



SAN FRANCISCO PLANNING DEPARTMENT

MEMO

DATE: May 15, 2014
TO: Jesse Nelson, CIM Group
FROM: Joshua Switzky, Planning Department
RE: PPA Case No. 2014.0405U
330 Townsend Street

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

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Please find the attached Preliminary Project Assessment (PPA) for the address listed above. You may contact the staff contact, Steve Wertheim, at (415) 558-6612 or steve.wertheim@sfgov.org, to answer any questions you may have, or to schedule a follow-up meeting.



Joshua Switzky, Senior Planner



SAN FRANCISCO PLANNING DEPARTMENT

Preliminary Project Assessment

Date: May 15, 2014
Case No.: **2014.0405U**
Project Address: 330 Townsend Street
Block/Lot: 3786/014
Current Zoning: WMUO (Western SoMa Mixed-Use Office) Zoning District
Western SoMa Special Use District
65-X/85-X Height and Bulk District
Proposed Zoning: MUO (Mixed-Use Office) Zoning District
85-P/300-T Height and Bulk District (High-Rise Alternative)
Current Area Plan: Western SoMa Area Plan
Proposed Area Plan: Central SoMa Area Plan
Project Sponsor: Jesse Nelson, CIM Group
510-992-6163
Staff Contact: Steve Wertheim – 415.558.6612
steve.wertheim@sfgov.org

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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 mixed-use building (1,632 square foot retail and 59,236 office) and to construct a 21-story office and residential tower with 2 levels below grade parking. The existing building on the 30,740 square foot subject lot was constructed in 1985 and consisted of a 60,976 square foot building. The proposed new building would include 61,480 square feet for parking (number of parking spaces TBD based on code requirement), 47,678 square feet of retail, 335,064 square feet of office. A mid-block pedestrian passageway provides thru block connection, along with a 2 story interior galleria space that will serve to provide the required open space.

ENVIRONMENTAL REVIEW:

The proposed project requires environmental review per the California Environmental Quality Act (CEQA) either individually, such as in a project specific Initial Study/Mitigated Negative Declaration (IS/MND) or Environmental Impact Report (EIR), or in a Community Plan Exemption (CPE) under the applicable community plan EIR. Environmental review may be performed in conjunction with the required Planning Department approvals listed in this letter, but must be completed before any project approval may be granted.

Section 15183 of the CEQA Guidelines states that projects that are consistent with the development density established by a community plan for which 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 site is located within the Central SoMa Plan area, which is a rezoning proposal for the area bounded by Mission, Townsend, 2nd and 6th Streets. The Central SoMa Plan is currently undergoing environmental review, and is expected to be adopted in mid-2015. If the Environmental Evaluation Application for this project is filed before the Central SoMa Plan is adopted, the environmental documents prepared for this project would address cumulative impacts associated with the Moscone project and other projects in the Central SoMa Plan area. Pursuant to CEQA, this project is likely to qualify for a CPE under the *Western SoMa Community Plan Programmatic Final Environmental Impact Report EIR*, which was certified in 2012.¹ Within the CPE process, there can be three different outcomes as follows:

1. **CPE Only.** All potentially significant project-specific and cumulatively considerable environmental impacts are fully consistent with significant impacts identified in the *Western SoMa Community Plan Final EIR*, and there would be no new project-specific significant impacts. In these situations, all pertinent mitigation measures and CEQA findings from the *Western SoMa Community Plan FEIR* are applied to the proposed project, and a CPE checklist and certificate is prepared. With this outcome, the applicable fees are: (a) the CPE determination fee; (b) the CPE certificate fee; and (c) a proportionate share fee for recovery for costs incurred by the Planning Department for preparation of the *Western SoMa Community Plan FEIR*.
2. **CPE + Focused Initial Study/Mitigated Negative Declaration.** If new site- or project-specific significant impacts are identified for the proposed project that were not identified the *Western SoMa Community Plan 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 Community Plan FEIR*, with all pertinent mitigation measures and CEQA findings from the *Western SoMa Community Plan FEIR* also applied to the proposed project. With this outcome, the applicable fees are: (a) the CPE determination fee; (b) the standard environmental evaluation fee

¹ Available for review on the Planning Department's Area Plan EIRs web page: <http://www.sf-planning.org/index.aspx?page=1893>.

