



SAN FRANCISCO PLANNING DEPARTMENT

MEMO

DATE: August 28, 2015
TO: Cara Houser, Panoramic Interests
FROM: Devyani Jain, Planning Department
RE: PPA Case No. 2015-004109PPA for 333 12th Street Project

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

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415.558.6378

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415.558.6377

Please find the attached Preliminary Project Assessment (PPA) for the address listed above. You may contact the staff contact, Susan Mickelsen, at (415) 575-9039 or susan.mickelsen@sfgov.org, to answer any questions you may have, or to schedule a follow-up meeting.

A handwritten signature in black ink, appearing to be "Devyani Jain", written over a horizontal line.

Devyani Jain, Senior Planner



SAN FRANCISCO PLANNING DEPARTMENT

Preliminary Project Assessment

Date: August 25, 2015
Case No.: **2015-004109PPA**
Project Address: 333 12th Street
Block/Lot: 3521/022 and 055
Zoning: WMUG (Western SoMa Mixed Use General) Zoning District
55/65-X Height and Bulk District
Area Plan: Western SoMa Area Plan
Project Sponsor: Cara Houser, Panoramic Interests
510-883-1000
Staff Contact: Susan Mickelsen – 415-575-9039
susan.mickelsen@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 revised PPA application submitted on May 19, 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 project site is located on the east side of 12th Street between Folsom and Harrison Streets, and consists of two parcels with a total area of approximately 29,946 square feet (sf); the parcels are developed with a 21,630-sf industrial building constructed in 1950 and an adjacent 6,847-sf parking lot.¹ Both lots have

¹ The lot and building areas are based on public records available through the Planning Department's Property Information Map, available online at <http://ec2-50-17-237-182.compute-1.amazonaws.com/PIM/?dept=planning>.

frontage on 12th and Norfolk Streets. The proposed project would demolish the existing building and parking lot and construct two, five-story-over-basement, 55-foot-tall, residential buildings. The proposed new buildings would include 182 dwelling units, 182 Class 1 bicycle parking spaces, and two car-share parking spaces. No other vehicle parking would be provided. As part of the project, the Project Sponsor would seek lot line adjustment of the two existing parcels to create three parcels: "Lot A" (14,006 sf), "Lot B" (12,137 sf), and "Lot C" (3,281 sf). The proposed Lots A and B would be developed, while Lot C would not be included in the project. Private and shared open space would be provided through a mix of individual patios and an open rear yard below the existing grade (at the floor level of the proposed basement apartments). The project would require excavation of the entire project site to a depth of 8-to-12-feet for the basement level, elevator pits, and below-grade rear yard.

The primary pedestrian access points would be on 12th Street and on Norfolk Street; the buildings would have separate entrance lobbies. Access to the car-share parking spaces would be provided from both 12th and Norfolk Streets, with a new curb cut and a single garage space on each side of the project site. Bicycle parking would be located at the basement level in both buildings, with access via elevators from the entrance lobbies.

The proposal described above is referred to as the "Base Project" in the PPA application dated May 19, 2015. As stated in the PPA Application, the Project Sponsor intends to request approval of a higher-density rental housing project (the "Bonus Project") under the State's Density Bonus law (California Government Code Sections 65915-65918). Please note that this PPA letter addresses only the "Base Project" which, as described in the PPA application, is not fully code-compliant (see Preliminary Project Comments section, below), notably for exposure, open space and mid-block alley requirements. The Department will comment on the "Bonus Project" upon receipt of "Base Project" proposal which complies with all applicable sections of the Planning Code. As such, for the remainder of this letter, the terms "project" or "proposed project" refer only to the "Base Project."

BACKGROUND:

The proposed project is located within the Western SoMa Community Plan, which was evaluated in the *Western SoMa Community Plan, Rezoning of Adjacent Parcels, and 350 8th Street Project Environmental Impact Report (Western SoMa PEIR)*, certified in 2012.² The Western SoMa Plan and its associated rezoning became effective April 27, 2013.

ENVIRONMENTAL REVIEW:

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.

² Available for review on the Planning Department's Area Plan EIRs web page: <http://www.sf-planning.org/index.aspx?page=1893>.

