



SAN FRANCISCO PLANNING DEPARTMENT

Preliminary Project Assessment

Date: June 25th, 2013
Case No.: **2013.0538U**
Project Address: 301 6th Street
Block/Lot: 3753/122
Zoning: MUR
85-X
Area Plan: East SoMa Area Plan, Central Corridor Area
Project Sponsor: Gary Gee
415-863-8881
Staff Contact: Claudia Flores – 415-558-6473
claudia.flores@sfgov.org

1650 Mission St.
Suite 400
San Francisco,
CA 94103-2479

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

DISCLAIMERS:

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

PROJECT DESCRIPTION:

The proposal is to demolish the existing 16,401 square foot parking and car detailing structure and construct an 7-story, 78-foot-10" tall mixed use building. The existing building on the 16,401 square foot subject lot was constructed in 1955. The proposed new building would include 92 dwelling units, 69 parking spaces, and 3,943 square feet of commercial space along 6th Street.

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. This review may be done in conjunction with the required approvals listed below. In order to begin formal environmental review, please submit an Environmental Evaluation Application for the full scope of the project (demolition and construction). 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 under the "Publications" tab. See "Studies for Project inside of Adopted Plan Areas

– Community Plan Fees” on page 2 of the current *Fee Schedule* for calculation of environmental application fees.

The proposed project site is located within the Central Corridor Plan area, which is a rezoning proposal for the area bounded by Mission, Townsend, 2nd and 6th Streets. The Central Corridor Plan is currently undergoing environmental review, and expected to be adopted in late 2014. If the Environmental Evaluation Application for this project is filed before the Central Corridor Plan is adopted, the environmental documents prepared for this project would address cumulative impacts associated with the Moscone project and other projects in the Central Corridor Plan area. Pursuant to CEQA, this project is likely to qualify for a Community Plan Exemption (CPE) under the *Eastern Neighborhoods Rezoning and Area Plans*.¹

Within the CPE process, there can be three different outcomes as follows:

- (i) **CPE Only.** A CPE only is appropriate when all potentially significant project-specific and cumulatively considerable environmental impacts are fully consistent with significant impacts identified in the *Eastern Neighborhoods Rezoning and Area Plans Final EIR* (“*Eastern Neighborhoods FEIR*”), 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 *Eastern Neighborhoods FEIR* 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 preparation of the *Eastern Neighborhoods FEIR*.
- (ii) **CPE + 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 *Eastern Neighborhoods FEIR*, and if 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. In addition, a supporting CPE certificate is prepared to address all other impacts that were encompassed by the *Eastern Neighborhoods FEIR*, with all pertinent mitigation measures and CEQA findings from the *Eastern Neighborhoods FEIR* 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 preparation of the *Eastern Neighborhoods FEIR*.
- (iii) **CPE + Focused EIR.** If any new site- or project-specific significant 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 *Eastern Neighborhoods FEIR*, with all pertinent mitigation measures and CEQA findings from the *Eastern Neighborhoods FEIR* also applied to the proposed project. With this outcome, the

¹ Documents in italics in this PPA are available in the Planning Department lobby at 1650 Mission Street Suite 400, at the Planning Information Center (PIC) at 1660 Mission, and online on the Planning Department’s website at: <http://sfplanning.org>.

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 preparation of the *Eastern Neighborhoods FEIR*.

Below is a list of studies that would be required based on our preliminary review of the project as it is proposed in the Preliminary Project Assessment (PPA) Application dated April 26, 2013:

1. **Historic Resources.** The SoMa Area Historic Resource Survey, which was adopted by the Historic Preservation Commission on December 1, 2010, assessed 2,142 individual properties in a project area roughly from Mission Street to Townsend Street, and between 1st and 13th Streets. The project site at 301 6th Street was one of the properties rated California Historical Resource Status Code 6Z, which represents properties deemed ineligible for National Register (NR), California Register (CR), or Local designation through survey evaluation. The project site is not adjacent to any building that is considered to be a historic resource, nor is it within or adjacent to a historic district.^{2,3} Based on this, the project does not appear to have adverse impacts on historic resources.
2. **Archeological Resources.** Project implementation would entail soil-disturbing activities associated with building construction, including excavation that would reach a depth of approximately 15 feet below grade. The project site is located within an area where no previous archeological survey has been prepared. The *Eastern Neighborhoods FEIR* noted that California Register of Historical Resources (CRHR)-eligible archeological resources are expected to be present within existing sub-grade soils of the Plan Area and the proposed land use policies and controls within the Plan Area could adversely affect significant archeological resources.

The Planning Department staff has preliminarily determined that *Eastern Neighborhoods FEIR Archeological Mitigation Measure J-2: Properties With No Previous Studies* would be applicable to the proposed project. This mitigation measure requires that a Preliminary Archeological Sensitivity Study (PASS) be prepared by an archeological consultant with expertise in California prehistoric and urban historical archeology. Based on the PASS, the Environmental Review Officer (ERO) would determine if an Archeological Research Design /Treatment Plan (ARD/TP) shall be required to more definitively identify the potential for CRHR-eligible archeological resources to be present within the project site and determine the appropriate action necessary to reduce the potential effect of the project on archeological resources to a less-than-significant level. The qualified consultant must be selected from a list of three archeological consultants from the Planning Department's archeological resources consultant file provided by the Planning Department during the environmental review process.⁴ The Planning Department Archeologist will be informed by the geotechnical study of the project site's subsurface geological conditions (see Item 10, Geology, below).

