



# SAN FRANCISCO PLANNING DEPARTMENT

**MEMO**

**DATE:** May 14, 2014  
**TO:** Dan Kingsley, SKS Partners  
**FROM:** Joshua Switzky, Planning Department  
**RE:** PPA Case No. 2014.0416U for 610-620 Brannan 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, Amnon Ben-Pazi, at (415) 575-9077 or [Amnon.Ben-Pazi@sfgov.org](mailto:Amnon.Ben-Pazi@sfgov.org), to answer any questions you may have, or to schedule a follow-up meeting.



Joshua Switzky, Senior Planner



# SAN FRANCISCO PLANNING DEPARTMENT

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## Preliminary Project Assessment

*Date:* May 14, 2014  
*Case No.:* **2014.0416U**  
*Project Address:* 610-620 Brannan Street  
*Block/Lot:* 3778/047, 048  
*Zoning:* SALI  
Western SoMa SUD  
40/55X  
*Area Plan:* Western SoMa Community Plan Area  
Central SoMa Plan Area (In progress/Ongoing)  
*Project Sponsor:* Dan Kingsley, SKS Partners  
[dkingsley@sk sre.com](mailto:dkingsley@sk sre.com)  
415-421-8200  
*Staff Contact:* Amnon Ben-Pazi – (415) 575-9077  
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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 San Francisco Public Utilities Commission, 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 includes the demolition of three existing single-story buildings on the project site and construction of an approximately 160-foot tall mixed use building. The proposed new building would total approximately 688,119 Gross Square Feet (GSF), including approximately 570,865 GSF of office space, 12,298 GSF of PDR uses, 49,466 GSF of off-street parking (approximately 125 spaces), 8,164 GSF of retail space, and an additional 47,326 GSF of below-grade space for bicycle parking, mechanical systems, and building operations.

## PLANNING CONTEXT:

The project site is located within the Western South of Market (SoMa) Community Plan area, adopted in 2013. The project site also falls within the proposed Central SoMa Plan area, a community planning process initiated in 2011. The Central Corridor Plan Draft for Public Review<sup>1</sup> (draft Plan) was released in April 2013, with proposed changes to the allowed land uses and building heights in the Plan area, including a strategy for improving the public realm within the Plan area and vicinity. The draft Plan is available for download at <http://centralsoma.sfplanning.org>. The Central SoMa Plan will be evaluated in an Environmental Impact Report (EIR), which is currently underway. The draft Plan and its proposed rezoning are anticipated to be before decision-makers for approval in mid 2015.

The draft Plan includes two height alternatives. The EIR will study the draft Plan's Mid-Rise Height Alternative and a modified High-Rise Height Alternative, which vary for the project site. Under the Mid-Rise Alternative the height limit for the project site is proposed at 85 feet, while under the modified High-Rise Alternative the height limit for the project site is proposed at 160 feet. At this point, it is unknown which height option, if any, would ultimately be approved by the Planning Commission and Board of Supervisors. Further comments in this Preliminary Project Assessment (PPA) are based on the draft Plan concepts published to date, which are contingent on the approval of the proposed Central SoMa Plan rezoning by the Planning Commission and Board of Supervisors.

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 EIR was certified do not require additional environmental review, except as necessary to determine the presence of peculiar project-specific significant effects not identified in the programmatic plan area EIR. The proposed land use (office) and building height are not consistent with the adopted Western SoMa Plan. The Project's proposed 160-foot building height would be consistent with only one of the two height limit alternatives currently being studied in the Plan EIR. Thus, it is possible that the proposal, as currently presented, would qualify for a Community Plan Exemption (CPE) under the proposed Plan EIR. However, the proposed project would be assessed based on the height districts in place at the time that the Planning Department entitlements for the proposed project are sought. If the proposed project does not fit within the height and density identified for the project site in the certified and adopted Central SoMa Plan, the proposed project would be precluded from qualifying for a CPE under the Central SoMa Plan as discussed below.

## ENVIRONMENTAL REVIEW:

The proposed project requires environmental review either individually, likely in a project-specific Initial Study/Mitigated Negative Declaration or Environmental Impact Report (EIR), or in a Community Plan Exemption (CPE) under the future Central SoMa Plan EIR if the project were to be revised to be made consistent with the approved Central SoMa Plan zoning controls. As stated above, the proposed project is located within the Western SoMa Community Plan Area, which was evaluated in the *Western SoMa Community Plan, Rezoning of Adjacent Parcels, and 350 Eighth Street Project Final Environmental Impact Report*

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<sup>1</sup> Please note that the Central SoMa Plan was formerly called the Central Corridor Plan. To avoid ambiguity, this letter uses the current "Central SoMa Plan" when referring to the ongoing planning process, while "draft Plan" is the draft Plan document published in April 2013 under the name "Central Corridor Plan Draft for Public Review".

