

# SAN FRANCISCO PLANNING DEPARTMENT

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DATE:	February 1, 2016
TO:	Larry Badiner, Badiner Urban Planning, Inc.
FROM:	Lisa Gibson, Planning Department
RE:	PPA Case No. 2015.012994PP for 200-214 Van Ness Avenue

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

Lisa Gibson, Senior Planner

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# SAN FRANCISCO PLANNING DEPARTMENT

# **Preliminary Project Assessment**

Date:	February 1, 2016
Case No.:	2015.012994PPA
Project Address:	200-214 Van Ness Avenue
Block/Lot:	0811/010, 012
Zoning:	C-3-G (Downtown General) Use District
	96-X Height and Bulk District
Project Sponsor:	Lawrence Badiner, Badiner Urban Planning, Inc.
	415-865-9985
Staff Contact:	Chelsea Fordham – 415-575-9071
	Chelsea.Fordham@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 submitted on September 24, 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 would demolish two existing structures (one 27-unit residential apartment building and one office building) totaling 30,000 square feet and construct a new 12-story, 150-foot-tall, 155,000 square-foot (sf) mixed-use building for the San Francisco Conservatory of Music. The existing office building is currently occupied by Light House for the Blind. The proposed mixed-use building would contain student housing, performance/rehearsal space, retail/restaurant, and replacement housing for the 27 units that would be demolished to construct the proposed project. The student housing component of

the project would include 144 separate units with the capacity for up to 320 student housing beds provided in a dwelling unit mix of three-bedroom, two-bedroom, and studio units. The proposed building would also contain accessory uses for the student housing including rehearsal space, cafeteria, and classrooms. The ground-floor would also include 2,160 sf of restaurant space. The proposed building would be 12 stories and 150 feet-tall. The project sponsor has also indicated that there would be a performance space located on the 12th floor; however, this information was not provided on the plan set or the PPA application.

The proposed project would not contain any off-street parking or loading facilities. The proposed building would include 148 Class 1 bicycle parking spaces and 12 Class 2 bicycle parking spaces. The 13,000 square-foot (sf) project site is located on Van Ness Avenue a block bounded by Hayes Street, Lech Walesa, and Polk Street. The project site is located within a 96-X height and bulk district and a C-3-G (Downtown General) zoning district.

### ENVIRONMENTAL REVIEW:

The proposed project requires environmental review either individually, with a project-specific initial study/mitigated negative declaration or environmental impact report (EIR). In compliance with the California Environmental Quality Act (CEQA), the environmental review process must be completed before any project approval may be granted. This review may be done in conjunction with the required approvals listed below. In order to begin formal environmental review, please submit an **Environmental Evaluation Application (EEA)** for the full scope of the project. 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 <u>www.sfplanning.org</u> under the "Publications" tab. See "Environmental Applications" on page 2 of the current Fee Schedule for calculation of environmental application fees.<sup>1</sup> 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.

If it is determined that the project could result in a significant impact, an initial study would be prepared. The initial study may be prepared either by an environmental consultant from the Department's environmental consultant pool or by Department staff. Should you choose to have the initial study prepared by an environmental consultant, contact Devyani Jain at (415) 575-9051 for a list of three eligible consultants. If the initial study finds that the project would have a significant impact that could be reduced to a less-than-significant level by mitigation measures agreed to by the project sponsor, then the Department would issue a preliminary mitigated negative declaration (PMND). The PMND would be circulated for public review, during which time concerned parties may comment on and/or appeal the determination. If no appeal is filed, the Planning Department would issue a final mitigated negative declaration (FMND). Additional information regarding the environmental review process can be found at: http://www.sf-planning.org/modules/showdocument.aspx?documentid=8631.

If the initial study indicates that the project would result in a significant impact that cannot be mitigated to below a significant level, an EIR will be required. An EIR must be prepared by an environmental consultant from the Planning Department's environmental consultant pool

<sup>&</sup>lt;sup>1</sup> San Francisco Planning Department. *Schedule for Application Fees*. Available online at: <u>http://www.sf-planning.org/Modules/ShowDocument.aspx?documentid=513</u>

(<u>http://www.sfplanning.org/ftp/files/MEA/Environmental\_consultant\_pool.pdf</u>). The Planning Department will provide more detail to the project sponsor regarding the EIR process should this level of environmental review be required.

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.