² San Francisco Planning Department. *South of Market Area Historic Resource Survey, Map of Historic Resource Survey Findings*, November 2, 2012. Available online at:

http://www.sf-planning.org/ftp/files/Preservation/soma_survey/SoMa_Survey_Findings_Map.pdf.

³ San Francisco Planning Department. *South of Market Area Historic Resource Survey, California Historical Resource Status Codes*, December 8, 2003. Available online at: http://sfplanning.org/ftp/files/gis/SouthSoMa/CHRSC_Status_Codes.pdf.

⁴ San Francisco Planning Department. Consultant Resources, Archeological Review Consultant Pool. Available online at: <http://www.sf-planning.org/index.aspx?page=1886>.

3. **Transportation and Circulation.** The project sponsor has indicated that the proposed project would include 4 studio units, 50 one-bedroom units, and 38 two-bedroom units.⁵ Based on the Planning Department's *Transportation Impact Analysis Guidelines*, the project would potentially add approximately 189 PM peak-hour person trips, and thus would most likely not require a Transportation Impact Study (TIS).⁶ However, the transportation team will review the proposed on-site circulation and access after the Environmental Evaluation Application is filed.

A formal determination as to whether a TIS is required will be made after submittal of the Environmental Evaluation Application. If a TIS is required, the consultant must be selected from a list of three transportation consultants from the Planning Department's transportation consultant file provided by the Planning Department during the environmental review process.⁷

At the time of filing of the Environmental Evaluation Application, please address all of the following:

- a. Please clarify in the basement/garage floor plan whether the proposed "van" spaces are proposed as loading spaces.
 - b. It is highly recommended that bicycle parking spaces be provided on the ground floor.
 - c. Please show in the site plan all of the existing curb cuts along the project site frontage on Folsom, 6th, and Shipley Streets. All of these curb cuts should be removed as part of this project, except for the proposed driveway.
 - d. Please show in the basement/garage floor plan the dimensions of parking spaces and aisle clearance and the specifications for the proposed car lifts.
 - e. The standard residential Transportation Demand Management (TDM) measures should apply (move-in, parklet, etc.)
 - f. Queue abatement measures (as a condition of approval) would apply.
4. **Hazardous Materials.** The project site is underlain by artificial fill, which indicates the potential for the presence of hazardous materials in the soils; the site is also located within a Maher Area as mapped by the Department of Public Health (DPH). The Maher Area encompasses the area of San Francisco bayward of a historic, pre-1906 Earthquake high tide line. This area of San Francisco was largely created by fill consisting primarily of debris associated with the 1906 Earthquake and Bay reclamation. The Maher Ordinance applies to that portion of the City bayward of the original high tide line, where past industrial uses and fill associated with the 1906 earthquake and bay reclamation often left hazardous waste residue in soils and groundwater. The ordinance requires that soils must be analyzed for hazardous wastes if more than 50 cubic yards of soil are to be disturbed.

⁵ Gary Gee, Project Sponsor. *Email to Kei Zushi, San Francisco Planning Department, PPA: 301 6th Street (Case No. 2013.0538U)*, May 16, 2013. This email is available for review as part of Case File No. 2013.0538U at the San Francisco Planning Department, 1650 Mission Street, Suite 400, San Francisco, California 94103.

⁶ Kei Zushi, San Francisco Planning Department. *Transportation Calculations*, May 16, 2013. These calculations are available for review as part of Case File No. 2013.0538U at the San Francisco Planning Department, 1650 Mission Street, Suite 400, San Francisco, California 94103.

⁷ San Francisco Planning Department. Consultant Resources, Transportation Consultant Pool. Available online at: <http://www.sf-planning.org/index.aspx?page=1886>.

Please contact Elise D. Heilshorn at DPH if you have any questions about DPH's requirements for the proposed project. Elise D. Heilshorn can be reached at (415) 252-3885. Any hazardous materials identified, either before or during work, shall be abated according to applicable federal, state, and local laws.

Eastern Neighborhoods FEIR Hazardous Materials Mitigation Measure L-1: Hazardous Building Materials would be applicable to the proposed project. The mitigation measure requires that the project sponsor ensure that any equipment containing PCBs or DEPH, such as fluorescent light ballasts, and any fluorescent light tubes containing mercury be removed and properly disposed of in accordance with applicable federal, state, and local laws. In addition, any other hazardous materials identified, either before or during work, shall be abated according to applicable federal, state, and local laws.

Because the existing building was constructed prior to 1980, asbestos-containing materials, such as floor and wall coverings, may be found in the building. The Bay Area Air Quality Management District (BAAQMD) is responsible for regulating airborne pollutants including asbestos. Please contact BAAQMD for the requirements related to demolition of buildings that may contain asbestos-containing materials. In addition, because of its age, lead paint may be found in the existing building. Please contact the San Francisco Department of Building Inspection (DBI) for requirements related to demolition of buildings that may contain lead paint.

