



# SAN FRANCISCO PLANNING DEPARTMENT

**MEMO**

**DATE:** June 24, 2014  
**TO:** Rodrigo Santos, Santos and Urrutia Structural Engineers  
**FROM:** Joy Navarrete, Planning Department  
**RE:** PPA Case No. 2014.0651U for 949 Natoma Street

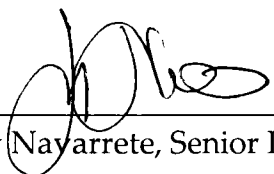
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Please find the attached Preliminary Project Assessment (PPA) for the address listed above. You may contact the staff contact, Chelsea Fordham, at (415) 575-9071 or [Chelsea.Fordham@sfgov.org](mailto:Chelsea.Fordham@sfgov.org), to answer any questions you may have, or to schedule a follow-up meeting.



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Joy Navarrete, Senior Planner



# SAN FRANCISCO PLANNING DEPARTMENT

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

## Preliminary Project Assessment

*Date:* June 24, 2014  
*Case No.:* 2014.0651U  
*Project Address:* 949 Natoma Street  
*Block/Lot:* 3510/028  
*Zoning:* Red – MX (Residential Enclave-Mixed)  
45-X, Height and Bulk District  
*Area Plan:* West SoMa  
*Project Sponsor:* Rodrigo Santos, Santos and Urrutia Structural Engineers  
415-642-7722  
*Staff Contact:* Chelsea Fordham– 415-575-9071  
Chelsea.Fordham@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 Public Utilities Commission, Department of Building Inspection, Department of Public Works, Department of Public Health, and others. In most cases, consultation with the Public Utilities Commission is required prior to completion of the environmental review. The information included herein is based on plans and information provided for this assessment and the Planning Code, General Plan, Planning Department policies, and local/state/federal regulations as of the date of this document, all of which are subject to change.

### PROJECT DESCRIPTION:

The 1,875-square-foot (sf) project site is located on the east side of Natoma Street on the block bounded by 10<sup>th</sup> Street to the north, 11<sup>th</sup> Street to the south, Minna Street to the west, and Howard Street to the east in the South of Market neighborhood. The project site is a vacant lot. The proposed project involves the construction of a four-story, 40'3"-foot-tall, 5,820 sf residential building containing 6 dwelling units (two, two-bedrooms and four studio unit) and no off-street parking. The project would have an 18-foot rear yard setback and a 3'9" front setback.

### BACKGROUND:

The project site is within the adopted Western SoMa Community Plan area. The Western SoMa Community Plan covers two connected areas: one ("north of Harrison Street") roughly bounded by 13th, Bryant, Seventh and Minna Streets; and the second ("south of Harrison Street") roughly bounded by

Townsend, Fourth, Harrison and Seventh Streets. The Western SoMa Community Plan was approved by the Board of Supervisors in 2013. The Western SoMa Community Plan Environmental Impact Report (EIR), including mitigation measures, was certified by the Planning Commission on December 6, 2012.<sup>1</sup>

## ENVIRONMENTAL REVIEW:

The project initially requires environmental review, which must be completed before any project approval may be granted. In order to facilitate environmental review and comply with the California Environmental Quality Act (CEQA), the applicant should submit an **Environmental Evaluation Application** (EEA).<sup>2</sup> Under environmental review, the process will likely result in issuance of a Certificate of Determination of Exemption. If the additional analysis performed after submittal of the EEA indicates that the project would not have a significant effect on the environment, the project may qualify for a Categorical Exemption, in which case the Planning Department would issue a Certificate of Determination of Exemption from Environmental Review. Refer to page 2 of the current Fee Schedule<sup>3</sup> for costs. Based on the application submitted for the Preliminary Project Assessment (PPA), the fee would be \$6,088.