- 1. 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 <u>HRE@sfgov.org</u> 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 EEA 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.
- 2. Archeological Resources. The proposed project will require Preliminary Archeological Review (PAR) by a Planning Department archeologist. To aid this review the Department archeologist may request a Preliminary Archeological Sensitivity Assessment (PASS) by a Department Qualified Archeological Consultant, subject to the review and approval by the Department archeologist. The Department archeologist will provide three names from the Qualified Archeological Consultant list if the PASS is required. The PAR will assess the archeological sensitivity of the project site based on in-house source material and will consider the potential for archeological impacts resulting from proposed soils disturbance. 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. If the Department archeologist determines that the project has a potential to adversely affect archeological resources, the PAR will identify additional measures needed to address the potential effect. These measures may include preparation of an archeological research design and treatment plan, implementation of one of the Planning Department's three standard archeological mitigation measures (archeological testing, monitoring, or accidental discovery), or other appropriate measures.
- 3. **Tribal Cultural Resources.** Tribal cultural resources (TCRs) are a class of resource established under the California Environmental Quality Act (CEQA) in 2015. TCRs are defined as a site, feature, place, cultural landscape, sacred place or object with cultural value to a California Native American tribe, that is either included on or eligible for inclusion in the California Register of Historical Resources or a local historic register, or is a resource that the lead agency, at its discretion and supported by

substantial evidence, determines is a TCR. Planning Department staff will review the proposed project to determine if it may cause an adverse effect to a TCR; this will occur in tandem with preliminary archeological review. No additional information is needed from the project sponsor at this time. Consultation with California Native American tribes regarding TCRs may be required at the request of the tribes. If staff determines that the proposed project may have a potential significant adverse impact on a TCR, mitigation measures will be identified and required. Mitigation measures may include avoidance, protection, or preservation of the TCR and development of interpretation and public education and artistic programs.

4. Transportation. Based on the Planning Department's Transportation Impact Analysis Guidelines for Environmental Review,<sup>2</sup> 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 Technical 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. The scope of the Transportation Technical Memorandum should consider the project's consistency with the proposed Van Ness BRT.

Additionally, the proposed project is located on a high injury corridor as mapped by Vision Zero.<sup>3</sup> 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:

- The Planning Department would like to receive a more detailed narrative on the proposed events at the site (i.e., size of events, number per year, location, etc.).
- The site plans need to clearly show the sidewalk dimensions, location of bicycle parking, and any proposed loading zone locations.
- 5. Noise. Based on the General Plan's Background Noise Levels map, the project site is located along a segment of Van Ness Avenue with noise levels above 75 dBA Ldn (a day-night averaged sound level). Therefore, an acoustical analysis is required for the proposed new residential development. The acoustical analysis must demonstrate with reasonable certainty that the California Noise Insulation Standards in Title 24 of the California Code of Regulations can be met. Should such concerns be present, the 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, in order to demonstrate that acceptable interior noise levels consistent with those in the Title 24 standards can be attained.

Additionally, the Planning Department requires that residential open space required under the Planning Code be protected, to the maximum feasible extent, from existing ambient noise levels that

<sup>&</sup>lt;sup>2</sup> This document is available at: <u>http://www.sf-planning.org/index.aspx?page=1886</u>.

<sup>&</sup>lt;sup>3</sup> This document is available at: <u>http://www.sfmta.com/sites/default/files/projects/2015/vision-zero-san-francisco.pdf</u>.

could prove annoying or disruptive to users of the open space. Measures to protect required open space from noise include 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.

Construction noise would be subject to the San Francisco Noise Ordinance (Article 29 of the San Francisco Police Code), which includes restrictions on noise levels of construction equipment and hours of construction. If pile driving is to be used during the construction, measures to reduce construction noise may be required as part of the proposed project. The EEA should indicate whether pile driving or other particularly noisy construction methods are required.

6. Air Quality. The proposed project's 171 dwelling units (144 student housing rooms and 27 dwelling units) do not exceed the Bay Area Air Quality Management District's (BAAQMD) construction screening levdels for criteria air pollutants.<sup>4</sup> Therefore, an analysis of the project's criteria air pollutant emissions is likely not required.

In addition, project-related demolition, excavation, grading and other construction activities may cause wind-blown dust that could contribute particulate matter into the local atmosphere. To reduce construction dust impacts, the 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 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 an inventory and modeling assessment of air pollution, exposures, and health vulnerability from mobile, stationary, and area source emissions within San Francisco. The project proposes to construct a new sensitive land use (i.e., residential use), which is subject to enhanced ventilation measures pursuant to Health Code Article 38. The project sponsor will be required to submit an Article 38 application to Department of Public Health (DPH) prior to the issuance of any environmental determination. Please provide a copy of the initial application with the EEA.<sup>5</sup>

Equipment exhaust measures during construction will likely also be required. Detailed information related to construction equipment, phasing and duration of each phase, and the amount (in cubic yards) of excavation shall be provided as part of the EEA. 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.