5. **Noise.** *Eastern Neighborhoods FEIR Noise Mitigation Measure F-1: Construction Noise* addresses requirements related to the use of pile-driving. The project sponsor has indicated that the project would involve pile driving.⁸ Therefore, *Noise Mitigation Measure F-1* would apply to the proposed project. This mitigation measure requires that contractors use equipment with state-of-the-art noise shielding and muffling devices. To reduce noise and vibration impacts, sonic or vibratory sheetpile drivers, rather than impact drivers, shall be used wherever sheetpiles are needed. Project sponsors shall also require that contractors schedule pile-driving activity for times of the day that would minimize disturbance to neighbors.

Eastern Neighborhoods FEIR Noise Mitigation Measure F-2: Construction Noise requires that the Planning Director require that the project sponsor develop a set of site-specific noise attenuation measures under the supervision of a qualified acoustical consultant when the environmental review of a development project determines that construction noise controls are necessary due to the nature of planned construction practices and sensitivity of proximate uses. This mitigation measure requires that a plan for such measures be submitted to DBI prior to commencing construction to ensure that maximum feasible noise attenuation will be achieved.

Based on the *Eastern Neighborhoods FEIR*, the project site is located in an area where traffic-related noise exceeds 60 dBA Ldn (a day-night averaged sound level). *Eastern Neighborhoods FEIR Noise Mitigation Measure F-3: Interior Noise Levels* requires that the project sponsor conduct a detail analysis of noise reduction requirements for new development including noise-sensitive uses located along

⁸ Gary Gee, Project Sponsor. *Email to Kei Zushi, San Francisco Planning Department, Pile Driving: PPA: 301 6th Street (Case No. 2013.0538U)*, June 17, 2013. This email is available for review as part of Case File No. 2013.0538U at the San Francisco Planning Department, 1650 Mission Street, Suite 400, San Francisco, California 94103.

streets with noise levels above 60 dBA (Ldn), where such development is not already subject to the California Noise Insulation Standards in Title 24 of the California Code of Regulations. *Noise Mitigation Measure F-3* would not apply to the proposed project as the project would be subject to the California Noise Insulation Standards.

Eastern Neighborhoods FEIR Noise Mitigation Measure F-4: Siting of Noise-Sensitive Uses is intended to reduce potential conflicts between existing noise-generating uses and new sensitive receptors. This measure would apply to the proposed project because the project includes a noise-sensitive use. *Noise Mitigation Measure F-4* requires that a noise analysis be prepared for new development including a noise-sensitive use, prior to the first project approval action. The mitigation measure requires that such an analysis include, at a minimum, a site survey to identify potential noise-generation uses within 900 feet of, and that have a direct line-of-sight to, the project site. At least one 24-hour noise measurement (with maximum noise level readings taken at least every 15 minutes) shall be included in the analysis. The analysis shall be prepared by person(s) qualified in acoustical analysis and/or engineering and shall demonstrate with reasonable certainty that Title 24 standards, where applicable, can be met, and that there are no particular circumstances about the project site that appear to warrant heightened concern about noise levels in the vicinity. Should such concerns be present, the Planning Department may require the completion of a detailed noise assessment by person(s) qualified in acoustical analysis and/or engineering prior to the first project approval action.

Eastern Neighborhoods FEIR Noise Mitigation Measure F-5: Siting of Noise-Generating Uses would not apply to the proposed project because the project would not include commercial, industrial, or other uses that would be expected to generate noise levels in excess of ambient noise, either short term, at nighttime, or as a 24-hour average, in the project site vicinity.

Finally, *Eastern Neighborhoods FEIR Noise Mitigation Measure F-6: Open Space in Noisy Environments* would apply to the proposed project as it includes new development of a noise-sensitive use. This mitigation measure requires that open space required under the Planning Code be protected from existing ambient noise levels. Implementation of this measure could involve, among other things, site design that uses the building itself to shield on-site open space from the greatest noise sources, construction of noise barriers between noise sources and open space, and appropriate use of both common and private open space in multi-family dwellings, and implementation would also be undertaken consistent with other principles or urban design.

6. Air Quality.

Project Construction

The proposed project would involve: 1) removal of an existing 15-foot-tall, one-story, 1,000-sf car wash/detailing facility (formerly used as a gas station) and a 66-space, 15,401-sf surface parking lot; and 2) construction of a 78.8-foot-tall, 7-story-over-basement, 113,917-sf mixed-use building. The proposed building would provide: 1) 92 dwelling units (including 4 studio units, 50 one-bedroom units, and 38 two-bedroom units), totaling 73,102 sq ft in area; 2) 3,943 sq ft of ground-floor retail space; and 3) a 16,335-sf below-ground parking garage including 69 parking spaces and 2 van spaces on the ground floor level.

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 to 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, to minimize public nuisance complaints, and to avoid orders to stop work by DBI. The project would be subject to the Construction Dust Ordinance, which is administered by DPH. Please also note that Ordinance 175-91 requires that non-potable water be used for dust control activities.

