



# SAN FRANCISCO PLANNING DEPARTMENT

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## Preliminary Project Assessment

*Date:* January 22, 2013  
*Case No.:* **2012.1379U**  
*Project Address:* 610-620 Brannan Street  
*Block/Lot:* 3778/047 & 048  
*Zoning:* Service/Light Industrial (SLI) District  
Western SoMa Planning Area Special Use District  
50-X Height & Bulk District  
*Area Plan:* Western SoMa Community Plan (proposed)  
Central Corridor Plan (proposed)  
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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 proposed project would demolish three existing single-story industrial buildings (27,280 square feet) and a surface parking lot, and would construct a new 11-story, 160-foot-tall office building. The new building would house 20,000 sq.ft. of street-fronting retail space and 547,000 sq.ft. of office space. Subsurface parking would be provided as per the controls of the proposed Central Corridor Plan. The proposed building is U-shaped in configuration, with ground-level open space facing west towards the block interior, and an access drive along the north and west property lines. The project site is located on the same block as the San Francisco Flower Mart. One of the buildings that would be demolished as part of the project is currently used by one of the Flower Mart tenants.

**BACKGROUND:**

The project site is within the proposed Western SoMa Community Plan area. The Western SoMa Community Plan covers two connected areas: one (“north of Harrison Street”) roughly bounded by 13th, Bryant, Seventh and Minna Streets; and the second (“south of Harrison Street”) roughly bounded by Townsend, Fourth, Harrison and Seventh Streets. The Western SoMa Community Plan and its associated rezoning were approved by the Planning Commission on December 6, 2012 and will be before the Board of Supervisors for consideration in early 2013. The Western SoMa Community Plan Environmental Impact Report (EIR), including mitigation measures, was certified by the Planning Commission on December 6, 2012.<sup>1</sup>

The project site is also within the proposed Central Corridor Plan area. The proposed Central Corridor Plan covers the area bounded by Townsend, Second, Market, and Sixth Streets. In the case of the blocks that fall within both plans, the zoning proposed as part of the Central Corridor Plan may vary from that proposed in the Western SoMa Community Plan; this was acknowledged by the Planning Commission in their adoption of the Western SoMa Community Plan. The Central Corridor Plan is currently in development, with a draft plan for public review to be released early 2013. The draft plan will be evaluated in an EIR which will commence in early 2013. The Plan and its associated rezoning are anticipated to be before decision-makers for approval in late 2014.

Given the project site’s location in both Plan Areas, this PPA evaluates the proposed project with respect to both the Planning Commission-adopted Western SoMa Community Plan and the Central Corridor Plan rezoning concepts. Comments in this PPA related to the Central Corridor planning process are based on concepts presented to the public at a public workshop on June 13, 2012. These concepts are subject to change and are contingent on the eventual approval by the Planning Commission and Board of Supervisors.

**ENVIRONMENTAL REVIEW:**

If a proposed project meets the density of a certified EIR in a community plan, a proposed project would be eligible for a Community Plan Exemption (CPE) from the California Environmental Quality Act (per CEQA Guidelines Section 15183). As currently presented, the proposed project does not meet the development density for the project site as proposed under the Western SoMa Community Plan and thus a CPE under the Western SoMa Community Plan would not be applicable.

As the draft plan and the EIR for the Central Corridor Plan have yet to be released, it is unknown if the current proposal will meet the development density for the project site under the Central Corridor Plan or what impacts and mitigation measures will be applicable to the current proposal. However, the project sponsor has indicated to Department staff that they intend on meeting the development density of the Central Corridor Plan, if approved. In addition, it appears likely that mitigation measures similar to those included in the certified Western SoMa Community Plan EIR could be included in the Central

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<sup>1</sup> San Francisco Planning Department, *Western SoMa Community Plan, Rezoning of Adjacent Parcels and 350 Eighth Street Project Environmental Impact Report*, Planning Department Case Nos. 2008.0877E and 2007.1035E. Refer to <http://www.sfplanning.org/index.aspx?page=1828> under the above title.

Corridor Plan EIR. Therefore, for the purposes of this PPA, the mitigation measures included in the Western SoMa Community Plan EIR are referenced where such measures may be applicable to this proposed project.

