



# SAN FRANCISCO PLANNING DEPARTMENT

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## Preliminary Project Assessment

*Date:* April 15, 2014  
*Case No.:* **2014.0198U**  
*Project Address:* 850 Bryant Street  
*Project Name:* Rehabilitation and Detention Facility Project  
*Block/Lot:* Option A: 3759/009, 010, 011, 012, 014, 043, 045  
Option B: 3759/042  
*Zoning:* Option A: SALI (Service/Arts/Light/Industrial) Zoning District  
30-X Height and Bulk District  
Option B: P (Public) Zoning District  
105-J Height and Bulk District  
*Area Plan:* Western SoMa Plan  
*Project Sponsor:* Jumoke Akin-Taylor, Department of Public Works  
415-557-4751  
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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 Public Utilities Commission, Department of Building Inspection, Department of Public Works, Department of Public Health, and others. In most cases, consultation with the Public Utilities Commission is required prior to completion of the environmental review. 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 Rehabilitation and Detention Facility (RDF) project aims to replace the existing County Jails No. 3 and No. 4 that includes 828 beds, and is located on the 6th and 7th floors at the Hall of Justice (HOJ) building at 850 Bryant Street. The project seeks to address the physical deficiencies of the HOJ including non-compliance with current codes and seismic inadequacy. The proposed project would construct a new multi-story facility with 640 beds at the existing HOJ site (Option B) or at an adjacent site (Option A).

***Option A - Harriet Street Site***

This option would purchase and assemble the 7 parcels within Block 3759, and reclassify the block's zoning and height/bulk districts to be consistent with the HOJ building at 850 Bryant Street (P-Public and 105-J, respectively). The project would initially construct a multi-story RDF with 640 beds on approximately 67 percent of the block. A subsequent phase, date to be determined, on the remaining 33 percent of the block, would house additional Sheriff's Department rehabilitation and detention facilities or other activities which may include, but are not limited to, offices of the Adult Probation Department, District Attorney, Police Department, or Sheriff's Department and justice-related social services agencies. The project would involve phased demolition of the existing buildings located on the project site and right-of-way vacations or closures of Harriet Street and Ahern Way. The project would connect to the existing County Jails Nos. 3 and 4 and the HOJ courts by way of a new secure basement level connection beneath Harriet Street. This connection may require sewer relocation depending on the existing sewer lines and the proposed path. This connection would also require renovations to the HOJ basement in order to create a fully functional RDF. The HOJ basement renovation would include, but is not limited to, a new access lobby to HOJ, updated electronic security equipment, and lighting improvements.

***Option B - HOJ West Wing***

This option involves creating a site for a replacement jail by demolishing the West Wing of the existing HOJ, and therefore would not require any land acquisitions. The demolition process would also require building an exterior wall for the East Wing. Like Option A, Option B would also include a basement level connection to the Courts for transportation of inmates. Before the West Wing can be demolished, the Police Department, District Attorney, and Adult Probation Offices would need to be relocated. Some modifications would be required in the East Wing to relocate the few court spaces currently housed in the West Wing, and to maintain existing building systems. Additionally, this alternative would require relocating inmates from the existing County Jails Nos. 3 and 4 and temporarily housing them in an interim jail. One option for the interim jail is utilizing County Jail No. 6, which is located in San Bruno and currently not housing any inmates. If County Jail No. 6 is selected as the site for the interim jail in this option, renovations may be required to upgrade the facility from minimum-security standards to maximum-security standards to match the existing inmate population and ensure staff, inmate, and visitor safety.

Both Options A and B would also require remodeling the second floor of the Sheriff's Facility located at 425 7<sup>th</sup> Street. The existing institutional kitchen and laundry (about 2,000 GSF) would become offices and storage space for the Sheriff's Bureau of Building Services.

***Building Program***

Multiple building layouts and programs are under consideration for Option A, and currently, the preferred design option is a 5-story 85-foot-tall building (2 stories have mezzanines and a basement), with approximately 200,000 gross square feet (GSF). During the design phase, the preliminary program may need to be modified, which could result in a facility having one additional story for a total height of 105 feet.

