



SAN FRANCISCO PLANNING DEPARTMENT

MEMO

DATE: October 5, 2016
TO: Scott Soucy, CIM Group
FROM: Joshua Switzky, Planning Department
RE: PPA Case No. 2016-009102PPA – 330 Townsend St.

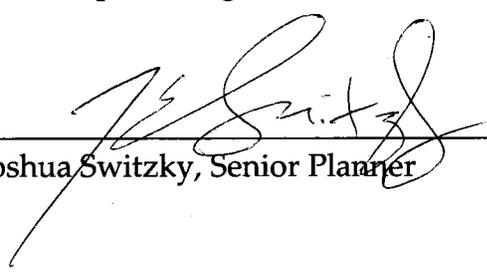
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Please find the attached Preliminary Project Assessment (PPA) for the address listed above. You may contact the staff contact, Scott Edmondson, at (415) 575-6818 or Scott.Edmondson@sfgov.org to answer any questions you may have, or to schedule a follow-up meeting.



Joshua Switzky, Senior Planner



SAN FRANCISCO PLANNING DEPARTMENT

Preliminary Project Assessment

Date: October 6, 2016

Case No.: **2016-009102PPA**

Project Address: 330 Townsend Street

Block/Lot: 3786/014

Current Zoning: WMUO (Western SoMa Mixed-Use Office) Zoning District
Western SoMa Special Use District
65-X and 85-X Height and Bulk Districts (split parcel)

Proposed Zoning: MUO (Mixed-Use Office) Zoning District
300CS Height and Bulk District

Current Area Plan: Western SoMa Area Plan

Proposed Area Plan: Central SoMa Area Plan

Project Sponsor: Scott Soucy, CIM Group
ssoucy@cimgroup.com, 323-860-4900

Staff Contact: Scott Edmondson – 415-575-6818
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DISCLAIMERS:

Please be advised that this determination does not constitute an application for development with the Planning Department. It also does not represent a complete review of the proposed project, a project approval of any kind, or in any way supersede any required Planning Department approvals listed below. The Planning Department may provide additional comments regarding the proposed project once the required applications listed below are submitted. While some approvals are granted by the Planning Department, some are at the discretion of other bodies, such as the Planning Commission or Historic Preservation Commission. Additionally, it is likely that the project will require approvals from other City agencies such as the Department of Building Inspection, Department of Public Works, Department of Public Health, and others. The information included herein is based on plans and information provided for this assessment and the Planning Code, General Plan, Planning Department policies, and local/state/federal regulations as of the date of this document, all of which are subject to change.

PROJECT DESCRIPTION:

The proposal is to demolish the existing two-story office building located at 330 Townsend Street between 4th and 5th Streets and to construct a 31-story residential tower with 374 dwelling units. The existing 60,976 square foot building on the 30,740 square foot subject lot was constructed in 1985. The proposed new building would total approximately 567,835 gross square feet, including 415,200 square feet of residential, 137,400 square feet of below grade parking (5 levels) for 291 spaces, 11,500 square feet of ground floor retail (restaurant), and 1,735 square feet of loading. Of the proposed 374 units, there

would be approximately 42 studios, 180 one-bedrooms, 130 two-bedrooms, and 22 three-bedroom units. Of the proposed 291 parking spaces, there would be about 281 residential spaces, two (2) residential and one (1) retail car-share spaces, and 7 retail spaces. A mid-block pedestrian passageway, the public paseo, would provide thru block connection. The public paseo would be 30,740 gross square feet in area. The proposed below-grade parking would be accessed from Bluxome Street through a 22-ft wide curb cut.

ENVIRONMENTAL REVIEW:

The proposed project requires environmental review either individually, with a project specific Initial Study/Mitigated Negative Declaration (IS/MND) or Environmental Impact Report (EIR), or in a Community Plan Exemption (CPE) if the project is consistent with an adopted community plan. The proposed project is located within the Western SoMa Community Plan, which was evaluated in the *Western SoMa PEIR*. However, as currently proposed, the project is not consistent with the land use or development density (zoning) identified in the Western SoMa Plan, and is therefore not eligible for a Community Plan Exemption (CPE) under the *Western SoMa EIR*.

The Project's proposed 300-foot building height would be consistent with one of the two height limit alternatives currently being studied in the *Central SoMa Plan EIR*. Thus, it is possible that the proposal, as currently presented, would qualify for a CPE under the proposed *Central SoMa Plan EIR* once that EIR is certified and the Planning Commission and Board of Supervisors have adopted new zoning controls. However, the proposed project would be assessed based on the height limits for the project site in place at the time that the Planning Department entitlements for the proposed project are sought.