As discussed above, the proposed project is located within the Western SoMa Community Plan, which was evaluated in the *Western SoMa PEIR*. If the proposed project is determined to be consistent with the development density identified in the area plan, it may 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 *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 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 \$13,659) 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 *Western SoMa PEIR*, 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 *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 \$13,659) 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 *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 \$13,659); (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.³

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

1. **Historic Resources.** The existing building on the project site was previously evaluated in a historical resources survey and found ineligible for national, state, or local listing. Thus, the proposed project is not subject to review by the Department’s Historic Preservation staff; no additional analysis of historic architectural resources is required.
2. **Archeological Resources.** Project implementation would include soil-disturbing activities associated with building construction, including excavation to a depth of approximately 12 feet below grade for construction of the basement-level residential units and rear yard. The project site is located within an area where no previous archeological survey has been prepared. The *Western SoMa PEIR* noted that California Register of Historical Resources (CRHR)-eligible archeological resources are expected to be present within existing sub-grade soils of the Plan Area and the proposed land use policies and controls within the Plan Area could adversely affect significant archeological resources.

Because of the depth of excavation, *Western SoMa PEIR Archeological Mitigation Measure M-CP-4a: Project-Specific Preliminary Archeological Assessment* and *M-CP-4b: Procedures for Accidental Discovery of Archeological Resources* would be applicable to the proposed project. *Mitigation Measure M-CP-4a* requires that a Preliminary Archeology Review (PAR) be prepared by the Planning Department archeologist. Based on the PAR, the Environmental Review Officer (ERO) would determine if an Archeological Research Design/Treatment Plan (ARDTP) is required to more definitively identify the potential for CRHR-eligible archeological resources to be present within the project site and to determine the appropriate action necessary to reduce the potential effects of the project on archeological resources to a less-than-significant level. If an ARDTP is required, the scope of the ARDTP will be determined in consultation with the ERO. The Planning Department archeologist will be informed by the geotechnical study of the project site’s subsurface geological conditions. (See “Geotechnical Study” below.) *Mitigation Measure M-CP-4b* outlines procedures for ensuring that appropriate actions are taken in the event that an accidental discovery of archeological resources occurs during the construction of the project.

3. **Transportation.** Based on the Planning Department’s Transportation Impact Analysis Guidelines for Environmental Review,⁴ 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 Transportation Impact Study (TIS). You are required to pay additional fees for the study; please

³ San Francisco Planning Department. *Schedule for Application Fees*. Available online at: <http://www.sf-planning.org/Modules/ShowDocument.aspx?documentid=513>.

⁴ This document is available at: <http://www.sf-planning.org/index.aspx?page=1886>.

contact Vernaliza 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 study.

Planning staff have reviewed the proposed site plans and offer the following recommendations, some of which address the safety of persons walking and bicycling to and from the project site and vicinity:

- Provide more detailed plans for configuration of the bicycle parking.
- Show locations and dimensions (width in feet) of the proposed curb cuts.
- Based on the proposed residential square footage and number of units, it appears that one off-street loading space is required. Please show how this would be accommodated.
- The TIS should focus on transit, bicycle, pedestrian, and loading issues. Coordinate with the 1532 Harrison Street Project Sponsor and transportation consultants regarding common study intersections and existing conditions.
- Planning staff will conduct a site visit to examine roadway and pedestrian conditions.

Please provide the requested information as a supplement to the EEA submitted with the PPA application.

4. **Noise.** The *Western SoMa PEIR* identified mitigation measures to reduce potential conflicts between existing noise-generating uses and new sensitive receptors, such as residential uses. *Western SoMa PEIR Noise Mitigation Measure M-NO-1b: Siting of Noise-Sensitive Uses* would apply to the proposed project because the project proposes residential uses. *Mitigation Measure M-NO-1b* requires that a noise analysis be prepared for new development including a noise-sensitive use, prior to the first project approval action. The analysis must 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. At least one 24-hour noise measurement (with maximum noise level readings taken at least every 15 minutes) must be included in the analysis. The analysis must be prepared by person(s) qualified in acoustical analysis and/or engineering and must demonstrate with reasonable certainty that Title 24 of the California Code of Regulations standards, where applicable, can be met, and that there are no particular circumstances about the project site that appear to warrant heightened concern about noise levels in the vicinity. Should such concerns be present, the Planning Department may 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.