Option B would also require an RDF with approximately 200,000 GSF. The exact height for the facility in Option B is yet to be determined, but the maximum height would not exceed the existing HOJ building's

maximum height of 128 feet. The following is a list of major functions located in the RDF in both Option A and B:

<p><u>Inmate Areas:</u></p> <ul style="list-style-type: none"> <li>- Standard Housing</li> <li>- Special Housing</li> </ul>	<p><u>Public Oriented Functions:</u></p> <ul style="list-style-type: none"> <li>- Public Lobby</li> <li>- A multipurpose room for public use</li> <li>- Visiting areas</li> <li>- Central Records and warrants</li> </ul>
<p><u>Support:</u></p> <ul style="list-style-type: none"> <li>- Operations administration and control</li> <li>- Medical and mental health</li> <li>- Kitchen</li> <li>- Laundry</li> <li>- Building Services</li> <li>- General storage</li> </ul>	<p><u>Inmates Processing and Services:</u></p> <ul style="list-style-type: none"> <li>- Holding and transport</li> <li>- Central programs</li> </ul>

Actual square footages of these areas will be determined at a later date. Additional details regarding the building program can be found in the attached, *San Francisco Hall of Justice Replacement Jail Study* (September 2013). Subsequent phases of the project may include build-out of the block consistent with the P (Public) Zoning District and a 105-J Height-Bulk District.

**ENVIRONMENTAL REVIEW:**

The project initially requires the following environmental review. This review may be done in conjunction with the required approvals listed below, but must be completed before any project approval may be granted. To formally commence the environmental review process, the project sponsor must submit an Environmental Evaluation Application (EEA).<sup>1</sup>

**Option A – Harriet Street Site**

The discussion below is informed by the EIR for the *Western South of Market (SoMa) Community Plan*<sup>2</sup>, which encompasses the project site for Option A. Because the proposed project under Option A would require a zoning change that is inconsistent with the development density anticipated under this community plan, separate CEQA documentation must be prepared for Option A that does not tier from the Western SoMa EIR. However, much of the information and analysis provided in that EIR is relevant to the proposed project, as outlined below.

1. **Archeological Resources:** Project implementation would entail soil-disturbing activities associated with building construction including excavation, grading, and foundation work that would reach a depth of approximately 15 feet below grade. As documented in the *Western SoMa FEIR*, there is the potential for project-specific significant impacts on archeological resources resulting from ground-

<sup>1</sup> <http://www.sf-planning.org/Modules/ShowDocument.aspx?documentid=8253>.

<sup>2</sup> The *Western SoMa Community Plan* was adopted by the Board of Supervisors on March 19, 2013, and was effective as of April 27, 2013.

disturbing activities in the Plan area. Thus, any project involving any soils-disturbing activities including excavation, utilities installation, grading, soils remediation, compaction/chemical grouting to a depth of five feet or greater below ground surface for which no archeological assessment report has been prepared are subject to Preliminary Archeology Review (PAR) or a Preliminary Archeological Sensitivity Study (PASS) by the San Francisco Planning Department archeologist. Based on the PAR or PASS, the Environmental Review Officer (ERO) shall determine if an Archeological Research Design Treatment Plan (ARDTP) shall be required to more definitively identify the potential for California Register-eligible archeological resources to be present within the project site and determine the appropriate action necessary to reduce the potential effect of the project site on archeological resources to a less-than-significant level. If required, the ARDTP shall be prepared by a qualified archeological consultant selected from a list of three archeological consultants from the Planning Department's archeological resources consultant pool provided by the Planning Department during the environmental review.<sup>3</sup>

2. **Historic Resources:** Under CEQA, proposed projects are analyzed for their impact upon historic resources. Historic resource analysis is a two-step process: the first is to determine whether the subject property is a historical resource as defined in Section 15064.5(a)(3) of CEQA; and, if it is determined that the property is a historical resource, the second is to evaluate whether the proposed project would cause a substantial adverse change to that resource. Preliminary review by planning staff has determined that none of the buildings on the Option A site are over 50 years in age. Therefore, there would be no potential for historic impacts. However, the proposed development at this site may be assessed for potential indirect impacts to nearby historic buildings or districts. Pending further project details, an historic resource evaluation (HRE) prepared by a qualified professional who meets the Secretary of the Interior's Professional Qualification Standards may be required to evaluate whether the project would adversely affect any off-site historic resources.
3. **Transportation:** Based on a preliminary review of the plans submitted and meeting with the project sponsor as part of this Preliminary Project Assessment, the project would require additional transportation analysis to determine whether the project may result in a significant impact. Therefore, the Planning Department requires that a consultant listed on the Planning department's Transportation Consultant Pool prepare a Transportation Study. You are required to pay special fees for the Study; please contact Chelsea Fordham at (415) 575-9071 to arrange payment. Once you pay the fees, a Planning Department Transportation Planner will provide you with a list of three consultant's from the Transportation Pool, and will direct the scope of the study.
4. **Noise:** As provided in the Western SoMa FEIR, development projects in the Western SoMa Community Plan area are required to undertake noise attenuation measures to ensure that noise from project construction activities is minimized to the maximum extent feasible. In addition, noise control measures during pile driving would apply to the proposed project if the project requires pile driving. Specifically, a set of site-specific noise attenuation measures would be completed under the supervision of a qualified acoustical consultant for projects that require pile driving. Further, if the project would generate noise levels in excess of ambient noise, either short-term, at nighttime, or as

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<sup>3</sup> San Francisco Planning Department. *Consultant Resources, Archeological Review Consultant Pool*. Available online at: <http://www.sf-planning.org/index.aspx?page=1886>.