However, if the additional analysis performed after submittal of the EEA indicates the project would have a significant effect on the environment and the project meets the density of a certified EIR in a community plan, the project would be eligible for a Community Plan Exemption (CPE) from CEQA (per CEQA Guidelines Section 15183). As currently presented, the proposed project meets the development density for the project site under the Western SoMa Community Plan and thus a CPE under the Western SoMa Community Plan may apply. If it is determined after filing of the EEA that the proposed project is consistent with the development density and other zoning parameters established by the Western SoMa Community Plan and the project would have a significant effect on the environment, the proposed project could be eligible for a CPE. Three different outcomes of the CPE process are possible:

1. **CPE Only.** All potentially significant project-specific and cumulatively considerable environmental impacts are fully consistent with significant impacts identified in *Western SoMa programmatic EIR (Western SoMa PEIR)* and there would be no new "peculiar" significant impacts unique to the proposed project. In these situations, all pertinent mitigation measures and CEQA findings from the *Western SoMa programmatic EIR (Western SoMa PEIR)* are applied to the proposed project, and a CPE checklist and certificate is prepared. With this outcome, the applicable fees are: (a) the CPE determination fee (currently \$13,339); (b) the CPE certificate fee (currently \$7,402); and (c) a proportionate share fee for recovery for costs incurred by the Planning Department for preparation of *the Western SoMa PEIR*.
1. **CPE + Mitigated Negative Declaration.** If new site- or project-specific significant impacts are identified for the proposed project that were not identified in *the Western SoMa PEIR*, and if these new significant impacts can be mitigated to a less-than-significant level, then a focused mitigated

<sup>1</sup> San Francisco Planning Department, *Western SoMa Community Plan, Rezoning of Adjacent Parcels and 350 Eighth Street Project Environmental Impact Report*, Planning Department Case Nos. 2008.0877E and 2007.1035E. Refer to <http://www.sfplanning.org/index.aspx?page=1828> under the above title.

<sup>2</sup> Refer to <http://www.sf-planning.org/index.aspx?page=1886> for latest "Environmental Evaluation Application."

<sup>3</sup> Refer to <http://www.sf-planning.org/index.aspx?page=1886> for latest "Environmental Evaluation Application."

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 PEIR*, with all pertinent mitigation measures and CEQA findings from *the Western SoMa PEIR* also applied to the proposed project. With this outcome, the applicable fees are: (a) the CPE determination fee (currently \$13,339); (b) the standard environmental evaluation fee (which is based on construction value); and (c) a proportionate share fee for recovery for costs incurred by the Planning Department for preparation of *the Western SoMa PEIR*.

2. **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 PEIR*, with all pertinent mitigation measures and CEQA findings from *the Western SoMa PEIR* also applied to the proposed project. With this outcome, the applicable fees are: (a) the CPE determination fee (currently \$13,339); (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 PEIR*.

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 April 25, 2014. Additionally, the Planning Department will investigate the following issues as part of the environmental review process to determine whether a Certificate of Determination of Exemption or CPE will apply.

1. **Historic Architectural Resources.** The project site was surveyed as part of the South of Market Historic Resource Survey, which was adopted by the Historic Preservation Commission in February 2011. The project site was assigned California Historical Resource Status Code (CHRSC) of "6Z," which defines the project site as "found ineligible for National Register, California Register or Local designation through survey evaluation." Although the project site is not historic, it is located within the eligible Western SoMa Light Industrial and Residential Historic District.<sup>4</sup> Therefore, the proposed project will require a Historic Resource Evaluation (HRE) to analyze the compatibility of the new construction with the surrounding eligible historic district.

The Historic Resource Evaluation (HRE) must be prepared by a qualified professional who meets the Secretary of the Interior's Professional Qualification Standards and is on the Department's Historic Resource Consultant Pool. The Department will provide the Project Sponsor with a list of three consultants from the Historic Resource Consultant Pool, which shall be known as the potential consultant list or PCL. Once the EEA is submitted, please contact Tina Tam, Senior Preservation Planner, via email ([tina.tam@sfgov.org](mailto:tina.tam@sfgov.org)) for the list of three historic resource consultants. Upon selection of the historic resource consultant, the scope of the HRE shall be prepared in consultation with Department Preservation staff.