Western SoMa PEIR Noise Mitigation Measure NO-1d: Open Space in Noisy Environments would also apply to the proposed project as it includes noise-sensitive uses. This mitigation measure 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: (1) site design that uses the building itself to shield on-site open space from the greatest noise sources, (2) construction of noise barriers between noise sources and open space and (3) appropriate use of both common and private open space in multi-family dwellings. Implementation would also be undertaken consistent with other principles of urban design.

Western SoMa PEIR Noise Mitigation Measure M-NO-1a: Interior Noise Levels for Residential Uses would not apply to the proposed project because the project would be subject to Title 24 standards. In addition, *Western SoMa PEIR Noise Mitigation Measure M-NO-1c: Siting of Noise-Generating Uses* would not apply to the proposed project because the project would not include commercial, industrial, or other uses that would be expected to generate noise levels in excess of ambient noise, either short term, at nighttime, or as a 24-hour average, in the project site vicinity.

Construction of the proposed project would generate noise. While construction noise is temporary in nature and regulated by the San Francisco Noise Ordinance, the *Western SoMa PEIR* evaluated construction noise impacts that would result from implementation of the Community Plan and identified mitigation measures that, when implemented, would reduce these impacts to a less-than-significant level. *Mitigation Measure M-NO-2a: General Construction Noise Control Measures* would apply to the proposed project; this measure includes best practices for construction work, such as state-of-the-art noise shielding and muffling devices and the use of electrically- or hydraulically-powered construction equipment, to minimize construction noise levels.

5. **Air Quality.** The proposed project, with 182 dwelling units, is below the Bay Area Air Quality Management District's (BAAQMD) construction and operation screening levels for criteria air pollutants.⁵ However, detailed information related to the volume of excavation will be required in order to complete the environmental analysis. Please provide this information as a supplement to the EEA. Note that the potential Bonus Project could exceed the construction screening threshold of 240 units; in that case, additional requirements would apply, including an analysis of the project's criteria air pollutant emissions, and detailed information related to construction equipment, phasing and duration of each phase, and volume of excavation would be required to be submitted to the environmental case coordinator. *Western SoMa PEIR Mitigation Measure M-AQ-6: Construction Emissions Minimization Plan for Criteria Air Pollutants*, which requires equipment exhaust minimization measures during construction, may also apply to the proposed project.

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 will 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 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

⁵ BAAQMD, *CEQA Air Quality Guidelines*, May 2011, Chapter 3.

EEA.⁶ In addition, equipment exhaust measures during construction, such as those listed in *Western SoMa PEIR Mitigation Measure M-AQ-7: Construction Emissions Minimization Plan for Health Risks and Hazards*, will likely be required.

If the project would generate new sources of toxic air contaminants including, but not limited to, emissions from 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 and additional measures will likely be required to reduce stationary source emissions. Based on the information in the PPA application, the proposed project likely would not require a backup diesel generator due to the proposed height of 55 feet, but this will be confirmed prior to commencement of the environmental analysis.

6. **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.⁷ 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.
7. **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 would not cast shadows on property subject to Section 295 or on other public or private open space, and no further shadow study would be required.
8. **Biological Resources.** The proposed project would include demolition of buildings, and may therefore be required to comply with *Western SoMa Mitigation Measure M-BI-1a: Pre-Construction Special Status Bird Surveys*. This measure requires pre-construction special-status bird surveys during certain time periods when birds are likely to be nesting and includes restrictions on construction during the breeding period.
9. **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.⁸ A geotechnical study prepared by a qualified consultant must also be submitted; the study should address whether the site is subject to liquefaction, and should

⁶ Refer to <http://www.sfdph.org/dph/eh/Air/default.asp> for more information.

⁷ Refer to <http://sf-planning.org/index.aspx?page=1886> for latest "Greenhouse Gas Compliance Checklist for Private Development Projects."

