



SAN FRANCISCO PLANNING DEPARTMENT

Preliminary Project Assessment

Date: September 23, 2013
Case No.: **2013.0977U**
Project Address: 980 Folsom Street
Block/Lot: 3732/28, 35, & 152
Zoning: MUR (Mixed Use Residential) Zoning District
45-X / 85-X Height and Bulk District
Project Sponsor: John Goldman
Goldman Architects
172 Russ Street
San Francisco, CA 94103
Staff Contact: Brett Bollinger – 415.391.1339 x114
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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 proposal is to demolish the existing 6,836 square-foot (sf), single-story auto repair building, and construct a new mixed-use building fronting on Folsom and Clementina Streets. The proposed project would consist of approximately 33,659 sf containing 34 residential units, ground floor retail and 21 at grade stacked parking spaces. The Folsom Street building frontage would consist of a seven-story, 85-foot in height residential over commercial use with ground floor parking garage entrance. The Clementina Street building frontage would consist of a four-story, 45-foot in height residential use over a ground floor garage.

ENVIRONMENTAL REVIEW:

Environmental evaluation is required for the full scope of the project. Pursuant to the California Environmental Quality Act (CEQA), this project is likely to qualify for a Community Plan Exemption (CPE) under the Eastern Neighborhoods Rezoning and Area Plans (Eastern Neighborhoods), provided that the project is compliant with the Planning Code zoning and density designations. The project is also within the proposed Central Corridor Plan area, which is a rezoning effort currently undergoing environmental review and expected to be in effect in early 2015.¹ If environmental clearance of the proposed 980 Folsom Street project occurs after adoption of the Central Corridor Plan, it could rely on pertinent mitigation measures and CEQA finding from the Central Corridor Area Plan EIR instead of the Eastern Neighborhoods EIR. For purposes of this Preliminary Project Assessment, it is assumed that the proposed project would rely on the Eastern Neighborhoods zoning and density designations.

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

1. **CPE Only.** In this case, all potentially significant project-specific and cumulatively considerable environmental impacts are fully consistent with significant impacts identified in the underlying Eastern Neighborhoods Rezoning and Area Plans Final Environmental Impact Report (Eastern Neighborhoods FEIR), meaning 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, based on the current fee schedule², are as follows: (a) \$13,004 Environmental Document Determination fee; (b) \$7,216 CPE certificate fee; and (c) \$10,000 proportionate share fee for recovery of costs incurred by the Planning Department for preparation of the Eastern Neighborhoods FEIR.
2. **CPE and Focused Initial Study/Mitigated Negative Declaration.** In this case, one or more new significant impacts of the proposed project specific to the site or the project proposal are identified that were not identified in the Eastern Neighborhoods FEIR. If any new significant impacts of the proposed project can be mitigated, then a focused Mitigated Negative Declaration to address these impacts is prepared 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 applicable fees, based on the current fee schedule, are as follows: (a) \$13,004 Environmental Document Determination fee; (b) the standard environmental evaluation (EE) fee based on the cost of construction³; and (c) \$10,000 proportionate share fee for recovery of costs incurred by the Planning Department for preparation of the Eastern Neighborhoods FEIR.
3. **CPE and Focused Environmental Impact Report (EIR).** In this case, one or more new significant impacts of the proposed project specific to the site or the project proposal are identified that was not identified in the Eastern Neighborhoods FEIR. If any new significant impacts of the proposed project

¹ Planning Department Case No. 2011.1356E.

² Fees schedule effective 8/31/12, available at:

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

³ See page 10 of the current fee schedule.

cannot be mitigated, then a focused EIR to address these impacts is prepared 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 applicable fees, based on the current fee schedule, are as follows: (a) \$13,004 Environmental Document Determination fee; (b) the standard environmental evaluation (EE) fee based on the cost of construction⁴; (c) one-half of the standard EIR fee⁵; and (d) \$10,000 proportionate share fee for recovery of costs incurred by the Planning Department for preparation of the Eastern Neighborhoods FEIR.

Environmental review must be completed before any project approval may be granted. An Environmental Evaluation Application must be submitted. 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.

