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DATE: September 4, 2015

TO:

Tujia Catalano, Reuben, Junius & Rose, LLP

FROM:

Ms. Joy Navarrete, Planning Department

RE:

PPA Case No. 2015-002325 for 48 Tehama Street

Please find the attached Preliminary Project Assessment (PPA) for the address listed above. You may contact the staff contact, Rachel A. Schuett, at (415) 575-9030 or rachel.schuett@sfgov.org, to answer any questions you may have, or to schedule a follow-up meeting.

varrete, Senior Planner

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Preliminary Project Assessment

Date:

September 4, 2015

Case No.:

2015.002325PPA

Project Address:

48 Tehama Street/543 Howard Street

Block/Lot:

3736/084, 085, & 111

Zoning:

C-3-0(SD)

Transbay C3

Transit Center C-3-0(SD) Commercial

350-S

Area Plan:

Transit Center District Plan (TCDP)

Project Sponsor:

Tujia Catalano

415.567.9000

Staff Contact:

Rachel A. Schuett - 415.575.9030

rachel.schuett@sfgov.org

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DISCLAIMERS:

This Preliminary Project Assessment (PPA) letter provides feedback to the project sponsor from the Planning Department regarding the proposed project described in the PPA application first submitted on February 24, 2015, and revised and resubmitted on July 27, 2015, as summarized below. This PPA letter identifies Planning Department review requirements for the proposed project, including those related to environmental review, approvals, neighborhood notification and public outreach, the Planning Code, project design, and other general issues of concern for the project. Please be advised that the PPA application does not constitute an application for development with the Planning Department. The PPA letter also does not represent a complete review of the proposed project, does not grant a project approval of any kind, and does not 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, Public Works, the Municipal Transportation Agency, Department of Public Health, San Francisco Public Utilities Commission, and others. The information included herein is based on the PPA application and plans, 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 proposed project includes merging three separate legal parcels at 48 Tehama, 48/50 Tehama, and 543 Howard Streets, Block 3736, Lots 084, 085 and 111, respectively. The three parcels would be legally

merged to form one 18,499 square foot (sf) parcel. The existing five-story office building at 543 Howard Street would be retained, and the new construction would primarily occur on the 48 Tehama site, with a slight cantilever over the 543 Howard Street building. The proposal is to construct a 32-story, up to 350-foot-tall mixed use building with six floors of residential uses (nine units) over 17 floors of hotel use (119 hotel rooms) over six floors of common uses (in support of the hotel including conference rooms, a fitness center, meeting rooms, a restaurant and back-of-house uses) over three floors of mechanical uses. The existing building on the 12,800-sf subject lot was constructed in 1925 and is considered a Category A Historic Resource. The proposed new building would include nine dwelling units, 119 hotel rooms, 10 parking spaces beneath the existing 543 Howard Street building, and 8,250 sf of commercial space. The depth of excavation, bike parking, and curb cuts/access to the existing garage have not yet been determined.

BACKGROUND:

The project site is within the Transit Center District Plan (TCDP) area. On May 24, 2012, the Planning Commission certified the *Transit Center District Plan and Transit Tower Final Environmental Impact Report (TCDP FEIR)* by Motion 18628, and the Transit Center District Plan was adopted in August 2012.

Please note: the following discussion is based on review of the revised project plan set submitted to the Planning Department on July 27, 2015. This plan set did not include a sufficient level of detail to determine whether or not the proposed project site would be consistent with the development density, and height and bulk envisioned in the *Transit Center District Plan*.

The following discussion is predicated on the assumption that the proposed project would be designed to be consistent with the Transit Center District Plan (TCDP). If the proposed project **is not** designed to be consistent with *TCDP*, the project **would not be eligible** to receive a Community Plan Exemption (CPE), and the appropriate path for environmental review would need to be revisited.

ENVIRONMENTAL REVIEW:

Community Plan Exemption

Section 15183 of the California Environmental Quality Act (CEQA) Guidelines states that projects that are consistent with the development density established by a community plan for which an environmental impact report (EIR) was certified do not require additional environmental review, except as necessary to determine the presence of project-specific significant effects not identified in the programmatic plan area EIR.

As discussed above, the proposed project is located within the Transit Center District Plan (TCDP) area, which was evaluated in the *TCDP FEIR*. If the proposed project is consistent with the development density identified in the area plan, it would be eligible for a community plan exemption (CPE). Please note that a CPE is a type of exemption from environmental review, and cannot be modified to reflect changes to a project after approval. Proposed increases beyond the CPE project description in project size or intensity after project approval will require reconsideration of environmental impacts and issuance of a new CEQA determination.

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 *TCDP FEIR*, and there would be no new "peculiar" significant impacts unique to the proposed project. In these situations, all pertinent mitigation measures and CEQA findings from the *TCDP 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 (currently \$13,659) and (b) the CPE certificate fee (currently \$7,580).
- 2. **Mitigated Negative Declaration**. If new site- or project-specific significant impacts are identified for the proposed project that were not identified in the *TCDP 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 checklist is prepared to address all other impacts that were encompassed by the *TCDP FEIR*, with all pertinent mitigation measures and CEQA findings from the *TCDP FEIR* also applied to the proposed project. With this outcome, the applicable fees are: (a) the CPE determination fee (currently \$13,659) and (b) the standard environmental evaluation fee (which is based on construction value).
- 3. **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 checklist is prepared to address all other impacts that were encompassed by the *TCDP FEIR*, with all pertinent mitigation measures and CEQA findings from the *TCDP FEIR* also applied to the proposed project. With this outcome, the applicable fees are: (a) the CPE determination fee (currently \$13,659); (b) the standard environmental evaluation fee (which is based on construction value); and (c) one-half of the standard EIR fee (which is also based on construction value). An EIR must be prepared by an environmental consultant from the Planning Department's environmental consultant pool (http://www.sfplanning.org/ftp/files/MEA/Environmental consultant pool.pdf). The Planning Department will provide more detail to the project sponsor regarding the EIR process should this level of environmental review be required.