7. **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

<sup>&</sup>lt;sup>4</sup> BAAQMD, CEQA Air Quality Guidelines, May 2011, Chapter 3.

<sup>&</sup>lt;sup>5</sup> Refer to http://www.sfdph.org/dph/eh/Air/default.asp for more information.

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.<sup>6</sup> 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.

- 8. Wind. As discussed below under "Preliminary Project Comments," the project site is in the C-3-G District and is proposed to be 150 feet tall, 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.
- 9. 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 Civic Center Plaza. For more information on Planning Code Section 295, 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 on the Planning Department's website (http://www.sf-planning.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.
- 10. **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.<sup>7</sup> 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, 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.

<sup>&</sup>lt;sup>6</sup> Refer to <u>http://sf-planning.org/index.aspx?page=1886</u> for latest "Greenhouse Gas Compliance Checklist for Private Development Projects."

<sup>&</sup>lt;sup>7</sup> San Francisco Planning Department. *Interdepartmental Project Review*. Available online at: <u>http://www.sf-planning.org/Modules/ShowDocument.aspx?documentid=522</u>.

11. **Hazardous Materials.** The proposed project would disturb soils on a location that contained a leaking underground storage tank (LUFT). Therefore, the project is subject to Article 22A of the Health Code, also known as the Maher Ordinance. The Maher Ordinance, which is administered and overseen by the Department of Public Health (DPH), requires the project sponsor to retain the services of a qualified professional to prepare a Phase I Environmental Site Assessment (ESA) that meets the requirements of Health Code Section 22.A.6. 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: <u>http://www.sfdph.org/dph/EH/HazWaste/hazWasteSiteMitigation.asp</u>. Fees for DPH review and oversight of projects subject to the ordinance would apply. Please refer to DPH's fee schedule, available at: <u>http://www.sfdph.org/dph/EH/Fees.asp#haz</u>. Please provide a copy of the submitted Maher Application and Phase I ESA with the EEA.

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.

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 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** Planning Code Section 309 establishes a framework for review of construction or substantial alteration of structures in C-3 (Downtown Commercial) Zoning Districts. Projects over 50,000 gross square feet or 75 feet in height require Planning Commission approval. As part of the Downtown Project Authorization process, a Project Sponsor may request exceptions from the Planning Commission for certain sections of the Planning Code. A Planning Commission hearing is required even if no exceptions are required. As proposed, it appears that the project would need the following exceptions:
  - a. Required Rear Yard (See Preliminary Project Comment #3)
  - b. Ground Level Wind Currents (See Preliminary Project Comment # 13)
  - c. Off-Street Loading Space (See Preliminary Project Comment #14)
- 2. **Conditional Use Authorization.** The Planning Commission must approve a Conditional Use Authorization for the following uses:
  - a. Exclusion of Student Housing from Floor Area Ratio Calculations: Planning Code Section 124 (See Preliminary Project Comment # 2)
  - b. Dwelling Unit Removal: Planning Code Section 317 (See Preliminary Project Comment # 17)
- 3. **Variance.** As discussed under "Preliminary Project Comments" below, the project does not comply with Planning Code Section 135(g)(2) for Usable Open Space and Section 140 for dwelling unit exposure and would need to seek and justify Variances from these requirements (See Preliminary Project Comments #4 and #11).
- 4. Legislative Amendment Application. Pursuant to Planning Code Section 302, the Board of Supervisors may, by ordinance, amend any part of this Code. The proposed project includes a height reclassification from 96-X to 150-X, and would require Board of Supervisors' approval of a Legislative Amendment. In order for the project to proceed, the Board of Supervisors would need to approve a Height District Reclassification, per Section 302, as well as a General Plan Amendment, per Section 340. The Planning Commission would first make a recommendation to the Board of Supervisors regarding these actions.
- 5. **Building Permit Application.** A Building Permit Application is required for the demolition of the existing buildings, preparation of the site, and for the proposed new construction. Building Permit Applications are available at the Department of Building Inspection at 1660 Mission Street.

Applications for the actions listed above 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 <u>www.sfplanning.org</u>.

### 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. Notice is required to be sent to occupants of properties adjacent to the project site and owners of properties within 300 feet of the project site at the initiation of the environmental review process. Differing levels of neighborhood notification are mandatory for some or all of the reviews and approvals listed above.