If the proposed project were to result in construction-related vibration, the project sponsor would have to consult with the Planning Department to determine whether adjacent or nearby buildings

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<sup>4</sup> Refer to <http://www.sf-planning.org/index.aspx?page=2530>.

constitute historical resources that could be adversely affected, as described in Mitigation Measure M-CP-7a, Protect Historical Resources from Adjacent Construction Activities, in the Western SoMa Community Plan EIR. Note the adjacent buildings to the west and north were determined to be historic district contributors in the aforementioned survey. If it is determined that the buildings studied in M-CP-7a are historic, then construction monitoring, such as that required in Mitigation Measure M-CP-7b, Construction Monitoring Program for Historical Resources, in the Western SoMa Community Plan EIR, would likely be required for the proposed project.

2. **Archeological Resources.** The application submitted for the PPA does not indicate the depth of below-ground surface excavation or type of proposed foundation. As part of the EEA, please provide this information, along with any geotechnical study/studies as required below, so Planning Department staff can evaluate the level of archeological review required. If there is a potential impact to archeological resources, the work could require an additional study to be prepared by an archeological consultant listed in the Planning Department's archeological consultant pool, in accordance with the Planning Department's consultant selection procedures. Depending on the anticipated depth of excavation and if there is a potential impact to archeological resources, Mitigation measures, such as Mitigation Measures M-CP-4a, Project-Specific Preliminary Archeological Assessment, and M-CP-4b, Procedures for an Accidental Discovery of Archeological Resources, in the Western SoMa Community Plan EIR, may be applied to the proposed project.
3. **Transportation Study.** Based on the PPA submittal, a transportation study is not anticipated. However, an official determination will be made subsequent to submittal of the environmental evaluation application. Additionally, an initial review of the proposed project was conducted by Planning Department staff transportation planners. The following recommendations and questions are to be addressed before the submittal of final project plans and the Environmental Evaluation Application:
  - The site plans need to clearly show the amount of bicycle parking provided in the garage. Consider providing two bicycle parking for larger dwelling units.
  - Clarify the location of the trash access to Natoma Street.
  - The project should remove the existing curb cut as part of the project and show this on the site plans.
4. **Hazardous Materials.** The proposed project would potentially result in disturbance of subsurface areas underlain by artificial fill materials, which could contain potentially hazardous materials. Therefore, the project may be subject to Article 22A of the Health Code, also known as the Maher Ordinance. The Maher Ordinance, which is administered and overseen by the Department of Public Health (DPH), requires the project sponsor to retain the services of a qualified professional to prepare a Phase I Environmental Site Assessment (ESA) that meets the requirements of Health Code Section 22.A.6. The Phase I would determine the potential for site contamination and level of exposure risk associated with the project. Based on that information, soil and/or groundwater sampling and analysis, as well as remediation of any site contamination, may be required. These steps are required to be completed prior to the issuance of any building permit.

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

5. **Air Quality (AQ) Analysis.** The proposed project at six dwelling units does not exceed the Bay Area Air Quality Management District's (BAAQMD) screening levels for criteria air pollutants.<sup>5</sup> Therefore an analysis of the project's criteria air pollutant emissions would not be required.

In addition, 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.