A preliminary review of the proposal indicates that following studies and/or additional information would be required to conduct environmental review of the proposed project:

- **Transportation.** Based on the Planning Department's transportation impact analysis guidelines, the project would potentially add at least 65 PM peak hour person trips and thus could require additional transportation analysis. A determination of whether a transportation impact analysis would be required would be rendered after submittal of an Environmental Evaluation Application. If required, the scope of work and the transportation report would need to be prepared by a qualified consultant working at the direction of the Planning Department staff. The Planning Department's list of approved transportation consultants is available at: http://www.sf-planning.org/ftp/files/MEA/Transportation_consultant_pool.pdf
- **Noise.** The Eastern Neighborhoods FEIR identified a number of noise mitigation measures applicable to construction as well as siting noise-sensitive (e.g., residential) land uses in areas that are substantially affected by existing noise levels. The project site is located in an area where traffic-related noise exceeds 60 Ldn (a day-night averaged sound level). *Noise Mitigation Measures F-1 and F-2 (Construction Noise)* would reduce construction-related noise impacts. *Mitigation Measure F-1* applies to pile driving activities and would require that piles be pre-drilled. *Mitigation Measure F-2* would require construction projects near noise sensitive land uses to implement noise attenuation measures. The project sponsor would be required to submit a plan that outlines the noise attenuation measures to be implemented during the construction phase. The plan must be submitted to the Department of Building Inspection (DBI), for review and approval, prior to the issuance of any construction or demolition permit. *Mitigation Measure F-4: Siting of Noise-Sensitive Uses* would apply, as the project sponsor is proposing to site residential uses in an area that exceeds 60 Ldn noise levels. *Mitigation Measure F-4: Siting of Noise-Sensitive Uses* would require the sponsor to prepare an acoustical study that identifies potential noise-generating uses within 900 feet of, and having a direct line-of-sight to, the project site and include at least one 24-hour noise measurement with maximum noise level readings taken at least every 15 minutes. The study should include any recommendations regarding building design to ensure that the interior noise environment meets Title 24 Building Code acoustical

⁴ See page 10 of the current fee schedule.

⁵ See page 11 of the current fee schedule.

requirements. This study must be completed during the environmental review process for inclusion in the environmental document. *Mitigation Measure F-6: Open Space in Noisy Environments* would also apply in order to protect the project's common open space from existing ambient noise levels. Compliance with this mitigation measure requires that site design consider elements that would shield on-site open space from the greatest noise sources and/or construction of noise barriers between noise sources and open space. Application of these noise mitigation measures from the Eastern Neighborhoods FEIR would reduce the project's noise impacts to less-than-significant levels.

- **Archeology.** The project includes demolition, excavation, grading, and foundation work to a depth of at least four (4) feet below grade. The project site lies within the *Archeological Mitigation Zone J-2: Properties with No Previous Studies*, as identified in the Eastern Neighborhoods FEIR. In compliance with this mitigation measure, a Preliminary Archeological Sensitivity Study would be prepared by the Department upon submittal of the Environmental Evaluation Application. Based on the Sensitivity Study, the Environmental Review Officer (ERO) would determine if an Archeological Research Design/Treatment Plan (ARD/TP) would be required to more definitively identify the potential for 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. If an ARD/TP is required, it must be prepared by an archeological consultant with expertise in California prehistoric and urban historical archeology. The qualified consultant must be selected from one of three archeology consultants assigned to this project by the Department during the environmental review process.
- **Historic Resources.** The project site contains an industrial building fronting both Folsom and Clementina Streets that was constructed in 1988. The project site has been included in the *South of Market Historical Informational Survey*. 980 Folsom Street was given a rating of 6Z ("Found ineligible for NR, CR or Local designation through survey evaluation."). As such, the subject property would not be considered a historic resource pursuant to California Environmental Quality Act (CEQA). Therefore, this topic will not require further evaluation as part of the proposal's environmental review.
- **Hazardous Materials.** The proposed project would include the construction of a new mixed-use building on a lot previously used for industrial purposes. The existing industrial building structure on the project site would be demolished as part of the project. Therefore, the project is subject to Article 22A of the Health Code, also known as the Maher Ordinance. The Maher Ordinance, which is administered and overseen by the Department of Public Health (DPH), requires the project sponsor to retain the services of a qualified professional to prepare a Phase I Environmental Site Assessment (ESA) that meets the requirements of Health Code Section 22.A.6. The Phase I would determine the potential for site contamination and level of exposure risk associated with the project. Based on that information, soil and/or groundwater sampling and analysis, as well as remediation of any site contamination, may be required. These steps are required to be completed prior to the issuance of any building permit.