(which is based on construction value); and (c) a proportionate share fee for recovery for costs incurred by the Planning Department for preparation of the *Western SoMa Community Plan FEIR*.

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 Community Plan FEIR*, with all pertinent mitigation measures and CEQA findings from the *Western SoMa Community Plan FEIR* also applied to the proposed project. With this outcome, the applicable fees are: (a) the CPE determination fee; (b) the standard environmental evaluation fee (which is based on construction value); (c) one-half of the standard EIR fee (which is also based on construction value); and (d) a proportionate share fee for recovery for costs incurred by the Planning Department for preparation of the *Western SoMa Community Plan FEIR*.

In order to begin formal environmental review, please submit an **Environmental Evaluation Application**. This review may be done in conjunction with the required approvals listed below, but must be completed before any project approval may be granted. See page 2 of the current *Fee Schedule* for calculation of environmental application fees. **Note that until an approval application is submitted to the Current Planning Division, only the proposed Project Description will be reviewed by the assigned Environmental Coordinator.** Below is a list of topic areas that would require additional study based on our preliminary review of the project as it is proposed in the Preliminary Project Assessment (PPA) submittal dated March 14, 2014.

1. **Historic Resources.** The project site is not located in or near any historic districts. No historic resources are adjacent to the site; however, historic properties exist across Bluxome Street at the rear of the site as well as on the project block. The project site is occupied by a two-story, brick masonry commercial building constructed in 1920 and designed in a utilitarian commercial style. The rectangular-plan building, clad in brick, is capped by a flat roof. The primary façade faces north and includes nine structural bays. Typical windows include multi-light, aluminum-sash fixed and awning windows. Typical entrances include partially- and fully-glazed metal doors with sidelights and transoms. The proposed project would demolish the existing 94-year-old commercial building and construct a 21-story office building over ground-floor retail. The South of Market Area Historic Resource Survey found the property to not be an historic resource, classified under the California Historical Resource Status Code as '6Z' and under CEQA as a Category C.. Therefore, Historic Preservation review would not be required.
2. **Archeological Resources.** The proposed project would require a Preliminary Archeological Review (PAR) which would be conducted in-house by the Planning Department archeologist. The PAR will determine what type of soils disturbance/modification will result from the project, such as excavation, installation of foundations, soils improvement, site remediation, etc. Any available geotechnical/soils or Phase II hazardous materials report prepared for the project site will be reviewed at this time. In addition, staff will determine if the project site is in an area that is archeologically sensitive. If staff finds that the project has the potential to effect an archeological resource, the PAR memorandum will identify appropriate additional actions to be taken including the appropriate archeological measure and/or if additional archeological studies will be required as part of the review.

3. **Geology.** The project site is located in a Seismic Hazard Zone, specifically a liquefaction hazard zone, as identified in the San Francisco General Plan. Any new construction on the project site is subject to a mandatory Interdepartmental Project Review because it is located within a Seismic Hazard Zone.² A geotechnical study prepared by a qualified consultant must be submitted with the Environmental Evaluation Application. The study should address whether the site is subject to liquefaction, and should provide recommendations for any geotechnical concerns identified in the study. In general, compliance with the building codes would avoid the potential for significant impacts related to structural damage, ground subsidence, liquefaction, landslides, and surface settlement. This study will also help inform the Planning Department Archeologist of the project site's subsurface geological conditions.

Noise. Based on the *Western SoMa Community Plan FEIR*, the project site is located in an area where traffic-related noise exceeds 60 dBA Ldn (a day-night averaged sound level). *Western SoMa Community Plan FEIR Noise Mitigation Measure M-NO-1a*, *Mitigation Measure M-NO-1b*, and *Mitigation Measure M-NO-1d* are related to projects siting noise-sensitive uses and/or residential uses in these noisy areas. The aforementioned Mitigation Measures would not apply to the proposed project.