EIR (Western SoMa FEIR), certified in 2012. However, since the proposed project is not consistent with the land use or development density (zoning) identified in the Western SoMa Community Plan, it is not eligible for a CPE under the Western SoMa FEIR. Given that the project site is within the geographic area evaluated in the Western SoMa FEIR, any development on the project site would potentially be subject to the mitigation measures identified therein. Potentially significant project environmental impacts that were identified in and pertinent mitigation measures and CEQA findings from the Western SoMa FEIR that may be applicable to the proposed project are included below, under the applicable environmental topic. However, it should also be noted that mitigation measures from the Western SoMa FEIR that are applicable to the proposed project area could be refined, augmented or superseded under the future Central SoMa Plan EIR which would also be applicable to the proposed project.

As discussed above, the project site is located within the Central SoMa Plan study area. If the proposed project is revised and determined to be consistent with the development density and building height and bulk limits ultimately adopted as part of the Central SoMa Plan, it may be determined to be eligible for a CPE under the Central Corridor Plan EIR once that EIR is certified and the Planning Commission and Board of Supervisors have adopted new zoning controls. However, as discussed above, the current proposal is not consistent with proposed height options being studied in the EIR and the proposal would need to be revised to be consistent with the adopted development density in order to qualify for a CPE.

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

1. **CPE Only.** In this case, all potentially significant project-specific and cumulatively considerable environmental impacts are fully consistent with significant impacts identified in the underlying area plan EIR, meaning there would be no new “peculiar” significant impacts unique to the proposed project. In these situations, all pertinent mitigation measures and CEQA findings from the underlying area plan FEIR are applied to the proposed project, and a CPE checklist and certificate is prepared. With this outcome, the applicable fees, based on the current fee schedule, in addition to the Environmental Document Determination of \$13,004 are: (a) the \$ 7,216 CPE certificate fee; and (b) a proportionate share fee for recovery of costs incurred by the Planning Department for preparation of the underlying plan EIR. Fees for the preparation of the Central Corridor Plan EIR have yet to be determined.
2. **CPE and Focused Initial Study/Mitigated Negative Declaration.** One or more new significant impacts of the proposed project specific to the site or the project proposal are identified that were not identified in the underlying plan area EIR. If any new significant impacts of the proposed project can be mitigated, then a focused Mitigated Negative Declaration to address these impacts is prepared together with a supporting CPE certificate to address all other impacts that were encompassed by the underlying plan area EIR, with all pertinent mitigation measures and CEQA findings from the underlying plan area EIR also applied to the proposed project. With this outcome, the applicable fees, based on the current fee schedule, in addition to the Environmental Document determination of \$13,004 are: (a) the standard environmental evaluation (EE) fee based on the cost of construction; and (b) a proportionate share fee for recovery for costs incurred by the Planning Department for preparation of the underlying plan EIR. Fees for the preparation of the Central Corridor Plan EIR have yet to be determined.

3. **CPE and Focused Environmental Impact Report (EIR).** One or more new significant impacts of the proposed project specific to the site or the project proposal are identified that was not identified in the underlying plan area EIR. If any new significant impacts of the proposed project cannot be mitigated, then a focused EIR to address these impacts is prepared together with a supporting CPE certificate to address all other impacts that were encompassed by the underlying plan area EIR, with all pertinent mitigation measures and CEQA findings from the underlying are plan EIR also applied to the proposed project. With this outcome, the applicable fees, based on the current fee schedule, in addition to the Environmental Document Determination of \$13,004 are: (a) the standard environmental evaluation (EE) fee based on the cost of construction; (b) one-half of the standard EIR fee; and (c) a proportionate share fee for recovery of costs incurred by the Planning Department for preparation of the underlying plan EIR. Fees for the preparation of the Central Corridor Plan EIR have yet to be determined.

Should the proposal be revised to be consistent with the development density in the Central SoMa Plan, the project could qualify for analysis under the CPE process. Alternatively, the proposed project could be analyzed individually, as proposed, in a separate environmental document. This would preclude the proposed project's reliance on the certification of the Central SoMa Plan EIR. In the case of a separate environmental document, the applicable fees would be (a) the standard environmental evaluation (EE) fee based on the cost of construction; and (b) the standard EIR fee, if an EIR is required.

In either case, based on our preliminary review the following topic areas would require additional study. An **Environmental Evaluation Application** is required for the full scope of the project and would include the following:

- *Transportation Study.* Based on the Planning Department's transportation impact analysis guidelines, the project would potentially add at least 50 PM peak hour person trips and thus would require additional transportation analysis. The proposed 12-story, 160-foot-tall, 688,119 sq. ft. office and industrial/PDR development with 8,164 sq. ft. of ground-floor retail space would need to be analyzed to determine specific impacts on the existing transportation network. The Transportation Impact Study (TIS) would need to be prepared by a qualified consultant working at the direction of the Planning Department staff. The Planning Department's list of approved transportation consultants is available at [http://www.sf-planning.org/ftp/files/MEA/Transportation\\_consultant\\_pool.pdf](http://www.sf-planning.org/ftp/files/MEA/Transportation_consultant_pool.pdf). Please see "Transportation Impact Analysis Guidelines for Environmental Review" on the Planning Department's website and "Miscellaneous Fees" in the Planning Department's current *Fee Schedule for Applications*. As noted on the *Fee Schedule*, there is a separate fee to San Francisco Municipal Transportation Agency (SFMTA) for review of the transportation report.