In order to begin formal environmental review, please submit an Environmental Evaluation Application (EEA). The EEA can be submitted at the same time as the PPA Application. The environmental review may be done in conjunction with the required approvals listed below, but must be completed before any project approval may be granted. Note that until an entitlement application is submitted to the Current Planning Division, only the proposed Project Description will be reviewed by the assigned Environmental Coordinator. EEAs 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 under the "Publications" tab. See "Environmental Applications" on page 2 of the current Fee Schedule for a calculation of environmental application fees.¹

Below is a list of topic areas addressed through the environmental review process. Some of these would require additional study based on the preliminary review of the project as it is proposed in the PPA application.

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San Francisco Planning Department. Schedule for Application Fees. Available online at: http://www.sf-planning.org/Modules/ShowDocument.aspx?documentid=513.

- Historic Resources. The project site contains one or more structures considered to be a potential historic resource (building constructed 45 or more years ago); therefore, the proposed alteration or demolition is subject to review by the Department's Historic Preservation staff. To assist in this review, the project sponsor must hire a qualified professional to prepare a Historic Resource Evaluation (HRE) report. The professional must be selected from the Planning Department's Historic Resource Consultant Pool. Please contact Tina Tam, Senior Preservation Planner, via email (tina.tam@sfgov.org) for a list of three consultants from which to choose. Please contact the HRE scoping team at HRE@sfgov.org to arrange the HRE scoping. Following an approved scope, the historic resource consultant should submit the draft HRE report for review to Environmental Planning after the project sponsor has filed the EE Application and updated it as necessary to reflect feedback received in the PPA letter. The HRE should be submitted directly to the Department and copied to the project sponsor. Project sponsors should not receive and/or review advance drafts of consultant reports per the Environmental Review Guidelines. Historic Preservation staff will not begin reviewing your project until a complete draft HRE is received.
- Archeological Resources. The project site lies within the Transit Center District Plan area and is subject to mitigation measure M-CP-1: Subsequent Archeological Testing Program of the Transit Center District Plan FEIR. Therefore, the proposed project will require Preliminary Archeological Review (PAR) by a Planning Department archeologist. The PAR will assess whether or not there are any informational gaps in the background information that are necessary to make an informed archeological sensitivity assessment. This assessment will be based upon the information presented in the Transit Center District Plan Archaeological Research Design and Treatment Plan (Far Western Anthropological Research Group, Inc. Archaeological Research Design and Treatment Plan for the Transit Center District Plan Area, San Francisco, California, February 2010) as well as other in-house source material. If data gaps are identified, then additional investigation, such as historic archival research or geoarcheological coring may be required to make an archeological sensitivity assessment.

Please provide detailed information, including sections, proposed soils-disturbing activities, such as grading, excavation, installation of foundations, soils improvement, and site remediation in the EEA, and submit any available geotechnical/soils or phase II hazardous materials reports prepared for the project to assist in this review.

• Transportation. The proposed project may be subject to mitigation measures M-TR-5: Garage/Loading Dock Attendant, a M-TR-7a: Loading Dock Management of the Transit Center District Plan FEIR. These mitigation measures require that the building manager employ an attendant to help guide trucks into and out of the loading docks safely, and to develop a loading dock plan that apprises building tenants to standard operating procedures, including hours of operation, for the loading dock. The proposed project may also be subject to mitigation measure M-TR-9: Construction Coordination which requires the project sponsor to coordinate all construction activities with SFMTA, the Transbay Joint Powers Authority and other local and regional transportation agencies to minimize disruption to transit and to pedestrians.

Also, based on the Planning Department's Transportation Impact Analysis Guidelines for Environmental Review,² the project would require additional transportation analysis to determine whether the project may result in a significant impact. Therefore, the Planning Department requires that a consultant listed in the Planning Department's Transportation Consultant Pool prepare a Site Circulation Memorandum. You may be required to pay additional fees for the Memorandum; please contact Virnaliza Byrd at (415) 575-9025 to arrange payment. Once you pay the fees, please contact Manoj Madhavan at (415) 575-9095 or manoj.madhavan@sfgov.org so that he can provide you with a list of three consultants from the pre-qualified Transportation Consultant Pool. Upon selection of a transportation consultant, the Department will assign a transportation planner who will direct the scope of the consultant-prepared memorandum.

• Noise. The proposed project may be subject to mitigation measures M-NO-1a: Noise Survey and Measurements for Residential Units, M-NO-1b: Noise Minimization for Residential Open Space, and M-NO-1c: Noise Minimization for Non-Residential Uses of the Transit Center District Plan FEIR.

M-NO-1a: Noise Survey and Measurements for Residential Units is intended to reduce potential conflicts between existing noise-generating uses and new sensitive receptors. This measure would apply to the proposed project because the project includes a noise-sensitive use. M-NO-1a: Noise Survey and Measurements for Residential Units requires that the project sponsor conduct a detailed analysis of noise reduction requirements for new development including noise-sensitive uses located along streets with noise levels above 60 dBA (Ldn). The analysis must demonstrate with reasonable certainty that the California Noise Insulation Standards in Title 24 of the California Code of Regulations can be met.