Western SoMa FEIR Mitigation Measure M-NO-2a: General Construction Noise Control Measures would apply to the proposed project. Mitigation Measure M-NO-2a requires that development projects in the *Western SoMa Community Plan* area undertake noise attenuation measures to ensure that project noise from construction activities is minimized to the maximum extent feasible. In addition, *Western SoMa FEIR Mitigation Measure M-NO-2b: Noise Control Measures During Pile Driving* would apply to the proposed project if the project requires pile driving. *Mitigation Measure M-NO-2b* would require that a set of site-specific noise attenuation measures be completed under the supervision of a qualified acoustical consultant for projects that require pile driving.

Project-related construction noise would be subject to the San Francisco Noise Ordinance (Article 29 of the San Francisco Police Code), which includes restrictions on noise levels of construction equipment and hours of construction. Detailed information related to construction equipment, phasing, and duration of each phase may be required as part of environmental evaluation to assess construction noise levels and methods to reduce such noise, as feasible.

4. **Transportation.** Based on a review of the PPA Application, the Department has determined that a transportation study is likely to be required. However, a formal determination will be made subsequent to submittal of the EE Application. In order to facilitate that determination, Planning staff propose the following recommendations:
- Coordinate with San Francisco Municipal Transportation Agency (SFMTA) regarding Bay Area Bike Share station on Townsend Street;
 - Show Class 1 and Class 2 bicycle parking on plans (staff recommends Class 1 bicycle parking to be located at the ground-floor level for easy accessibility);
 - Show adjacent sidewalks, curb cuts, widths, and trash area on site plans;
 - Consider moving smaller loading spaces into the parking garage;

² San Francisco Planning Department. *Interdepartmental Project Review*. Available online at: <http://www.sf-planning.org/Modules/ShowDocument.aspx?documentid=522>.

- Consider pavement treatment at garage entry and loading areas to visibly distinguish sidewalk and driveway;
 - If project is proposing green space on Bluxome Street, include plans for design;
 - Consider reducing off-street car parking due to proximity to local and regional transit lines, bike share; and
 - Clarify number of parking spaces and whether they are tandem.
5. **Air Quality.** The proposed project's approximately 395,000 square feet of office space exceeds the Bay Area Air Quality Management District's (BAAQMD) construction and operational screening levels for criteria air pollutants.³ Therefore an analysis of the project's criteria air pollutant emissions is likely to be required. Detailed information related to construction equipment, phasing and duration of each phase, and cubic yards of excavation shall be provided as part of the EEA.

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 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, the proposed project would be required to comply with applicable dust control requirements outlined in the ordinance.

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. Given the proposed project's 26-story height, the proposed project would likely require a backup diesel generator. Detailed information related to any proposed stationary sources shall be provided with the EE Application.

6. **Hazardous Materials.** The site is located on the Maher Map, indicating the presence of contaminated soil and/or groundwater. 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 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>.

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

Please provide a copy of the submitted Maher Application and Phase I ESA with the EE Application.