24-hour average, a noise would be required that identifies noise-sensitive uses (e.g., residences, schools, child care, religious, and convalescent facilities) within the project vicinity and includes at least one 24-hour noise measurement (with average and maximum noise level readings taken so as to be able to accurately describe maximum levels reached during nighttime hours). The analysis shall be prepared by persons qualified in acoustical analysis and/or engineering and shall demonstrate with reasonable certainty that the proposed use would comply with the use compatibility requirements in the *San Francisco General Plan* and Police Code Section 2909, that the proposed use would not adversely affect nearby noise-sensitive uses.

5. **Air Quality:** The project site is considered a sensitive receptor because it includes residential users. The project is also subject to Article 38 of the Health Code and is located within the Roadway Exposure Zone. The project is taller than 75 feet and the building/fire code would require that the project include an emergency generator. Lastly, the project includes demolition and construction of a large building and will require heavy duty diesel powered vehicles and/or equipment.

The proposed project could exceed the Bay Area Air Quality Management District's (BAAQMD) construction screening levels for criteria air pollutants.<sup>4</sup> Therefore an analysis of the project's criteria air pollutant emissions is required. In addition, San Francisco has 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 Pollutant Exposure Zones," were identified. The proposed project is within an Air Pollutant Exposure Zone. Therefore, exhaust limitation measures during construction, such as those listed in Western SoMa FEIR Mitigation Measure M-AQ-6, Construction Emissions Minimization Plan for Criteria Air Pollutants, may be required.

If the project would generate new sources of toxic air contaminants including, but not limited to diesel generators or boilers, or any other stationary sources, the project would result in toxic air contaminants that may affect both on-site and off-site sensitive receptors. The proposed project is assumed to require a backup diesel generator and as such additional measures, such as that described in Western SoMa FEIR Mitigation Measure M-AQ-4, Siting of Uses that Emit DPM or PM<sub>2.5</sub> and other TACs, will be necessary to reduce its emissions.

Project-related demolition, excavation, grading and other construction activities may cause wind-blown dust that could contribute particulate matter into the local atmosphere. Pursuant to the Construction Dust Ordinance 176-08, the proposed project would be required to prepare a Construction Dust Control Plan for review and approval by the Department of Public Health (DPH).

The proposed project includes sensitive receptors that may be affected by nearby roadway-related pollutants and other stationary sources that may emit toxic air contaminants. In addition, Health Code Article 38 applies to the proposed project. Health Code Article 38 requires new development within the Potential Roadway Exposure Zone perform an Air Quality Assessment to determine whether PM<sub>2.5</sub> concentrations from roadway sources exceed 0.2 micrograms per cubic meter (0.2 µg/m<sup>3</sup>). Sponsors of projects on sites exceeding this level are required to install ventilation systems or otherwise redesign the project to reduce the indoor PM<sub>2.5</sub> exposure. The proposed project is located

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<sup>4</sup> BAAQMD, *CEQA Air Quality Guidelines*, May 2011, Chapter 3.

within the Potential Roadway Exposure Zone, therefore an analysis of annual exposure to roadway related particulate matter would be required. You may choose to have the air quality assessment prepared by a qualified firm and forwarded to DPH for review, or you may request that DPH conduct the assessment. For more information on Health Code Article 38 please see: <http://www.sfdph.org/dph/EH/Air/default.asp>

The above impacts should be addressed in an Air Quality Technical Report that details air quality impacts, including human health impacts, during construction and operation. A consultant would be required to prepare a proposed scope of work for review and approval by the Environmental Planning case manager prior to commencing analysis for the Air Quality Technical Report.