M-NO-1b: Noise Minimization for Residential Open Space requires that open space required under the Planning Code be protected from existing ambient noise levels. Implementation of this measure could involve, among other things, site design that uses the building itself to shield on-site open space from the greatest noise sources, construction of noise barriers between noise sources and open space, and appropriate use of both common and private open space in multi-family dwellings, and implementation would also be undertaken consistent with other principles or urban design.

M-NO-1c: Noise Minimization for Non-Residential Uses may apply if new non-residential sensitive receptors are identified in proximity to the project site. The proposed project may be subject to mitigation measures M-NO-1d: Mechanical Equipment Noise Standard and M-NO-1e: Interior Mechanical Equipment which require that the noise to nearby sensitive uses from exterior and interior mechanical equipment be minimized.

If the proposed project would involve pile driving M-NO-2a: Noise Control Measures During Pile Driving would apply to the proposed project. This mitigation requires that contractors use pile driving equipment with state-of-the-art noise shielding and muffling devices. Project sponsors shall also require that contractors schedule pile-driving activity for times of the day that would minimize disturbance to neighbors. The proposed project would also be subject to mitigation measures M-NO-2b: General Constriction Noise Control Measures and M-C-NO: Cumulative Construction Noise Control

This document is available at: http://www.sf-planning.org/index.aspx?page=1886.

Measures which require developing a construction plan that minimizes construction-related noise impacts in the TCDP area.

Air Quality. The proposed project may be subject to mitigation measures M-AQ-2: Implementation of Risk and Hazard Overlay Zone and Identification of Health Risk Reduction Policies and M-AQ-3: Siting of Uses that Emit DPM and Other TACs of the Transit Center District Plan FEIR, a determination will be made after the commencement of the environmental review process.

The proposed project's nine dwelling units and 119 hotel rooms do not exceed the Bay Area Air Quality Management District's (BAAQMD) construction screening levels for criteria air pollutants.³ Therefore, an analysis of the project's criteria air pollutant emissions is not likely to be required. However, please provide detailed information related to construction equipment, phasing and duration of each phase, and volume of excavation as part of the EEA.

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 proposed project and will likely be subject to *M-AQ-4b: Dust Control Plan* of the *Transit Center District Plan FEIR*. The proposed project will also be required to adhere to the dust control requirements set forth in the Construction Dust Ordinance contained in San Francisco Health Code Article 22B and San Francisco Building Code Section 106.A.3.2.6. The proposed project is also required to prepare a Construction Dust Control Plan for review and approval by DPH.

The project site is also located within an Air Pollutant Exposure Zone, as mapped and defined by Health Code, Article 38. The Air Pollutant Exposure Zone identifies areas with poor air quality based on modeling of air pollution, exposures, and health vulnerability from mobile, stationary, and area source emissions within San Francisco. The project proposes to construct new sensitive land uses (i.e., residential), which are subject to enhanced ventilation measures pursuant to Health Code Article 38. The project sponsor will be required to submit an Article 38 application to DPH prior to the issuance of any environmental determination. Please provide a copy of the Article 38 application with the EEA.4

In addition, the proposed project will likely be subject to mitigation measures *M-AQ-4a*: Construction Vehicle Emissions Minimization and M-AQ-5: Construction Vehicle Emissions Evaluation and Minimization of the Transit Center District Plan FEIR which also reduce impacts from construction emissions.

Given the proposed project's height of approximately 350 feet, and the inclusion of residential uses above 75 feet and the building/fire code is likely to require that the project include a backup diesel generator. Since 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. Please provide

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

Refer to http://www.sfdph.org/dph/eh/Air/default.asp for more information.

detailed information related to any proposed stationary sources with the EEA so that the Planning Department may make recommendations regarding reduction of emissions.

- Greenhouse Gases. 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. Projects that are consistent with San Francisco's Qualified GHG Reduction Strategy would result in less-than-significant impacts from GHG emissions. In order to facilitate a determination of compliance with San Francisco's Qualified GHG Reduction Strategy, the Planning Department has prepared a Greenhouse Gas Analysis Compliance Checklist.⁵ The project sponsor is 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 the Greenhouse Gas Reduction Strategy.
- Wind. As discussed below under "Preliminary Project Comments," the project site is in the C-3-O(SD) District and is subject to Planning Code limits on ground-level wind speeds. A wind tunnel analysis will be required in order to determine project compliance with these Planning Code provisions. Additionally, ground-level wind speeds will be assessed as part of the project's environmental review. The project will therefore require a consultant-prepared wind analysis. The consultant will be required to prepare a proposed scope of work for review and approval by the assigned Current Planning and Environmental Planning staff prior to proceeding with the analysis.
- Shadow. The proposed project would result in construction of a building greater than 40 feet in height. A preliminary shadow fan analysis prepared by Planning Department staff indicates that the proposed project could cast shadows on several parks and opens spaces that are not under the jurisdiction of the Recreation and Park Department. For more information, see "Preliminary Project Comments" below. The project sponsor is therefore required to hire a qualified consultant to prepare a detailed shadow study. The consultant must submit a Shadow Study Application, which can be found Department's website on the Planning (http://www.sfplanning.org/Modules/ShowDocument.aspx?documentid=539). A separate fee is required. The consultant must also prepare a proposed scope of work for review and approval by Environmental Planning staff prior to preparing the analysis.
- Geology. The project site is located within a Seismic Hazard Zone (Liquefaction Hazard Zone likely underlain by artificial fill). Any new construction on the site is therefore subject to a mandatory Interdepartmental Project Review.⁶ A geotechnical study prepared by a qualified consultant must be submitted with the EEA. 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,

Refer to http://sf-planning.org/index.aspx?page=1886 for latest "Greenhouse Gas Compliance Checklist for Private Development Projects."