#### PRELIMINARY PROJECT COMMENTS:

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

- 1. **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.
- 2. Floor Area Ratio (FAR). Pursuant to Planning Code Section 124, buildings within the C-3-G District have a basic FAR of 6.0 to 1, or a maximum of 9.0 to 1. This maximum may be achieved through a purchase of Transfer of Development Rights ("TDR"). The subject site measures 13,080 square feet meaning that a total of 78,480 square feet of floor area would be permitted.

The project (155,000 GSF) proposes 14,920 square feet of replacement housing, 60,060 square feet of Student Housing, 2,160 square feet of ground floor food service, and 37,000 square feet of classroom, rehearsal and performance spaces associated with the San Francisco Conservatory of Music for an FAR of 11.9. Note that, floor area for Student Housing may be excluded from FAR, as outlined in Planning Code Sections 124(k) subject to a Conditional Use Authorization. Assuming the exclusion of the ground floor retail square footage, with approval of a Conditional Use Authorization, 62,220 square feet may be excluded from FAR calculations resulting in a FAR of approximately 7.1 to 1.0. As this would still be in excess of the permitted FAR, the project would require the purchase of TDR.

Future submittals should provide a detailed calculation of the gross floor area of the project, including floor plans which clearly indicate those areas included within the calculation of "gross floor area" pursuant to the definition in Section 102.9.

3. **Rear Yard**. Because this project site is located on a lot with three frontages, one of the street frontages (Van Ness Avenue, Tom Wadell Place, or Hayes Street) must be designated as the front of the property, and the rear yard would then be provided based on that determination.

Planning Code Section ("Section") 134 requires the project to provide a rear yard of at least 25 percent of the lot depth at the lowest story containing a dwelling unit, and at each story above. Because the project does not comply with this requirement, an exception may be sought through the Section 309

review process. A formal submittal should demonstrate how the project complies with the criteria of Section 134(d), including that a comparable amount of usable open space is provided elsewhere in the development and that the building location and configuration assure adequate light and air to windows within the residential units.

- 4. Usable Open Space Dwellings. Section 135 requires 36 square feet of open space per dwelling unit if private or at a ratio of 1.33 if common. Additionally, any such open spaces must meet the dimensional requirements of Subsections (f) and (g). The proposal requires 1,008 square feet of private open space or 1,344 square feet of common open space for the 28 proposed dwelling units. The project provides a 1,290 square foot inner courtyard, however the courtyard does not comply with Section 135(g)(2). The project should be redesigned to provide code compliant usable open space, or the sponsor would need to seek and justify a variance for usable open space.
- 5. Usable Open Space-Student Housing (Group Housing). Pursuant to Planning Code Section 135, the minimum amount of usable open space provided for use by each bedroom in group housing units shall be 1/3 the amount required for a dwelling unit. In C-Districts, 36 square feet are required for each unit if private or at a ratio of 1.33 if common. In addition, Planning Code Section 135 states that the preferred method of compliance is common open space for efficiency units. This preference is also applicable to Student Housing. With 164 bedrooms, the proposal would need to provide approximately 2,624 square feet of open space for the student housing. The project provides 5,740 square feet of common usable open space at the roof and therefore complies with the requirement.
- 6. **Public Open Space.** Pursuant to Planning Code Section 138, one square foot of public open space shall be provided for every 50 square feet of retail or office space provided. Provided that the ground floor retail space is excluded from gross floor area calculations, the proposal would not have a public open space requirement.
- 7. **Street trees**. Planning Code Section 138.1 requires one street tree for every 20 feet of frontage for new construction. No street trees are shown on the plans. Please show proposed street trees on revised site plans.
- 8. Streetscape Plan. The project site is located on a lot that contains 250 feet of lot frontage on one or more publicly-accessible rights-of-way and proposed 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.