If construction activities require the use of heavy-duty diesel equipment that emits diesel particulate matter (DPM), mitigation measures may be required to reduce DPM emissions from construction vehicles and equipment. DPM is a designated Toxic Air Contaminant (TAC), which may affect sensitive receptors located up to and perhaps beyond 300 feet from the project site. *Eastern Neighborhoods FEIR Air Quality Mitigation Measure G-1: Construction Air Quality* requires that contractors maintain and operate construction equipment so as to minimize exhaust emissions of particulates and other pollutants.

Project Operations (New Stationary Source Proposed/Unknown)

The *Eastern Neighborhoods FEIR* identified a significant impact related to air quality for sensitive land uses and included *Eastern Neighborhoods FEIR Air Quality Mitigation Measure G-2: Air Quality for Sensitive Land Uses*. Subsequently, San Francisco passed Article 38 of the San Francisco Health Code. 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 and Air Quality Hot Spot,⁹ therefore an analysis of annual exposure to roadway-related particulate matter would be required. If existing air pollution at the project site is determined to result in potentially significant impacts to on-site residents, it is likely that, in compliance with *Air Quality Mitigation Measure G-2*, the project sponsor would be required to install a mechanical ventilation and air filtration system that removes 80 percent of outdoor particulate matter indoors.

Projects that are more than 75 feet tall require an emergency back-up generator, which is a source of toxic air contaminants. At a proposed height of 78.8 feet, the proposed project would be required to include an

⁹ In an effort to identify areas of San Francisco most adversely affected by sources of TACs, the San Francisco Planning Department and the San Francisco Department of Public Health (DPH) have partnered with the BAAQMD to inventory and assess air pollution and exposures from mobile, stationary, and area sources within San Francisco. Areas with poor air quality, termed “air quality hot spots” were identified based on two health-protective criteria: 1) excess cancer risk from the contribution of emissions from all modeled sources > 100 per one million population; or 2) cumulative PM_{2.5} concentrations > 10 micrograms per cubic meter (µg/m³). Land use projects within these air quality hot spots require special consideration to determine whether the project’s activities would expose sensitive receptors to substantial air pollutant concentrations.

emergency back-up generator. New back-up emergency generators require a permit from the Bay Area Air Quality Management District (BAAQMD). Therefore, the project generator would be subject to BAAQMD's New Source Review, which requires that the health risk resulting from the siting of such a new source be limited at the property line.

During the environmental review process, the proposed project will be reviewed to determine whether mitigation measures in the form of either construction emissions minimization measures or air filtration and ventilation mitigation measures will be required and whether any additional mitigation measures identified in the underlying *Eastern Neighborhoods FEIR* will be required. Because the project would be required to include a stationary source of air pollutants (i.e., a back-up generator), an Air Quality Technical Report (AQTR) may be required for additional air pollutant modeling. If an AQTR is required, the project sponsor must retain a consultant with experience in air quality modeling to prepare a scope of work that must be approved by Environmental Planning prior to the commencement of any required analysis and/or modeling determined necessary. The need for an AQTR and its scope of work will be determined after submittal of the Environmental Evaluation Application.

7. **Greenhouse Gases.** Potential environmental effects related to greenhouse gas (GHG) emissions from the proposed project need to be addressed in a project's environmental evaluation. The project sponsor would be required to submit a completed GHG Compliance Checklist Table 1 for Private Development Projects¹⁰ demonstrating that the project is in compliance with the identified regulations and provide project-level details in the discussion column. This information will be reviewed by the environmental planner during the environmental review process to determine if the project would comply with San Francisco's Greenhouse Gas Reduction Strategy.¹¹ Projects that do not comply with a GHG-related regulation may be determined to be inconsistent with San Francisco's Greenhouse Gas Reduction Strategy.
8. **Wind.** The proposed project would involve construction of a 78.8-foot-tall, seven-story, 113,917-sf building. The project would require an initial review by a wind consultant, including a recommendation as to whether a wind tunnel analysis is needed. Should a wind tunnel analysis be required, the consultant would be required to prepare a proposed scope of work for review and approval by the Environmental Planning prior to the commencement of the analysis.
9. **Shadow.** The proposed project would result in construction of a building 78.8 feet in height. A shadow fan analysis prepared for the proposed project shows that the project would potentially cast shadow on two nearby parks (SOMA Recreation Center and Victoria Manolo Draves Park).¹² Based on this, a detailed shadow analysis by a qualified environmental consultant must be conducted as part of the project's environmental review. The shadow study must evaluate impacts on the proposed

¹⁰ San Francisco Planning Department. Consultant Resources, GHG Compliance Checklist Table 1 for Private Development Projects. Available online at: <http://www.sf-planning.org/index.aspx?page=1886>.

¹¹ City and County of San Francisco. *Strategies to Address Greenhouse Gas Emissions*. Available online at: http://sfmea.sfplanning.org/GHG_Reduction_Strategy.pdf.

¹² Ben Fu, San Francisco Planning Department. *Preliminary Shadow Fan Analysis, PPA for 301 6th Street*. This analysis is available for review as part of Case File No. 2013.0538U at the San Francisco Planning Department, 1650 Mission Street, Suite 400, San Francisco, California 94103.

open space and other affected parks and open spaces. The Planning Department will provide additional guidance on preparing a detailed quantification of shadow square-foot-hours affecting the pertinent space(s) after submittal of the Environmental Evaluation Application.