To facilitate environmental review and comply with CEQA, the applicant for the proposed project can take **one of two approaches**:

1. The applicant can submit an environmental evaluation application (EEA)<sup>2</sup> during the period that the Central Corridor Plan is undergoing environmental review, and the information in the EEA must be supplemented with the information requested on pages 4 – 8 of this letter. The standard environmental evaluation fee, which is based on construction value, must be paid at the time of filing of the EEA; or
2. If it is determined that the proposed project is consistent with the development density and other zoning parameters established by the Central Corridor Plan (once it is adopted), the proposed project could be eligible for a CPE. Three different outcomes of the CPE process are possible:
  - (i) **a stand-alone CPE**, if all potentially significant project-specific and cumulatively considerable environmental impacts are fully consistent with significant impacts identified in the future Central Corridor programmatic EIR (Central Corridor PEIR), and if there are no new "peculiar" significant impacts unique to the proposed project. In these situations, all pertinent mitigation measures and CEQA findings from the Central Corridor PEIR are applied to the proposed project, and a CPE checklist and certificate is prepared.
  - (ii) **a CPE + Focused Mitigated Negative Declaration (MND)**, if new site- or project-specific significant impacts are identified for the proposed project that are not identified in the future Central Corridor PEIR, and if these new significant impacts can be mitigated to a less-than-significant level, then a focused MND is prepared to address these impacts, and a supporting CPE certificate is prepared to address all other impacts that were encompassed by the Central Corridor PEIR, with all pertinent mitigation measures and CEQA findings from the Central Corridor PEIR also applied to the proposed project.
  - (iii) **a CPE + Focused EIR**, if the proposed project would have significant impacts that cannot be mitigated to a less-than-significant level, then a focused EIR is prepared to address these impacts, and a supporting CPE certificate is prepared to address all other impacts that are encompassed by the future Central Corridor PEIR, with all pertinent mitigation measures and CEQA findings from the Central Corridor PEIR also applied to the proposed project.

For information on the fees associated with the three possible outcomes with a CPE, see page 8. The applicant would still need to submit an EEA for the CPE approach and the information in the EEA must be supplemented with the information requested on pages 4 – 8.

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<sup>2</sup> Refer to <http://sfplanning.org/index.aspx?page=1886> for latest "Environmental Evaluation Application."

Under either environmental review approach, the cumulative analysis for the proposed project at 610 - 620 Brannan Street would be dependent on and need to be consistent with the cumulative analysis conducted for the future Central Corridor Plan programmatic EIR. Environmental review for the proposed project under either approach would therefore need to be coordinated with environmental review and clearance for the Central Corridor Plan.

The following issues would be investigated as part of the environmental review process:

1. *Land Use/Plans and Policies.* As discussed below, the proposed project does not meet the current zoning of the project site. If the applicant were to take approach (1), the environmental review would include an analysis to determine if the proposed project's inconsistency with existing land use designations would result in any significant environmental effects.
2. *Aesthetics.* The proposed project would construct a 160-foot-tall building comprised of 567,012 sq.ft. 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. To assist in this evaluation, after submittal of the EEA, the Planning Department will require photomontages of the proposed building from to-be-determined public viewpoints within its surroundings. The Department will require "before" and "after" photos of the site from several 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.
3. *Historic Resources.* The project site was surveyed as part of the South of Market Historic Resource Survey, which was adopted by the Historic Preservation Commission in February 2011. Lot 047 property was rated California Historical Resource Status Code 6L for architecture (determined ineligible for local listing or designation through local government review process but may warrant special consideration in local planning). Lot 048 property was rated California Historical Resource Status Code 6Z (found ineligible for National Register, California Register or Local designation through survey evaluation). While the Lot 048 buildings were not considered individually significant architecturally, further evaluation is required in order to determine whether the property is associated with the lives of persons important in the past or to events that have made a significant contribution to the broad patterns of local or regional history.