⁸ San Francisco Planning Department. *Interdepartmental Project Review*. Available online at: <http://www.sf-planning.org/Modules/ShowDocument.aspx?documentid=522>.

provide recommendations for any geotechnical concerns identified in the study. In general, compliance with the building codes would avoid the potential for significant impacts related to structural damage, ground subsidence, liquefaction, landslides, and surface settlement. 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.

- 10. Hazardous Materials.** The proposed project would include excavation and below-grade construction on a site with previous light industrial uses and underlain by artificial fill, and which is included on a map of sites with known or suspected soil and/or groundwater contamination maintained under Article 22A of the Health Code, also known as the Maher Ordinance. Therefore, the project is subject to the Maher Ordinance, which is administered and overseen by the Department of Public Health (DPH). This ordinance 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 as a supplement to the EEA. Compliance with Health Code Article 22A would meet the requirements of *Western SoMa PEIR Hazardous Materials Mitigation Measure M-HZ-3: Site Assessment and Corrective Action*.

Western SoMa PEIR Hazardous Materials Mitigation Measure M-HZ-2: Hazardous Building Materials Abatement 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. 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.

11. **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. The required *Tree Planting and Protection Checklist* was submitted with the EEA. Also see the comments below under “Street Trees.”
12. **Disclosure Report for Developers of Major City Projects.** The San Francisco Ethics Commission S.F. Camp. & Govt. Conduct Code § 3.520 et seq. 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 an EIR; adoption of a 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 occurs, 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. A **Large Project Authorization** from the Planning Commission is required per Planning Code Section 329 for the new construction of a building greater than 25,000 gross square feet. Under the Large Project Authorization, modifications to the Planning Code requirements for dwelling unit exposure (Planning Code Section 140) and open space (Planning Code Section 135 and 823(c)(2)) would be required.
2. A **Building Permit Application** is required for the demolition of the existing building on the subject property.
3. A **Building Permit Application** is required for the proposed new construction on the subject property.

All applications are available in the Planning Department lobby at 1650 Mission Street, Suite 400, at the Planning Information Center at 1660 Mission Street, and online at www.sfplanning.org. 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.

This project is required to conduct a **Pre-Application Meeting** with surrounding neighbors and registered neighborhood groups before a development application may be filed with the Planning Department. The Pre-Application packet, which includes instructions and template forms, is available at www.sfplanning.org under the "Permits & Zoning" tab. All registered neighborhood group mailing lists are available online at www.sfplanning.org under the "Resource Center" tab.

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:

Western SOMA Area Plan. The subject property falls within the area covered by the Western SOMA Area Plan in the General Plan. As proposed, the project is generally consistent with the overarching objectives of the Plan, though the project and design comments below discuss any items where more information is needed to assess conformity with either specific policies or Code standards or where the project requires minor modification to achieve consistency.

The project sponsor is encouraged to read the full plan, which can be viewed at:
http://www.sf-planning.org/ftp/general_plan/Western_SoMa_Area_Plan.pdf.

The following comments address specific Planning Code and other general issues that may substantially impact the proposed project. These comments only address the "Base Project."

1. **Architectural Drawings/Unit Layout.** The Base Project did not include architectural sections, elevations or unit layouts, which match the floor plans. Currently, the unit layout expresses a bay window, which is not currently shown in the Base Project floor plans. Further, the unit layouts also incorrectly exempt the area dedicated to a built-in window seat within the bay window from the calculation of gross floor area. Gross floor area includes the interior space within the bay window, per Planning Code Section 102. To ensure an appropriate review under the Planning Code, please provide updated architectural section, elevations and unit layout. The proposed drawings should comply with the Department's Plan Submittal Guidelines, which are available for download from the Department's website.

2. **Dwelling Unit Size.** The Department has concerns that the small size of the 2-bedroom units proposed meets the letter, but not the intent, of the Plan's 40% 2-bedroom requirement, which aims for a mix of unit sizes in new housing units, to provide housing opportunities for a variety of household types. See the following relevant objectives and policies from the Area Plan:

OBJECTIVE 3.5 ENSURE THAT NEW RESIDENTIAL DEVELOPMENTS SATISFY AN ARRAY OF HOUSING NEEDS WITH RESPECT TO TENURE, UNIT MIX AND COMMUNITY SERVICES.