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

compliance with the building codes would avoid the potential for significant impacts related to structural damage, ground subsidence, liquefaction, landslides, and surface settlement. To assist Planning Department staff in determining whether the project would result in environmental impacts related to geological hazards, it is recommended that you provide a copy of the geotechnical information with boring logs for the proposed project. This study will also help inform the Planning Department Archeologist of the project site's subsurface geological conditions.

• Hazardous Materials. The proposed project would involve excavation to accommodate the building foundations and subterranean parking, although the amount is unknown. Mitigation measures M-HZ-2b: Site Assessment and Corrective Action for Projects Landward of the Historic High Tide Line and M-HZ-2c: Site Assessment and Corrective Action for All Sites of the Transit Center District Plan FEIR are also likely to apply. Mitigation measure M-HZ-2b requires the preparation of Phase I Environmental Site Assessment, as described under the Maher Ordinance discussion, below. Mitigation measure M-HZ-2c requires a site contamination study which is focused on the potential for vapor intrusion.

Also, the 543 Howard Street parcel is located in an area that is subject to Article 22A of the Health Code, also known as the Maher Ordinance. The Maher Ordinance, which is administered and overseen by the Department of Public Health (DPH), requires the project sponsor to retain the services of a qualified professional to prepare a Phase I Environmental Site Assessment (ESA) that meets the requirements of Health Code Section 22.A.6. The Phase I ESA 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 EEA.

It is not clear whether any demolition is proposed as part of the proposed project. If demolition is involved, mitigation measure *M-HZ-3: Hazardous Building Materials Abatement* of the *Transit Center District Plan FEIR*. would be applicable to the proposed project. The mitigation measure requires that the project sponsor ensure that any equipment containing polychlorinated biphenyls (PCBs) or di(2-ethylhexyl) phthalate (DEPH), such as fluorescent light ballasts, and any fluorescent light tubes containing mercury be removed and properly disposed of in accordance with applicable federal, state, and local laws. In addition, any other hazardous materials identified, either before or during work, must be abated according to applicable federal, state, and local laws.

Because the existing building was constructed prior to 1980, asbestos-containing materials, such as floor and wall coverings, may be found in the building. If any demolition of the existing building is proposed proper protocol for handling hazardous building materials should be followed. The Bay Area Air Quality Management District (BAAQMD) is responsible for regulating airborne pollutants including asbestos. Please contact BAAQMD for the requirements related to demolition of buildings

with asbestos-containing materials. In addition, because of its age (constructed prior to 1978), lead paint may be found in the existing building. Please contact the San Francisco Department of Building Inspection (DBI) for requirements related to the demolition of buildings that may contain lead paint.

- Tree Planting and Protection. The Department of Public Works Code Section 8.02-8.11 requires
 disclosure and protection of landmark, significant, and street trees located on private and public
 property. Any such trees must be shown on the site plans with the size of the trunk diameter, tree
 height, and accurate canopy drip line. Please submit the Tree Planting and Protection Checklist with the
 EEA and ensure that trees are appropriately shown on site plans. Also see the comments below under
 "Street Trees."
- Disclosure Report for Developers of Major City Projects. The San Francisco Ethics Commission S.F. Camp. & Govt. Conduct Code § 3.520 et seg. requires developers to provide the public with information about donations that developers make to nonprofit organizations that may communicate with the City and County regarding major development projects. This report must be completed and filed by the developer of any "major project." A major project is a real estate development project located in the City and County of San Francisco with estimated construction costs exceeding \$1,000,000 where either: (1) The Planning Commission or any other local lead agency certifies an EIR for the project; or (2) The project relies on a program EIR and the Planning Department, Planning Commission, or any other local lead agency adopts any final environmental determination under CEQA. A final environmental determination includes: the issuance of a Community Plan Exemption (CPE); certification of a CPE/EIR; adoption of a CPE/Final Mitigated Negative Declaration; or a project approval by the Planning Commission that adopts CEQA Findings. (In instances where more than one of the preceding determinations occur, the filing requirement shall be triggered by the earliest such determination.) A major project does not include a residential development project with four or fewer dwelling units. The first (or initial) report must be filed within 30 days of the date the Planning Commission (or any other local lead agency) certifies the EIR for that project or, for a major project relying on a program EIR, within 30 days of the date that the Planning Department, Planning Commission, or any other local lead agency adopts a final environmental determination under CEQA. Please submit a Disclosure Report for Developers of Major City Projects to the San Francisco Ethics Commission. This form can be found at the Planning Department or online at http://www.sfethics.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.

1. Downtown Project Authorization. In order for the project to proceed, the Planning Commission would need to determine that the project complies with Planning Code Section 309. This Section establishes a framework for review of projects within C-3 Districts to ensure conformity with the Planning Code and the General Plan, and modifications may be imposed on various aspects of the project to achieve this conformity. These aspects include overall building form, impacts to public views, shadows and wind levels on sidewalks and open spaces, traffic circulation, relationship of the

project to the streetscape, design of open space features, improvements to adjacent sidewalks (including street trees, landscaping, paving material, and street furniture), quality of residential units, preservation of on-site and off-site historic resources, and minimizing significant adverse environmental effects. Through the Section 309 Review process, the project sponsor may also request exceptions from certain requirements of the Planning Code, as described in "Preliminary Project Comments" below.

- Conditional Use Authorization. In order for the project to proceed, the Planning Commission would need to grant Conditional Use Authorization pursuant to Sections 303 for the proposed hotel use. See further discussion regarding the requirements for a conditional use for hotels in C-3 districts on "Preliminary Project Comments."
- 3. **Variances.** The project has been proposed at a very schematic level; therefore, it is difficult to determine if variances are required other than those provided below. If the project cannot be redesigned to comply with the Planning Code, and no exceptions are possible under Section 309 for specific issues, the project must seek and justify a Variance from the Planning Code.
- 4. A **Building Permit Application** is required for the proposed new construction on the subject property.