The Planning Department will require a *Historic Resource Evaluation (HRE)*. The project sponsor shall hire a historic consultant listed in the Planning Department's historical resources consultant pool, in accordance with the Planning Department's consultant selection procedures. A Planning Department preservation specialist will be assigned to direct the work of the historical consultant and the HRE in accordance with "San Francisco Preservation Bulletin No. 16: City and County of San Francisco Planning Department CEQA Review Procedures for Historic Resources."<sup>3</sup> The scope of work for the HRE shall be approved by the assigned preservation specialist prior to undertaking work on the HRE.

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<sup>3</sup> Refer to <http://www.sfplanning.org/index.aspx?page=1827> for "CEQA and Historical Resources"

Note that, if a building proposed for demolition is determined to be historic, this would constitute a significant and unavoidable impact requiring preparation of an EIR. Mitigation measures such as Mitigation Measures M-CP-1a, Documentation of a Historical Resource; M-CP-1b, Oral Histories; and M-CP-1c, Interpretative Program, in the Western SoMa Community Plan EIR, would be applied. In addition, if the proposed project were to result in construction-related vibration, the project sponsor would have to consult with the Planning Department to determine whether adjacent or nearby buildings constitute historical resources that could be adversely affected, as described in Mitigation Measure M-CP-7a, Protect Historical Resources from Adjacent Construction Activities, in the Western SoMa Community Plan EIR. If it is determined that the buildings studied in M-CP-7a are historic, then construction monitoring, such as that required in Mitigation Measure M-CP-7b, Construction Monitoring Program for Historical Resources, in the Western SoMa Community Plan EIR, would likely be required for the proposed project.

4. *Archeological Study.* Project implementation would entail soil-disturbing activities associated with building construction, including excavation of unknown depths, currently estimated at approximately 30 feet below grade. Therefore, the proposed project is subject to preliminary archeological review by Planning Department staff. This review will commence after submittal of an EEA, which shall identify the depth of proposed ground disturbance and include geotechnical study/studies. At that juncture, the Planning Department will address whether additional reporting and research will be required to determine whether the project has the potential to adversely affect known or potential archeological resources. If there is a potential impact to archeological resources, the work could require an additional study to be prepared by an archeological consultant listed in the Planning Department's archeological consultant pool, in accordance with the Planning Department's consultant selection procedures. Mitigation measures, such as Mitigation Measures M-CP-4a, Project-Specific Preliminary Archeological Assessment, and M-CP-4b, Procedures for an Accidental Discovery of Archeological Resources, in the Western SoMa Community Plan EIR, would be applied to the proposed project.
5. *Transportation Impact Study.* Based upon the proposal submitted with the application, a transportation impact study (TIS) is likely required for the proposed project. If a TIS is required, the project sponsor shall hire a transportation consultant listed in the Planning Department's transportation consultant pool, in accordance with the Planning Department's consultant selection procedures. A Planning Department transportation specialist will be assigned to direct the work of the transportation consultant and the TIS in accordance with "Transportation Impact Analysis Guidelines for Environmental Review."<sup>4</sup> As stated above, the TIS must conform to the cumulative analysis in the Central Corridor Plan EIR and may rely on some intersections and transit data from the Central Corridor TIS; however, the proposed project is required to undertake its own project-level TIS that is modeled specifically for the proposed project. Transportation demand management strategies, such as those listed in Improvement Measure I-TR-1, Transportation Demand Management Strategies for Future Development Projects, in the Western SoMa Community Plan EIR, would likely be recommended in the TIS for the proposed project. Detailed information related to the proposed project's vehicle and commercial loading ingress/egress and parking (e.g., number of spaces, location,

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<sup>4</sup> Refer to <http://www.sfplanning.org/index.aspx?page=1827> for "Transportation Impact Analysis Guidelines for Environmental Review"

etc.) and any mid-block alleys or improvements made to the public right-of-way shall be provided as part of the EEA.

Please note that, based on proposals presented to the public at a workshop on June 13, 2012 for the proposed Central Corridor Plan, a number of circulation changes are proposed in the project vicinity, including reduced travel lanes, new bicycle lanes, and widened sidewalks on Brannan Street, and new bicycle lanes on 5th Street. In addition, some mid-block alley connections (e.g., Freelon Street) are proposed across 5th Street on the Bryant/Brannan Park Block. These potential changes will be evaluated in the TIS.