7. **Greenhouse Gas Emissions.** The City and County of San Francisco's Strategies to Address Greenhouse Gas Emissions presents a comprehensive assessment of policies, programs, and ordinances that represents San Francisco's Qualified Greenhouse Gas (GHG) Reduction Strategy. In order to facilitate a determination of compliance with San Francisco's Qualified GHG Reduction Strategy, the Planning Department has prepared a GHG Analysis Compliance Checklist.⁴ The project sponsor would be required to submit the completed table regarding project compliance with the identified regulations and provide project-level details in the discussion column. This information will be reviewed by the Environmental Case Manager during the environmental review process to determine if the project would comply with San Francisco's GHG Reduction Strategy. Projects that do not comply with an ordinance or regulation may be determined to be inconsistent with the GHG Reduction Strategy.
8. **Shadow.** Section 295 restricts new shadow 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. To determine whether the project would conform to Section 295, a shadow fan analysis is typically prepared by the Planning Department. The project's proposed height of approximately 300 feet would require a shadow analysis assessing potential shadow impacts to properties protected under Section 295, in addition to other public open spaces not owned by the Recreation and Parks Department. An application for a shadow fan analysis should be submitted, with the required fee, at the time of submittal of the EE Application.
9. **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.
10. **Stormwater and Flooding.** The project proposes new construction on a 12,375 square-foot lot, exceeding the 5,000 square-foot new construction or redevelopment lot-size minimum for preparation of a Stormwater Control Plan (SCP). Prior to issuance of a building permit, the project sponsor is required to prepare and submit a SCP to the San Francisco Public Utilities Commission (SFPUC) Wastewater Enterprise, Urban Watershed Management Program; the SCP shall demonstrate compliance with the City's Stormwater Design Guidelines. The project's environmental review would generally evaluate how and where implementation of the 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. For more information on the SFPUC's stormwater management requirements see: <http://stormwater.sfwater.org>.

The proposed project is located on a block that has the potential to flood during storms. The SFPUC requires review of projects involving new construction to determine whether the project would result

⁴ http://sfmea.sfplanning.org/GHG_Checklist_T1.doc. GHG Checklist Cover Sheet:
http://sfmea.sfplanning.org/GHG_Checklist.doc.

in ground-level flooding during storms. Projects may be required to provide a pump station for sewage flow, raise entryway elevation, provide deep gutters, or incorporate special sidewalk construction. Refer to the SFPUC requirements for information required for the review of projects in flood-prone areas.

11. **Tree Planting and Protection Checklist.** 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 tree identified in the Tree Planting and Protection Checklist⁵ must be shown on the site plans with size of the trunk diameter, tree height, and accurate canopy dripline. The project sponsor is required to submit a completed Tree Planting and Protection Checklist with the EE Application.
12. **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 environmental review process. Please be prepared to provide these mailing labels upon request of the assigned Environmental Coordinator.

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.

The subject parcel is located within the proposed Central SoMa Area Plan (formerly known as the Central Corridor Area Plan). Currently, the Central SoMa Area Plan is the midst of environmental review. Comments in this PPA related to the area plan process are concepts contained with the *Central Corridor Plan Draft for Public Review* (April 2013). These concepts are subject to change and are contingent on the eventual approval by the Planning Commission and Board of Supervisors.

1. **Rezoning.** The project site is located within the WMUO (Western SoMa Mixed-Use Office) Zoning District. The proposed retail and office uses are permitted under the current zoning designation; however, the proposed floor area ratio (FAR) exceeds the allowed maximum. In order for the project to proceed, the Planning Commission and Board of Supervisors would need to approve new zoning controls for the subject parcel.

The draft zoning concepts published in April 2013 as part of the Draft Central Corridor Area Plan indicate that the project site may be reclassified to MUO (Mixed-Use Office). The proposed retail and office uses would be principally permitted in the MUO Zoning District, though the project would exceed the proposed FAR under this zone. Please see further discussion in the Preliminary Project Comments section.

2. **Height District Reclassification.** The project site is currently located within the 65-X/85-X Height and Bulk District. The height of the proposed project would exceed the height limit. In order for the

⁵ <http://sf-planning.org/modules/showdocument.aspx?documentid=8321>

project to proceed, the Board of Supervisors would need to approve a Height District Reclassification for the subject parcel.

The draft zoning concepts published in April 2013 as part of the Draft Central Corridor Area Plan indicate that a height limit of 85-P/300-T is being considered for this site, as part of the High-Rise Alternative. The proposed project's height appears to address this scenario. However, this alternative is not an indication of which height scenario will ultimately be adopted as part of the Plan and is not a guarantee that the Planning Commission or the Board of Supervisors will approve the proposed height. Please see further discussion in the Preliminary Project Comments section.