Due to the project's location within the geographic area evaluated in the *Western SoMa EIR*, any development on the project site would potentially be subject to the mitigation measures identified in that document. Potentially significant project environmental impacts that were identified in and pertinent mitigation measures and CEQA findings from the *Western SoMa EIR* that may be applicable to the proposed project are discussed below, under the applicable environmental topic. However, mitigation measures from the *Western SoMa EIR* that are applicable to the proposed project area could be refined, augmented, or superseded under the future *Central SoMa Plan EIR*, which would become applicable to the proposed project if the Draft Plan is approved.

If the proposed project is not consistent with the height and density identified for the project site in the adopted Central SoMa Plan, the proposed project would be precluded from qualifying for a CPE under the Central SoMa Plan. The proposed project would be analyzed in a separate environmental document that would not rely on the environmental analysis undertaken for the Central SoMa Plan. In this case, the applicable fees would be (a) the standard environmental evaluation (EE) fee based on the cost of construction; and (b) the standard EIR fee, if an EIR is required.

In order to begin formal environmental review, please submit an **Environmental Evaluation Application**. This review may be done in conjunction with the required approvals listed below, but the environmental review must be completed before any project approval may be granted. See page 2 of the current *Fee Schedule* for calculation of environmental application fees. **Note that until an approval application is submitted to the Current Planning Division, only the proposed Project Description will be reviewed by the assigned Environmental Coordinator.** Below is a list of topic areas that would require additional study based on our preliminary review of the project as it is proposed in the Preliminary Project Assessment (PPA) submittal dated July 8, 2016.

1. **Historic Resources.** The project site is not located in or near any historic districts. The project site is occupied by a two-story, brick masonry commercial building constructed in 1920 and designed in a utilitarian commercial style. The rectangular-plan building, clad in brick, is capped by a flat roof. The primary façade faces north and includes nine structural bays. Typical windows include multi-light, aluminum-sash fixed and awning windows. Typical entrances include partially- and fully-glazed metal doors with sidelights and transoms. The proposed project would demolish the existing 94-year-old commercial building and construct a 31-story residential building over ground-floor retail. The South of Market Area Historic Resource Survey found the property to not be an historic resource, classified under the California Historical Resource Status Code as '6Z' and under CEQA as a Category C (properties Determined Not to Be Historical Resources). Therefore, Historic Preservation review would not be required.
2. **Archeological Resources.** The proposed project includes 160,000 cubic yards of excavation to up to 50 feet below grade. Therefore, the proposed project would require a 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 report 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 project mitigation measures (such as 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. **Geology.** The project site is located in a Seismic Hazard Zone (Liquefaction hazard zone likely underlain by artificial fill). Any new construction on the site is subject to a mandatory Interdepartmental Project Review.¹ 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 any 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.
5. **Noise.** *Western SoMa EIR Noise Mitigation Measure 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. Please include detailed information in the EEA if the proposed project would include sources of noise expected to be in excess of ambient noise levels to the extent that *Mitigation Measure NO-1c* may apply.

Western SoMa FEIR Mitigation Measure M-NO-2a: General Construction Noise Control Measures applies to the proposed project and requires that the project sponsor develop a set of site-specific noise attenuation measures under the supervision of a qualified acoustical consultant. This mitigation measure requires that a plan for such measures be submitted to DBI prior to commencing construction to ensure that maximum feasible noise attenuation will be achieved.

Western SoMa EIR Noise Mitigation Measure NO-2b: Noise Control Measures During Pile Driving addresses requirements related to the use of pile-driving. If the proposed would involve pile driving, Noise Mitigation Measure NO-2b would apply to the proposed project. This mitigation measure prohibits the use of impact pile drivers wherever feasible and requires that contractors use pile driving equipment with state-of-the-art noise shielding and muffling devices. To reduce noise and vibration impacts, sonic or vibratory sheetpile drivers, rather than impact drivers, shall be used wherever sheetpiles are needed. Project sponsors shall also require that contractors schedule pile-driving activity for times of the day that would minimize disturbance to neighbors.

Project-related 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. Detailed information related to construction equipment, phasing, and duration of each phase may be required as part of environmental evaluation to assess construction noise levels and methods to reduce such noise, as feasible.

6. **Transportation.** Based on the Planning Department's Transportation Impact Analysis Guidelines for Environmental Review,² the project would likely require additional transportation analysis to

¹ San Francisco Planning Department. *Interdepartmental Project Review*. Available online at: <http://www.sf-planning.org/Modules/ShowDocument.aspx?documentid=522>.