6. *Noise.* The proposed project would include construction within proximity to sensitive noise receptors (i.e., residences). Detailed information related to construction equipment, phasing, and duration of each phase shall be provided as part of the EEA to assess construction noise levels and methods to reduce such noise, as feasible. Construction noise reduction methods, such as those described in Mitigation Measures M-NO-2a, General Construction Noise Control Measures, and M-NO-2b, Noise Control Measures During Pile Driving (if the proposed project would include pile driving), in the Western SoMa Community Plan EIR, will likely be required for the proposed project.
7. *Air Quality.* The proposed project's 547,012 sq. ft. of office use and 20,000 sq. ft. of retail use exceeds the Bay Area Air Quality Management District's (BAAQMD's) operational and construction screening levels for criteria air pollutants.<sup>5</sup> Therefore, an analysis of the proposed project's criteria air pollutant emissions is likely to be required. Information submitted for the EEA related to construction, as required by noise, and vehicle trips estimated by the TIS will be necessary prior to conducting the analysis. Transportation demand management strategies, such as those listed in Mitigation Measure M-AQ-2, Transportation Demand Management Strategies for Future Development Projects, in the Western SoMa Community Plan EIR, will likely be required for the proposed project.

The project includes demolition of three existing buildings and construction of a 160-foot tall building. 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. Pursuant to the Construction Dust Ordinance, the proposed project will be required to comply with applicable dust control requirements outlined in the ordinance.

Demolition and construction activities would also require the use of heavy-duty diesel equipment that emits diesel particulate matter (DPM), a designated toxic air contaminant (TAC). Measures to reduce DPM emissions and criteria air pollutants from construction vehicles and equipment, such as those listed in Mitigation Measures M-AQ-6, Construction Emissions Minimization Plan for Criteria

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<sup>5</sup> BAAQMD, *CEQA Air Quality Guidelines*, May 2011, Chapter 3.

Air Pollutants, and M-AQ-7, Construction Emissions Minimization Plan for Health Risks and Hazards, in the Western SoMa Community Plan EIR, may be required for the proposed project. During project operation, the 160-foot-tall building would likely require emergency back-up generators, which are stationary sources that could generate toxic air contaminants. If that is the case, a newer piece of equipment, such as that described in Mitigation Measure M-AQ-4, Siting of Uses that Emit DPM or PM<sub>2.5</sub> and other TACs, in the Western SoMa Community Plan EIR, could be required for the proposed project. Detailed information about the number and location of stationary sources shall be provided with the EEA prior to determining if additional air quality analysis will be required.

8. *Greenhouse Gas Emissions.* *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.<sup>6</sup> The environmental planner assigned or CEQA consultant in coordination with the project sponsor will prepare this checklist in coordination with the project sponsor.
9. *Wind.* The proposed project would involve construction of a 160-foot-tall building surrounded by mostly single- and two-story buildings. Therefore, the proposed project requires an initial review by a wind consultant, including a recommendation as to whether a wind tunnel analysis is needed, such as that described in Mitigation Measure M-WS-1, Screening-Level Wind Analysis and Wind Testing, in the Western SoMa Community Plan EIR. The consultant must prepare a proposed scope of work for review and approval by the environmental coordinator assigned to the proposed project prior to preparing the analysis. If the proposed project would alter wind a manner that would substantially affect public areas, design modifications such as those in M-WS-1 would be required to reduce wind impacts.
10. *Shadow.* The proposed project would result in construction of a building 160 feet in height. As discussed below, Planning Code section 295 requires that a shadow analysis must be performed to determine whether a project has the potential to cast shadow on properties under the jurisdiction of the San Francisco Recreation and Park Commission. Department staff has prepared a shadow fan that indicates the project would not cast new shadow on any properties under the jurisdiction of the Parks and Recreation Department, nor would it cast shadows on any other parks or open spaces. Please note that based on proposals presented to the public at a workshop on June 13, 2012 for the proposed Central Corridor Plan, the project site is near a recreational open space proposed across 5th Street on the Bryant/Brannan Park Block.
11. *Biological Resources.* The proposed project would demolish three buildings which may provide active nests for special-status birds or roosting for special-status bats. Therefore, measures to protect these species, such as those described in Mitigation Measures M-BI-1a, Pre-Construction Special-Status

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<sup>6</sup> Refer to <http://sfplanning.org/index.aspx?page=1886> for latest "Greenhouse Gas Compliance Checklist for Private Development Projects."