DPH requires that projects subject to the Maher Ordinance complete a Maher Application, available at: <http://www.sfdph.org/dph/EH/HazWaste/hazWasteSiteMitigation.asp>. Fees for DPH review and oversight of projects subject to the ordinance would apply. Please refer to DPH's fee schedule, available at: <http://www.sfdph.org/dph/EH/Fees.asp#haz>.

Please provide a copy of the submitted Maher Application and Phase I ESA with the Environmental Evaluation Application (EEA).

- **Air Quality.** The project includes demolition of an existing 6,836-square-foot, one-story industrial building and the construction of a 33,659-square-foot, four- and eight-story mixed-use 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 (DBI). Pursuant to the Construction Dust Ordinance, and because the project site is over a half-acre in area, the proposed project would be required to prepare a *Construction Dust Control Plan* for review and approval by the San Francisco Department of Public Health (DPH).

In addition to construction dust, demolition and construction activities would require the use of heavy-duty diesel equipment that emit diesel particulate matter (DPM). DPM is a designated toxic air contaminant, which may affect sensitive receptors located up to and perhaps beyond 300 feet from the project site. Additional measures may be required to reduce DPM emissions from construction vehicles and equipment.

The proposed project would introduce sensitive land uses (residences) that may be affected by nearby roadway-related pollutants and other stationary sources that may emit toxic air contaminants; thus, Health Code Article 38 applies to the proposed project. Health Code Article 38 requires that new residential development greater than 10 units located within the Potential Roadway Exposure Zone perform an Air Quality Assessment to determine whether PM_{2.5} concentrations from roadway sources exceed 0.2 micrograms per cubic meter (0.2 µg/m³). Sponsors of projects on sites exceeding this level are required to install ventilation systems or otherwise redesign the project to reduce the outdoor PM_{2.5} exposure indoors. The proposed project is located within the Potential Roadway Exposure Zone; therefore an analysis of annual exposure to roadway related particulate matter would be required. You may choose to have the air quality assessment prepared by a qualified firm and forwarded to DPH for review, or you may request that DPH conduct the assessment. For more information on Health Code Article 38 see: <http://www.sfdph.org/dph/EH/Air/default.asp>.

Should the project include a diesel back-up generator (generally required for buildings over 75 feet in height), emissions may include toxic air contaminants that may affect both on-site and off-site sensitive receptors. During the environmental review process the project will be screened for potential air quality impacts to identify applicable mitigation measures from the Eastern Neighborhoods FEIR.

- **Greenhouse Gas Emissions.** The applicant must complete the Planning Department's Greenhouse Gas Emissions Checklist, which will be provided after submittal of the Environmental Evaluation Application. The checklist includes a list of pertinent City regulations, ordinances, and other

requirements that reduce greenhouse gas emissions consistent with the City's reduction strategy. Projects that do not comply with an ordinance/regulation may be determined inconsistent with San Francisco's qualified GHG reduction strategy and may require the development of specific mitigation measures to achieve compliance. Compliance with applicable regulations, ordinances, and requirements would ensure that impacts related to greenhouse gas emissions would be less than significant, and no further analysis would be required.

- **Shadow.** Planning Code Section 295 requires that a shadow analysis be conducted for any project greater than 40-feet in height. A preliminary shadow analysis conducted indicated that public space under the jurisdiction of the Recreation and Parks Department will be shadowed by the proposal, as represented in the plan set submitted with the Preliminary Project Assessment. Specifically, the SoMa Recreation Center at the corner of Folsom and 6th Streets will be affected.
- **Wind.** The proposed project would involve construction of a building over 80 feet in height. The project may be required to conduct an initial review by a wind consultant, including a recommendation as to whether a wind tunnel analysis is needed. The consultant would be required to prepare a proposed scope of work for review and approval by the Environmental Planning case manager prior to preparing the analysis.
- **Aesthetics.** The project proposes development of a 33,659-square-foot, four- and eight-story building. 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. After submittal of the Environmental Evaluation Application, the Planning Department may require photomontages of the proposed project buildings from to-be-determined public viewpoints within its surroundings. If required, the photomontages must present "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.
- **Geology and Soils.** The project site is located within an area subject to liquefaction. Therefore, the applicant must submit with the Environmental Evaluation Application a geotechnical study that investigates the soils underlying the site, possible foundation types, and any geotechnical concerns related to the type(s) of foundation system(s) contemplated. The geotechnical study should address liquefaction and should highlight any recommendations for mitigating potential impacts, as applicable, associated with any of the geotechnical concerns identified in the study.
- **Stormwater Management.** 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. 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. 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.