POLICY 3.5.7 In areas where new zoning provides opportunities for a significant increase in housing production, strongly encourage ten (10) percent of all below market rate units have three or more-bedrooms to ensure affordable family units.

As well as Section 207.6 of the Planning Code, which states:

"...to ensure an adequate supply of family-sized units in existing and new housing stock, new residential construction must include a minimum percentage of units of at least 2 bedrooms."

3. **Interdepartmental Project Review.** This review is required for all proposed new construction in seismic hazard and liquefaction zones. An application may be downloaded from the Department's website.
4. **Large Project Authorization:** Planning Code Section 329 outlines the requirements for a Large Project Authorization in Eastern Neighborhoods Mixed Use Zoning Districts. Under these requirements, a Large Project Authorization is required of new construction of more than 25,000 gross square feet. All large projects within the WMUG Zoning District are subject to review by the Planning Commission in an effort to achieve the objectives and policies of the General Plan, the applicable Design Guidelines and the Planning Code.

As determined by the Planning Commission, the Base Project requires the following exceptions through the Large Project Authorization process:

- **Open Space (Western SoMa).** Planning Code Section 135(d)(2) allows for a reduction in the open space requirement for dwelling units, which measure less than 350 square feet plus a bathroom. However, Planning Code Section 823(c)(2) requires 80 square feet per dwelling unit of useable open space within the Western SoMa Special Use District regardless of whether the open space is privately or publically accessible. Therefore, the project is required to provide 14,560 square feet of useable open space for the 182 dwelling units. Currently, the project only provides 9,355 square feet of open space. For the Base Project to proceed, a modification of the open space requirement would be required under the Large Project Authorization process. If the project is granted an exception to the amount of required open space, the project will be required to pay an in-lieu fee for the open space not provided on-site, per Planning Code Section 427.
- **Exposure.** Planning Code Section 140 requires that each dwelling unit have at least one room that meets the 120-square-foot minimum superficial floor area requirement of Section 503 of the Housing Code face directly on a street, right-of-way, code-complying rear yard, or an appropriately sized courtyard. Currently, the project proposed includes below-grade dwelling units along Norfolk Street, which face onto a sunken courtyard measuring 10-feet. Per Planning Code Section 140, the open space, street or alley must be unobstructed. Therefore, the proposed

project requires revision to meet the minimum exposure requirements, or the Project Sponsor may request and justify an exposure exception through the Large Project Authorization process. The Department generally encourages projects to minimize the number of units needing an exposure exception.

5. **Rear Yard.** Planning Code Section 134 requires a rear yard of at least 25 percent of the lot depth. Currently, the two new buildings possess a rear yard, which is equivalent to 25 percent (or more) of the lot depth; therefore, the project meets this requirement.
6. **Permitted Obstructions Over the Street:** Planning Code Section 136 outlines the requirements for permitted obstructions over streets, setbacks, rear yards, and useable open space. Currently, additional project information is required to ascertain if the proposed bay windows over the required rear yard meet the dimensional requirements specified in Planning Code Section 136.
7. **Streetscape Plan.** The project is located on a lot that is greater than one half acre and proposes new construction, and as such, requires the submittal of a Streetscape Plan to the Planning Department to ensure that the new streetscape and pedestrian elements are in conformance with the Department's Better Street Plan. This Streetscape Plan shall be submitted to the Planning Department no later than 60 days prior to any Planning Commission action, and shall be considered for approval at the time of other project approval actions. The streetscape plan should show the location, design, and dimensions of all existing and proposed streetscape elements in the public right-of-way directly adjacent to the fronting property, including street trees, sidewalk landscaping, street lighting, site furnishings, utilities, driveways, and curb lines, and the relation of such elements to proposed new construction and site work on the property. Please see the Department's Better Streets Plan and Section 138.1(c)(2)(ii) for the additional elements that may be required as part of the project's streetscape plan.
8. **Bird-Safe Building Ordinance.** The proposed project would be subject to Planning Code Section 139, Standards for Bird-Safe Buildings, which addresses Location-Related Standards and Feature-Related Standards.⁹ The project's environmental evaluation would generally discuss how the implementation of bird-safe design standards would reduce potential adverse effects on birds due to the lighting, glazing, balconies, and so forth.
9. **Vision Zero.** The project is located on a "high-injury corridor", identified through the City's Vision Zero Program. The Sponsor is encouraged to incorporate pedestrian safety streetscape measures into the project. If the project is required to submit a streetscape plan per Section 138.1, the Department's Streetscape Design Advisory Team may require additional pedestrian safety streetscape measures.
10. **Narrow Street Height Provisions:** For projects within the WMUG Zoning District along a Narrow Street (a public right of way less than or equal to 40 feet in width, or any mid-block passage or alley that is less than 40 feet in width), Planning Code Section 261.1 specifies that all subject frontages shall have upper stories set back at least 10 feet at the property line above a height equivalent to 1.25 times