Preliminary plans submitted with the Environmental Evaluation Application should show loading areas, site circulation and access, the number of vehicle and bicycle parking spaces, and detailed plans of the basement levels and ground floor.

- *Hazardous Materials.* The proposed project is located on a site that contains artificial fill and had prior industrial/ commercial use. Therefore, the project is subject to Article 22A of the Health Code, also known as the Maher Ordinance. The Maher Ordinance, which is administered and overseen by the

Department of Public Health (DPH), requires the project sponsor to retain the services of a qualified professional to prepare a Phase I Environmental Site Assessment (ESA) that meets the requirements of Health Code Section 22.A.6. Also, the proposed project would disturb more than 50 cubic yards of soil on a site that could have housed land uses associated with hazardous materials; therefore a Phase I Environmental Site Assessment (Phase I) will be required to determine the potential for site contamination and the level of exposure risk associated with the project. The Phase I would determine the potential for site contamination and level of exposure risk associated with the project. Based on that information, soil and/or groundwater sampling and analysis, as well as remediation of any site contamination, may be required. These steps are required to be completed prior to the issuance of any building permit.

DPH requires that projects subject to the Maher Ordinance complete a Maher Application, available at: <http://www.sfdph.org/dph/EH/HazWaste/hazWasteSiteMitigation.asp>. Fees for DPH review and oversight of projects subject to the ordinance would apply. Please refer to DPH's fee schedule, available at: <http://www.sfdph.org/dph/EH/Fees.asp#haz>. Please provide a copy of the submitted Maher Application and Phase I ESA with the Environmental Evaluation Application (EEA).

Additionally, the Western SoMa FEIR identified *Mitigation Measure M-HZ-2: Hazardous Building Materials Abatement*, which requires subsequent projects to properly dispose of any polychlorinated biphenyls (PCB) such as florescent light ballasts or any other hazardous building materials in accordance with applicable local, state and federal laws. Since the project site is within the Western SoMa Community Plan area, the proposed project would likely be subject to this mitigation measure from the Western SoMa FEIR, or a similar mitigation measure would likely apply.

- *Air Quality (AQ) Analysis*. The proposed project includes demolition of three single-story buildings on the project site and the construction of a new 688,119-sq.-ft., 12-story, office and industrial/PDR building with ground-floor retail space. The proposed project at 570,865 sq. ft. of office use, 12,298 sq. ft. of industrial/PDR use, and 8,164 sq. ft. of ground-floor retail use exceeds the Bay Area Air Quality Management District's (BAAQMD) construction and operational screening levels for criteria air pollutants. Therefore an analysis of the project's criteria air pollutant emissions is likely to be required.

Project-related demolition, excavation, grading and other construction activities may cause wind-blown dust that could contribute particulate matter into the local atmosphere. To reduce construction dust impacts, the San Francisco Board of Supervisors approved a series of amendments to the San Francisco Building and Health Codes generally referred hereto as the Construction Dust Control Ordinance (Ordinance 176-08, effective July 30, 2008) with the intent of reducing the quantity of dust generated during site preparation, demolition, and construction work in order to protect the health of the general public and of onsite workers, minimize public nuisance complaints, and to avoid orders to stop work by the Department of Building Inspection (DBI). Pursuant to the Construction Dust Ordinance, the proposed project would be required to prepare a *Construction Dust Control Plan* for review and approval by the San Francisco Department of Public Health (DPH).

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

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 could result in toxic air contaminants that may affect both on-site and off-site sensitive receptors. Additional measures may be required to reduce toxic air contaminant emissions affecting on-site and off-site sensitive receptors.

During the environmental review process the proposed project will be reviewed to determine whether mitigation measures in the form of either construction emissions minimization measures or air filtration and ventilation mitigation measures will be required. Should the project include stationary sources of air pollutants including, but not limited to, diesel boilers or back-up generators, an Air Quality Technical Report may be required for additional air pollutant modeling. If an Air Quality Technical Report is required, the project sponsor must retain a consultant with experience in air quality modeling to prepare a scope of work that must be approved by Environmental Planning's relevant staff prior to the commencement of any required analysis and/or modeling determined necessary.

