow fan analysis that indicates potential shadow impacts from the project on Hallidie Plaza, Mint Plaza, and Boeddeker Park. However, this shadow fan does not account for the presence of intervening buildings. The location of the project in relation to intervening buildings would suggest that any potential shadow on these parks and plazas would be blocked by intervening buildings, or subsumed by shadows cast by other buildings in the area. Please note that further graphic analysis will be necessary to definitively conclude whether there would be potential shadow impacts from the project. See the enclosed PPA Shadow Analysis.

16. **Sunlight Access and Reduction of Shadows.** Sections 146 and 147 specify that buildings should generally be shaped to reduce substantial shadow impacts to public sidewalks within C-3 Districts, as well as publicly-accessible open spaces that are not protected under Section 295. Given the location, the proposed project has the potential to cast shadow on the sidewalks and spaces of Hallidie Plaza and Mint Plaza. Future submittals should provide detailed graphic, quantitative, and qualitative analysis of shadow impacts to these spaces, as well as other publicly-accessible open spaces in the vicinity. This information will allow staff to assess whether the project complies with Sections 146 and 147, and to conclude whether the additional shadow would result in a significant impact under CEQA.
17. **Ground-Level Wind Currents.** Section 148 of the Planning Code comfort criteria (ground level wind levels not to exceed 11 mph in areas of substantial pedestrian use or 7 mph in public seating areas) 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. 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 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.
18. **Transit Impact Development Fee.** The Transit Impact Development Fee (TIDF) applies to the project. The TIDF shall be calculated on the basis of the number of square feet of new development, multiplied by the square foot rate in effect at the time of building or site permit issuance for each of

the applicable economic activity categories within the new development. The current rate for Cultural/Institution/Education and for Retail/Entertainment is \$10.00 per square foot. In determining the number of gross square feet of use to which the TIDF applies, the Department shall provide a credit for prior uses eliminated on the site.

19. **Affordable Housing.** The affordability requirements of Section 415 shall apply to any housing project that consists of five or more units where an individual project or a phased project is to be undertaken and where the total undertaking comprises a project with five or more units, even if the development is on separate but adjacent lots. To comply with this requirement, the project sponsor may choose a 20% in-lieu fee or to provide a percentage of the total number of units either on-site or off-site as affordable units (15% on-site, 20% off-site). Project sponsor must select Program compliance option upon project approval and cannot alter their compliance option. The PPA application indicates that eight (8) of the 110 units would be provided as affordable units, which is well under any of the percentage requirements outline above. Please submit a completed *Affidavit of Compliance with the Inclusionary Affordable Housing Program* with any future entitlement applications to demonstrate how the project shall meet this requirement.
20. **Public Art.** As the project proposes new construction of a new building in a C-3 District, it must fulfill the requirements of this Section 429.
21. **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 25,000 square feet of new floor area 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

22. **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.

PRELIMINARY DESIGN COMMENTS:

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

1 Site Design, Massing, and Open Space

The Planning Department recommends eliminating the interior unit 4 that is served by a light well and reconfigure to merge units 3 and 4.

2. Ground Floor and Street Frontage

The existing curb cut and parking entrance should be no wider than a single lane 12' wide. The frame and storefront appear to be in the same plane. They should be more differentiated.

3. Architecture

The bays windows are not compatible with the historic district where the buildings are defined by flat façades with deeply recessed window openings. Recessed balconies with some projections are acceptable. Explore referencing the proportion of solid to fenestration found in the context. The expression of the ground level on both street frontages should reference the heights of the adjacent buildings. The expression of the Residential Lobby entrance at the street should be accentuated with a higher and deeper recessed forecourt.

It is expected that there will be more refinements to the articulation and materials of the building as the design develops.

Reference the cornices of the district in designing a termination of the building top.

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 **January 23, 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.

cc: Stephen Buckholz, Project Sponsor
Pilar LaValley, Current Planning