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

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. You are required to pay additional fees for the study; please 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.

Additionally, the proposed project is located on a high injury corridor as mapped by Vision Zero.³ Planning staff have reviewed the proposed site plans and recommend a reduction in on-site parking. Staff also notes that the Third Street Bridge is scheduled for temporary closure for rehabilitation in 2017, which may require special coordination should any project-related activity coincide with the bridge work.

- Air Quality.** The proposed project's 374 dwelling units exceed the Bay Area Air Quality Management District's (BAAQMD) construction and operational screening levels for criteria air pollutants.⁴ Therefore, *Western SoMa EIR Mitigation Measure AQ-6: Construction Emissions Minimization Plan for Criteria Air Pollutants* applies to the proposed project. This mitigation measure requires an analysis of the project's criteria air pollutant emissions. If the analysis finds that emissions would be significant, the mitigation measure requires the submission and approval of a Plan for Criteria Air Pollutants, which would outline how the proposed project would comply with a number of requirements related to construction equipment specifications and use duration.. Detailed information related to construction equipment, phasing and duration of each phase, and cubic yards of excavation shall be provided as part of the EEA.

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 Control Ordinance contained in the San Francisco Health Code Article 22B and the 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 the San Francisco Department of Public Health (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 proposed project includes new sensitive land uses (i.e., residential), which are subject to enhanced ventilation measures pursuant to Health Code Article 38. The project sponsor will be required to submit an Article 38 application to DPH prior to the issuance of any environmental determination. Please provide a copy of the Article 38 application with the EEA.⁵ In addition, equipment exhaust measures during construction, such as those listed in *Western*

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

⁴ BAAQMD, *CEQA Air Quality Guidelines*, May 2011, Chapter 3.

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

SoMa EIR Mitigation Measure M-AQ-6, Construction Emissions Minimization Plan for Criteria Air Pollutants and Western SoMa EIR Mitigation Measure M-AQ-7, Construction Emissions Minimization Plan for Health Risks and Hazards will likely be required.

As the proposed project is not expected to generate more than 3,500 daily vehicle trips, *Western SoMa EIR Air Quality Mitigation Measure AQ-2: Transportation Demand Management Strategies for Future Development Projects*, does not apply to the proposed project.

If the project would generate new sources of toxic air contaminants including, but not limited to diesel generators or boilers, or any other stationary sources, the project would result in toxic air contaminants that may affect both on-site and off-site sensitive receptors. Given the proposed project's height of 300 feet, the proposed project would likely require a backup diesel generator and additional measures, such as those described in *Western SoMa EIR Air Quality Mitigation Measure AQ-4: Siting of Uses that Emit PM2.5 or DPM and Other TACs*, will likely be necessary to reduce emissions. Please provide detailed information related to any proposed stationary sources with the EEA.

8. **Hazardous Materials.** The site is located on the Maher Map, indicating the presence of contaminated soil and/or groundwater. 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 DPH, requires the project sponsor to retain the services of a qualified professional to prepare a Phase I Environmental Site Assessment (ESA) that meets the requirements of Health Code Section 22.A.6. The Phase I would determine the potential for site contamination and level of exposure risk associated with the project. Based on that information, soil and/or groundwater sampling and analysis, as well as remediation of any site contamination, may be required. These steps are required to be completed prior to the issuance of any building permit. Please provide a copy of the submitted Maher Application and Phase I ESA with the EE Application.

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>.

Western SoMa EIR Air Quality Mitigation Measure 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.

9. **Greenhouse Gas Emissions.** 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. In order to facilitate a determination of compliance with San Francisco's Qualified GHG Reduction

Strategy, the Planning Department has prepared a GHG Analysis Compliance Checklist.⁶ The project sponsor would be required to submit the completed table regarding project compliance with the identified regulations and provide project-level details in the discussion column. This information will be reviewed by the Environmental Case Manager during the environmental review process to determine if the project would comply with San Francisco's GHG Reduction Strategy. Projects that do not comply with an ordinance or regulation may be determined to be inconsistent with the GHG Reduction Strategy.