The Western SoMa FEIR identified a significant impact related to violation of an air quality standard and included *Mitigation Measure M-AQ-2: Transportation Demand Management Strategies for Future Development Projects* which is applicable to projects that generate over 3,500 daily vehicle trips. The FEIR also found significant impacts related to uses that emit Diesel Particulate Matter (DPM) and included *Mitigation Measure M-AQ-4: Siting of Uses that Emit PM2.5 or DPM and other TACs (Toxic Air Contaminants)*, significant impacts related to construction emissions included *Mitigation Measure M-AQ-6: Construction Emissions Minimization Plan for Criteria Air Pollutants* and *Mitigation Measure M-AQ-7: Construction Emissions minimization Plan for Health Risks and Hazards*. As part of the air quality analysis, the proposed project will be screened against air quality impacts identified in the Western SoMa FEIR and/or the Central Corridor Plan EIR. Any applicable mitigation measures identified in these plan EIRs such as the ones described below, or similar measures, would likely be required for the proposed project as well.

- *Greenhouse Gas Compliance Checklist for Private Development Projects*. Potential environmental effects related to greenhouse gas emissions from the proposed project need to be addressed in a project's environmental evaluation. 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>. 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 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 an ordinance or regulation may be determined to be inconsistent with San Francisco's Greenhouse Gas Reduction Strategy.

- *Historic Resource Evaluation Report (HRER)*. According to Planning Department records, the existing buildings on the project site were constructed in 1952, making them approximately 62 years old at the time of this review. The buildings at 610-620 Brannan Street were included in the South of Market Historic Resource Survey (SoMa Survey) survey, during which the existing buildings on-site were given a rating of 6L (“Determined ineligible for local listing or designation through local government review process; may warrant special consideration in local planning.”). As such, the subject property would not be considered a historic resource pursuant to California Environmental Quality Act (CEQA). In addition, the project site is not located within (or adjacent to) the boundaries of a known historic district; the nearest historic district is the South End historic district, which is approximately 1/3-mile from the project site. No further review of would be required for the proposed project.
- *Archeological Resources*. The proposed project includes demolition, excavation, grading, and foundation work to a depth greater than five feet below grade (30 feet estimated). The Western SoMa FEIR identified the potential for project-specific significant impacts on archeological resources resulting from ground-disturbing activities in the Western SoMa Community Plan area. Implementation of *Mitigation Measure M-CP-4a: Project Specific Preliminary Archeological Assessment* from the Western SoMa FEIR, or a similar measure, would likely apply to the proposed project. This measure applies to properties for which no archeological assessment report has been prepared. Projects to which this mitigation measure applies are subject to Preliminary Archeology Review (PAR) or a Preliminary Archeological Sensitivity Study (PASS) by the San Francisco Planning Department archeologist. If required, an Archeological Research Design Treatment (ARDTP) shall be prepared by an archeological consultant with from the pool of qualified archeological consultants maintained by the Planning Department archeologist.
- *Geotechnical*. The project site is located in a Seismic Hazard Zone, specifically a liquefaction hazard zone, as identified in the San Francisco General Plan. The investigation of geotechnical and soil conditions and the application of the building codes for new development based on these conditions would reduce the potential for impacts related to structural damage, ground subsidence, liquefaction, landslides, and surface settlement to less-than-significant levels. To assist our staff in their determination, it is recommended that you provide a copy of a geotechnical investigation with boring logs for the proposed project. This study will also help inform the archeological review.

In addition, Interdepartmental Project Reviews are mandatory for new construction projects that propose buildings eight stories or more and new construction on parcels identified by the State of California Department of Conservation, Division of Mines and Geology as Seismic Hazard Zones in the City and County of San Francisco. As such, the project sponsor must request and participate in an Interdepartmental Project Review prior to any application that requires a public hearing before the Planning Commission or new construction building permit. Project Sponsors may elect to request an interdepartmental review for any project at any time. However, it is strongly recommended that the request is made prior to the submittal of a building permit or Conditional Use application. The Planning Department acts as the lead agency in collaboration with the Department of Building Inspection (DBI); the Department of Public Works (DPW); and the San Francisco Fire Department (SFFD). Staff from each of these disciplines will attend the Interdepartmental Project Review meeting.

- *Noise*. The Western SoMa FEIR identified a number of noise mitigation measures applicable to construction activity. The project site is located in an area where traffic-related noise exceeds 60 Ldn



(a day-night averaged sound level) and may be within the vicinity of sensitive noise receptors. Application of *Noise Mitigation Measures M-NO-2a: General Construction Noise Control Measures* and *M-No-2b: Noise Control Measures During Pile Driving* are intended to reduce construction-related noise impacts. *Mitigation Measure M-NO-2a* would require construction projects near noise sensitive land uses to implement noise attenuation measures. *Mitigation Measure M-NO-2b* applies to pile driving activities and would require that piles (if included in the foundation design) be pre-drilled. Project sponsors would be required to submit a plan to DBI that outlines the noise attenuation measures to be implemented during the construction phase. As part of the environmental review process, the proposed project will be screened against noise impacts identified in the Western SoMa FEIR and/or the Central Corridor Plan EIR. Any applicable mitigation measures identified in these plan EIRs such as the ones described above, or similar measures, would likely be required for the proposed project as well.