10. **Geology.** Any new construction on the project site is subject to a mandatory Interdepartmental Project Review because it is located within a Seismic Hazard Zone.¹³ A geotechnical study prepared by a qualified consultant must be submitted with the Environmental Evaluation Application. The study should address whether the site is subject to liquefaction, and should provide recommendations for any geotechnical concerns identified in the study. In general, compliance with the building codes would avoid the potential for significant impacts related to structural damage, ground subsidence, liquefaction, landslides, and surface settlement. This study will also help inform the Planning Department Archeologist of the project site's subsurface geological conditions.
11. **Flooding.** The project site is in a block that has the potential to flood during storms.¹⁴ Please contact Cliff Wong of the San Francisco Public Utilities Commission (SFPUC) at (415) 554-8339 regarding the requirements below. Applicants for building permits for either new construction, change of use or change of occupancy, or for major alterations or enlargements shall contact the SFPUC at the beginning of the process for a review to determine whether the project would result in ground-level flooding during storms. The side sewer connection permits for such projects need to be reviewed and approved by the SFPUC at the beginning of the review process for all permit applications submitted to the Planning Department, DBI, or the Successor Agency to the San Francisco Redevelopment Agency. The SFPUC and/or its delegate (SFDPW, Hydraulics Section) will review the permit application and comment on the proposed application and the potential for flooding during wet weather. The permit applicant shall refer to PUC requirements for information required for the review of projects in flood-prone areas. Requirements may include provision of a pump station for the sewage flow, raised elevation of entryways, and/or special sidewalk construction and the provision of deep gutters.
12. **Stormwater Management.** The project must comply with the City's Stormwater Management Ordinance, which requires the preparation of a Stormwater Control Plan (SCP). Responsibility for review and approval of the SCP is with the San Francisco Public Utilities Commission Wastewater Enterprise, Urban Watershed Management Program. The project's environmental evaluation would generally evaluate how and where the implementation of required stormwater management and low impact design approaches would reduce potential negative effects of stormwater runoff. This may include environmental factors such as the natural hydrologic system, city sewer collection system, and receiving body water quality. More information on stormwater management may be found at <http://stormwater.sfwater.org>.

¹³ San Francisco Planning Department. *Interdepartmental Project Review*. Available online at: <http://www.sf-planning.org/Modules/ShowDocument.aspx?documentid=522>.

¹⁴ San Francisco Planning Department. *Planning Bulletin, Review of Projects in Identified Areas Prone to Flooding*, April 1, 2007. Available online at: <http://ec2-50-17-237-182.compute-1.amazonaws.com/docs/PlanningProvisions/info%20sheet%20v1.3.pdf>.

13. **Recycled Water Ordinance.** The project site is subject to the Recycled Water Ordinance.¹⁵ New construction of 40,000 safe or more, or addition of 10,000 safe or more of irrigated space are required to include plumbing to supply recycled water.
14. **Tree Disclosure Affidavit.** The Department of Public Works Code Section 8.02-8.11 requires disclosure and protection of landmark, significant, and street trees located on private and public property.¹⁶ Any tree identified in the Affidavit for Tree Disclosure must be shown on the Site Plans with the size of trunk diameter, tree height, and accurate canopy drip line. Please submit an Affidavit along with the Environmental Evaluation Application and ensure that trees are appropriately shown on site plans.
15. **Bird-Safe Building Ordinance.** The project would be subject to Planning Code Section 139, Standards for Bird-Safe Buildings, which addresses Location-Related Standards and Feature-Related Standards.¹⁷ The project's environmental evaluation would generally discuss how the implementation of bird-safe design standards would reduce potential adverse effects on birds due to the lighting, glazing, balconies, and so forth.
16. **Notification of a Project Receiving Environmental Review.** Notice is required to be sent to occupants of the project site and properties adjacent to the project site as well as owners of properties within 300 feet of the project site. Please provide two sets of these mailing labels at the time of application submittal.

PLANNING DEPARTMENT APPROVALS:

The project requires the following Planning Department approvals. These approvals may be reviewed in conjunction with the required environmental review, but may not be granted until after the required environmental review is completed. Note that the subject parcel is within the Central Corridor Plan area, with associated rezoning tentatively scheduled to be completed in mid- to late 2014. Please be advised that this review is based on the Central Corridor Plan rezoning concepts presented to the public at a public workshop on June 13, 2012, and is contingent on the approval of the proposed Central Corridor Plan rezoning by the Planning Commission and Board of Supervisors.

1. **Zoning.** The project site is currently located within MUR (Mixed-Use Residential) District. The draft zoning concepts published in June 2012 as part of the Central Corridor planning process indicate that a reclassification to MUG (Mixed-Use General) is being considered for the site. The project would be assessed based on the zoning in place at the time that the Planning Department entitlement is sought.

¹⁵ San Francisco Public Utilities Commission (PUC). *Recycled Water Installation Procedures for Developers*. Available online at: <http://ec2-50-17-237-182.compute-1.amazonaws.com/docs/PlanningProvisions/recy.pdf>.