⁹ San Francisco Planning Department. *Standards for Bird-Safe Buildings*. Available online at: <http://www.sfplanning.org/index.aspx?page=2506>

the width of the abutting narrow street. No part or feature of a building may penetrate the required setback plane. Norfolk Street is considered narrow street, since it measures 25-ft wide. The project appears to provide a setback at the appropriate height; however, detailed sections and elevations are required to confirm the project's compliance with this requirement.

11. **Shadow Analysis (Section 295).** Planning Code 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 preliminary shadow fan that indicates the project will not cast new shadow on any property owned or operated by the Recreation and Park Commission.
12. **Shadow Analysis (Section 147).** Planning Code Section 147 requires that new buildings and additions to existing buildings in C-3, South of Market Mixed Use, and Eastern Neighborhoods Mixed Use Districts 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.
13. **Bicycle Parking.** Planning Code Section 155.5 requires this project to provide at least 121 Class 1 bicycle parking spaces and 9 Class 2 bicycle parking spaces. The proposed project contains 182 Class 1 bicycle parking spaces and 9 Class 2 bicycle parking spaces; therefore, the project meets this requirement.
14. **Car-Share.** Planning Code Section 166 requires this project to provide at least two car-share spaces. The proposed project contains two car share spaces; therefore, the project meets this requirement.
15. **Dwelling Unit Mix:** Planning Code Section 207.6 outlines the requirements for minimum dwelling unit mix for new residential properties within the WMUG Zoning District. The project must provide either: no less than 40 percent of the total number of proposed dwelling units as at least two bedroom units; or no less than 30 percent of the total number of proposed dwelling units as at least three bedroom units. Currently, the project provides 73 two-bedroom dwelling units, which is 40 percent of the total number of proposed dwelling units. However, the Department questions the livability and the size of the proposed two-bedroom dwelling units (See Above).
16. **Inclusionary Affordable Housing.** Inclusionary Affordable Housing is required for a project proposing ten or more dwelling units. The Project Sponsor must submit an 'Affidavit of Compliance with the Inclusionary Affordable Housing Program: Planning Code Section 415,' to the Planning Department identifying the method of compliance, on-site, off-site, or affordable housing fee. Any on-site affordable dwelling-units proposed as part of the project must be designated as owner-occupied units, not rental units; unless a Costa Hawkins agreement is possible. Affordable units designated as on-site units shall be sold as ownership units and will remain as ownership units for the life of the project. The minimum Affordable Housing Percentages are 20% affordable housing fee, 12% on-site, or 20% off-site. Therefore, as proposed, the project would have a minimum requirement of 22 units if provided on-site, and 36 units if provided off-site.

For your information, if a project proposes rental units, it may be eligible for an On-site Alternative to the Affordable Housing Fee if it has demonstrated to the Planning Department that the affordable units are either: 1) ownership only or 2) not subject to the Costa Hawkins Rental Housing Act (a Costa Hawkins exception). Affordable units are not subject to the Costa Hawkins Rental Housing Act under the exception provided in Civil Code Sections 1954.50 through one of the following methods:

- direct financial construction from a public entity
- development bonus or other form of public assistance

A Costa Hawkins exception agreement is drafted by the City Attorney. You must state in your submittal how the project qualifies for a Costa Hawkins exception. The request should be addressed to the Director of Current Planning. If the project is deemed eligible, we may start working with the City Attorney on the agreement.

As noted above, the Department requires clarification of the project's compliance with the Inclusionary Affordable Housing requirements given the replacement of the Protected SRO units and the construction of new on-site affordable housing units.