6. **Greenhouse Gases.** The 2010 CEQA Air Quality Guidelines provide CEQA thresholds of significance for greenhouse gas (GHG) emissions. On August 12, 2010, the San Francisco Planning Department submitted to the BAAQMD a draft of the City and County of San Francisco's Strategies to Address Greenhouse Gas Emissions. This document presents a comprehensive assessment of policies, programs and ordinances that collectively represent San Francisco's Qualified Greenhouse Gas Reduction Strategy. The BAAQMD reviewed San Francisco's GHG reduction strategy and concluded that the strategy meets the criteria for a Qualified GHG Reduction Strategy as outlined in BAAQMD's CEQA Guidelines (2010).<sup>6</sup> Therefore, projects that are consistent with San Francisco's GHG reduction strategy would result in less-than-significant GHG emissions. In order to facilitate a determination of compliance with San Francisco's GHG reduction strategy, the Planning Department has prepared a Greenhouse Gas Analysis Compliance Checklist. The project sponsor would be required to submit a completed checklist as part of the environmental review process.
7. **Noise.** The proposed project may be subject to Western SoMa FEIR Mitigation Measure M-NO-1b: Siting of Noise-Sensitive Uses. The measure requires the Planning Department to require the preparation of a noise analysis, prepared by persons qualified in acoustical analysis and/or engineering, for projects that include residential and other noise-sensitive uses. The noise study shall include, at a minimum, a site survey to identify potential noise-generating uses within 900 feet of, and that have a direct line of- sight to, the project site, and include at least one 24-hour noise measurement (with average and maximum noise level readings taken so as to be able to accurately describe maximum level reached during nighttime hours) prior to the first project approval action.

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<sup>5</sup> BAAQMD, *CEQA Air Quality Guidelines*, May 2011, Chapter 3.

<sup>6</sup> San Francisco's Strategies to Address Greenhouse Gas Emissions and BAAQMD's letter are available online at: <http://www.sfplanning.org/index.aspx?page=1570>.

The analysis shall demonstrate with reasonable certainty that Title 24 standards, where applicable, can be met, and that there are no particular circumstances about the individual project site that appear to warrant heightened concern about noise levels in the vicinity. Should the Planning Department conclude that such concerns be present, the Planning Department would require the completion of a detailed noise assessment by person(s) qualified in acoustical analysis and/or engineering prior to the first project approval action. Additionally, Western SoMa FEIR Mitigation Measure M-NO-1d: Open Space in Noisy Environments may apply, which specifies that Planning Code-required open space for noise-generating uses should be protected.

The proposed project would include construction within proximity to sensitive noise receptors(i.e., residences). Depending on the anticipated construction duration and vibration anticipated during construction (see historic architectural resources above), construction noise reduction methods, such as those described in Mitigation Measures M-NO-2a, General Construction Noise Control Measures, and M-NO-2b, Noise Control Measures During Pile Driving (if the proposed project would include pile driving), in the Western SoMa Community Plan EIR, may be required for the proposed project.

8. **Shadow Study.** The proposed project would result in construction of a building 40'3' in height. Planning Code Section 295 requires that a shadow analysis must be performed to determine whether a project has the potential to cast shadow on properties under the jurisdiction of the San Francisco Recreation and Park Commission. Department staff has prepared a shadow fan that indicates the project would not cast new shadow on any properties under the jurisdiction of the Recreation and Park Department, nor would it cast shadows on any other parks or open spaces (see attached). The project would therefore not require any further shadow analysis.
9. **Geotechnical Study.** A geotechnical/soils investigation will be required to be submitted as part of the EEA because the project site is within an area prone to liquefaction. The investigation must be prepared by a professional with expertise in soils/geotechnical engineering and/or geology.
10. **Biological Resources.** If the proposed project would remove an existing trees, which may provide active nests for special-status birds or roosting for special-status bats. Therefore, measures to protect these species, such as those described in Mitigation Measures M-BI-1a, Pre-Construction Special-Status Bird Surveys, and M-BI-1b, Pre-Construction Special-Status Bat Surveys, in the Western SoMa Community Plan EIR, would likely be required for the proposed project. In addition, the proposed building may include night lighting. Therefore, measures to reduce potential effects on birds, such as those described in Improvement Measure I-BI-2, Night Lighting Minimization, in the Western SoMa Community Plan EIR, may be recommended for the proposed project.

## PLANNING DEPARTMENT APPROVALS:

The project requires the following Planning Department approvals. These approvals may be reviewed in conjunction with the required environmental review, but may not be granted until after the required environmental review is completed.

1. As proposed, **Variances** would be required for **Open Space**. However, the Department recommends redesigning the project to eliminate the need for Variances.
2. A **Building Permit Application** is required for the proposed new construction on the subject property.