10. **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 (see Attachment-Figures) indicates that the proposed project would not cast shadows on Recreation and Park properties subject to Section 295, other public open spaces, or San Francisco Unified School District properties. Therefore, a shadow study is likely not required.
11. **Wind.** The proposed project would involve construction of a building over 80 feet in height. The project therefore would require a consultant-prepared wind analysis, which may include wind tunnel analysis if needed. The consultant will be required to prepare a proposed scope of work for review and approval by the Environmental Planning coordinator prior to preparing the analysis.
12. **Tree Planting and Protection Checklist.** 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 size of the trunk diameter, tree height, and accurate canopy dripline. Please submit the *Tree Planting and Protection Checklist* with the EEA and ensure that trees are appropriately shown on site plans. Also see the comments below under "Street Trees."
13. **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

⁶ http://sfmea.sfplanning.org/GHG_Checklist_T1.doc. GHG Checklist Cover Sheet: http://sfmea.sfplanning.org/GHG_Checklist.doc.

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.

The subject parcel is located within the proposed *Central SoMa Area Plan* (formerly known as the Central Corridor Area Plan). Currently, the *Central SoMa Area Plan* is in the midst of environmental review. Comments in this PPA related to the area plan process are subject to change and are contingent on the eventual approval by the Planning Commission and Board of Supervisors.

1. **Rezoning.** The project site is located within the WMUO (Western SoMa Mixed-Use Office) Zoning District. The proposed residential use is not permitted under the current zoning designation, although the small retail-restaurant use is permitted. In order for the project to proceed, the Planning Commission and Board of Supervisors would need to approve new zoning controls for the subject parcel.

The draft zoning concepts published in August 2016 as part of the *Draft Central SoMa Area Plan* indicate that the project site may be reclassified to MUO (Mixed-Use Office). The proposed retail and residential uses would be principally permitted in the MUO Zoning District, though residential uses would not be permitted to the extent proposed on the project site pursuant to the Draft Plan, with its lot area greater than 30,000 square feet, and it is the policy of the Plan that there be no exceptions to the MUO zoning on this parcel because the Plan prioritizes the site for office uses, not residential, as does the Plan more generally (*see additional discussion, below, under "Preliminary Comments" Item 3, Land use*).

2. **Height District Reclassification.** The project site is currently located within a 65-X and an 85-X Height and Bulk Districts that split the site. The 300-foot height of the proposed project would exceed the existing height limit. In order for the project to proceed, the Board of Supervisors would need to approve a Height District Reclassification for the subject parcel.

The draft zoning concepts published in August 2016 as part of the *Draft Central SoMa Area Plan* indicate that a height and bulk controls of 300-CS are being considered for this site. The "CS" bulk controls for building 106 feet or taller are described in the Central SoMa Implementation Matrix, Policy 8.3.4. The proposed project's height appears to be consistent with the proposed height and bulk controls (*see additional discussion, below, Preliminary Project Comments, Item No. 4, and Preliminary Design Comments, Item No. 1*). However, this proposal could be changed during adoption of the Plan and is not a guarantee that the Planning Commission or the Board of Supervisors will approve the proposed height. Please see further discussion in the Preliminary Project Comments section.

3. **Conditional Use Authorization.** Under the existing zoning, Conditional Use Authorization from the Planning Commission would be required per Planning Code Section 823 and 303 because the project is currently located within the Western SoMa Special Use District and qualifies as a major development requesting height bonuses per Section 823(c)(11). This applies to projects with a project site greater than 0.5 acre, located within a split height district, proposes a building with a height above its permitted base height, and is not located in the SALI district. The existing Conditional Use Authorization would not apply under the *Central SoMa Plan*.
4. A **Large Project Authorization** from the Planning Commission is required per Planning Code Section 329 for the new construction of a building greater than 75 feet in height and greater than 25,000 gross square feet.
5. A **Building Permit Application** is required for the demolition of the existing building on the subject property.
6. 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 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.

The project is located within the Eastern Neighborhoods Mixed Use District and requires **Neighborhood Notification** to owners and occupants within 150 feet of the project site prior to approval of the site permit, in accordance with Planning Code Section 312.

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

PRELIMINARY PROJECT COMMENTS:

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

1. **Existing Zoning.** The subject property is located within the WMUO (Western SoMa Mixed-Use Office) Zoning District, which does permit the proposed residential use. The project is currently located within a split height and bulk district--65-X and 85-X Height and Bulk District. Current, the proposal exceeds the height and bulk requirements and is not permitted. *The project could not be approved under existing height and bulk controls. (See also discussion above, under "Planning Department Approvals, No. 1, Rezoning, and No. 2, Height District Reclassification, and below, Item No. 2, Central SoMa Plan).*
2. **Central SoMa Area Plan.** The subject property falls within the Central SoMa Plan area, generally bounded by 2nd, 6th, and Townsend, with an articulated northern boundary of Stevenson Street on the western edge and Folsom Street on the eastern edge. An updated draft Plan and Implementation Strategy was released August 11, 2016 and is being evaluated in an Environmental Impact Report (EIR) anticipated for draft publication in November 2016. The draft Plan proposes changes to the allowed land uses, building heights, and bulk controls, and includes strategies for improving all streets and sidewalks, as well as the neighborhood's sustainability performance. The EIR, the draft Plan, and the proposed rezoning and affiliated Code changes are anticipated to be before decision-makers for approval by mid-2017. All relevant materials are available for download at <http://centralsoma.sfplanning.org>. *Comments in this PPA are based on the draft Plan concepts published to date.*
3. **Land Use.** The *Central SoMa Area Plan* involves rezoning the subject property to the Mixed-Use Office (MUO) Zoning District. The proposed residential development is consistent with key objectives of the *Central SoMa Area Plan*, which include providing support for substantial development in a transit-rich area. However, the proposed project would not be consistent with the Plan's favoring of office development over other kinds of growth, particularly on large parcels, and the project site. The *Central SoMa Area Plan* concepts include a new Special Use District that would limit new residential development to smaller parcels (less than 30,000 square feet) or, on larger parcels, as a component in a mixed-use project with major commercial (office) development. *Because of these land use requirements, the proposed project's 300-foot exclusive residential use would not be permitted on the project site because the parcel area exceeds 30,000 square feet, where the Plan requires that two-thirds of new development square footage below a height of 160 feet be non-residential on parcels of 30,000 square feet or more.*

The project sponsor has suggested the possibility that the lot be considered as less than 30,000 square feet because of the proposed mid-block pedestrian alley connecting Townsend to Bluxome Streets, effectively reducing the built portion of the site by 6,000 square feet (240.0 sq.ft. x 25.0 sf). However, because the lot boundaries would remain unchanged and the building's underground use and structure would actually extend underneath the public paseo thereby using the full extent of the lot width, the lot area would not be reduced and would still exceed 30,000 square feet. Thus, the proposed project's predominant residential land uses would not be permitted under the proposed Central SoMa Special Use District applicable to the project site. However, if the underground portion

of the building were to be reduced so as not to extend directly underneath the public paseo, and if the parcel were subdivided such that the dimensions of the development lot would be less than 30,000 square feet, then the residential use would be permitted. Otherwise, it is the policy of the Plan to not allow land use exceptions because the project site has been prioritized for employment uses. As such, the project, as proposed, would not be permitted under the Central SoMa MUO zoning and under the conditions that create a project site in excess of 30,000 gsf.

In order to create a diverse and dynamic 24-hour neighborhood characteristic of SoMa, the *Central SoMa Area Plan's* preliminary land use principles envision a mixed-use neighborhood in which substantial office development is balanced with retail, arts, entertainment, industrial, and residential uses. The project sponsor is encouraged to further explore inclusion of a variety of uses to activate ground floor spaces beyond the proposed restaurant use.

4. **Urban Form: Height and Bulk.** In recognition of the desire to accommodate more growth in the area, the *Draft Central SoMa Area Plan* recommends changing the height limit of the subject property to 300 feet. The proposed project is consistent with the Plan's proposed 300CS (Central SoMa) Height and Bulk District. Setback requirements and bulk restrictions will apply to the proposed project. At a minimum, 15-foot setbacks will be required above a height of 85 feet along all property lines and the *Plan* proposes bulk restrictions that are currently being formulated. Anticipated bulk limits under the *Plan* include maximum floor areas of 12,000 sq.ft., maximum plan dimensions of 150 feet, and maximum diagonals of 190 feet. In addition, upper tower bulk reduction will likely not be required where entire tower bulk is reduced by the amount equal to the required total upper floor reduction. Please note that existing requirements in Eastern Neighborhoods districts for height along mid-block alleys and massing reduction for large projects will continue to apply. The Plan publication and ongoing EIR analysis is not an indication of which heights will ultimately be adopted as part of the Plan and is not a guarantee that the Planning Commission or the Board of Supervisors will approve the proposed heights or whether these bodies will change existing height limits.
5. **Sustainability and Green Building.** San Francisco has a suite of existing sustainability related regulations, including recycling and composting, solar, and more details outlined in the San Francisco Green Building Code (GBC). Per the GBC, this project must meet the standards of LEED Silver or the equivalent GreenPoint rating system. It is recommended that the project sponsor work with the San Francisco Planning, Building, and Environment departments to determine the most beneficial mix of green building strategies that meet or exceed all current requirements, and best fit the local context. This especially includes the provision of renewable energy on site (PV and solar thermal), living roofs and walls, non-potable water reuse, healthy environments (non-toxic building materials), and other innovative approaches to enhancing performance of the City's environment. The City also encourages projects to maximize energy and water efficiencies, consider zero carbon strategies such as all-electric buildings, and commit to green power purchases for 100% GHG-free electricity. As with non-potable water systems, projects are recommended to consider district-scale energy opportunities on site and in coordination with neighbors.
6. **Eco-Districts and Central SoMa.** In San Francisco, an Eco-District is a neighborhood or district where residents, community institutions, property owners, developers, businesses, City staff, and utility providers join together to establish and meet ambitious sustainability goals. By applying a