- *Shadow Study.* The proposed project would result in construction of a new mixed-use building 40 feet or greater in height. As part of the Preliminary Project Assessment, Planning Department staff prepared a shadow fan analysis. The shadow fan analysis shows that the project would not cast shadows on any public open spaces and recreational resources, including but not limited to parks under the jurisdiction of the San Francisco Recreation and Park Department. Therefore, a detailed shadow study prepared by a qualified consultant is not required.
- *Biological Resources.* *Mitigation Measures M-BI-1a: Pre-Construction Special-Status Bird Surveys* and *M-BI-1b: Pre-Construction Special-Status Bat Surveys*, or similar measures, as identified in the Western SoMa FEIR would likely apply to the proposed project. Due to the proposed demolition of buildings on the project site, the project is subject to *Mitigation Measures M-BI-1a: Pre-Construction Special-Status Bird Surveys* and *M-BI-1b: Pre-Construction Special-Status Bat Surveys*. *Mitigation Measure M-BI-1a* requires that conditions of approval for building permits issued for construction of project within the Western SoMa Community Plan area include a requirement for pre-construction special-status bird surveys when trees would be removed or buildings demolished as part of an individual project. Pre-construction special-status bird surveys shall be conducted by a qualified biologist between February 1 and August 15 if tree removal or building demolition is scheduled to take place during that period. *Mitigation Measure M-BI-1b* requires pre-construction special-status bat surveys by a qualified bat biologist when large trees (those with trunks over 12 inches in diameter) are to be removed, or vacant buildings or buildings used seasonally or not occupied, especially in the upper stories, are to be demolished.

The Department suggests that the sponsor consider *Improvement Measure I-BI-2: Night Lighting Minimization* to reduce the less-than-significant effects on birds from night lighting. This would entail reducing building lighting from exterior and interior sources.

- *Tree Disclosure Affidavit.* The Department of Public Works Code Section 8.02-8.11 requires disclosure and protection of landmark, significant, and street trees located on private and public property. Any tree identified in this Disclosure Statement must be shown on the Site Plans with size of the trunk diameter, tree height, and accurate canopy drip line. Please submit an Affidavit with the Environmental Evaluation Application and ensure trees are appropriately shown on site plans.

- *Wind Study. Mitigation Measure M-WS-1: Screening-Level Wind Analysis and Wind Testing*, as identified in the Western SoMa FEIR, or a similar measure, would likely apply to the proposed project. The measure applies to any structures within the Plan area that have a proposed height of 80 feet or taller and requires the following wind analysis. Given that the proposed project would involve construction of buildings over 80 feet in height, the project is required to undergo a screening-level wind impact analysis that takes into account the surrounding topography and building heights. As part of this analysis, a qualified wind expert will review the proposed building plans as well as results of other wind tests conducted nearby, if available. Based on this review, a determination will be made as to whether wind hazards are expected as a result of project development. If not enough information is available to make a determination with relative certainty that no wind hazard criteria are expected, a project-level wind test shall be conducted. If required, a project-level wind test shall be prepared by a qualified wind expert to determine impacts on pedestrian-level wind speeds. The methodology of a wind test shall be consistent with accepted San Francisco Planning Department practice. The consultant will be required to prepare a proposed scope of work for review and approval by the Environmental Planning case manager prior to preparing the analysis.
- *SFPUC Project Review*. The SFPUC has a separate project review process for projects that propose to use land owned by the SFPUC or subject to an easement held by the SFPUC; or projects that propose to be constructed above, under, or adjacent to major SFPUC infrastructure. For projects meeting the above criteria, please contact [SFProjectReview@sfgwater.org](mailto:SFProjectReview@sfgwater.org) for a SFPUC Project Review and Land Use Application. For more information regarding the SFPUC's water, sewer, and stormwater requirements, please visit the For Developers webpage at <http://www.sfgwater.org/index.aspx?page=574>.

If any of the additional analyses determine that mitigation measures not identified in the area plan EIR are required to address peculiar 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 will 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.sfplanning.org/ftp/files/MEA/Environmental\\_consultant\\_pool.pdf](http://www.sfplanning.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).

## PLANNING DEPARTMENT APPROVALS:

The project requires the following Planning Department approvals. These approvals may be reviewed in conjunction with the required environmental review, but may not be granted until after the required environmental review is completed. Note that the subject parcels are within the Central SoMa Plan area. The draft Plan was published in April 2013. The Central SoMa Plan process is anticipated to be completed by early 2015. The proposals in the draft Plan are subject to change and are contingent upon the eventual approval by the Planning Commission and Board of Supervisors.

1. **Rezoning.** The project site is located within the SALI (Service/Arts/Light Industrial) District. The proposed office use is not permitted under this zoning designation, and 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 zoning concepts included in the Central Corridor Draft Plan indicate that a reclassification to MUO (Mixed-Use Office) is being considered for the site. The proposed office use would be permitted in MUO Zoning District, though the project may 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 located within the 40/55-X Height and Bulk District. The height of the proposed project would exceed the existing height limit. In order for the project to proceed, the Board of Supervisors would need to approve a Height District Reclassification for the subject parcel.