6. **Greenhouse Gases:** The project sponsor would be required to submit a completed GHG Compliance Checklist Table 1 for Municipal Projects form demonstrating that the project is in compliance with the identified regulations and provide project-level details in the discussion column. An electronic version of the Greenhouse Gas Compliance Checklist Table 1 for Private Development Projects is available on the Planning Department's website at <http://www.sfplanning.org/index.aspx?page=1886>. 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. Projects that do not comply with a GHG-related regulation may be determined to be inconsistent with San Francisco's Greenhouse Gas Reduction Strategy.
7. **Wind:** Wind impacts are generally caused by large building masses extending substantially above their surroundings, and by buildings oriented such that a large wall catches a prevailing wind, particularly if such a wall includes little or no articulation. Typically, buildings that are less than 80 feet tall do not result in substantial changes to ground-level wind. The project therefore would require 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.
8. **Shadow:** Planning Code Section 295 restricts new shadowing on public spaces under the jurisdiction of the Recreation and Park Department by any structure exceeding 40 feet, unless the Planning Commission finds the impact to be less than significant. The proposed project would result in construction of a building up to 105 feet in height. The project therefore would require a shadow study. If the shadow fan analysis prepared by Planning Department staff determines that the project could cast shadows on recreational resources, you would be required to hire a qualified consultant to prepare a detailed shadow study. 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.
9. **Geology:** The project site is located in a liquefaction hazard zone, as identified in the *San Francisco General Plan*. Please include a geotechnical report with the EE package. The geotechnical investigation will also be used to inform the Planning Department's archeological review (see Archeological Resources section above).

10. **Stormwater:** If the project results in a ground surface disturbance of 5,000 square feet or greater, it is subject to San Francisco's stormwater management requirements as outlined in the Stormwater Management Ordinance and the corresponding San Francisco Public Utilities Commission (SFPUC) Stormwater Design Guidelines (Guidelines). Projects that trigger the stormwater management requirements must prepare a Stormwater Control Plan demonstrating project adherence to the performance measures outlined in the Guidelines including: (a) reduction in *total volume* and *peak flow rate* of stormwater for areas in combined sewer systems OR (b) *stormwater treatment* for areas in separate sewer systems. Responsibility for review and approval of the Stormwater Control Plan is with the SFPUC, Wastewater Enterprise, Urban Watershed Management Program. Without SFPUC approval of a Stormwater Control Plan, no site or building permits can be issued. The Guidelines also require a signed maintenance agreement to ensure proper care of the necessary stormwater controls. The project's environmental evaluation should generally assess how and where the implementation of necessary stormwater controls would reduce the potential negative impacts of stormwater runoff. To view the Stormwater Management Ordinance, the Stormwater Design Guidelines, or download instructions for the Stormwater Control Plan, go to <http://sfwater.org/sdg>.
11. **Floodplain:** The project site is on a block that has the potential to flood during storms. Contact Cliff Wong of the 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 be referred to 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, the DBI, or the Redevelopment Agency. The SFPUC and/or its delegate (SF Department of Public Works [DPW], 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 SFPUC 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. **Hazardous Materials:** The proposed project is located within the Maher zone and would require excavation of 50 cubic yards of soil. Therefore, the proposed project is subject to San Francisco Health Code Article 22A, also known as the Maher Ordinance. The Maher Ordinance, which is administered and overseen by 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 sponsors of projects subject to the Maher Ordinance complete a Maher application, available at: <http://www.sfdph.org/dph/EH/HazWaste/hazWasteSiteMitigation.asp>. DPH fees for their 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>.

13. **Tree Planting and Protection Checklist:** The DPW Code Section 8.02-8.11 requires disclosure and protection of landmark, significant, and street trees located on private and public property. Completion of this checklist is required for this project. No permit will be approved by the Planning Department before satisfying all applicable tree-related requirements; including receiving clearance from the Department of Public Works (DPW) to plant required street trees and/ or remove Protected Trees. Any tree identified in the Tree Planting and Protection Checklist must be shown on the Site Plans with size of the trunk diameter, tree height and accurate canopy drip line. Please submit this checklist with the Environmental Evaluation application.
14. **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 to owners, and to the extent feasible, occupants of properties within 300 feet of the project site at the initiation of the environmental review. Please be prepared to provide mailing labels upon request during the environmental review process.

If the Department's review indicates that there is a potential for the project to have significant environmental impacts, an initial study must be prepared for CEQA review. The initial study may be prepared either by an environmental consultant from the Planning Department's environmental consultant pool or by Department staff.

If the initial study determines that the project would not have a significant effect on the environment, the Department would issue a preliminary negative declaration (PND). If the initial study finds that the project would have significant impacts that could be reduced to a less-than-significant level by mitigation measures agreed to by the project sponsor, then the Department would issue a preliminary mitigated negative declaration (PMND). The PND or PMND would be circulated for public review for a period of 30 calendar days, during which time concerned parties may appeal the determination. If an appeal is filed, the Planning Commission would hold a hearing to decide the appeal. If no appeal is filed, the Planning Department would issue a final negative declaration (FND) or final mitigated negative declaration (FMND), and CEQA review is complete.

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

### **Option B – HOJ West Wing**

Assuming both Option A and Option B are carried forward during the planning process, the environmental documentation prepared for CEQA compliance would address both options at a similar level of detail. Under this scenario, the required CEQA document and associated technical studies outlined above under Option A would generally apply to Option B as well. However, **if the project sponsor decides to move forward with Option B only, there may be an opportunity to apply a streamlined environmental review process to achieve CEQA compliance**, as outlined below.