¹⁶ San Francisco Planning Department. *Affidavit for Tree Disclosure*. Available online at: http://sfmea.sfplanning.org/Tree_Disclosure.pdf.

¹⁷ San Francisco Planning Department. *Standards for Bird-Safe Buildings*. Available online at: <http://www.sfplanning.org/index.aspx?page=2506>.

2. **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.
3. **Gas Station Conversion.** Planning Code Section 228 requires either the Planning Commission or the Zoning Administrator review and determination of a proposed gas station conversion. The project proposes the conversion of a gas station by demolition and new construction of a residential/mixed use building. Please refer to Sections 228(d) and (e) for criteria.
4. **Shadow Analysis.** A preliminary shadow fan analysis was conducted which indicated that the proposed project could potentially result in shadow impacts on nearby property owned by the San Francisco Recreation and Park Department (see "Preliminary Project Comments" below). As a result, the project must be approved by the Recreation and Park Commission. For more information, please contact:

Karen Mauney-Brodek
Deputy Director for Park Planning
Planning and Capital Division
30 Van Ness, 4th Floor
City of San Francisco
Recreation and Parks
Karen.Mauney-Brodek@sfgov.org
(415) 575-5601

5. A **Building Permit Application** is required for the demolition of the existing buildings on the subject property.
6. A **Building Permit Application** is required for the proposed new construction on the subject property.

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

NEIGHBORHOOD NOTIFICATIONS AND PUBLIC OUTREACH:

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

This project is required to conduct a **Pre-application** meeting with surrounding neighbors and registered neighborhood groups before a development application may be filed with the Planning Department. The Pre-application packet, which includes instructions and template forms, is available at

www.sfplanning.org under the "Permits & Zoning" tab. All registered neighborhood group mailing lists are available online at www.sfplanning.org under the "Resource Center" tab.

PRELIMINARY PROJECT COMMENTS:

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

1. **Interdepartmental Project Review.** This review is required for all proposed new construction in seismic hazard zones, in which the subject property falls. An application is enclosed.
2. **East SoMa Area Plan.** The project is located within the boundary of the East SoMa Plan ("Plan"). It has a diverse pattern of land uses that integrate various housing types, commercial activities, industrial space and institutions. The Plan imagines a mixed use transit oriented neighborhood.

New development should add to the rich mixture of uses in the area, and provide more housing, especially affordable units. New development should improve livability and be well designed, compatible with the scale of surrounding development, and consistent with neighborhood character. The following community driven goals were developed specifically for East SoMa:

- Encourage an appropriate mix of uses.
- Retain and promote businesses and organizations that contribute to the diversity of the neighborhood.
- Encourage more neighborhood-serving businesses.
- Attract jobs for local residents.
- Encourage a mix of incomes in renter- and owner-occupied housing.
- Increase affordable housing opportunities.
- Improve the character of streets and encourage pedestrian safety.
- Improve community facilities and enhance open spaces.
- Offer a variety of transportation options

Please refer to the East SoMa Area Plan for more guidance and to ensure general conformity with the policies of the Plan. Information on the Plan can be found on the Planning Department's website at: http://www.sf-planning.org/ftp/General_Plan/East_SoMa.htm

3. **Central Corridor Plan.** As described above, the subject property falls within the ongoing Central Corridor Plan study area, initiated in 2011.

The Central Corridor Draft Plan, generally bounded by 2nd, 6th, Townsend and Market Streets, was published in April 2013. The draft plan will be evaluated in an Environmental Impact Report (EIR) which will commence in May 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.

The Central Corridor Draft Plan includes recommendations for new land use controls as well as new height and bulk controls for the subject property. The Draft Plan is available for download at <http://centralcorridor.sfplanning.org>. Further comments in this section of the PPA are based on the draft Central Corridor Draft Plan.

The draft zoning concepts published in the Central Corridor Draft Plan indicate that a reclassification to MUG (Mixed-Use General) is being considered for the site. However, the proposed uses would still be permitted in MUG and the Plan's associated rezoning is not scheduled to be completed until mid to late 2014.

4. **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.
5. **Rear Yard.** Planning Code Section 134 requires the project to provide a rear yard of at least 25 percent of the lot depth at the lowest story containing a dwelling unit, and at each succeeding level or story of the building. The project does not propose a code-complying rear yard. The project should strive to provide a comparable rear yard at the level of proposed residential use. A substantially increased rear yard would be required to achieve this.
6. **Open Space – Residential.** Planning Code Section 135 requires that usable open space be located on the same lot as the dwelling units it serves. At least 80 square feet of usable open space per dwelling unit, or 54 square feet per dwelling unit of publicly accessible open space, is required. Up to 50 percent of the publicly accessible open space may be provided off-site. The proposed project has a residential open space requirement of 7,360 square feet. The proposed roof deck and rear yard do not meet the square footage or the dimensional requirements. For a project on a sizeable lot, code-complying open space should be accommodated.
7. **Open Space – Non-Residential.** Planning Code Section 135.3 requires this project to provide one square foot of open space for every 250 occupied square feet of retail space, and one square foot of open space for every 50 occupied square feet of office space. The proposed project has a non-residential open space requirement of 16 square feet. The proposed roof deck and rear yard do not meet the square footage or the dimensional requirements. If the open space provided does not meet the minimum requirements, an in-lieu fee may be paid per Section 426. Please be aware that while under the current Planning Code, non-residential open space is not required to be open to the public in the MUG District, the Central Corridor Plan proposes a to require non-residential open space to be open to the public.

