



SAN FRANCISCO PLANNING DEPARTMENT

Preliminary Project Assessment

Date: February 19, 2013
Case No.: **2012.1553U**
Project Address: 1174-1178 Folsom Street
Block/Lot: 3730/023
Zoning: Service/Light Industrial (SLI) District
Western SoMa Planning Area Special Use District
50-X Height & Bulk District
Folsom Neighborhood Commercial Transit (Folsom NCT) (proposed)
65-B Height & Bulk District (proposed)
Area Plan: Western SoMa Community Plan (proposed)
Project Sponsor: Bradley Sugarman, David Baker + Partners
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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 is located midblock on Folsom Street on a block bounded by Eighth Street to the north and Seventh Street to the west. The project site is located on two through lots totaling 8,000 square-feet (sq. ft.) that fronts on both Clementina and Folsom Streets. The proposed project would include merger of the two lots, demolition of two existing buildings, and construction of a new six-story, 65-foot tall building, with a basement level garage. The two existing industrial and office buildings total 9,600 sq.ft, and are both two-story, 25-foot tall buildings. There are currently no off-street parking spaces and three loading spaces. The proposed project would construct a mixed use building with 42 single-room

occupancy dwelling units, 4,423 sq.ft. of retail use, and 6,015 sq.ft. of office use. The proposed building would have retail on the ground-floor, office on the second floor, and residential uses on floors three through six. The proposed basement level garage would be accessed from Clementina Street and would contain 27 off-street parking spaces and 21 bicycle parking space. The total square footage for the new building would be 45,241 sq. ft. for a net addition of 35,641 sq. ft to the project site.

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, 2012.¹

Given the project site’s location in the Plan Area, this PPA evaluates the proposed project with respect to the Planning Commission-adopted Western SoMa Community Plan. 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. If the Environmental Evaluation Application is submitted after adoption of the Western SoMa Community Plan and if the project is approvable, it is likely to qualify for a Community Plan Exemption (CPE). Therefore, for the purposes of this PPA, it is assumed that the proposed project will pursue a community plan exemption under the Western SoMa Community Plan EIR and the mitigation measures included in the EIR are referenced where such measures may be applicable to this proposed project. ADD IN DISCUSSION ABOUT IF THEY DESCIDE NOT TO DO A CPE.

If it is determined that the proposed project is consistent with the development density and other zoning parameters established by the Western SoMa Community Plan (once it is adopted), the proposed project could be eligible for a CPE. Three different outcomes of the CPE process are possible:

1. CPE Only

¹ 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.

All potentially significant project-specific and cumulatively considerable environmental impacts are fully consistent with significant impacts identified in the Western SoMa Community Plan EIR, and there would be no new "peculiar" significant impacts unique to the proposed project. In these situations, all pertinent mitigation measures and CEQA findings from the Western SoMa Community Plan EIR are applied to the proposed project, and a CPE checklist and certificate is prepared. With this outcome, 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 the Western SoMa Community Plan EIR.

2. CPE and Focused Initial Study/Mitigated Negative Declaration

If new site- or project-specific significant impacts are identified for the proposed project that were not identified in the Western SoMa Community Plan EIR, and if any of these new significant impacts can be mitigated to a less-than-significant level, then a focused mitigated negative declaration is prepared to address these impacts, and a supporting CPE certificate is prepared to address all other impacts that were encompassed by the Western SoMa Community Plan EIR, with all pertinent mitigation measures and CEQA findings from the Western SoMa Community Plan EIR also applied to the proposed project. With this outcome, the applicable fees are: (a) the CPE determination fee (currently \$13,004); (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 the Western SoMa Community Plan EIR.

3. CPE and Focused EIR

If any site- or project-specific impacts 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 were encompassed by the Western SoMa Community Plan EIR, with all pertinent mitigation measures and CEQA findings from the Western SoMa Community Plan EIR also applied to the proposed project. With this outcome, the applicable fees are: (a) the CPE determination fee (currently \$13,004); (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 the Western SoMa Community Plan EIR.

The project initially requires the following environmental review. This review may be done in conjunction with the required approvals listed below, but must be completed before any project approval may be granted.

An **Environmental Evaluation Application** is required for the full scope of the project (demolition and expansion) and may include the following:

- a. *Historic Architectural Resources.* According to Planning Department records, the existing building at 1174 Folsom Street was constructed in 1970 and the building at 1178 Folsom Street was constructed in 1952, making 1178 Folsom Street 61 years old at the time of this review. The building at 1178 Folsom Street was included in the Western SoMa Community Plan Historic Resource Survey (SoMa Survey) survey and 1174 Folsom Street was not because it did not meet the minimum age requirements for assessment for the California or National Registers. Planning Department records show that 1178 Folsom Street was found

ineligible for National Register, California Register or Local designation (Rating 6Z). While the buildings themselves would not be considered individual resources, they are located within the eligible West SOMA Light Industrial and Residential Historic District and are adjacent to identified historic resources. The environmental analysis will require a *Historic Resource Evaluation* (HRE) to determine the compatibility of the proposed new design and façade with the adjacent West SOMA Light Industrial and Residential Historic District and to assess potential impacts to the Historic District. In evaluating compatibility with the West SOMA Light Industrial and Residential Historic District, the architecture, massing, height, materials, and articulation of the proposed building and its neighboring buildings should be considered. The HRE shall be prepared by a qualified professional who meets the Secretary of the Interior's Professional Qualification Standards in Historic Architecture or Architectural History. The qualified professional must be selected from one of three historic resource consultants assigned by Tina Tam, Senior Preservation Planner at the Planning Department. Please contact Tina Tam at (415) 558-6325 or at tina.tam@sfgov.org.