Section 15183 of the California Environmental Quality Act (CEQA) Guidelines states that projects that are consistent with the development density established by a community plan for which an environmental impact report (EIR) was certified do not require additional environmental review, except as necessary to determine the presence of project-specific significant effects not identified in the programmatic plan area EIR. The proposed project is located within the *Western South of Market (SoMa) Community Plan*<sup>5</sup>, which was evaluated in *Western SoMa Community Plan* EIR that was certified on December 6, 2012.<sup>6</sup> While the current description of Option B does not provide sufficient detail to confirm consistency with this community plan, if Option B was found consistent with the development density identified in the *Western SoMa Community Plan*, it would be eligible for CEQA clearance via a community plan exemption (CPE). (In contrast, the *Western SoMa Community Plan* does not anticipate public uses or any similar development to that proposed under Option A; thus the potential to streamline the CEQA process via a CPE would not be applicable to Option A.)

Within the CPE process, there can be three different outcomes as outlined below.

### 1. CPE Only

All potentially significant project-specific and cumulatively considerable environmental impacts are fully consistent with significant impacts identified in *the Western SoMa 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 *Western SoMa FEIR* are applied to the proposed project, and a CPE checklist and certificate is prepared.

### 2. CPE + Mitigated Negative Declaration

If new site- or project-specific significant impacts are identified for the proposed project that were not identified in *the Western SoMa 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, and a supporting CPE certificate is prepared to address all other impacts that were encompassed by *the Western SoMa FEIR*, with all pertinent mitigation measures and CEQA findings from *the Western SoMa FEIR* also applied to the proposed project.

### 3. 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 Western SoMa FEIR*, with all pertinent mitigation measures and CEQA findings from *the Western SoMa FEIR* also applied to the proposed project.

Based on our preliminary review, it appears that the following mitigation measures identified in the area plan EIR would apply to the proposed project Option B if the above CPE process is applied. Please refer to Attachment A (Mitigation Monitoring and Reporting Program – Western SoMa Community Plan and

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<sup>5</sup> The *Western SoMa Community Plan* was adopted by the Board of Supervisors on March 19, 2013, and was effective as of April 27, 2013.

<sup>6</sup> The EIR is available for review at the Planning Department, 1650 Mission Street, Suite 400 in file number 2008.0877E.

Rezoning of Adjacent Parcels) for the full language and requirements of each mitigation measure listed below:

- M-CP-1a: Documentation of a Historical Resource
- M-CP-4a: Project-Specific Preliminary Archeological Assessment
- M-CP-4b: Procedures for Accidental Discovery of Archeological Resources
- M-NO-1c: Siting of Noise-Generating Uses
- M-NO-2a: General Construction Noise Control Measures
- M-NO-2b: Noise Control Measures During Pile Driving
- M-AQ-2: Transportation Demand Management Strategies for Future Development Projects
- M-AQ-6: Construction Emissions Minimization Plan for Criteria Air Pollutants
- M-AQ-7: Construction Emissions Minimization Plan for Health Risks and Hazards
- M-WS-1: Screening-Level Wind Analysis and Wind Testing
- M-BI-1a: Pre-Construction Special-Status Bird Surveys
- M-BI-1b: Pre-Construction Special-Status Bat Surveys
- M-HZ-2: Hazardous Building Materials Abatement
- M-HZ-3: Site Assessment and Corrective Action

Based on our preliminary review the following topic areas would require additional study to identify potential site- or project-specific significant impacts not identified in the *Western SoMa FEIR*:

- **Transportation.** Based on a preliminary review of the plans submitted and meeting with the project sponsor as part of this Preliminary Project Assessment, the project would require additional transportation analysis to determine whether the project may result in a significant impact. Therefore, the Planning Department requires that a consultant listed on the Planning department's Transportation Consultant Pool prepare a Transportation Study. You are required to pay special fees for the Study; please contact Chelsea Fordham at (415) 575-9071 to arrange payment. Once you pay the fees, a Planning Department Transportation Planner will provide you with a list of three consultants from the Transportation Pool, and will direct the scope of the study.
- **Historic Resources:** Based upon a DPR 523A form completed for the project site, the building at 850 Bryant Street was constructed in 1958, and is therefore a potential historic resource because it is over 50 years in age. While the analysis here would generally coincide with the requirements of the above-listed mitigation measure M-CP-1a: Documentation of a Historical Resource, additional recommendations could be imposed on the project as site-specific mitigation measures of "peculiar," site-specific impacts. Because the existing building on the project site was previously determined to be eligible for national, state, or local listing, the project is subject to the Department's Historic Preservation review, which would include preparation of an Historic Resource Evaluation (HRE) by a qualified professional who meets the Secretary of the Interior's Professional Qualification Standards. The Department will provide the project sponsor with a list of three consultants from the Historic Resource Consultant Pool, which shall be known as the potential consultant list or PCL. Once the Environmental Evaluation Application is submitted, please contact Tina Tam, Senior Preservation Planner, via email ([tina.tam@sfgov.org](mailto:tina.tam@sfgov.org)) for the list of three consultants. Upon selection

of the historic resource consultant, the scope of the Historic Resource Evaluation shall be prepared in consultation with Department Preservation staff.