- **Tree Planting and Protection.** 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. Any such trees must be shown on the Site Plans with size of the trunk diameter, tree height, and accurate canopy drip line. Please submit a *Tree Planting and Protection Checklist* with the Environmental Evaluation Application and ensure that trees are appropriately shown on site plans.
- **Notification of a Project Receiving Environmental Review.** Notice is required to be sent to occupants of properties adjacent to the project site and owners of properties within 300 feet of the project site at the initiation of the Community Plan Exemption process. Please provide these mailing labels at the time of submittal of the Environmental Evaluation Application.

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. **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.
2. **Large Project Authorization.** Planning Code Section 329 applies to all new construction and proposed alterations of existing buildings in the Eastern Neighborhoods that meet at least one of the following criteria:
 - a. The project includes the construction of a new building greater than 75 feet in height (excluding any exceptions permitted per Section 260(b)), or includes a vertical addition to an existing building resulting in a total building height greater than 75 feet; or
 - b. The project involves a net addition or new construction of more than 25,000 gross square feet.

The project meets Criteria 1a and b above with a 85-foot tall building and a net new construction of approximately 41,000 gross square feet of area. Therefore, a Large Project Authorization, or X case, is required.

3. **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

4. **Building Permit Applications.** Permit application and notification are required for the proposed demolition and new construction.

Large Project Authorization 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.** Interdepartmental Project Reviews are mandatory for new construction projects that propose buildings eight stories or more or 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. 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 Planning Department approval of the first construction permit. 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 your meeting.
2. **Central Corridor Plan.** As described above, the subject property falls within the ongoing Central Corridor Plan study area, initiated in 2011.

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. 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 most recent plan concepts (available at <http://centralcorridor.sfplanning.org>) which were presented at a public workshop on June 13, 2012.

3. **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.
4. **Lot Line Adjustments.** The proposed new building crosses two lots (Lots 003 and 003B). Projects that involve Lot Line Adjustments must be reviewed by the Department of Public Works (DPW). Please contact DPW if you have not already done so:

Department of Public Works
875 Stevenson Street
San Francisco, CA 94103
415.554.5827

5. **Obstructions.** Planning Code Section 136 restricts the bay projections into the required front setback and rear yard areas. The proposed bays may not exceed the maximum allowable dimensions. Approved exceptions to the rear yard or front setback would be required through the Large Project Authorization process for Eastern Neighborhood Mixed Use Districts.
6. **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.
7. **Rooftop Screening.** Planning Code Section 141 rooftop mechanical equipment and appurtenances to be used in the operation or maintenance of a building shall be arranged so as not to be visible from any point at or below the roof level of the subject building. This requirement shall apply to construction of new buildings and in any alteration of mechanical systems of existing buildings that result in significant changes in such rooftop equipment and appurtenances. The features so regulated shall in all cases be either enclosed by outer building walls or parapets, or grouped and screened in a suitable manner, or designed in themselves so that they are balanced and integrated with respect to

the design of the building. Minor features not exceeding one foot in height shall be exempted from this regulation.