Large Project Authorization applications, Conditional Use Authorization applications, and Variance 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, and in some cases required, 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.

Notification of a Project Receiving Environmental Review. Notice may be required to be sent to occupants of the project site and properties adjacent to the project site, as well as to owners and, to the extent feasible, occupants of properties within 300 feet of the project site at the initiation of the environmental review process. Please be prepared to provide mailing addresses on a CD upon request during the environmental review process.

PRELIMINARY PROJECT COMMENTS:

The following comments address specific Planning Code and other general issues that may substantially impact the proposed project.

1. **Floor Area Ratio.** Planning Code Section 124 establishes basic floor area ratios (FAR) for all zoning districts. As set forth in Planning Code Section 124(a), the FAR for the C-3-O (SD) District is 6.0 to 1. Under Planning Code Sections 123 and 128, the FAR can be increased to 9.0 to 1 with the purchase of

transferable development rights (TDR). Because the Project proposes an FAR of approximately 8.6 to 1, the purchase of TDR would be required to increase the base FAR up to 9.0 to 1. This FAR calculation assumes merging three lots together.

- 2. **Interdepartmental Project Review**. This review is required for all proposed new construction in seismic hazard zones, in which the subject property falls. An application is enclosed.
- 3. **Streetwall Base.** In order to establish an appropriate streetwall in relation to the width of the street and to adjacent structures, and to avoid the perception of overwhelming mass that would be created by a number of tall buildings built close together with unrelieved vertical rise, Planning Code Section 132.1(c) specifies that new buildings taller than 150 feet within the C-3-O(SD) District must establish a streetwall height between 50 and 110 feet, through the use of a horizontal relief totaling at least 10 feet for a minimum of 40 percent of the linear frontage. If the Project does not strictly comply with this requirement, an exception may be requested through the Downtown Project Authorization process, provided that the criteria of Section 132(c)(1) are met.
- 4. Separation of Towers. In order to preserve the openness of the street to the sky and to provide light and air between structures, Planning Code Section 132.1(d)(1) requires all structures in the "S" Bulk District to provide a minimum setback of 15 feet from the centerlines of abutting public streets and alleys. This setback begins at a minimum height which is 1.25 times the width of the principal street on which the project faces, and the dimension increases along a sloping line for building heights above 300 feet, to a maximum setback of 35 feet for building heights above 550 feet. A 15-foot setback is also required from all interior property lines that do not abut public streets, and the dimension of the setback increases along a sloping line for building heights above 300 feet, to a maximum setback of 35 feet for building heights above 550 feet. The project currently does not comply with the separation of towers requirements in Section 132.1. Future submittals should include several diagrams that demonstrate how the project complies with these requirements, showing the multiple applicable street frontages and interior property line setbacks. If the project does not strictly comply with this requirement, an exception may be requested through the Downtown Project Authorization process, provided that the criteria of Planning Code Section 132(d)(2) are met.
- 5. Inclusionary Housing Requirements. The project proposes 15,600 sq. ft. of residential space resulting in 9 units, just short of 10 units that trigger Section 415 of the Planning Code. The Plan demonstrates a capacity for additional residential units. Please note that Section 249.28 of the Planning Code, the Transbay C-3 Special Use District, requires 15% of all units to be Below Market Rate (BMR) and shall all be provided on-site. Additionally, the project falls within the Zone 2 of Transit Center Redevelopment Area and must meet the housing requirements of the Redevelopment Plan.
- 6. **Pedestrian Zone.** In order to establish an appropriate and inviting relationship to the pedestrian realm at street level and create visual and varied interest for pedestrians, Transit Center Subarea Plan Objectives 1.12 through 1.16, along with Planning Code Section 132.1(c)(2) require all new structures in the C-3-O(SD) district to incorporate architectural features, awnings, marquees, or canopies, that project from the building face at least one foot at height of

between 15 and 25 feet above grade, for at least 20% of the linear frontage of all street facing facades. Future submittals need to incorporate design features that support a pedestrian experience and create visual interest at street level. The project should be designed to incorporate such features, or must seek and justify a variance to this requirement.

- 7. **Rear Yard.** Section 134 requires the project to provide a rear yard of at least 25 percent of the lot depth. Because this project is located on a through lot, one of the street frontages (Tehama Street or Howard Street) must be designated as the front of the property, and the rear yard would then be provided based on that determination. If the project does not meet the minimum standards of Section 134, then you may seek and justify an exemption under Section 309.
- 8. **Open Space Residential**. Planning Code Section 135 requires that a minimum amount of usable open space be provided for the residential portion of the project. Pursuant to Section 135, at least 36 square feet of private usable open space per dwelling unit, or 48 square feet of common usable open space per dwelling unit, must be provided. Both private and common open space must meet certain requirements for minimum dimensions, minimum area, usability, accessibility, and exposure to sunlight.

Open space has not been provided for one of the nine units, and it is unclear if several of the outdoor terraces meet the six foot minimum dimension for private open space or the 15 foot minimum dimension for common open space. Future submittals should identify and quantify all residential open spaces provided within the project. If you are unable to provide the required open space, or if the proposed open space does not meet the area requirements of Section 135, you may seek and justify a Variance from Section 135.