3. A **Large Project Authorization** from the Planning Commission is required per Planning Code Section 329 for new construction over 25,000 gsf or above a height of 75-ft.
4. **Shadow Analysis.** Due to potential shadow impacts on nearby property owned by the San Francisco Recreation and Park Department (see "Preliminary Project Comments" below), the project must be approved by the Recreation and Park Commission. For more information, please contact:

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

5. An **Office Allocation** from the Planning Commission is required per Planning Code Section 321 et seq. to establish more than 25,000 gross square feet of new office space.
6. A **Building Permit Application** is required for the demolition of the existing building on the subject property.
7. A **Building Permit Application** is required for the proposed new construction on the subject property.

Applications are available in the Planning Department lobby at 1650 Mission Street Suite 400, at the Planning Information Center at 1660 Mission Street, and online at www.sfplanning.org. 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. **Existing Zoning.** The subject property is located within the WMUO (Western SoMa Mixed-Use Office) Zoning District. The project is currently located within the 65-X/85-X Height and Bulk District, which does not permit the project’s proposed height and bulk. *The project could not be approved under existing zoning.*
2. **Central SoMa Area Plan.** The subject property falls within the ongoing Central SoMa Plan study area generally bounded by 2nd, 6th, Townsend and Market Streets. The Central Corridor Draft Plan was published in April 2013. The draft plan will be evaluated in an Environmental Impact Report (EIR). The draft Plan will propose changes to the allowed land uses and building heights, and will include a strategy for improving the public realm in this area. The EIR, the Plan, and the proposed rezoning and affiliated Code changes are anticipated to be before decision-makers for approval in early 2015.

The Central Corridor Draft Plan includes recommendations for new land use controls as well as new height and bulk controls for the subject property. The Draft Plan is available for download at:

<http://centralsoma.sfplanning.org>

Further comments in this section of the PPA are based on the draft Central Corridor Draft Plan.

3. **Land Use.** The Central SoMa Area Plan concepts recommend rezoning the subject property to the Mixed-Use Office (MUO) Zoning District. The proposed office development is consistent with key objectives of the Central SoMa Area Plan, which include providing support for substantial development in a transit-rich area and favoring office development over other kinds of growth, particularly on large parcels. The Central SoMa Area Plan concepts also include a new Special Use District that would limit new residential development to smaller parcels or, on larger parcels, as a component in a mixed-use project with major commercial development.

In order to create a diverse and dynamic 24-hour neighborhood characteristic of SoMa, the Central SoMa Area Plan’s preliminary land use principles envision a mixed-use neighborhood in which substantial office development is balanced with retail, arts, entertainment, industrial, and residential uses. The project sponsor is encouraged to further explore inclusion of a variety of uses for these ground floor spaces.

4. **Urban Form: Height and Bulk.** In recognition of the desire to accommodate more growth in the area, the draft Central Corridor Plan recommends changing the height limit of the subject property. The Plan contains two height scenarios – a mid-rise scenario of 130 feet and a high-rise scenario of 300 feet. For this site, the project is inconsistent with the mid-rise scenario but consistent with the high-

rise scenario. In all scenarios, additional setback requirements and bulk restrictions will apply. At minimum 15-foot setbacks will be required above a height of 85 feet along all property lines and the Plan proposes bulk restrictions for the high-rise scenarios; these are currently being refined. Please note that existing requirements in Eastern Neighborhoods districts for height along mid-block alleys and massing reduction for large projects will continue to apply.

The Plan publication and ongoing EIR analysis is not an indication of which heights will ultimately be adopted as part of the Plan and is not a guarantee that the Planning Commission or the Board of Supervisors will approve the proposed heights or whether these bodies will change existing height limits.