comprehensive and systems-based approach to energy, water, air quality, greening, refuse, and more at the block or district scale, efforts can achieve greater effectiveness and efficiency than through building-by-building approaches. Each Eco-District develops its own unique framework of objectives, policies, and implementation measures, driven by local opportunities and challenges. The Eco-District construct aims for true sustainability, establishing clear and inspiring targets and enabling maximum innovation.

The Planning Department has identified the Central SoMa plan area as a Type 2 Eco-District—an infill area composed of new and existing development, smaller parcels, and multiple property owners. In Central SoMa, new development is uniquely positioned to exhibit a variety of sustainability best practices, including and beyond current City and State requirements. The anticipated value generation and optimal building typologies will help realize the healthy, climate positive, resource efficient, and resilient neighborhood envisioned. For example, new development in the Central SoMa Plan Area will use 100% GHG-free electricity, have 50% of roof areas dedicated to greening, and non-potable water for park irrigation and street cleaning. Its complete streets and sidewalks will be vibrant with pedestrians, bikes, transit, trees, and green stormwater infrastructure. Through the Central SoMa Plan, Eco-District Team and Guidebook, and additional technical studies, this Eco-District will serve as an example for other parts of the city. For more information, see Chapter 6 of the 2016 Draft Plan and Implementation Strategy.

7. **Better Roofs Ordinance.** In 2016, San Francisco became the first major city in the US to require the installation of renewable energy facilities or living roofs on new buildings. The Better Roofs Ordinance will require between 15% and 30% of roof space incorporate solar, (photo voltaic and/or solar thermal systems), living (green) roofs, or a combination of both. The legislation goes into effect January 2017. The Ordinance provides both guidance and flexibility for the developer, designer, or owner to best utilize rooftop space; ideally projects pursue holistic design and amenity enhancements for 100% of usable roof space that incorporate open space, habitat, stormwater management, urban agriculture, and other beneficial uses. Implementation details and supportive materials will be added to City websites as available. Please see the City's Living Roof Manual to learn more: <http://sf-planning.org/san-francisco-living-roofs>.
8. **Non-Potable Water Reuse.** Beginning November 1, 2016, all new buildings of 250,000 square feet or more of gross floor area, must install non-potable water reuse systems to treat and reuse available alternate water sources for toilet and urinal flushing and irrigation. Your project meets these thresholds and will therefore need approvals from the San Francisco Public Utilities Commission and permits from both the Department of Public Health and DBI to verify compliance with the requirements and local health and safety codes. For more information about the requirements, please visit <http://www.sfwater.org/np> and/or contact nonpotable@sfwater.org for assistance. Non-potable water systems may be designed to optimize co-benefits for stormwater management, living roofs, and streetscape greening.
9. **Interdepartmental Project Review.** An Interdepartmental Project Review is required for all new construction that is eight stories or more or located within a seismic hazard zone, and should be conducted prior to submittal of the development application. An application for the Interdepartmental Project Review is available in the Planning Department lobby at 1650 Mission

Street, Suite 400 or at the Planning Information Center (PIC) at 1660 Mission Street, and online at www.sfplanning.org.