### 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.

### PLANNING DEPARTMENT APPROVALS:

The following comments address specific Planning Code and other general issues that may significantly impact the proposed project. For the purpose of providing these comments, the ground floor units along Natoma Street are considered non-residential. Designation of these units as residential may alter some of the comments below.

1. **Open Space – Residential.** Section 135(f)(1) requires 100 square feet of private open space with minimum horizontal dimensions of 10 feet, if located on open ground, a terrace or the surface of an inner or outer court, for each dwelling unit. As proposed, Unit 1 does not comply with the open space requirements. Please revise plans and tabulation to comply, or seek and justify an open space variance.
2. **Bicycle Parking.** Planning Code Section 155.2 requires the proposed project to provide Class 1 and Class 2 bicycle parking. For the residential uses, a total of six Class 1 bicycle parking spaces are required. On a subsequent submission please indicate details of each parking space proposed, with dimensions.
3. **Shadow Analysis.** Section 295 requires that a shadow analysis must be performed to determine whether the project has the potential to cast shadow on properties under the jurisdiction of the San Francisco Recreation and Park Commission. Department staff has prepared a shadow fan that indicates the project will not cast new shadow on any property under the jurisdiction of the Recreation and Parks Department.
4. **Bird Safety.** Standards for Bird Safe Buildings. Planning Code Section 139 outlines bird-safe standards for new construction to reduce bird mortality from circumstances that are known to pose a



high risk to birds and are considered to be "bird hazards." Feature-related hazards may create increased risk to birds and need to be mitigated. Any feature-related hazards, such as free-standing glass walls, wind barriers, or balconies must have broken glazed segments 24 square feet or smaller in size. Please review the standards and indicate the method of window treatments to comply with the requirements where applicable.

5. **Eastern Neighborhoods Impact Fees.** This project is subject to the applicable fees outlined in Section 423. The exact fee is determined by the final area of each use subject to the Fee and rate in effect at the time of building permit issuance. Fees would be assessed at a Tier 1 rate.
6. **Neighborhood Notification Materials.** This project is subject to neighborhood notification as required by Planning Code Section 312.

#### PRELIMINARY PROJECT COMMENTS:

The project is located South of Market in a neighborhood with a variety of industrial, residential, and commercial uses. The adjacent context includes one to four story buildings with primarily industrial or residential character. Building cladding includes wood, masonry, or corrugated metal and common architectural elements include bay or industrial sash windows. The following comments address specific Planning Code and other general issues that may significantly impact the proposed project.