- 9. Privately Owned Public Open Space Required For Non-Residential Open Space. Privately-owned public open spaces (POPOS) are publicly accessible spaces in forms of plazas, terraces, atriums, and small parks that are provided and maintained by private developers. Section 138 of the Planning Code requires all new non-residential development projects in C-3 districts to provide publicly-accessible space to meet growing needs for open space. Planning Code Section 138 requires the provision of one square foot of publicly-accessible open space for each 50 square feet of commercial space. Alternatively, an in lieu-fee may be paid into the Transit Center District Open Space Fund (Planning Code Section 427(b)) to fulfill some, or all, of the open space requirement. However, given the scale of the project, the Department encourages providing a significant public space component on site. Future submittals should identify and quantify all non-residential open spaces provided within the project.
- 10. Shadow Analysis (Section 147). Section 147 requires that new buildings and additions to existing buildings in C-3-O(SD) District that exceed 50 feet shall be shaped to reduce substantial shadow impacts on public plazas and other publicly accessible spaces other than those protected under Section 295. A preliminary shadow study was conducted by Staff in conjunction with this PPA Application, and it indicated that the project will not cast a shadow on any park or open space protected under Planning Code Section 295. Department staff has prepared a shadow fan that indicates the project may cast new shadow on multiple public open spaces. Therefore, a detailed

shadow analysis would need to be prepared to determine if the project would create new shadow that results in an adverse impact to these spaces, pursuant to Section 147. If this detailed shadow analysis finds that the project would cast shadow on public open space, the sponsor should explore sculpting of portions of the project to avoid casting new shadows on the open space.

11. **Wind.** The project site is in the C-3-O(SD) District. Pursuant to Planning Code Section 148, the proposed project is subject to the following wind regulations: ground-level wind speeds shall not exceed the seating comfort criterion of 7 mph for more than 10 percent of the time year-round, shall not exceed the pedestrian comfort criterion of 11 mph for 10 percent of the time year-round, and shall not reach or exceed the wind hazard criterion of 26 mph for a single hour of the year. The Planning Commission may grant exceptions from the comfort criteria, but no exceptions from the wind hazard criterion may be granted. In order to demonstrate project compliance with the provisions of Section 148, a wind tunnel test is required.

Please retain a consultant who is familiar with San Francisco's methodology to conduct the wind tunnel test. The consultant will be required to prepare a proposed scope of work for review and approval by the assigned Environmental Planning and Current Planning staff prior to proceeding with the wind tunnel test. Please see the topic of wind under the Environmental Review section of this PPA letter for additional information.

12. **Street Frontages in Commercial Districts**. Section 145.1 requires that any proposed parking and loading entrances are no more than 1/3 the width or 20 feet, whichever is less, of any given street frontage of the new or altered structure. It is unclear if the proposed parking entrance is compliant with the code. In future submittals please include dimensions for the proposed driveway. Please also note that further changes may be requested to address design comments.

Section 145.1 also requires active uses at the ground floor. An "active use" is defined as any principal, conditional, or accessory use that by its nature does not require non-transparent walls facing a public street or involves the storage of goods or vehicles. Active uses are required within the first 25 feet of building depth at the ground floor, and at 15 feet for the floors above. The proposed mechanical equipment at the third floor is not considered an active use; however, mechanical equipment may be exempted from this requirement if the Zoning Administrator determines that the mechanical features do not detract from the quality of the ground floor space.

Controls for Ground Floor Ceiling Height and Transparency and Fenestration are also included in Section 145.1. The required ground floor ceiling height in C-3 Districts is 14 feet, measured as floor—to-floor height from grade. Frontages with active uses that are not residential or PDR must be fenestrated with transparent windows and doorways for no less than 60% of the street frontage at the ground level. There is not sufficient information to determine if the project complies with the Ground Floor Ceiling Heights or Transparency and Fenestration requirements of this Section. If the project cannot be revised to comply with any of the requirements listed above, you may seek and justify a Variance from Section 145.1.

- 13. **Bicycle Parking**. The addition of more than 20% of gross floor area to an existing building triggers the requirement for bicycle parking under Planning Code Section 155.5. Bicycle parking is required for the following uses:
 - One Class I space is required for each dwelling unit, so nine Class I spaces are required for residential use;
 - One Class I space is required for every 30 hotel rooms, one class II space is required for every 30 rooms (minimum two spaces required), plus one Class II space for every 5,000 square feet of occupied floor area of meeting rooms. There are 119 hotel rooms and 4,900 square feet of meeting space proposed, so four Class I spaces and four Class II spaces are required; and
 - One Class II space is required for every 750 square feet of occupied floor area of retail (minimum two Class II spaces required). There is approximately 5,600 total square feet of occupied floor area of restaurant space, therefore, seven Class II spaces are required.

Therefore, a total of 13 Class I spaces and 11 Class II spaces are required by the project. Bicycle Parking should be provided consistent with the standards of Section 155 and of Zoning Administrator Bulletin No. 9. The project does not currently propose any bicycle parking. Future submittals should include the required bicycle parking, or you may seek and justify a Variance from Section 155.

- 14. Showers. Section 155.4 includes requirements for shower and locker facilities, and is calculated based on the total square footage of the building after an addition, conversion, or renovation. Pursuant to Section 155.4, four showers and 24 clothes lockers are required where the occupied floor area exceeds 50,000 square feet. The proposed project retains 59,381 square feet of office use, therefore, four showers and 24 lockers are required. Future submittals should include shower and locker facilities, or you may pursue a Variance from Section 155.
- 15. Standards for Bird Safe Buildings. Planning Code Section 139 outlines bird-safe standards for new construction to reduce bird-strike mortality from circumstances that are known to pose a high risk to birds and are considered to be "bird hazards." Bird hazards include "feature-related hazards" such as free-standing glass walls, wind barriers, or balconies that have unbroken glazed segments 24 square feet in and larger in size. Any structure containing feature-related hazards shall treat 100% of the glazing on these features.