10. **Large Project Authorization.** Planning Code Section 329 outlines the requirements for a Large Project Authorization in Eastern Neighborhoods Mixed Use Zoning Districts. A Large Project Authorization is required of new construction of more than 25,000 gross square feet, and which would be the case with the proposed project's 567,835 gross square feet. All large projects within the MUO 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. Based on a preliminary review of the proposed project, the exceptions that may be triggered by the proposal (and discussed in more detail below) include:
 - Rear Yard
 - Non-Residential Open Space. Dwelling Unit Exposure
 - Off-Street Residential Parking.
11. **Rear Yard.** Planning Code 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 succeeding level or story of the building. Currently the proposed project does not meet this requirement. The proposed project may seek an exception to this requirement under the Large Project Authorization pursuant to Section 134(f), provided that a comparable, but not necessarily equal amount of square footage as would be created in a code conforming rear yard is provided elsewhere in the development, that the proposed new structure will not significantly impede the access to light and air from adjacent properties or adversely affect the interior block open space formed by the rear yards of adjacent properties, and the modification request is not combined with any other residential open space modification or exposure variance for the project.
12. **Open Space – Residential.** Planning Code Section 135 requires the project to provide 80 square feet of usable open space per dwelling unit (29,920 square feet) if not publicly accessible or 54 square feet of usable open space per dwelling unit (20,196 square feet) if publicly accessible. The proposed project proposes open space within a public paseo, an inner court, a roof terrace at the 9th Floor and a roof deck. Future submittals should include dimensions for the proposed open space area to ensure compliance with the open space requirements. In addition, Planning Code Section 135 includes standards for inner and outer courts to meet the open space requirements. Please ensure all open space areas meet these dimensional requirements. If the open space provided does not meet the minimum requirements, an in-lieu fee may be paid instead of providing the open space on site per Section 427. However, Department staff recommends providing the required amount of residential open space on-site.

The Department recommends that open spaces include quality greening that supports biodiversity, human connections with nature (including biophilic design concepts), and natural shade/cooling, as well as opportunities for urban gardening. Productive landscapes (urban agriculture and food production) are another way to provide an amenity for housing developments and meet open space requirements. Plants should be drought tolerant, locally appropriate, and habitat supportive. Please see the SF Plant Finder tool to find the best species for your project area: www.sfplantfinder.org.

13. **Open Space – Non-Residential.** Planning Code Section 135.3 requires this project to provide one square foot of open space for every 250 occupied square feet of retail space. Additional details regarding the proposed open space will be required to ensure that the dimensional requirements are met. If the open space provided does not meet the minimum requirements, an in-lieu fee may be paid instead of providing the open space on site per Section 426. Please be aware that while under the current Planning Code, non-residential open space is not required to be open to the public in the MUO District; however, the *Central SoMa Area Plan* planning process will most likely propose a change to require open space to be open to the public and meet design and access standards similar or the same as Section 138.

In addition, the Department recommends that open spaces include quality greening that supports biodiversity, human connections with nature (including biophilic design concepts), and natural shade/cooling, as well as opportunities for urban gardening. Productive landscapes (urban agriculture and food production) are another way to provide an amenity for nonresidential development and meet open space requirements. Plants should be drought tolerant, locally appropriate, and habitat supportive. Please see the SF Plant Finder tool to find the best species for your project area: www.sfplantfinder.org.

14. **Dwelling Unit 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, that is, (1) face directly on a street right-of-way, (2) have a code-complying rear yard, or (3) have an appropriately sized courtyard. Several of the units, particularly those facing the inner court, would not meet this requirement and would require an exception. The units facing the public paseo may also require an exception to this requirement. The Department would encourage the project sponsor to design the project to provide Code-complying courtyards to ensure that as many units as possible meet the exposure requirements.
15. **Dwelling Unit Mix.** Planning Code Section 207.6 outlines the requirements for minimum dwelling unit mix for new residential properties within the MUO Zoning District. The project must provide either: no less than 40 percent of the total number of proposed dwelling units as two bedroom units; or no less than 30 percent of the total number of proposed dwelling units as three bedroom units. The proposed project plans indicates the provision of 130 two-bedroom units and 22 three-bedroom units, which would meet this requirement.
16. **Streetscape Plan.** The project proposes new construction on a lot greater than one half-acre, 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. Additional comments from the Streetscape Design Advisory Team (SDAT) are provided in the 'Preliminary Design Comments' section below.

17. **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 would not cast new shadow on existing Recreation and Park property (See Attachment – Figures).
18. **Shadow Analysis (Section 147).** Section 147 requires that new buildings that exceed a height of 50 feet shall be shaped, consistent with the dictates of good design and without unduly restricting the development potential of the site in question, 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 (See Attachment-Figures), and it indicated that the project could potentially cast a shadow on open space protected under Planning Code Section 147. Further shadow analysis may be required as part of the Environmental Evaluation.
19. **Street Frontage.** As new construction located within an Eastern Neighborhoods Mixed Use District, the proposed project would be subject to the requirements for street frontage, as outlined in Planning Code Section 145.1, including the requirements for active uses, ground floor ceiling heights, transparency and fenestration, among others. In particular, entrances to off-street parking are limited to 20-ft in width. Please revise the entrance to the off-street parking and loading along Bluxome Street. Please refer to Planning Code Section 145.1.
20. **Off-Street Parking.** Under current zoning (WMUO) and the proposed zoning under the Central Corridor planning process (MUO), no parking would be required. However, each of these zoning districts would have parking maximums, which are listed in Planning Code Section 151.1.