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."² The scope of work for the HRE shall be approved by the assigned preservation specialist prior to undertaking work on the HRE.

In addition, if the proposed project were to result in construction-related vibration from pile driving, 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.

- b. *Archeological Study*. Project implementation would entail soil-disturbing activities associated with building construction, including excavation of unknown depths, currently estimated at approximately 15 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

² Refer to <http://www.sfplanning.org/index.aspx?page=1827> for "CEQA and Historical Resources"

- 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.
- c. *Transportation Impact Study.* At this time, a project-specific transportation study is not anticipated to be required; however, a formal determination of whether a Transportation Impact Study is required will be made after submittal of the Environmental Evaluation Application. If such a study is required, the consultant must be selected from one of three transportation consultants assigned to this project by the Department during the environmental review process.
- d. *Noise.* Given that the project would include siting a residential use in an area where the City's Noise model shows noise levels exceeding 75 Ldn, the Department will require an acoustical study to determine whether the project would result in a substantial adverse effect on sensitive noise receptors. The San Francisco Noise Ordinance serves as the standard threshold for environmental review of noise impacts and is contained in Article 29 of the San Francisco Police Code. The project would be required to meet applicable local ordinances and codes related to noise, such as the Noise Ordinance, so as not to result in a significant noise impact under CEQA. If the project exceeds the applicable noise thresholds, a significant impact would result thereby requiring mitigation. The project's design may employ the use of certain features to reduce noise levels below significance thresholds. Design features may include the use of sound-attenuating windows and special exterior wall construction, i.e. insulation, caulking, etc. If the acoustical study demonstrates that design features would reduce interior noise levels below significance thresholds, the project would not result in a significant impact. Please contact the assigned Environmental Planner to scope the required acoustical study after submittal of the project's Environmental Evaluation Application.
- e. *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.³ 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

³ BAAQMD, *CEQA Air Quality Guidelines*, May 2011, Chapter 3.

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 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_{2.5} 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.

- f. *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.⁴ The environmental planner assigned or CEQA consultant in coordination with the project sponsor will prepare this checklist in coordination with the project sponsor.
- g. *Shadow.* The proposed project would result in construction of a building 65 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.

⁴ Refer to <http://sfplanning.org/index.aspx?page=1886> for latest "Greenhouse Gas Compliance Checklist for Private Development Projects."

- h. *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 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.
- i. *Geotechnical Study.* A geotechnical/soils investigation will be required to be submitted as part of the EEA because the project site is within a liquefaction zone and a Seismic Hazard Zone. The investigation must be prepared by a professional with expertise in soils/geotechnical engineering and/or geology.
- j. *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.
- k. *Flood Notification* 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.⁵ Please contact Cliff Wong at the San Francisco Public Utilities Commission at (415) 554-8339 in regards to this process.
- a. *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 building permit information 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.

⁵ Refer to http://www.sf-planning.org/ftp/files/publications_reports/DB_04_Flood_Zones.pdf

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.

- b. *Seismic Hazard Zone.* Interdepartmental Project Reviews are mandatory for new construction projects that propose buildings eight stories or more and new construction on parcels identified by the State of California Department of Conservation, Division of Mines and Geology as Seismic Hazard Zones in the City and County of San Francisco. The project site is located in a Seismic Hazard Zone. Projects identified as such must request and participate in an interdepartmental project review prior to any application that requires a public hearing before the Planning Commission or new construction building permit. Project Sponsors may elect to request an interdepartmental review for any project at any time. However, it is strongly recommended that the request is made prior to the submittal of a building permit or Conditional Use application.

The Planning Department acts as the lead agency in collaboration with the Department of Building Inspection (DBI); the Department of Public Works (DPW); and the San Francisco Fire Department (SFFD). Staff from each of these disciplines will attend the Interdepartmental Project Review meeting.

- c. *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.

Environmental Evaluation applications are available in the Planning Department lobby at 1650 Mission Street Suite 400, at the Planning Information Center at 1660 Mission Street, and online at www.sfplanning.org. The San Francisco Preservation Bulletin No. 16 is available at www.sfplanning.org under "Historic Preservation."

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.

Applications are available in the Planning Department lobby at 1650 Mission Street Suite 400, at the Planning Information Center at 1660 Mission Street, and online at www.sfplanning.org. Building Permit applications are available at the Department of Building 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 under the "Permits & Zoning" tab. All registered neighborhood group mailing lists are available online at www.sfplanning.org under the "Resource Center" tab.

PRELIMINARY PROJECT COMMENTS:

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

PRELIMINARY DESIGN COMMENTS:

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

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 **August 19, 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
 Chelsea Fordham, Environmental Planning
 Paul Chasan, Citywide Planning and Analysis
 David Winslow, Design Review Team