The zoning concepts published in the draft Plan indicate that height limits of 85 feet (proposed Mid-Rise Alternative) and 85-130 feet (proposed High-Rise Alternative) are being considered for this site. The Mid-Rise Alternative and a modified version of the High-Rise Alternative which includes a height limit of 160 feet at the project site, are being analyzed in the Central SoMa Plan EIR; however, this analysis 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 changes to height limits. The proposed project height would not conform to one of the two alternatives being analyzed in the EIR. Please see further discussion in the Preliminary Project Comments section.

3. **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.
4. **Shadow Analysis.** Based on a preliminary shadow analysis, the proposed project would not cast shadows on any nearby property owned by the San Francisco Recreation and Park Department. No further shadow analysis would be required.
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 buildings 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](http://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](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 following comments address specific Planning Code and other general issues that may significantly impact the proposed project:

1. **Existing Zoning/Height and Bulk.** The subject property is located within the Service/Arts/Light Industrial (SALI) Zoning District, which does not permit office use. It is located within a 40-55-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 Plan.** The subject property falls within the ongoing Central SoMa Plan study area generally bounded by 2nd, 6th, Townsend and Market Streets. The draft Plan, published in April 2013, 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 draft Plan, and the proposed rezoning and affiliated Code changes are anticipated to be before decision-makers for approval in mid 2015.

The 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 Plan concepts published to date.*

3. **Land Use.** The draft Plan recommends rezoning the subject property to the Mixed-Use Office (MUO) zoning district, in which the proposed office, retail and PDR uses would be allowed. These uses are generally consistent with key objectives of the draft 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 project site is bounded on two sides by the San Francisco Flower Mart, and one of the buildings that would be demolished as part of the project is currently used by a Flower Mart tenant. The Flower Mart has been a San Francisco institution for over a century, and still serves an important PDR function. As such, the City has an interest in ensuring its continued operation, whether in its current location or elsewhere in San Francisco. Any development on the project site will be assessed for its potential impact to the ongoing operation and viability of the Flower Mart.

In order to create a diverse and dynamic 24-hour neighborhood characteristic of SoMa, the draft 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 proposed basement and ground floor PDR spaces support this vision of a mixed-use neighborhood and are strongly encouraged. The proposed 8,164 sq. ft. of ground floor retail space also supports this vision; the project sponsor is encouraged to expand the amount of retail space fronting the sidewalk and to further explore the inclusion of a variety of active ground floor uses.

4. **Urban Form: Height and Bulk.** In recognition of the desire to accommodate more growth in the area, the draft Plan recommends two height scenarios referred to as the Mid-Rise Alternative and the High Rise Alternative. With regard to the subject site, the Mid-Rise Alternative proposes an 85 foot height limit, whereas the High Rise Alternative proposes an 85-130 foot height limit. Please note that existing requirements in Eastern Neighborhoods districts for mid-block alleys and massing reduction for large projects will continue to apply.

The proposed building height of 160 feet is above both the Mid Rise and the High Rise alternatives proposed in the draft Plan. However, the proposed building height of 160 feet is being analyzed in the EIR in a modified High Rise alternative. The draft 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.

The existing bulk designation ("X") of the subject property is exempted from the bulk controls established in Planning Code Section 270, Table 270.

The draft Plan contains some initial concepts for bulk controls, and these will be refined as the planning process progresses. Currently, for buildings taller than 85 feet in height, the draft Plan would require a 15 foot setback from all property lines at a height roughly proportional to the width of the adjacent public right-of-way (or 85' adjacent to other properties). The proposed building appears to provide this proposed setback. However, for buildings taller than 130 feet in height, the draft Plan proposes bulk limits that would restrict commercial floorplates to 15,000 Gross Square Feet

(GSF), a restriction which would apply at a height of 85 feet and above. The proposed building exceeds this proposed bulk limit.

5. **Mid-Block Alley.** Pursuant to Planning Code Section 270.2, new construction on parcels that have a street frontage greater than 200 feet on a block longer than 400 feet between intersections in the existing zoning district (SALI), as well as, in the proposed (as referenced in the draft Central Corridor Plan) zoning district (MUO), shall provide a publically accessible mid-block alley for the entire depth of the property where it is deemed necessary by the Planning Department and Planning Commission to introduce alleys to reduce the scale of large development. Mid-block alleys are also subject to specific design and performance standards further outlined in Planning Code Section 270.2. The proposed “mid-block pedestrian connection” and “mid-block vehicle connection” generally satisfy the mid-block alley provision, however further design and performance criteria will need to be evaluated to ensure compliance.
6. **Floor Area Ratio.** The proposed project FAR of approximately 7.9 exceeds the maximum permitted 3.0 FAR under the existing SALI zoning designation. The draft Plan proposed zoning of the subject property is MUO whose maximum FAR based on the current Planning Code (for a height district over 85 feet) is 7.5 FAR, which the proposed project also exceeds. The specific FAR controls of the Central SoMa Plan have not yet been established. Department staff will continue refining the proposal for the Plan and working with project sponsors to develop projects that would be compliant with the proposed FAR controls.
7. **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 SoMa Plan area as a Type 2 Eco-District. All major new development in the Plan area will be expected to participate in the Eco-District program and the Sustainability Management Association set up to guide it. Please see <http://www.sfplanning.org/index.aspx?page=3051> for more information.
8. **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 Eastern Neighborhoods Area Plan 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. To the extent possible, the project should be designed to minimize deviations and should strive to comply with all Planning Code requirements.