- 9. **Bird Safety.** The subject property is not located adjacent to an Urban Bird Refuge; however, pursuant to Planning Code Section 139, there are certain feature related hazards that must be treated for bird safety. Feature-related hazards include free-standing glass walls, wind barriers, skywalks, balconies, and greenhouses on rooftops that have unbroken glazed segments 24 square feet and larger in size. Any structure that contains these elements shall treat 100% of the glazing on feature-related hazards. If there are windscreens or glass railings proposed at the roof level, please indicate on future submittals that these features will meet bird safety requirements.
- 10. **Vision Zero.** The project is located on a "high-injury corridor", identified through the City's <u>Vision</u> <u>Zero Program</u>. 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.
- 11. **Exposure**. 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 a street right-of-way, code-complying rear yard, or an area with 25-foot minimum dimensions at the first two floors containing residential uses, with a 5-foot increase in dimension for each floor above. The interior units located on the eastern portion of the site on the second and third floors do not meet this requirement as the proposed court is not sufficiently sized to serve as a qualifying area for dwelling unit exposure. The Project should be redesigned to meet the exposure requirement. As an alternative, the sponsor may request and justify a Variance from this requirement.
- 12. **Ground Floor Height.** Section 145.1 requires a minimum ground-floor height of 14 feet (measured floor-to-floor) for non-residential uses. Schematic elevations show a ground floor ceiling height of only twelve feet. The Department recommends a gracious grand floor height to allow an active and attractive ground floor use which would promote the pedestrian life at the ground floor.
- 13. **Wind.** The project site is in the C-3-G 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.

14. **Off-Street Loading Space.** Planning Code Section 152.1 outlines requirements for off-street loading spaces. The project proposes 155,000 square feet of new residential and institutional uses. As such,

the project would require one freight loading space. As an alternative, the sponsor may seek an exemption through the Downtown Project Authorization to waive the required loading space.

- 15. **Bicycle Parking**. Planning Code Section 155.2 outlines requirements for Class 1 and Class 2 bicycle parking spaces for residential developments. For dwelling units, one Class 1 space is required for every dwelling unit and one Class 2 space for every 20 dwelling units. For the student housing (group housing) aspect of the project, one Class 1 space is required for every four beds and for buildings containing over 100 beds, 25 Class 1 spaces plus one Class 1 space for every five beds over 100 are required. Two Class 2 spaces for every 100 beds are required. In addition, group housing that is also considered Student Housing per Section 102.36 shall provide 50 percent more spaces than would otherwise be required.
- 16. **Shadow Analysis (Section 295)**. Section 295 requires that a shadow analysis must be performed to determine whether the project has the potential to cast shadow on properties under the jurisdiction of the San Francisco Recreation and Park Commission. Department staff has prepared a shadow fan that indicates the project may cast new shadow on Civic Center Plaza. Therefore, a detailed shadow analysis would need to be prepared to determine if the project would cast new shadow on Civic Center Plaza, pursuant to Section 295. If this detailed shadow analysis finds that the project would cast new shadow on Civic Center Plaza, the sponsor should explore sculpting portions of the project to avoid casting new shadows on the plaza.
- 17. **Dwelling Unit Removal.** Pursuant to Planning Code Section 317, a Conditional Use Authorization is required for applications proposing to remove three or more residential units. The PPA application states that 27 dwelling units will be demolished as part of this proposal. Please review the criteria outline in Planning Code Section 317 and consider a strategy for relocation of existing tenants in preparation of the Planning Commission hearing. Unless there is a relocation plan for the tenants of the 27 units and significant public benefit from this project, the Planning Department would have difficulty supporting the proposal from a policy perspective.
- 18. **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

19. 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 (3) units if provided on-site, and (5) 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:

- o direct financial construction from a public entity
- o 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.

- 20. **SFPUC Requirements & Project Review.** The SFPUC administers San Francisco's various water, sewer, and stormwater requirements such as the Stormwater Design Guidelines, construction site runoff, sewer connections, recycled water and onsite water reuse, water efficient irrigation, and hydraulic analysis for fire suppression systems. To assist developers and property owners in meeting these requirements, the SFPUC provides project plan review, technical assistance, and incentives. The SFPUC also has a separate project review process for projects that propose to use land owned by the SFPUC or are subject to an easement held by the SFPUC; or projects that propose to be constructed above, under, or adjacent to major SFPUC infrastructure. For projects meeting these criteria, please contact SFProjectReview@sfwater.org for a SFPUC Project Review and Land Use Application. For more information regarding SFPUC Project Review or any of the SFPUC requirements, please visit <u>www.sfwater.org/reqs</u>.
- 21. **Impact Fees**. This project will be subject to various impact fees. Please refer to the <u>Planning Director's</u> <u>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 Sustainability Fee (TSF)
- b. Affordable Housing Fee (415)
- c. Public Art (429)
- 22. **Civic Center and Downtown Area Plans.** The subject property falls within the area covered by the Civic Center Area Plan and the Downtown Area Plan in the General Plan. As proposed, the project is not consistent with the 96-foot height limit established by the Downtown Area Plan for the site. Please see comment below and the Preliminary Design Comments for additional considerations regarding the proposed height increase. Other than the height limits increase, the proposed project is

generally consistent with the overarching objectives of these area plans. Design comments noted elsewhere in this letter discuss any items where more information is needed to assess conformity with either specific policies or Code standards or where the project requires modification to achieve consistency. The project sponsor is encouraged to read the area plans, which can be viewed at:

Downtown Area Plan: http://www.sf-planning.org/ftp/General Plan/Downtown.htm

Civic Center Area Plan: http://www.sf-planning.org/ftp/General Plan/Civic Center.htm

- 23. **Height Limits:** Any height above the existing height limits will need to be evaluated not only for urban form considerations in the context of the larger Civic Center area, but also will be evaluated based on public benefits that are derived from the proposed project, including but not limited to housing affordability, the rent-controlled unit replacement program, and public space/amenities. Please see design comments for further considerations regarding the proposed height increase.
- 24. **Required Streetscape and Pedestrian Improvements.** Per Planning Code Section 138.1, the project sponsor will be required to submit a Streetscape Plan illustrating the location and design of streetscape improvements appropriate to the street type, including site furnishings, landscaping, corner curb extensions, and sidewalk widening as appropriate. The Planning Department may require these elements as part of conditions of approval. Streets fronting the project site are classified as follows according to the San Francisco Better Streets Plan:
  - o Tom Waddell Place (Lech Walesa Street): Alley
  - Van Ness Avenue: Downtown Commercial
  - o Hayes Street: Downtown Commercial

See <u>http://www.sfbetterstreets.org/design-guidelines/street-types/</u> to identify relevant design guidelines for the street types for the project frontage

If street improvements are being considered, project sponsors should contact DPW as early as possible to understand the process and requirements for permitting street improvements.

For more information on process, guidelines, and requirements for street improvements, refer to <u>www.sfbetterstreets.org</u>.

25. **Civic Center Public Realm Plan.** The project falls within the boundary of the Civic Center Public Realm Plan, which is currently in development. The Civic Center Public Realm Plan is a new interdepartmental project led by the Planning Department which will create a comprehensive, long-term vision for improvements to Civic Center's plazas, streets, alleys and other public spaces. Tom Waddell Place has been preliminary identified as a potential design focus area for the Plan. The Department encourages the project sponsors to contact the Plan's manager, Nicholas Perry, at (415) 575-9066 or <u>nicholas.perry@sfgov.org</u>, for further participation or information.

#### PRELIMINARY DESIGN COMMENTS:

The project is located in the Downtown / Civic Center Neighborhood along Van Ness Avenue/Route 101. The area includes several significant historic resources in the civically prominent area adjacent to Market Street, City Hall, and Hayes Valley. While this has been primarily an institutional and commercial district, it is becoming an increasingly mixed-use neighborhood with the recent and anticipated increase of residential units. The architectural character is predominantly masonry with institutionally-scaled elements. Building heights vary within a smaller range towards Civic Center Plaza but extend towards Market Street, particularly along Van Ness. The following comments address preliminary design issues that may significantly impact the proposed project:

- 1. Site Design, Open Space and Massing. The Planning Department generally supports the intent of the project as it would provide needed housing and space for institutional uses; however the proposed 150' height is significantly above the current 96' height limit or any anticipated height limit. While a 120' height limit might be considered for this site, any greater height limit would be highly problematic in light of the stepping down of the overall urban form from Market Street's high-rises towards Civic Center's predominant 80' heights. Should the sponsor choose to seek a height increase, a robust package of affordability, a rent-controlled unit replacement program, and other public benefits would be a prerequisite. Heights in excess of 120' while unlikely could only be contemplated if modest, contextually sensitive, and proposed alongside a truly exceptional public benefit program. Regardless of height limits, architectural excellence is expected.
- 2. **Street Frontage.** The Planning Department requests additional consideration of active uses that interface with the public at the ground floor; in particular there may be opportunities to extend interior uses to engage Tom Waddell Place. See comments above regarding the Civic Center Public Realm Plan.
- 3. Architecture. The project site is located in a visually prominent location, and is located immediately to the south of the core area of the Civic Center and its Article 10 Landmark District. Per the Civic Center Area Plan, the building's design should "complement the [Civic] Center's existing architectural character." As the project is diagrammatic, the Planning Department has little comment on the architecture at this time but recommends that the project express significant façade depth, provide high-quality materials, and meet the architectural detailing and character of the neighborhood. As this is a highly visible civic site, the Department expects great attention and thoughtfulness in the architectural concept and execution.