Bird Surveys, and M-BI-1b, Pre-Construction Special-Status Bat Surveys, in the Western SoMa Community Plan EIR, will likely be required for the proposed project. In addition, the proposed building would include night lighting. Therefore, measures to reduce potential effects on birds, such as those described in Improvement Measure I-BI-2, Night Lighting Minimization, in the Western SoMa Community Plan EIR, will likely be recommended for the proposed project.

12. *Geotechnical Study.* A geotechnical/soils investigation will be required to be submitted as part of the EEA because the project site is within an area prone to liquefaction. The investigation must be prepared by a professional with expertise in soils/geotechnical engineering and/or geology.
13. *Stormwater Management.* The Stormwater Management Ordinance (SMO) requires that any project 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. Responsibility for review and approval of the SCP is with the San Francisco Public Utilities Commission (SFPUC) Wastewater Enterprise, Urban Watershed Management Program. The initial CEQA evaluation of a project will broadly discuss how the SMO will be implemented. The project's environmental review 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 related to the proposed project. This may include environmental factors such as the natural hydrologic system, city sewer collection system, and receiving body water quality.

The project site appears to be underlain by artificial fill. Areas located on artificial fill or bay mud can subside to a point at which the sewers do not drain freely during a storm (and sometimes during dry weather) and backups or flooding can occur near these streets or sewers. Applicants for building permits for new construction shall be referred to the SFPUC at the beginning of the environmental review process for a review to determine whether the project would result in ground-level flooding during storms. The SFPUC will review the permit application and comment on the proposed application and the potential for flooding during wet weather.<sup>7</sup>

14. *Hazardous Materials.* The project site is not located on a site which is included on any list compiled pursuant to Section 65962.5 of the Government Code. However, the PPA application indicates the proposed project involves work on a site with a former industrial use, and the project site is located on artificial fill, which may contain serpentinite. Therefore, a Phase I Environmental Site Assessment (ESA) shall be submitted with the EEA. If the Phase I ESA (or geotechnical study) identifies likely soil contamination, a Phase II ESA will be required, along with coordination with the San Francisco Department of Public Health. The Phase II ESA may include measures such as those described in Mitigation Measure M-HZ-3, Site Assessment and Corrective Action, in the Western SoMa Community Plan EIR. In addition, the proposed project would demolish three buildings which may contain hazardous materials. Therefore, measures to reduce the potential exposure of these materials, such as those described in Mitigation Measure M-HZ-2, Hazardous Building Materials Abatement, in the Western SoMa Community Plan EIR, will likely be required for the proposed project.

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<sup>7</sup> Refer to [http://www.sf-planning.org/ftp/files/publications\\_reports/DB\\_04\\_Flood\\_Zones.pdf](http://www.sf-planning.org/ftp/files/publications_reports/DB_04_Flood_Zones.pdf)



15. *Notification of a Project Receiving Environmental Review.* Notice is required to be sent to owners and occupants of properties within 300 feet of the project site. Please provide these mailing labels at the time of application submittal.

Upon submitting an EEA, please submit the appropriate fees. For approach (1) above, please submit the associated fees listed on page 8 of the current Fee Schedule.<sup>8</sup> For approach (2) above, within the CPE process, the associated fees would be as follows (pages 2, 10, and 11 of the current Fee Schedule):

- (i) **a stand-alone CPE**, the applicable fees are: (a) the CPE determination fee (currently \$13,004); (b) the CPE certificate fee (currently \$7,216); and (c) a proportionate share fee for recovery for costs incurred by the Planning Department for preparation of the Central Corridor PEIR.
- (ii) **a CPE + Focused MND**, the applicable fees are: (a) the CPE determination fee; (b) the standard environmental evaluation fee (which is based on construction value); and (c) a proportionate share fee for recovery for costs incurred by the Planning Department for preparation of the Central Corridor PEIR.
- (iii) **a CPE + Focused EIR**, the applicable fees are: (a) the CPE determination fee; (b) the standard environmental evaluation fee (which is based on construction value); (c) one-half of the standard EIR fee (which is also based on construction value); and (d) a proportionate share fee for recovery for costs incurred by the Planning Department for preparation of the Central Corridor PEIR.