- **Hazardous Materials.** Projects that are located on sites with known or suspected soil and/or groundwater contamination are subject to the provisions of Health Code Article 22A (Maher Ordinance). A Phase I Environmental Site Assessment should be prepared to determine the potential for site contamination and the level of exposure risk associated with the project, and submitted with the Environmental Evaluation Application. The Phase I will determine whether any additional analysis (e.g., a Phase II soil sampling) will be necessary. Review of the Phase I and any additional studies recommended by the Phase I would require oversight from the San Francisco Department of Public Health (DPH), which may recommend that the project sponsor enroll in its Voluntary Remedial Action Program. While the analysis here would generally coincide with the requirements of the above-listed mitigation measure M-HZ-3: Site Assessment and Corrective Action, recommendations would likely be instituted into the project as site-specific mitigation measures of “peculiar,” site-specific impacts. Please note that the DPH charges a fee for their review. More information on DPH’s Voluntary Remedial Action Program may be found at <http://www.sfdph.org/dph/EH/HazWaste/hazWasteVoluntaryRemedial.asp>.
- **Geology:** The project site is located in a liquefaction hazard zone, as identified in the *San Francisco General Plan*. Please include a geotechnical report with the EE package. The geotechnical investigation will also be used to inform the Planning Department’s archeological review (see Archeological Resources section above).
- **Air Quality.** The project proposes construction activities near existing sensitive land uses (residences) in an area that may experience elevated levels of roadway-related and stationary-source air pollution. Similar to the requirements outlined above for Option A, in order to evaluate the potential public health risk, an air quality technical report, in accordance with the Bay Area Air Quality Management District (BAAQMD) *CEQA Air Quality Guidelines* (2010) and methodologies is required. The report must be prepared by a qualified firm working under the direction of Planning Department staff.
- **Greenhouse Gases:** Potential environmental effects related to greenhouse gas (“GHG”) emissions from the revised project need to be addressed in the project’s environmental evaluation. The project sponsor would be required to submit a completed GHG Compliance Checklist Table 1 for Municipal Projects demonstrating that the project is in compliance with the identified regulations and provide project-level details in the discussion column. An electronic version of the Greenhouse Gas Compliance Checklist Table 1 for Municipal Projects is available on the Planning Department’s website at <http://www.sf-planning.org/index.aspx?page=1886>. 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. Projects that do not comply with a GHG-related regulation may be determined to be inconsistent with San Francisco’s Greenhouse Gas Reduction Strategy.
- **Shadow.** The proposed project would result in construction of a building 40 feet or greater in height. The project therefore would require a shadow study, as further discussed below. If the shadow fan analysis prepared by Planning Department staff determines that the project could cast shadows on

recreational resources, you would be required to hire a qualified consultant to prepare a detailed shadow study. 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.

- **Wind.** The proposed project would involve construction of a building over 80 feet in height. The project therefore would require 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.

As outlined above, if any of the additional analyses determine that mitigation measures not identified in the area plan EIR are required to address peculiar site-specific impacts, the environmental document will be a community plan exemption plus a focused initial study/mitigated negative declaration. If the additional analyses identify impacts that cannot be mitigated, the environmental document would be a community plan exemption with a focused initial study/EIR. A community plan exemption and a community plan exemption plus a focused initial study/mitigated negative declaration can be prepared by Planning Department staff, but a community plan exemption with a focused initial study/EIR would need to be prepared by a consultant on the Planning Department's environmental consultant pool:

[http://www.sf-planning.org/ftp/files/MEA/Environmental\\_consultant\\_pool.pdf](http://www.sf-planning.org/ftp/files/MEA/Environmental_consultant_pool.pdf)

Please see "Studies for Project inside of Adopted Plan Areas - Community Plan Fees" in the Planning Department's current *Fee Schedule for Applications*. Environmental evaluation applications are available at the Planning Information Center at 1660 Mission Street, and online at [www.sfplanning.org](http://www.sfplanning.org).

Note that the renovations to County Jail No. 6 in San Bruno, which is required to implement Option B, will also require disclosure and potential CEQA analysis regardless of the level of environmental documentation required.