9. **Interdepartmental Project Review.** The subject property falls within a seismic hazard zone. An Interdepartmental Project Review is required for all proposed new construction in seismic hazard zones. An application is available in the Planning Department lobby at 1650 Mission Street, Suite 400 or at the Planning Information Center (PIC) at 1660 Mission Street, and online at [www.sfplanning.org](http://www.sfplanning.org).
10. **Office Development Authorization.** Since the proposed project involves the new construction of over 100,000 sf of office space, the proposed project would need to obtain an Office Development Authorization from the Planning Commission, as outlined in Planning Code Section 321. Please be advised that if all pending office applications were to proceed, the office limit would be exceeded.
11. **Open Space – Non-Residential.** 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 this non-residential open space is not required to be open to the public, the Central Corridor Plan proposes to require open space to be open to the public. As such, required non-residential open space should be preferably at-grade, easily accessible and visible to the public, and activated with adjacent uses, and at minimum meet the design and access requirements of Section 138. Please note that any non-vehicular portions of new-mid-block alleys provided pursuant to Planning Code Section 270.2 may count toward the open space requirement.
12. **Street Trees/Streetscape Plan.** Planning Code Section 138.1 outlines the requirements for streetscape and pedestrian improvements, including the requirement for new street trees and a streetscape plan.

The proposed project would be required to provide 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 14 street trees along Brannan Street and 14 street trees along Fifth Street. Please consult with the Department of Public Works regarding the placement of the street trees.

In addition, the proposed project would be required to provide a Streetscape Plan, since the project site includes new construction on a lot (75,625 sf) greater than ½ acre in total area. Streetscape improvements may range from sidewalk bulb outs to raised walkways or other methods identified in Planning Code Section 138.1. Please consult with the Planning Department Citywide Division developing the streetscape plan improvements.

13. **Bird Safety.** Planning Code Section 139 outlines the standards for new construction to reduce bird mortality and bird hazards. Please refer to these standards to ensure compliance with the Standards for Bird-Safe Buildings.
14. **Shadow.** Based on a preliminary shadow analysis, the proposed project would not cast shadows on any nearby property owned by the San Francisco Recreation and Park Department. No further shadow analysis would be required.
15. **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. Please refer to Planning Code Section 145.1.
16. **Parking.** Under current zoning (SALI) 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. Within the MUO Zoning District, parking is limited to up to seven percent of the gross floor area. Based on the existing and future transit accessibility of the site and the need to limit traffic volumes in the area, parking should be minimized on site.
17. **Loading.** Per Planning Code Section 152.1, the proposed project is required to provide seven off-street freight loading parking spaces for the 570,865 sf of new office space, 12,298 sf of new PDR space, and 8,164 sf of retail space. Please specify how many off-street freight loading parking spaces would be provided as part of the proposed project.
18. **Bicycle Parking.** Planning Code Section 155.1-155.4 provides requirements for bicycle parking and associated facilities (i.e. showers and lockers) in new commercial development. Based on the proposed areas which include 570,865 sf of office, 12,298 sf of PDR, and 8,164 sf of retail, the proposed project is required to provide 116 Class I bicycle parking spaces and 19 Class II bicycle parking spaces. Please specify how many bicycle parking spaces (per Type) will be provided as part of the proposed project and ensure compliance with required associated facilities.
19. **Car-Sharing.** Planning Code Section 166 provides the required number of car sharing spaces for new construction. Based on the proposed 125 parking spaces provided for non-residential uses, 3 car share parking spaces are required. Please specify how many car-sharing parking spaces would be provided as part of the proposed project.



20. **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.
21. **Eastern Neighborhoods Impact Fees.** 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 that Eastern Neighborhoods Fee Tier applicable to this project will be revised upon any rezoning of the property to increase height limits, density allowances, or allowed uses, such as would be necessary for the proposed project to proceed. The Central Corridor Plan as envisioned will maintain the Eastern Neighborhoods Impact Fee structure and add, as necessary, one or more additional higher fee tiers, reflective of the greater heights and densities envisioned in the Central Corridor Plan.

The Eastern Neighborhoods Impact Fee shall be paid before the City issues a first construction document, with an option for the project sponsor to defer payment to prior to issuance of the first Certificate of Occupancy upon agreeing to pay a deferral surcharge in accordance with Section 107A.13.3 of the San Francisco Building Code.