#### 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. **Rezoning.** The project site is located within the SLI (SoMa Service/Light Industrial) District. The new zoning for the project site, approved by the Planning Commission as part of the Western SoMa Plan, is SALI (Service/Arts/Light Industrial). The proposed office use is not permitted under either zoning designation, and the proposed Floor Area Ratio (FAR) exceeds the maximum allowed by both as well. In order for the project to proceed, the Planning Commission and Board of Supervisors would need to approve new zoning controls for the subject parcel.

The draft zoning concepts published in June 2012 as part of the Central Corridor planning process indicate that a reclassification to MUO (Mixed-Use Office) is being considered for the site. The proposed office use would be permitted in MUO, though the project exceeds the allowed FAR under this zone. Please see further discussion in the Preliminary Project Comments section.

2. **Height District Reclassification.** The project site is located within the 50-X height and bulk district. The new height and bulk designation for the project site, approved by the Planning Commission as part of the Western SoMa Plan, is 40/55-X. The height of the proposed project would exceed the

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<sup>8</sup> Refer to <http://www.sf-planning.org/Modules/ShowDocument.aspx?documentid=513>

height limit of both designations. In order for the project to proceed, the Board of Supervisors would need to approve a Height District Reclassification for the subject parcel.

The draft zoning concepts published in June 2012 as part of the Central Corridor planning process indicate that height limits of 85 feet (proposed height limit) and 85/130 feet (higher height limit alternative) are being considered for this site. While the proposed project's height is greater than these scenarios, the Planning Department will analyze the project's proposed height of 160 feet as part of the higher height limit alternative in the Central Corridor Plan EIR; however, this analysis is not an indication of which height scenario will ultimately be adopted as part of the Plan and is not a guarantee that the Planning Commission or the Board of Supervisors will approve the proposed height. Please see further discussion in the Preliminary Project Comments section.

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. **Shadow Analysis.** Any proposed building of more than 40 feet in height is required to file a Shadow Analysis application to determine if the project's shadows will impact nearby property owned by the San Francisco Recreation and Park Department.
5. 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.
6. A **Building Permit Application** is required for the demolition of the existing buildings on the subject property.
7. 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](http://www.sfplanning.org). Building Permit applications are available at the Department of Building Inspections 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](http://www.sfplanning.org) under the "Permits & Zoning" tab. All registered neighborhood group mailing lists are available online at [www.sfplanning.org](http://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 zoned as a Service/Light Industrial (SLI) district, which does not permit the proposed office use. It is located within the 50-X height and bulk district, which does not permit the project's proposed height and bulk. *The project could not be approved under existing zoning.*
2. **Western SoMa Community Plan.** The subject property falls within the Western SoMa Community Plan area. The draft Western SoMa Community Plan, which was approved by the Planning Commission on December 6, 2012 and will be before the Board of Supervisors in early 2013, would rezone the subject property to a newly-created Service, Arts and Light Industrial (SALI) zoning district, and would change the Height and Bulk district designation of the subject property to 40/55-X. The proposed office use would not be allowed under the proposed SALI zoning, and the proposed building would exceed the maximum height and bulk limits proposed in the Western SoMa Community Plan. *The project could not be approved under recently Commission-approved zoning.*
3. **Central Corridor Plan.** The subject property falls within the ongoing Central Corridor Plan study area, initiated in 2011. The Central Corridor Plan is currently in development, with a draft plan for public review to be released in early 2013. The draft plan will be evaluated in an Environmental Impact Report (EIR), which will commence in early 2013. 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.