17. **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
50 Van Ness Avenue, San Francisco, CA 94102
(415) 581-2303

18. **Flood Notification.** The project site is in a block that has the potential to flood during storms. The SFPUC will review the permit application to comment on the proposed application and the potential for flooding during wet weather. Applicants for building permits for either new construction, change of use, or change of occupancy, or for major alterations or enlargements must contact the SFPUC at the beginning of the process to determine whether the project would result in ground-level flooding during storms. Requirements may include provision of measures to ensure positive sewage flow, raised elevation of entryways, and/or special sidewalk construction and the provision of deep gutters. The side sewer connection permits for such projects need to be reviewed and approved by the SFPUC at the beginning of the review process for all permit applications submitted to the Planning Department, DBI, or the Successor Agency to the San Francisco Redevelopment Agency. For information required for the review of projects in flood-prone areas, the permit applicant shall refer to Bulletin No. 4: http://www.sf-planning.org/ftp/files/publications_reports/DB_04_Flood_Zones.pdf.

19. **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 stormwaterreview@sfwater.org for assistance.

20. **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 sfwater.org/index.aspx?page=687.

21. **Impact Fees.** This project will be subject to various impact fees. Please refer to the [Planning Director's Bulletin No. 1](#) for an overview of Development Impact Fees, and to the Department of Building Inspection's [Development Impact Fee Webpage](#) 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. Eastern Neighborhoods Impact Fees (423)
- b. Payment in cases of Variance or Exception for Required Open Space (427)

PRELIMINARY DESIGN COMMENTS:

The project is located the Western SoMa Special Use District. The area is a mix of land uses, primarily two- to four- stories in building heights and industrial in character. Nearby buildings are predominantly masonry in character with punched openings. The following comments address preliminary design issues that may affect the proposed project:

1. **Open Space and Massing.** The base project proposes a building with a street frontage greater than 200-feet. The Planning Department recommends complying with the intent of the mid-block alley requirement along Norfolk Street and providing a connection through to 12th Street. Additionally, the Planning Department recommends modifying the design to provide a massing break per Planning Section 270.1 to provide greater variety of architectural character along the long facade.
2. **Street Frontage.** As proposed the garden units are below grade and do not comply with exposure requirements under Planning Code Section 140. The Planning Department support for below grade units would hinge on compliance with exposure requirements and a design that results in a usable, high-quality landscaped open space with significant spatial and visual connection to the public realm. There should not be units overhanging above open space. Please continue to work with Planning Design Review staff to develop high-quality, code compliant, below grade residential units.

Additionally, per Planning Code Section 138.1, the Department will require standard streetscape elements and sidewalk widening for the appropriate street type per the Better Streets Plan, including landscaping, site furnishings, and/or corner curb extensions (bulb-outs) at intersections (see Better Streets Plan Section 4 for Standard Improvements and Section 5.3 for bulb-out guidelines). The Project Sponsor is required to submit a Streetscape Plan illustrating these features, and the department will work with the Project Sponsor and other relevant departments to determine an appropriate streetscape design. Standard street improvements would be part of basic project approvals and would not be credited as in-kind contributions.

3. **Architecture.** The Planning Department supports the architecture as proposed including the dynamic nature of the sun shades presuming they are code compliant. The Planning Department also requests significant depth in the façade, in particular where the fenestration is located.

PRELIMINARY PROJECT ASSESSMENT EXPIRATION:

This Preliminary Project Assessment is valid for a period of **18 months**. An Environmental Evaluation, Large Project Authorization or Building Permit Application, as listed above, must be submitted no later than **February 25, 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: Neighborhood Group Mailing List

cc: Cara Houser, Panoramic Interests, Project Contact
Rich Sucre, Current Planning
Paolo Ikezoe, Citywide Planning and Analysis
Maia Small, Design Review
Jonas Ionin, Planning Commission Secretary
Charles Rivasplata, SFMTA
Jerry Sanguinetti, Public Works
Pauline Perkins, SFPUC
June Weintraub and Jonathan Piakis, DPH
Planning Department Webmaster (planning.webmaster@sfgov.org)