8. **Ground Floor Commercial Space and Street Frontage.** Planning Code Section 145.1 requires active uses on the ground floor. Although active uses are proposed on the ground floor, they do not meet the minimum ground floor ceiling height and exceed the maximum garage opening allowed. Ground floor non-residential uses are required to have a minimum floor-to-floor height of 14 feet. The proposed ground floor does not appear to meet the required floor-to-floor height. The proposed garage opening at Clementina exceeds the maximum width of 1/3 of frontage. A new project should accommodate sufficient floor-to-floor height while limiting the vehicular access. A formal submittal should provide detailed dimensions for confirmation of compliance with the requirement.
9. **Parking.** Dwellings in MUR or MUG Districts are limited to up to one off-street parking space for each four dwelling units. With the approval of an exception and at least two-bedroom units at a minimum of 1,000 square feet of occupied floor area, up to one parking space for each dwelling unit may be accommodated. The maximum allowable number of off-street parking spaces for the project proposing 34 dwelling units is nine spaces. The project proposes 21 off-street parking spaces. Therefore, an exception for parking is required. A formal submittal should provide detailed information for confirmation of compliance with the requirement.
10. **Curb Cuts.** Driveways crossing sidewalks shall be no wider than necessary for ingress and egress, and shall be arranged, to the extent practical, so as to minimize the width and frequency of curb cuts, to maximize the number and size of on-street parking spaces available to the public, and to minimize conflicts with pedestrian and transit movements. Generally, curb cuts are limited to ten feet in width. The project proposes to enlarge the existing curb cut at Clementina Street and therefore exceeds the maximum width.
11. **Dwelling unit mix.** Planning Code Section 207.6 requires at least 40 percent of the total number of proposed dwelling units to contain two or more bedrooms. Any fraction resulting from this calculation shall be rounded to the nearest whole number of dwelling units. A formal submittal should provide detail information for confirmation of compliance with the requirement.
12. **Shadow.** Planning Code Section 295 requires that a shadow analysis be conducted for any project greater than 40-feet in height. A preliminary shadow analysis conducted indicated that public space under the jurisdiction of the Recreation and Parks Department will be shadowed by the proposal, as represented in the plan set submitted with the Preliminary Project Assessment. Specifically, the SoMa Recreation Center at the corner of Folsom and 6th Streets will be affected.
13. **SoMa Youth and Family SUD and Affordable Housing.** The project site falls within the SoMa Youth and Family Special Use District (SUD). As such, it is subject to the criteria of Section 249.40A. The SUD requires a conditional use authorization for a variety of uses. It also requires certain projects to provide a larger amount of affordable housing. The subject property currently falls on a site that triggers this requirement. Please be aware that there is pending legislation (Ordinance No. 101093) at the Board of Supervisors that would amend the SUD to require all properties in the SUD over 40 feet in height provide the larger amount of affordable housing. It is unclear if the legislation will be

amended by the Board of Supervisors, or if/when it will be adopted. Regardless of the outcome of this legislation, the project will be subject to the affordability requirements of Section 415 et seq.

14. **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 419,' 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 C. As of the date of this letter, Tier C requires 17.6 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 six 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.

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. Fees shall be assessed on mixed use projects according to the gross square feet of each use in the project. 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 the schedule in Table 423.3. Planning Code Section 423.3 also provides alternatives satisfying this requirement.

16. **First Source Hiring.** Chapter 83 of the San Francisco Administrative Code, passed in 1998, established the First Source Hiring Program to identify available entry-level jobs in San Francisco and match them with unemployed and underemployed job-seekers. The intent is to provide a resource

for local employers seeking qualified, job ready applicants for vacant positions while helping economically disadvantaged residents who have successfully completed training programs and job-readiness classes.

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

The project proposes more than ten dwelling units and therefore, is subject to the requirement. For further information or to receive a sample First Source Hiring Agreement, please see contact information below:

Ken Nim, Workforce Compliance Officer
CityBuild, Office of Economic and Workforce Development
City and County of San Francisco
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>

17. **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.
18. **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.
19. **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.
20. **The Transit Impact Development Fee (TIDF).** TIDF is an impact fee levied on new development citywide to offset new development's impacts on the transit system. Effective February 1, 2013, it lowers the threshold for triggering the TIDF from 3000 square feet of new development to 800 square feet. The term "new development" for a mixed use proposal refers to the non-residential portion of the project. Please be advised that the proposed project will trigger the payment of TIDF prior to issuance of the first construction document. 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>

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 **March 24, 2015**. Otherwise, this determination is considered expired and a new Preliminary Project Assessment is required. Such applications and plans must be generally consistent with those found in this Preliminary Project Assessment.

Enclosure: Neighborhood Group Mailing List

cc: John Goldman, Project Sponsor
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