The project appears to be located within 300 feet of the future City Park on top of the Transbay Transit Center, which would qualify as an "Urban Bird Refuge" based on the TCDP FEIR. Therefore, glazing in elevation design needs to be appropriately treated to a height that is 60 feet above the surface elevation of City Park. Please review the standards and indicate the method of window treatments to comply with the requirements where applicable.

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

provide a resource for local employers seeking qualified, job ready applicants for vacant positions while helping economically disadvantaged residents who have successfully completed training programs and job-readiness classes. 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 50 Van Ness Avenue, San Francisco, CA 94102 (415) 581-2303

- 17. Stormwater. If the project results in a ground surface disturbance of 5,000 sf or greater, it is subject to San Francisco's stormwater management requirements as outlined in the Stormwater Management Ordinance and the corresponding SFPUC Stormwater Design Guidelines (Guidelines). Projects that trigger the stormwater management requirements must prepare a Stormwater Control Plan demonstrating project adherence to the performance measures outlined in the Guidelines including: (a) reduction in total volume and peak flow rate of stormwater for areas in combined sewer systems OR (b) stormwater treatment for areas in separate sewer systems. The SFPUC Wastewater Enterprise, Urban Watershed Management Program is responsible for review and approval of the Stormwater Control Plan. Without SFPUC approval of a Stormwater Control Plan, no site or building permits can be issued. The Guidelines also require a signed maintenance agreement to ensure proper care of the necessary stormwater controls. To view the Stormwater Management Ordinance, the Stormwater Design Guidelines, or download instructions for the Stormwater Control Plan, go to http://sfwater.org/sdg. Applicants may contact stormwater.org for assistance.
- 18. **Recycled Water**. Projects located in San Francisco's designated recycled water use areas are required to install recycled water systems for irrigation, cooling, and/or toilet and urinal flushing in accordance with the Recycled (or Reclaimed) Water Use Ordinance, adopted as Article 22 of the San Francisco Public Works Code. New construction or major alterations with a total cumulative area of 40,000 square feet or more; any new, modified, or existing irrigated areas of 10,000 square feet or more; and all subdivisions are required to comply. To determine if the proposed project is in a designated recycled water use area, and for more information about the recycled water requirements, please visit <a href="majorated-system-sy
- 19. Non-potable Water Reuse. Beginning November 1, 2015, all new buildings of 250,000 square feet or more of gross floor area, located within the boundaries of San Francisco's designated recycled water use area, must install non-potable water reuse systems to treat and reuse available alternate water sources for toilet and urinal flushing and irrigation. This requirement expands to the entire city the following year, on November 1, 2016. Your project will need approvals from the San Francisco Public Utilities Commission and permits from both the Department of Public Health and DBI to verify compliance with the requirements and local health and safety codes. To view more information about the requirements, please visit http://www.sfwater.org/np. Project teams may contact nonpotable@sfwater.org for assistance.

- 20. Noise Regulations Relating to Residential Uses Near Places of Entertainment (POE). New residential development within 300 feet of a Place of Entertainment must go through an Entertainment Commission outreach process (Ordinance Number 070-015). In addition, new residential development will also be required to record a Notice of Special Restrictions (NSR) on the site. The subject site is located within 300 feet of an existing POE, see enclosed map. Please note that the Planning Department will not consider an entitlement application complete until the following are completed:
 - (A) The Entertainment Commission has provided written notification to the Planning Department indicating that it either did not wish to hold a hearing, or that it held a hearing and the Project Sponsor attended; and
 - (B) The Project Sponsor has included a copy of any comments and/or recommendations provided by the Entertainment Commission regarding the proposed Project as well as the date(s) when those comments were provided. This shall be done as an additional sheet in any plan set submitted to the Planning Department and as an attachment in an entitlement application.

You may contact Entertainment Commission staff at (415) 554-6678 or visit their webpage at http://www.sfgov2.org/index.aspx?page=338 for additional information regarding the outreach process.

21. **Impact Fees**. This project will be subject to various impact fees. Please refer to the <u>Planning Director's Bulletin No. 1</u> for an overview of Development Impact Fees, and to the Department of Building Inspection's <u>Development Impact Fee webpage</u> for more information about current rates.

Based on an initial review of the proposed project, the following impact fees, which are assessed by the Planning Department, will be required:

- a. Transit Impact Development Fee (TIDF Planning Code Section 411)
- b. Jobs-Housing Linkage (Section 413)
- c. Child-Care (Section 414)
- d. Transit Center District Open Space Impact Fee (Section 424.6)
- Transit Center District Transportation and Street Improvement Impact Fee (Section 424.7)
- f. Public Art (Section 429)

PRELIMINARY DESIGN COMMENTS:

The plans that were submitted for the 48 Tehama Street project did not include the necessary level of detail required for the Urban Design Advisory Team to provide design comments, therefore no design comments are included.