As part of the Central Corridor Plan, the Planning Department has developed preliminary recommendations for new land use controls as well as new height and bulk controls for the subject property, which we anticipate will be included in the draft Plan. The most recent plan concepts, which are available for download at <http://centralcorridor.sfplanning.org>, were presented at a public workshop on June 13, 2012. These concepts will form the basis of the draft Central Corridor Plan, though they are subject to change and refinement. *Further comments in this section of the PPA are based on the draft Central Corridor concepts published to date.*

4. **Land Use.** The Central Corridor Plan concepts recommend rezoning the subject property to the Mixed-Use Office (MUO) zoning district, in which the proposed office use would be allowed. The office use is generally consistent with key objectives of the Central Corridor Plan, which include providing support for substantial development in a transit-rich area and favoring office development over other kinds of growth, particularly on large parcels. The Central Corridor Plan concepts also include a new Special Use District 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 project sponsor has indicated that the project could potentially include a residential component; if such is the case, the residential use should be secondary to the office and retail uses.

The proposed plan also calls for a SoMa Entertainment SUD, in which entertainment uses are permitted. In order to create a diverse and dynamic 24-hour neighborhood characteristic of SoMa, the Central Corridor Plan's preliminary land use principles envision a mixed-use neighborhood in which substantial office development is balanced with retail, arts, entertainment, industrial, and residential uses. The proposed 20,000 sq.ft. of ground floor retail use supports this vision of a mixed-use neighborhood; the project sponsor is encouraged to further explore inclusion of a variety of uses for these spaces.

5. **Adjacent land use.** The project site is bounded on two sides by the San Francisco Flower Mart, and one of the buildings that would be demolished as part of the project is currently used by a Flower Mart tenant. The Flower Mart has been a San Francisco institution for over a century, and still serves an important function. As such, the City has an interest in ensuring its continued operation, whether in its current location or elsewhere in San Francisco. Any development on the project site will be assessed for its potential impact to the ongoing operation and viability of the Flower Mart.
6. **Urban Form: Height and Bulk.** In recognition of the desire to accommodate more growth in the area, the draft Central Corridor Plan concepts recommend changing the height limit of the subject property to 85 feet. Additionally, the draft concepts include a Higher Height Alternative, which would allow additional height, up to a maximum of 130 feet, on a portion of the subject property. In this alternative scenario, any portion of the building exceeding 85 feet in height would be subject to additional setback requirements and bulk restrictions. At minimum, 15-foot setbacks will be required above a height of 85 feet along all property lines. Please note that existing requirements in Eastern Neighborhoods districts for mid-block alleys and massing reduction for large projects will continue to apply.

The proposed building height of 160 feet is above both the height limit and the higher height limit alternative proposed in the Central Corridor Plan. The Planning Department will analyze this height as part of the higher height limit alternative in the Central Corridor Plan EIR; however, this analysis is not an indication of which heights will ultimately be adopted as part of the Plan and is not a guarantee that the Planning Commission or the Board of Supervisors will approve the proposed height.

7. **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.
8. **Interdepartmental Project Review.** The subject property falls within a seismic hazard zone. An Interdepartmental Project Review is required for all proposed new construction in seismic hazard zones. An application is 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](http://www.sfplanning.org).

9. **Open Space – Non-Residential.** 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. No details regarding open space are provided. If the open space provided does not meet the minimum requirements, an in-lieu fee may be paid instead of providing the open space on site per Section 426. Please be aware that while under the current Planning Code this non-residential open space is not required to be open to the public in the MUO District, the Central Corridor planning process will most likely propose a change to require open space to be open to the public.
10. **Street trees.** Planning Code Section 138.1 requires one street tree for every 20 feet of frontage for new construction. No street trees are shown on the plans.
11. **Shadow.** A preliminary shadow analysis indicates that the proposed project would not cast shadow on any nearby property owned by the San Francisco Recreation and Park Department.
12. **Parking.** No parking details are proposed as part of this application. Under current zoning (SLI), proposed zoning pursuant to the Western SoMa Community Plan (SALI), and the potential zoning under the Central Corridor planning process (MUO), no parking is required. However, each of these zoning districts have parking maximums, which are listed in Planning Code Section 151.1.
13. **Bicycle Parking.** Section 155.4 of the Planning Code provides requirements for bicycle parking in new commercial development. 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 initiated these changes in August 2012 and an adoption date is pending. 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.
14. **Car sharing.** Pursuant to Planning Code Section 166, and undetermined number of car share spaces shall be required, depending on the total number of non-residential off-street parking provided.
15. **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.
16. **Eastern Neighborhoods Impact Fees.** The Eastern Neighborhoods Impact Fee will apply to the Project following the Board adoption of the Western SoMa Plan rezoning. Fees shall be assessed per net new gross square footage on residential and non-residential 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. Note that the Central Corridor Plan as envisioned will maintain the Eastern Neighborhoods Impact Fee structure and add, as necessary, one or more additional higher fee tiers, reflective of the greater heights and densities envisioned in the Central Corridor Plan.