#### PRELIMINARY PROJECT ASSESSMENT EXPIRATION:

This Preliminary Project Assessment is valid for a period of **18 months**. An Environmental Evaluation, as listed above, must be submitted no later than **August 1, 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 Interdepartmental Project Review Application Shadow Fan cc: 200 Van Ness LLC., Property Owner
Claudine Asbagh, Current Planning
Nicholas Perry, 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)

FIRST	LAST	TITLE	ORGANIZATION	ADDRESS	CITY	STATE	ZIP	TELEPHONE	EMAIL	NEIGHBORHOOD OF INTEREST
Andrew	Chandler		) Lower Polk Neighbors	PO BOX 1642428	San Francisco	CA	94164-		0	0 Downtown/Civic Center, Nob Hill
Alexandra	Goldman	Community Planner	Tenderloin Neighborhood Development Corporation - CO Department	215 Taylor Street	San Francisco	CA	94102	415-358-3920	agoldman@tndc.org	Downtown/Civic Center, South of Market
Donald	Savoie	Executive Director	Civic Center Community Benefit District	234 Van Ness Avenue	San Francisco	CA	94102	415-626-1819	info@sfciviccenter.org	Downtown/Civic Center
Eric	Lopez	President	SoMaBend Neighborhood Association	P.O. Box 410805	San Francisco	CA		415-669-0916	somabend.na@gmail.com	Downtown/Civic Center, Mission, South of Market
lan	Lewis	(	) HERE Local 2	209 Golden Gate Avenue	San Francisco	CA	94102		0	0 Chinatown, Downtown/Civic Center, Marina, Mission, Nob Hill, North Beach, Pacific Heights, Presidio, South of Market
James	Haas	Chairman	Civic Center Stakeholder Group	100 Van Ness Avenue	San Francisco	CA	94102	415-285-5048	JWHaasESQ@AOL.com	Downtown/Civic Center
Jane	Kim	Supervisor, District 6	Board of Supervisors	1 Dr. Carlton B Goodlett Place, Room #244	San Francisco	CA	94102- 4689	415-554-7970	jane.kim@sfgov.org; April.veneracion@sfgov.org; Sunny.Angulo@sfgov.org; Ivv.Lee@sfaov.org	Downtown/Civic Center, North Beach, South of Market, Treasure Island/YBI
Jason	Henderson	Vice Chariman	Market/Octavia Community Advisory Comm.	300 Buchanan Street, Apt. 503	San Francisco	CA	94102	415-722-0617	jhenders@sbcglobal.net	Castro/Upper Market, Downtown/Civic Center, Mission, South of Market, Western Addition
London	Breed	Supervisor, District 5	Board of Supervisors	1 Dr. Carlton B Goodlett Place, Room #244	San Francisco	CA	94102- 4689	415-554-7630	London.Breed@sfgov.org; conor.johnston@sfgov.org; vallie.brown@sfgov.org; Ahmad.Elnajjar@sfgov.org	Bernal Heights, Downtown/Civic Center, Haight Ashbury, Inner Sunset, Western Addition
Marlayne	Morgan	President	Cathedral Hill Neighbors Association	1450 Sutter Street	San Francisco	CA	94109	415-572-8093	marlayne16@gmail.com	Downtown/Civic Center, Nob Hil
Marvis	Phillips	Land Use Chair	Alliance for a Better District 6	230 Eddy Street #1206	San Francisco	CA	94102- 6526	415-674-1935	marvisphillips@gmail.com	Downtown/Civic Center, Mission, South of Market, Western Addition
Randy	Shaw	Director	Tenderloin Housing Clinic	126 Hyde Street	San Francisco	CA	94102	415-771-9850	randy@thclinic.org	Downtown/Civic Center
Ted	Olsson	Member	Market/Octavia Community Advisory Comm.	30 Sharon Street	San Francisco	CA	94114- 1709	415-407-0094	olssonted@yahoo.com	Castro/Upper Market, Downtown/Civic Center, Mission
Tiffany	Bohee	Executive Director	Office of Community Investment and Infrastructure, City and County of San Francisco	1 South Van Ness Avenue, 5th Floor	San Francisco	CA	94103		0 tiffany.bohee@sfgov.org; mike.grisso@sfgov.org; courtnev.pash@sfgov.org	Bayview, Downtown /Civic Center, South of Market, Visitacion Valley
William	Bulkley	President	Hayes Valley Neighborhood Association	1800 Market St., PMB #104	San Francisco	CA	94102	415-503-1970	president@hayesvalleysf.org	Downtown/Civic Center, Western Addition
Claude	Imbault	Director of Strategic Initatives	Union Square Business Improvement District	323 Geary Street, Suite 203	San Francisco	CA	94102	2 415-781-7880	claude@unionsquarebid.com	Downtown/Civic Center



# SAN FRANCISCO PLANNING DEPARTMENT

## INTERDEPARTMENTAL PROJECT REVIEW

Effective: February 1, 2009

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). Staff from each of these disciplines will attend your meeting.