8. **The Green Landscape Ordinance.** Planning Code Section 138.1 requires permeable paving and street trees to be installed by the property owner or developer in the case of the construction of a new building, relocation of a building, or addition of gross floor area equal to 20 percent or more of the gross floor area of the existing building. The minimum installation shall be one 24-inch box tree for each 20 feet of frontage of the property along each street or alley, with each remaining 10 feet requiring one additional tree. The project has a street tree requirement of eight trees at the 6th Street frontage, five trees at the Folsom Street frontage and five trees at the Shipley Street frontage.
9. **Standards for Bird Safe Buildings.** Planning Code Section 139 outlines bird-safe standards for new construction to reduce bird mortality from circumstances that are known to pose a high risk to birds and are considered to be "bird hazards." Feature-related hazards may create increased risk to birds and need to be mitigated. Any feature-related hazards, such as free-standing glass walls, wind barriers, or balconies must have broken glazed segments 24 square feet or smaller in size. Please review the standards and indicate the method of window treatments to comply with the requirements where applicable.
10. **Exposure.** Planning Code Section 140 requires that each dwelling unit have at least one room that meets the 120-square-foot minimum superficial floor area requirement of Section 503 of the Housing Code face directly on a street right-of-way, code-complying rear yard, or an appropriately sized courtyard. Proposed units (approximately 28 units) in the rear face a non-complying rear yard in terms of area and dimensions. For a project on a sizeable lot, exposure to dwelling units should be accommodated.
11. **Car sharing.** Pursuant to Planning Code Section 166, an undetermined number of car share spaces shall be required, depending on the total number of residential units provided. For the proposed 92 units, one car share space is required.
12. **Dwelling Unit Mix.** Planning Code Section 207.6 requires 40 percent of the total proposed units to contain at least two bedrooms, or 30 percent of the total proposed units to contain at least three bedrooms.
13. **Height.** Planning Code Section 261.1 requires a proposed building facing a public right of way less than or equal to 40 feet in width to have upper stories set back at least 10 feet at the property line above a height equivalent to 1.25 times the width of the abutting narrow street. The property faces Shipley Street, a narrow street with a width of 35 feet. Therefore, a 10-foot setback must be accommodated at 43'-9" of the proposed building (35 feet x 1.25).
14. **Shadow.** Planning Code Section 295 requires a shadow analysis be conducted for any project greater than 40 feet in height. The analysis for the proposed building indicated that it would cast shadow on the Victoria Manolo Draves Park and the SoMa Recreation Center. Both of these properties are owned by the San Francisco Department of Recreation and Park, and therefore the project must be approved by both the Planning Commission and the Recreation and Park Commission.

15. **Eastern Neighborhoods Impact Fees.** This project is subject to the applicable fees outlined in Section 423 et seq. Impact Fees. The Eastern Neighborhoods Public Benefits Fund is implemented in part through district-specific Eastern Neighborhoods Impact Fee which applies to the Project Area. The project is within the Impact Fee Tier 3. As of the date of this letter, Tier 3 requires \$17.70 per gross square-foot of residential space and \$15.48 per gross square-foot of non-residential space. For the most up-to-date schedule, please refer to the Department of Building Inspection (DBI) fee register: <http://sfdbi.org/modules/showdocument.aspx?documentid=2570>.

Prior to the issuance by DBI of the first site or building permit for a development project, the sponsor of any project containing space subject to the Eastern Neighborhoods Impact Fee shall pay to the Treasurer according to Planning Code Section 423.3, which also provides alternatives satisfying this requirement.

16. **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. Currently, Folsom Street is priority improvements near the project site that staff would recommend for an in-kind at this time.

As part of the Eastern Neighborhoods public benefits program, Folsom Street improvements (through DPW's Folsom Street resurfacing project) were identified as a community and capital priority project for impact fee funding. If an in-kind agreement is feasible and pursued, improvements should be directed towards improving pedestrian and transit connections and may include any of the following: street tree plantings, tree grates, curb bulb-outs, special paving, pedestrian lighting, widened sidewalks, street restriping and transit shelters (above what the project would be required to provide without an in-kind agreement).