#### 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. **General Plan Referral.** This referral is required for projects involving the improvement of structures owned by the City and County of San Francisco. Both options would require a General Plan Referral, since the project includes property owned by City and County of San Francisco. In addition to a General Plan Referral for the project, there is a separate General Plan Referral required for the official street vacation/closure and sidewalk change to Harriet Street and Ahern Way. The Department of Public Works (DPW) has established a streamlined process for approval of certain official sidewalk width changes that are supported by the City's General Plan, Better Streets Plan, and approved neighborhood streetscape plans. All referrals are required prior to any ordinance or resolution approved by the Board of Supervisors.

2. **Informational Hearing.** Since the proposed project is a large project within the South of Market neighborhood, the Project Sponsor should anticipate an informational hearing in front of the Planning Commission, after the conceptual design phase. This informational hearing should focus on the overall project, its goals and design.

#### Option A – Harriet Street Site

1. **Height District Reclassification.** The project site is located within the 30-X Height and Bulk District. The height of the proposed project would exceed the height limit. In order for the project to proceed, the Planning Commission and Board of Supervisors would need to approve a reclassification of the Height District for the subject parcels (3759/009, 010, 011, 012, 014, 043, and 045). The Department assumes that the proposed height district would be reclassified to 105-J, as is consistent with the adjacent parcel.
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. A **Building Permit Application** is required for the demolition of the existing buildings on the subject parcels.
4. A **Building Permit Application** is required for the proposed new construction on the subject parcels.

#### Option B – HOJ West Wing

1. A **Building Permit Application** is required for the demolition of the existing building on the subject parcel.
2. A **Building Permit Application** is required for the proposed new construction on the subject parcel.

All applications are available in the Planning Department lobby at 1650 Mission Street Suite 400, at the Planning Information Center at 1660 Mission Street, and online at [www.sfplanning.org](http://www.sfplanning.org). Building Permit Applications are available at the Department of Building Inspections at 1660 Mission Street.

#### NEIGHBORHOOD NOTIFICATIONS AND PUBLIC OUTREACH:

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

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

available at [www.sfplanning.org](http://www.sfplanning.org) under the “Permits & Zoning” tab. All registered neighborhood group mailing lists are available online at [www.sfplanning.org](http://www.sfplanning.org) under the “Resource Center” tab.

## PRELIMINARY PROJECT COMMENTS:

The 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. **General Plan Referral:** This referral is required for projects involving the improvement of structures owned by the City and County of San Francisco. Both options would require a General Plan Referral to assess the project’s conformity with the General Plan. This referral is required prior to any ordinance or resolution approved by the Board of Supervisors.
2. **Bettors Streets Plan-Streetscape Plan and Improvements:** Planning Code Section 138.1(2)(i) outlines the requirements for streetscape and pedestrian improvement for projects located on a lot that is greater than ½-acre in total area and encompasses new construction. Both options would be required to include streetscape and pedestrian improvements that are in keeping with the Better Streets Plan. 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. Please coordinate with the Department’s Citywide Division and Urban Design Team to develop the streetscape and pedestrian improvements. The Planning Department may require these elements as part of conditions of approval.

Street improvements may include upgrading the building’s street frontages up to the City’s standards. If street improvements are being considered, Project Sponsors should contact DPW as early as possible to understand the process and requirements for permitting street improvements. For more information on process, guidelines, and requirements for street improvements, refer to [www.sfbetterstreets.org](http://www.sfbetterstreets.org).

3. **Western SOMA Special Use District:** The project would be subject to Planning Code Section 823; including being subject to the “WSoMa Design Standards,” which addresses requirements for setbacks, open space, exposure, vertical architecture elements, good neighbor policies, recreation facilities, and major developments requesting height bonuses.
4. **Bicycle Parking:** Planning Code Sections 155.3 and 155.4 outline requirements for bicycle parking and shower facilities for public uses. Both options would be required to provide Class 1 and Class 2 bicycle parking spaces, as well as shower facilities and lockers. Please ensure that the proposed project meets these requirements.