PRELIMINARY PROJECT ASSESSMENT EXPIRATION:

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

later than March 4, 2017. 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:

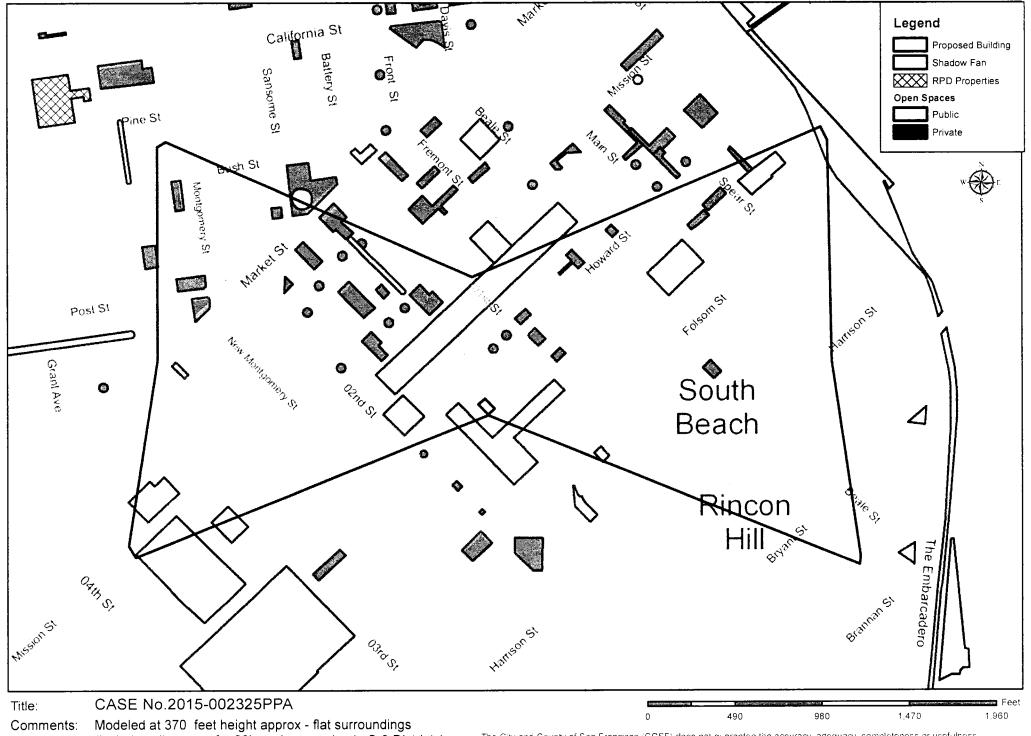
Shadow fan

Neighborhood Group Mailing List

Interdepartmental Project Review Application

cc: Erik Robbins, Property Owner
Carly Grob, Current Planning
Rachel A. Schuett, Environmental Planning
Kimia Haddadan, Citywide Planning and Analysis
Jonas Ionin, Planning Commission Secretary
Charles Rivasplata, SFMTA
Jerry Sanguinetti, Public Works
Pauline Perkins, SFPUC
June Weintraub and Jonathan Piakis, DPH

Planning Department Webmaster (webmaster.planning@sfgov.org)



(includes allowance for 20' mech screening in C-3 Districts)

Printed: 15 April, 2015

The City and County of San Francisco (CCSF) does not guarantee the accuracy, adequacy, completeness or usefulness of any information. CCSF provides this information on an "as is" basis without warranty of any kind, including but not limited to warranties of merchantability or fitness for a particular purpose, and assumes no responsibility for anyone's use of the information

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INTERDEPARTMENTAL PROJECT REVIEW

Effective: August 29, 2014

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

Reception: 415.558.6378

Fax:

415.558.6409

Planning Information: 415.558.6377

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. Projects identified as such, 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 the abovereferenced applications.

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). A representative from each of these City Agencies will attend your meeting.

Interdepartmental Project Review fees:

- 1. **\$1,308** for five or fewer residential units and all affordable housing projects.
- 2. **\$1,859** for all other projects.

To avoid delays in scheduling your meeting, provide all information requested on this form and submit your request with a check in the appropriate amount payable to the San Francisco Planning Department. Requests may be mailed or delivered to San Francisco Planning Department, 1650 Mission Street, Suite 400, San Francisco, CA 94103-2414. Those wishing more specific or more detailed information may contact the Project Review Meeting Coordinator at (415) 575-9091.

Please note: All returned checks are subject to a \$50.00 bank fee.

Interdepartmental Project Reviews are scheduled no sooner than two (2) weeks from the receipt of the request form and check.

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Submittal requirements:

Please submit four (4) copies/sets of all information for distribution to each department/agency.

All projects subject to the **mandatory** Interdepartmental Project Review shall be required to submit the following minimum information in addition to their request form:

- 1. Site Survey with topography lines;
- 2. Floor Plans with occupancy and/or use labeled of existing and proposed;
- 3. Existing and proposed elevations;
- 4. Roof Plan; and
- 5. Pictures of the subject property and street frontages.

Planned unit developments or projects with an acre or more of land area shall be required to submit the following additional information:

- 1. Existing and proposed street names and widths;
- 2. Location of any existing train tracks; and
- 3. Location of any existing and proposed easements.

In order for the Interdepartmental Project Review to be most effective and beneficial to you, it is strongly recommended that any issues, concerns and/or specific questions are submitted with this request directed to each discipline.

ROJECT CONTACT:			
Name		Phone No. ()
Address			
City		Zip Code	
FAX No. ()	E-Mail	Address	
Name of Property Owner			
DROJECT INFORMATION			
PROJECT INFORMATION:			
Now many units does the sub		····	
Assessor's Block/Lot(s)			
Height and Bulk Districts		-	
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		Proposed	Net Change
Land Use Type		Proposed	Net Change
Land Use Type Number of Dwelling Units		Proposed	Net Change
Land Use Type Number of Dwelling Units Commercial Square Footage: Retail		Proposed	Net Change
Land Use Type Number of Dwelling Units Commercial Square Footage:		Proposed	Net Change
Land Use Type Number of Dwelling Units Commercial Square Footage: Retail Office		Proposed	Net Change
Land Use Type Number of Dwelling Units Commercial Square Footage: Retail Office Number of Hotel Rooms		Proposed	Net Change
Land Use Type Number of Dwelling Units Commercial Square Footage: Retail Office Number of Hotel Rooms Industrial Square Footage		Proposed	Net Change

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