More information on in-kind agreements can be found in the Application Packet for In-Kind Agreements on the Planning Department website: <http://www.sf-planning.org/Modules/ShowDocument.aspx?documentid=8601>

17. **ENTRIPS:** The EN TRIPS project is the transportation implementation plan for the Eastern Neighborhoods Plans. EN TRIPS identifies Folsom Street as a priority corridor for transit and pedestrian improvements. Proposed designs are currently undergoing environmental review. The project sponsor should be aware of: a) the proposed transit improvements to Folsom Street to ensure there are no major conflicts with regards to curb-cuts or public transit operations, and b) the proposed streetscape improvements should the sponsor wish to explore an in-kind agreement. The EN TRIPS final report can be found on the Planning Department's website at: <http://www.sf-planning.org/index.aspx?page=1673>
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. **Bicycle Parking-** Section 155.5 of the Planning Code provides requirements for bicycle parking in residential development. The proposed bike parking shown in the PPA application appears to meet the existing requirements in the Code. Please note that currently the bicycle parking requirements in the Code are under review for significant changes that would likely affect the requirements for this project. The Planning Commission approved these changes on May 16, 2013 and an adoption date at the Board of Supervisors is pending and is expected in summer 2013. For review of potential changes, please see: <http://commissions.sfplanning.org/cpcpackets/2011.0397M.pdf>. These proposals are currently under review and are subject to change.
20. **Inclusionary Housing.** Affordable housing is required for a project proposing ten or more dwelling units. The Project Sponsor must submit an 'Affidavit of Compliance with the Inclusionary Affordable Housing Program: Planning Code Section 417,' to the Planning Department identifying the method of compliance, on-site, off-site, or in-lieu fee. Any on-site affordable dwelling-units proposed as part of the project must be designated as owner-occupied units, not rental units. Affordable units designated as on-site units shall be sold as ownership units and will remain as ownership units for the life of the project. The project is within the Inclusionary Affordable Housing Program Tier A. As of the date of this letter, Tier A requires 18 percent of the total units constructed to be affordable to and occupied by qualifying persons and families as defined elsewhere in the Code. Therefore, as proposed, the project would have a requirement of four units if provided on-site.

For your information, if a project proposes rental units, it may be eligible for an On-site Alternative to the Affordable Housing Fee if it has demonstrated to the Planning Department that the affordable units are either: 1) ownership only or 2) not subject to the Costa Hawkins Rental Housing Act (a Costa Hawkins exception). Affordable units are not subject to the Costa Hawkins Rental Housing Act under the exception provided in Civil Code Sections 1954.50 through one of the following methods:

- a. direct financial construction from a public entity
- b. development bonus or other form of public assistance

A Costa Hawkins exception agreement is drafted by the City Attorney. You must state in your submittal how the project qualifies for a Costa Hawkins exception. The request should be addressed to the Director of Current Planning. If the project is deemed eligible, we may start working with the City Attorney on the agreement.

21. **First Source Hiring Agreement.** Chapter 83 of the San Francisco Administrative Code, passed in 1998, established the First Source Hiring Program to identify available entry-level jobs in San Francisco and match them with unemployed and underemployed job-seekers. The intent is to provide a resource for local employers seeking qualified, job ready applicants for vacant positions while helping economically disadvantaged residents who have successfully completed training programs and job-readiness classes.

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

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

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

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.
23. **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. **Site Design, Open Space, and Massing.** The Planning Department recommends increasing the area of the courtyard to provide a rear yard that complies with the intent of the code for area, usability, exposure and maintaining mid-block open space between other buildings.
2. **Vehicle Circulation, Access and Parking.** Ideally, some 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. Street Frontage.** The frontage should provide a consistent and active relationship with the fronting streets. The Planning Department recommends the design consider locating the residential lobby in the mid-block of 6th street with a clear direct visual access to the elevators. This could be articulated all the way up the facade to provide a massing break and architectural expression that identifies the prominence of the entry. The Planning Department recommends that corner of Shipley and 6th should be either commercial space, or a ground floor residential unit fronting Shipley.

The Planning Department recommends ground floor residential units located Shipley have setback and raised entries that range from three to five feet above grade, to provide direct access from the street. Furthermore, landscaping should be incorporated to soften the transition between the sidewalk and the ground floor dwellings. A setback and raised terrace at the ground level may count toward open space if it meets the minimum dimensional requirements. The Planning Department recommends modulating the Shipley façade by expressing individual dwelling units.

Refer to the draft Ground Floor Residential Design Guidelines for treatment of the building along Shipley Street for residential uses on the ground floor. The draft guidelines are located on the Department website under “Resource Center/Department Publications/Guidelines for Ground Floor Residential Design.”

- 4. Architecture.** At this point the architecture is assumed to be preliminary and staff would provide further detailed design review on the subsequent submission of materials and details to ensure that the original design intent is achieved.

It is expected that the architecture and quality of execution will be superior. High quality materials combined with exceptional articulation and detailing on all visible facades will be essential to the success of meeting the original conditions of approval of this project.

- 5. 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.

See <http://www.sfbetterstreets.org/design-guidelines/street-types/> to identify relevant street types for the project frontage.

The Planning Department recommends that the sponsor should consider public realm features, such as a bulb-out at the corner of Folsom and 6th and living alley treatments along Shipley. Planning staff is happy to review proposals or meet with the project sponsor to explore ideas.

The furnishing zone of the sidewalks should consider special paving, and enhanced planting and other site furnishing such as seating, bike racks, and pedestrian lighting. These improvements could enhance and build on the quality and use of the ground floor uses and the plaza. For more information on process, guidelines, and requirements for street improvements, refer to 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 **January 2, 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: Edward J. Conner, Property Owner
 Ben Fu, Current Planning
 Kei Zushi, Environmental Planning
 David Winslow, Design Review Coordinator
 Jerry Robbins, MTA
 Jerry Sanguinetti, DPW