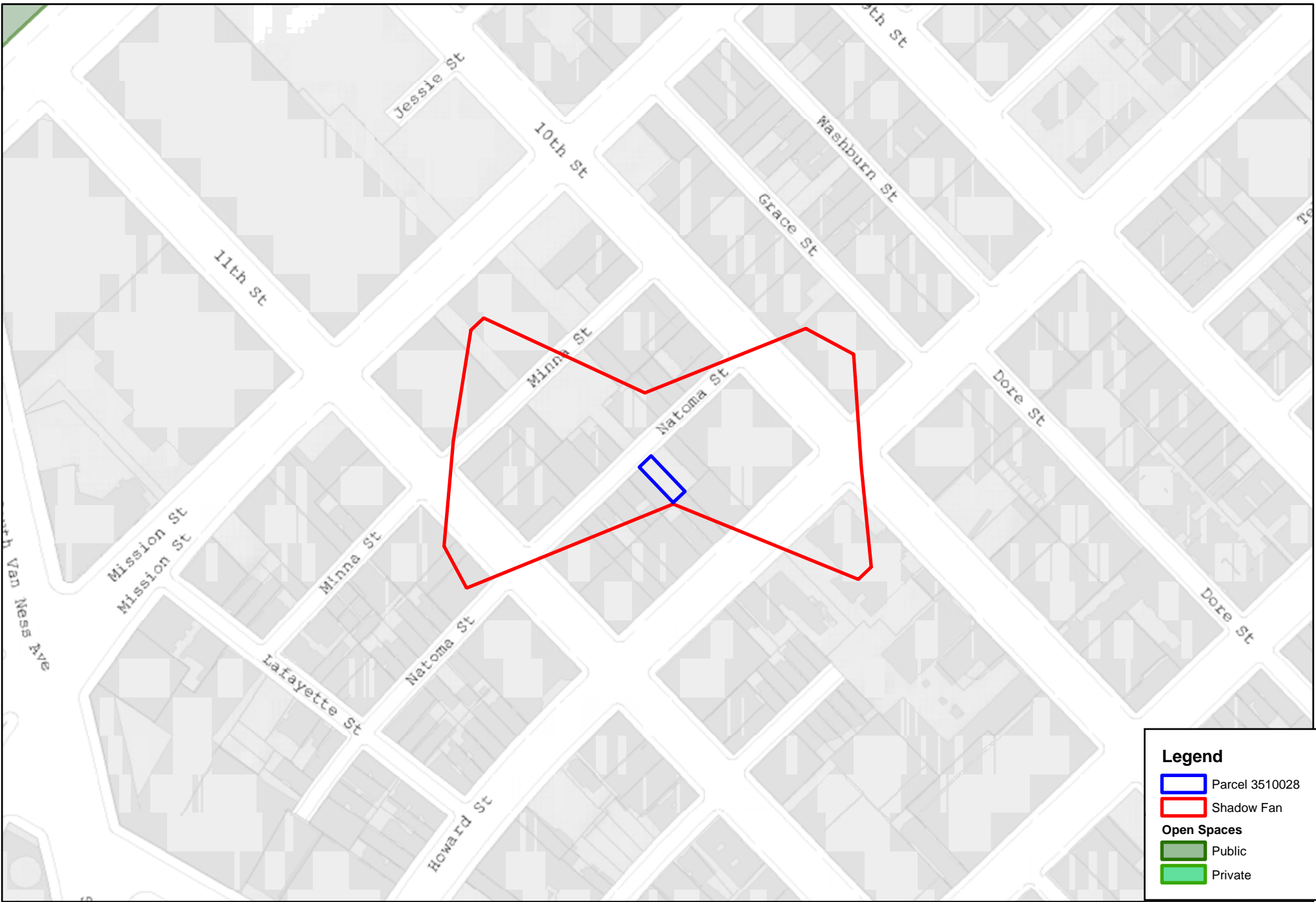
1. **Site Design, Open Space, and Massing.** The Planning Department supports the project as shown.
2. **Street Frontage.** Overall the Planning Department supports the project as shown assuming that the front Unit 1 patio space are designed to have significant transparency and operability so that the patio may be used more as a front stoop or entry than as a mostly walled-off, private open space. One suggestion would be to use folding gates much like the proposed doors into the unit.
3. **Architecture.** The Planning Department generally supports the project as shown with the expectation of high-quality materials and significant facade depth.

#### PRELIMINARY PROJECT ASSESSMENT EXPIRATION:

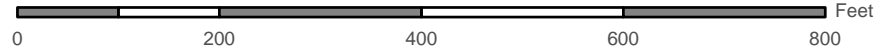
This Preliminary Project Assessment is valid for a period of **18 months**. An Environmental Evaluation, *Conditional Use Authorization, or Building Permit Application, as listed above*, must be submitted no later than **December 24, 2015**. Otherwise, this determination is considered expired and a new Preliminary Project Assessment is required. Such applications and plans must be generally consistent with those found in this Preliminary Project Assessment. *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: Shadow Study

cc: Gary Tribulato, Property Owner  
Jeff Spiers, Current Planning  
Chelsea Fordham, Environmental Planning  
Lily Langlois, Citywide Planning and Analysis  
Maia Small, Design Review  
Jerry Robbins, MTA  
Jonathan Piakis, DPH



Title: 949 Natoma Street Shadow Analysis  
 Comments: Analyzed as Full Lot Coverage, 45' Height Limit with 10' Permitted Height Obstruction, with Slope.  
 Printed: 27 May, 2014



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