5. **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. For more information, please see:

<http://www.sfplanning.org/index.aspx?page=3051>

6. **Large Project Authorization:** Planning Code Section 329 outlines the requirements for a Large Project Authorization in Eastern Neighborhoods Mixed Use Zoning Districts. A Large Project Authorization is required of new construction of more than 25,000 gross square feet. All large projects within the MUO 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.
7. **Open Space – Non-Residential.** Planning Code Section 135.3 requires this project to provide one square foot of open space for every 250 occupied square feet of retail space, and one square foot of open space for every 50 occupied square feet of office space. Additional details regarding the proposed open space will be required to ensure that the dimensional requirements are met. If the open space provided does not meet the minimum requirements, an in-lieu fee may be paid instead of providing the open space on site per Section 426. Please be aware that while under the current Planning Code, non-residential open space is not required to be open to the public in the MUO District; however, the Central Corridor planning process will most likely propose a change to require open space to be open to the public and meet design and access standards similar or the same as Section 138.
8. **Street Trees/Streetscape Plan.** Planning Code Section 138.1 requires one street tree for every 20 feet of frontage for new construction with any remaining fraction of 10 feet or more of frontage requiring an additional tree, as well as the submittal of a streetscape plan. Therefore, the Project would be required to provide six street trees along Townsend Street and six street trees along Bluxome Street. Please consult with the Department of Public Works regarding the placement of the street trees. In addition, please consult with the Planning Department for the streetscape plan improvements.

9. **Shadow.** Planning Code Section 147 states that a shadow analysis is required any project over 50 feet in height in the Eastern Neighborhoods Plan Area. Similarly, Planning Code Section 295 requires a shadow analysis be conducted for any project greater than 40 feet in height. The preliminary analysis for the proposed project indicates that it may cast shadows on nearby public parks; therefore, additional analysis will be required.
10. **Street Frontage.** As new construction located within an Eastern Neighborhoods Mixed Use District, the proposed project would be subject to the requirements for street frontage, as outlined in Planning Code Section 145.1, including the requirements for active uses, ground floor ceiling heights, transparency and fenestration, among others. In particular, entrances to off-street parking are limited to 20-ft in width. Please revise the entrance to the off-street parking and loading along Bluxome Street. Please refer to Planning Code Section 145.1.
11. **Parking.** Under current zoning (WMUO) and the potential zoning under the Central Corridor planning process (MUO), no parking would be required. However, each of these zoning districts would have parking maximums, which are listed in Planning Code Section 151.1. For office use within the MUO Zoning District, parking is limited to seven percent of the gross floor area of office use. For retail use within the MUO Zoning District, parking is permitted at a ratio of 1 car for each 1,500 sq ft of retail use.
12. **Loading.** Planning Code Section 152.1 outlines the requirements for off-street freight loading parking spaces. For the proposed office use, two off-street freight loading parking spaces would be required. Currently, the floor plans show loading at the ground floor along Bluxome Street.
13. **Bicycle Parking & Showers.** Planning Code Section 155.2 provides requirements for bicycle parking in new development. The number of required Class 1 and Class 2 bicycle parking spaces shall be dependent on the amount of retail and office space.

In addition, Planning Code Section 155.4 outlines the requirement for shower facilities and lockers for office and retail development. For office development over 50,000 sq ft, four showers and twenty-four clothes lockers are required.

Please ensure compliance with these requirements.

14. **Car-Sharing.** Planning Code Section 166 provides the required number of car sharing spaces for new construction. The number of required car-share parking spaces shall be dependent on the amount of off-street parking. Please ensure compliance with this requirement.
15. **Transportation Management Program.** Pursuant to Planning Code Section 163, an agreement will be required to be executed with the Planning Department to ensure that transportation brokerage services are provided for the life of the project.

16. **Office Allocation.** As defined in Planning Code Section 321, the proposed project would need to obtain an Office Development Authorization from the Planning Commission for new construction of over 25,000 gsf of office use.
17. **Transit Impact Development Fee.** Pursuant to Planning Code Section 411 et seq., the Transit Impact Development Fee will apply to this project. Please be aware that an ongoing process – the Transportation Sustainability Program – may eventually replace the Transit Impact Development Fee. Additional information on this program is available on the Department’s website at:

<http://www.sf-planning.org/index.aspx?page=3035>
18. **Jobs-Housing Linkage Program.** Pursuant to Planning Code Section 413 et seq., the Jobs-Housing Linkage Program fee will apply to this project.
19. **Child Care Requirements.** Pursuant to Planning Code Section 414 et seq., this project will be subject to child care requirements, and/or the associated in-lieu fee, since it is constructing more than 50,000 gsf of office space.
20. **Eastern Neighborhoods Impact Fees.** Per Planning Code Section 423, the Eastern Neighborhoods Impact Fee applies to the Project. Fees shall be assessed per net new gross square footage on residential and non-residential uses within the Plan Area. Fees shall be assessed on mixed use projects according to the gross square feet of each use in the project. Note: the Central SoMa Plan will add fees for upzoned parcels.

Option for In-Kind Provision of Community Improvements and Fee Credits. Project sponsors may propose to directly provide community improvements to the City. In such a case, the City may enter into an In-Kind Improvements Agreement with the sponsor and issue a fee waiver for the Eastern Neighborhoods Impact Fee from the Planning Commission. This process is further explained in Section 412.3(d) of the Planning Code.

More information on In-Kind Agreements can be found in the Application Packet for In-Kind Agreement on the Planning Department website.

21. **Public Art.** Pursuant to Planning Code Section 429 et seq., this project will be subject to the public art requirements, since it involves new construction of non-residential use in excess of 25,000 sq ft within the MUO Zoning District.
22. **First Source Hiring Agreement.** A First Source Hiring Agreement is required for any project proposing to construct 25,000 gross square feet or more. For more information, please contact:

Ken Nim, Workforce Compliance Officer
CityBuild, Office of Economic and Workforce Development
City and County of San Francisco
1 South Van Ness, San Francisco, CA 94102

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PRELIMINARY DESIGN COMMENTS:

The site is located in the Central South of Market area adjacent to two- to four-story primarily commercial buildings. The area is industrial in character with masonry structures that have pronounced window openings. The subject property fronts both smaller-scale Bluxome and more public and wider Townsend Streets. It also faces a significant transit hub, the CalTrain Station, across Townsend. The following comments address preliminary design issues that may significantly impact the proposed project:

1. **Site Design, Open Space, and Massing.** The Planning Department is generally supportive of the scale and massing of the project. The Planning Department supports the Galleria being a publicly-accessible space and would prefer the front glazing and entry to be as close to the street and site boundary as possible while still providing the appropriate sidewalk widths as per the Better Streets Plan. The Planning Department supports the inclusion of the mid-block alley and suggestions adding more retail entrances and access points along the building edge. It will be important to provide active uses, programming, and appropriate lighting to make this space inviting and successful.
2. **Parking and Access.** The Planning Department recommends combining the parking garage and loading requiring only one entry and curb cut which would allow more retail space along Bluxome. The Planning department also encourages reducing the number of parking spaces due to the proximity of transit.
3. **Architecture.** The Planning Department supports the building having different architectural expressions for different uses in the project, in particularly, designing the 85' podium structure as distinct from the tower.

Generally, the Planning Department recommends developing a building with more modulated exterior elevations. This would include developing window or fenestration openings in the podium that are more proportionate with the nearby masonry building context. The tower should provide a more interesting, three-dimensionally textured, and varied surface to avoid being overly homogenous. The Planning Department also suggests that the designers consider the tower as a legible three-dimensional form—as opposed to a building with independent faces-- as tower separation controls will allow it to be read autonomously in perpetuity. The Planning Department also recommends the development of a more articulated building base at the bottom of the podium that should include either just the tall ground floor retail space or the lowest two levels.

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 **November 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.

Enclosure: Neighborhood Group Mailing List

cc: David Noyola, c/o Property Owner
Rich Sucre, Current Planning
Erik Jaszewski, Environmental Planning
Steve Wertheim, Citywide Planning and Analysis
Maia Small, Design Review
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FIRST	LAST	TITLE	ORGANIZATION	ADDRESS	CITY	STATE	ZIP	TELEPHONE	EMAIL	NEIGHBORHOOD OF INTEREST
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