The Eastern Neighborhoods 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.

**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. 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.

17. **Jobs-Housing Linkage Program.** Pursuant to Planning Code Section 413 et seq., the Jobs-Housing Linkage Program fee will apply to this project.
18. **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>
19. **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.
20. **Public Art.** This project will be subject to the public art requirements of Planning Code Section 429 et seq.
21. **First Source Hiring Agreement.** A First Source Hiring Agreement is required for any project proposing to construct 25,000 gross square feet or more. For more information, please contact:

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>

22. **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.

23. **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](mailto:stormwaterreview@sfwater.org) for assistance.
24. **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.

#### PRELIMINARY DESIGN COMMENTS:

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

1. **Building Massing, Site design, and Orientation.** As previously discussed, the proposed height and massing exceeds what is allowed under the current zoning; the central Corridor Plan is considering increased height and bulk limits. For large sites, the Plan may include a requirement for massing breaks and mid-block alleys, similar those controls in the Eastern Neighborhoods mixed-use districts.

The building frontage along Brannan Street, particularly at the corner, could accept higher height and massing, whereas the Planning Department recommends reducing the massing of the northern wing along 5<sup>th</sup> Street to transition down to the smaller buildings and network of alleys.

Consider providing a publicly accessible mid-block alley that aligns with future extension of Freelon Street across 5<sup>th</sup>, and another perpendicular to Brannan along the west property line. These alleys should be a minimum 20' wide. These have the added advantage of allowing greater flexibility with respect to building fenestration.

2. **Parking, Loading, and Garage Access.** Abandon unused curb cuts or driveways. Minimize vehicular access points and limit the size of loading and garage access openings. Consider combining any loading access with the garage entrance. A single 12 foot wide opening for parking ingress and egress should be sufficient for a limited number of parking spaces. Bike parking should be as close as possible to the lobby or garage entrance to minimize the travel distance through the garage and conflict with automobiles.
3. **Architecture.** The application illustrates only a proposed massing diagram. The design does not include plans or elevations, and is assumed to be preliminary. The Planning Department will provide additional architectural review and comments in a subsequent formal Application. The Planning Department encourages making the building compatible with the existing context and architectural features by either referencing the scale and proportion of the existing building forms and components; or contrasting with stronger, simpler, and lighter forms.

In general, the architecture should reinforce a vertical articulation of the building.

- 4. Required Streetscape and Pedestrian Improvements.** Per Planning Code Section 138.1, the project sponsor will be required to submit a Streetscape Plan illustrating the location and design of streetscape improvements appropriate to the street type, including site furnishings, landscaping, corner curb extensions, and sidewalk widening as appropriate. The Planning Department may require these elements as part of conditions of approval.

In this location, both Brannan and 5<sup>th</sup> Streets are identified as Mixed-use Streets. See <http://www.sfbetterstreets.org/design-guidelines/street-types/> to identify appropriate improvements for the frontage along these streets. Planning staff is happy to review proposals or meet with the project sponsor to explore ideas.

For more information on process, guidelines, and requirements for street improvements, refer to [www.sfbetterstreets.org](http://www.sfbetterstreets.org).

Required streetscape and pedestrian improvements are not eligible for in-kind fee credit.

#### 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 22, 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: Steve Atkinson, McKenna Long & Aldridge LLP  
      Corey Teague, Current Planning  
      Wade Wietgreffe, Environmental Planning  
      Joshua Switzky, Citywide Planning and Analysis  
      Alexis Smith, Citywide Planning and Analysis  
      David Winslow, Design Review Team