#### Interdepartmental Project Review fees:

- 1. \$1,059 for five or fewer residential units and all affordable housing projects.
- 2. \$1,530 for all other projects.

*Please note that* \$345 *of these fees are non-refundable.* If your project falls under the second type of fee, and you cancel your meeting, \$1,185 will be refunded to you.

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, Ste. 400, San Francisco, CA 94103-2414.** Those wishing more specific or more detailed information may contact the Project Review Meeting Coordinator at **(415) 575-6926**.

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

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

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

Reception: 415.558.6378

Fax: 415.558.6409

Planning Information: 415.558.6377

#### Submittal requirements:

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.

# INTERDEPARTMENTAL PROJECT REVIEW APPLICATION FORM

## APPLICATION DATE: \_\_\_\_\_

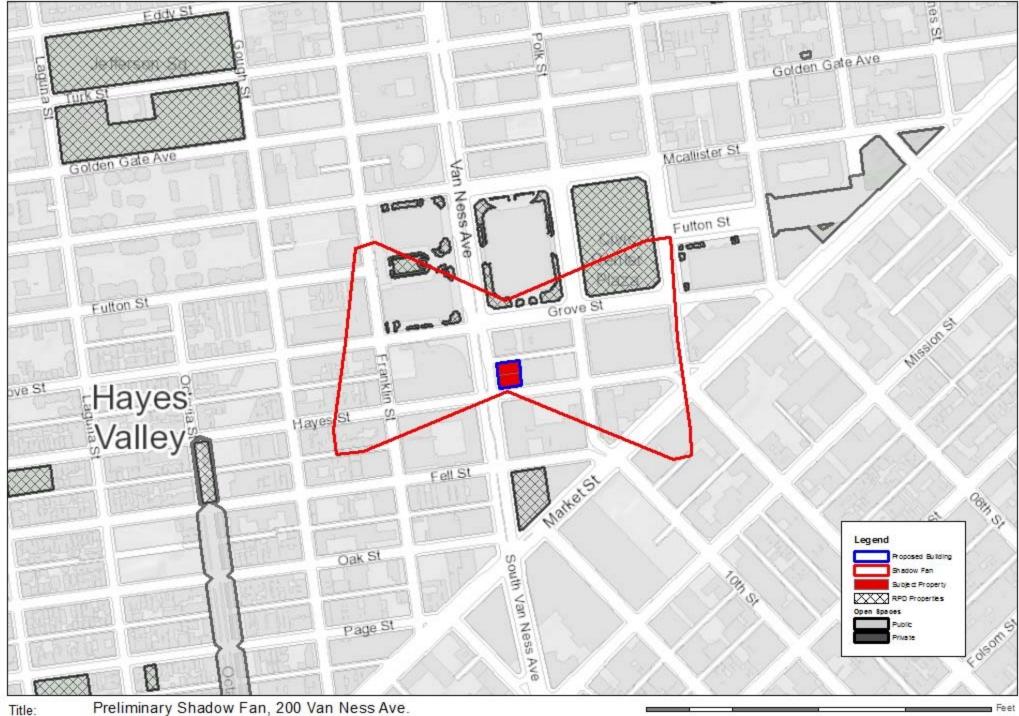
PROJECT CONTACT: Name	Phone No. ( )			
Address	FAX No. ( )			
Owner				
PROJECT INFORMATION: Address				
How many units does the subject property have?	_			
Assessor's Block/Lot(s)	Zoning District			
Height and Bulk Districts N□	_ Located within Geologic Hazard Zone? Y□			

#### PROJECT DESCRIPTION / PURPOSE OF MEETING/SPECIFIC QUESTIONS:

(Use attachments if necessary)

Land Use Type	Existing	Proposed	Net Change
Number of Dwelling Units			
Commercial Square Footage:			
Retail			
Office			
Number of Hotel Rooms			
Industrial Square Footage			
Other Uses:			
Number of Parking Spaces			
Number of Stories			

Will this project be publicly funded? (specify)



Comments: Building height of 150'





The City and County of San Francisco (CCSF) does not guarantee the accuracy, adequacy, completeness or use fulness 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.