**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.

22. **Jobs-Housing Linkage Program.** Pursuant to Planning Code Section 413 et seq., the Jobs-Housing Linkage Program fee will apply to this project.
23. **Transit Impact Development Fee.** Pursuant to Planning Code Section 411 et seq., the Transit Impact Development Fee will apply to this project. Please be aware that an ongoing process – the Transportation Sustainability Program may eventually replace the Transit Impact Development Fee. You can find more information about this program here:  
<http://www.sf-planning.org/index.aspx?page=3035>
24. **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 gross square feet of office space.

25. **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 in excess of 25,000 sq. ft. within the SALI or MUO Zoning Districts.
26. **Stormwater Management.** The City and County of San Francisco Stormwater Management Ordinance became effective on May 22, 2010. This ordinance requires that any project resulting in a ground disturbance of 5,000 sq. ft. or greater prepare a Stormwater Control Plan (SCP) that is consistent with the November 2009 Stormwater Design Guidelines. Responsibility for review and approval of the SCP is with the San Francisco Public Utilities Commission (SFPUC) Wastewater Enterprise, Urban Watershed Management Program.

As described earlier in this PPA, the initial CEQA evaluation of a project will broadly discuss how the Stormwater Management Ordinance is proposed to be implemented if the project triggers compliance with the Stormwater Design Guidelines. The project's environmental evaluation would generally evaluate how and where the implementation of required stormwater management and Low Impact Design (LID) 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.

27. **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  
Direct: 415.701.4853, Email: ken.nim@sfgov.org  
Fax: 415.701.4897  
Website: <http://oewd.org/Workforce-Development.aspx>

28. **Flood Notification.** The project site is located in a flood-prone area. Please see the attached bulletin regarding review of the project by the San Francisco Public Utilities Commission.
29. **Recycled Water.** The City requires property owners to install dual-plumbing systems for recycled water use in accordance with Ordinances 390-91, 391-91, and 393-94, within the designated recycled water use area for new construction projects larger than 40,000 square feet. Please see the attached SFPUC document for more information.

**PRELIMINARY DESIGN COMMENTS:**

The site is located in the Central South of Market area adjacent to two- to four-story industrial buildings. The area is industrial in character with masonry structures and large areas of glazing. The following comments address preliminary design issues that may significantly affect the proposed project:

1. **Site Design, Open Space, and Massing.** The proposed two midblock connections leading directly to a large open area in the interior of the block would provide a fine-grained pedestrian network and are well situated to potentially connect to adjacent properties and existing small streets. The Planning Department supports this overall site plan. The project sponsor is encouraged to further refine the massing in order to reduce shadow impacts along Fifth Street. Note that bulk and massing controls for the Central SoMa Plan are being refined and the project is expected to comply with the eventual final controls.

The Planning Department recommends providing active ground floor uses, such as retail, PDR or other commercial space, along all street and open space frontages where possible, particularly along Brannan Street and turning the corner to Fifth Street. Office is not considered an active ground-floor use.

2. **Parking and Access.** The proposed parking access from Fifth Street may adversely impact pedestrians, cyclists and other users of the street. Parking access should be co-located with the proposed service entrance, accessed from the proposed mid-block connection at the northern edge of the site through a single entry point with a maximum garage entry width of 24 feet. The proposed mid-block connection at the northern edge of the site should provide a comfortable and safe pedestrian environment, and should not be designed as an exclusive vehicle connection. If necessary for maneuverability, Truck access to the proposed basement PDR uses may be provided from Fifth Street through a single entry point with a maximum width of 24 feet.
3. **Architecture.** The Planning Department supports the development of a covered publicly-accessible pedestrian arcade from Fifth Street to the proposed open space. Descriptions of this type can be found in Table 1 - Guidelines for Downtown Open Space under Policy 9.2 in the Downtown Area Plan. This could be in place or as part of the connected lobbies currently shown and framed by retail or restaurant uses to keep it active and connected to the public realm.

The Planning Department has no further comment on the architecture as the submission is diagrammatic.

**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 16, 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.

*Note: the environmental coordinator will review only the Project Description of a filed Environmental Evaluation application and no further environmental assessment will be conducted until an entitlement application or building permit (in the case where no entitlement is required) has been received.*

Enclosure:      Neighborhood Group Mailing List  
                         Interdepartmental Project Review Application  
                         Flood Notification: Planning Bulletin  
                         SFPUC Recycled Water Information Sheet

cc:    Zappettini Properties LLC, Property Owner  
         Christopher Townes, Current Planning  
         Christopher Espiritu, Environmental Planning  
         Amnon Ben-Pazi, Citywide Planning and Analysis  
         Maia Small, Design Review  
         Jonas Ionin, Planning Commission Secretary  
         Jerry Robbins, MTA  
         Jerry Sanguinetti, DPW