5. **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.<sup>7</sup>

#### Option A – Harriet Street Site

6. **Existing Height Limits:** The subject property is located within a 30-X Height and Bulk District, which limits the height of proposed new development. *The project could not be approved under existing height and bulk district.*
7. **Height District Reclassification:** The project site is located within the 30-X Height and Bulk District. The height of the proposed project would exceed the height limit. In order for the project to proceed, the Planning Commission and Board of Supervisors would need to approve a reclassification of the Height District for the subject parcels (3759/009, 010, 011, 012, 014, 043, and 045).
8. **Public Use in SALI Zoning District:** Per Planning Code Sections 846.92 and 890.80, public use is principally permitted within the SALI Zoning District. The proposed rehabilitation and detention facility would be considered a public use, as defined by Planning Code Section 890.80.
9. **Large Project Authorization:** Planning Code Section 329 outlines the requirements for a Large Project Authorization in Eastern Neighborhoods Mixed Use Zoning Districts. The SALI Zoning District is considered an Eastern Neighborhoods Mixed-Use Zoning District. If the project remains within the SALI Zoning District, a Large Project Authorization would be required for new construction of more than 25,000 gross square feet. All large projects within the SALI Zoning District are subject to review by the Planning Commission in an effort to achieve the objectives and policies of the General Plan, the applicable Design Guidelines and the Planning Code.
10. **Street Trees:** The proposed project is subject to the San Francisco Green Landscaping Ordinance, which assists in articulating Planning Code Sections 138.1. This Planning Code section outlines a provision for adding street trees when undertaking new construction. A 24-inch box size street tree would be required for each 20 feet of frontage of the property along each street or alley, with any remaining fraction of 10 feet or more of frontage requiring an additional tree. Based on the street frontage, it appears that (14) street trees would be required along 6<sup>th</sup> Street, (8) street trees Bryant Street, and (14) street trees would be required along Harriett Street. Existing trees on the project site would apply towards the street tree requirement. Please ensure that the proposed project is in compliance with this Planning Code section by providing an updated site plan showing landscaping and street trees.
11. **Street Frontage:** Planning Code Section 145.1 outlines requirements for street frontages to ensure that they are pedestrian-oriented, fine-grained, and are appropriate and compatible with the buildings. As the design of the proposed project is developed, please ensure that the ground floor street frontage meets these requirements as related to use, height, transparency, fenestration, gates, railings and

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<sup>7</sup> San Francisco Planning Department. *Standards for Bird-Safe Buildings*. Available online at: <http://www.sfplanning.org/index.aspx?page=2506>.

grillwork. The project may seek exemptions from these requirements, as part of the Large Project Authorization.

12. **Parking:** Planning Code Section 151.1 outlines the requirements for off-street parking. Within the SALI Zoning District, off-street parking is not required for any use. Off-street parking is limited to a maximum amount based upon the proposed uses associated with the detention facility. Please provide additional information on the classes of uses (ie. office, assembly, etc.), as identified within this section of the Planning Code.

### Option B – HOJ West Wing

13. **Public Use Zoning District:** Per Planning Code Section 234, the Public Use (P) Zoning District applies to land that is owned by a governmental agency and in some form of public use, including open space. The proposed use is principally permitted within the P Zoning District.
14. **Street Trees:** The proposed project is subject to the San Francisco Green Landscaping Ordinance, which assists in articulating Planning Code Sections 138.1. This Planning Code section outlines a provision for adding street trees when undertaking new construction. A 24-inch box size street tree would be required for each 20 feet of frontage of the property along each street or alley, with any remaining fraction of 10 feet or more of frontage requiring an additional tree. Based on the street frontage, it appears that (25) street trees would be required along Bryant Street, (17) street trees Harriett Street, and (13) street trees would be required along 7<sup>th</sup> Street. Existing trees on the project site would apply towards the street tree requirement. Please ensure that the proposed project is in compliance with this Planning Code section by providing an updated site plan showing landscaping and street trees.
15. **Parking:** Planning Code Section 151 outlines the requirements for required off-street parking. The parking requirement would be determined based upon the proposed uses associated with the detention facility and the number of anticipated daily visitors. Please provide additional information on the classes of uses (ie. office, assembly, etc.), as identified within this section of the Planning Code.

### PRELIMINARY DESIGN COMMENTS:

Due to the preliminary nature of the proposed project, the Department does not have any preliminary design comments. As the plans are further developed, the Department anticipates additional review to ensure that the project addresses the surrounding context, particularly along 6<sup>th</sup> Street. The Department recognizes the historic importance and urban design qualities of the existing building (HOJ West Wing); therefore, additional consideration should be given to Option A - Harriet Street Site. The Department anticipates active ground floor uses and public plazas, which will provide for a better public realm and ground plane. The Department expects a thoughtful design and active uses along Harriet Street, as well as accommodations for useable open space.



**PRELIMINARY PROJECT ASSESSMENT EXPIRATION:**

This Preliminary Project Assessment is valid for a period of **18 months**. An Environmental Evaluation or Building Permit Application, as listed above, must be submitted no later than **October 15, 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.

cc: Rich Sucre, Current Planning  
Steve Smith, Environmental Planning  
Audrey Desmuke, Citywide Planning - Information and Analysis Group  
Jerry Robbins, MTA  
Jerry Sanguinetti, DPW