For residential use within the MUO Zoning District, parking is limited to 1 car for each 4 dwelling units without Planning Commission approval, 0.75 car for each dwelling unit with Conditional Use Authorization, and 1 car for each dwelling unit with at least 2 bedrooms and at least 1,000 square feet of occupied floor area with Conditional Use Authorization from the Planning Commission. With 374 proposed units, the project is allowed a principally permitted maximum of 94 parking spaces. Additional parking spaces may be permitted with a conditional use, however, the Department does not support granting a conditional use for additional parking spaces at this location and strongly encourages the project sponsor to reduce off-street parking from the 291 spaces proposed in the project's scope. The proposed project's 567,835 gross square feet would require a Large Project Authorization and thus the request for parking in excess of the principally permitted amount would be considered under the LPA in lieu of a conditional use.

For retail use within the MUO Zoning District, parking is permitted at a ratio of 1 car for each 1,500 sq. ft. of retail use.

Given the transit-rich location of the project and the objectives of the Central SoMa Plan, the Department strongly encourages the project sponsor to reduce the amount of off-street parking proposed to less than the maximum principally allowed by code from the project scope.. The Department would not support parking over the amount permitted as-of-right. On August 4th the Planning Commission recommended that the Board of Supervisors adopt Transportation Demand Management program. Given the likely scenario that the Board adopts the proposed legislation, the project will likely need to further reduce off-street parking below the maximum of 94 principally permitted parking spaces.

21. **Off-Street Loading.** Planning Code Section 152.1 outlines the requirements for off-street freight loading parking spaces. For the proposed residential use, two off-street freight loading parking spaces would be required. One off-street freight loading space may be required for the ground-floor retail use. Currently, the floor plans show loading at the ground floor along Bluxome Street. Please ensure compliance with this requirement. Loading should be accommodated below grade if possible.
22. **Bicycle Parking & Showers.** Planning Code Section 155.2 provides requirements for bicycle parking in new development. The number of required Class 1 and Class 2 bicycle parking spaces is dependent on the amount of retail and residential space. In addition, Planning Code Section 155.4 outlines the requirement for shower facilities and lockers for retail development. Future submittals should include information necessary to determine compliance with these requirements.
23. **Car-Sharing.** Planning Code Section 166 provides the required number of car sharing spaces for new construction. For 374 dwelling units, a total of 2 car-share parking spaces are required. The number of required car-share parking spaces for non-residential use shall be dependent on the amount of off-street parking. Please ensure compliance with this requirement.
24. **Unbundled Parking.** Planning Code Section 167 requires that all off-street parking spaces accessory to residential uses in new structures shall be leased or sold separately from the rental or purchase fees for dwelling units for the life of the dwelling units, such that potential renters or buyers have the option of renting or buying a residential unit at a price lower than would be the case if there were a single price for both the residential unit and the parking space. In cases where there are fewer parking spaces than dwelling units, the parking spaces shall be offered first to the potential owners or renters of three-bedroom or more units, second to the owners or renters of two bedroom units, and then to the owners or renters of other units. Renters or buyers of on-site inclusionary affordable units provided pursuant to Section 415 shall have an equal opportunity to rent or buy a parking space on the same terms and conditions as offered to renters or buyers of other dwelling units, and at a price determined by the Mayor's Office of Housing, subject to procedures adopted by the Planning Commission notwithstanding any other provision of Section 415. This requirement shall be made a condition of approval if your project entitlement is approved.

25. **Standards for Bird Safe Buildings.** The Project will be subject to Planning Code Section 139, Standards for Bird Safe Buildings, as it relates to Feature Related Hazards; the Project is not located within 300' of an Urban Bird Refuge and is thus not subject to Location Related Hazards. Please note the Feature Related requirements, under subsection (c)(2).
26. **Vision Zero.** The project is located on a cyclist "high-injury corridor" (Townsend Street), identified through the City's [Vision Zero Program](#). The Sponsor is encouraged to incorporate pedestrian safety streetscape measures into the project. The Department's Streetscape Design Advisory Team may require additional pedestrian safety streetscape measures due to the project's location. Please see comments below.
27. **SFPUC Project Review.** The SFPUC has a separate project review process for projects that propose to use land owned by the SFPUC or subject to an easement held by the SFPUC; or projects that propose to be constructed above, under, or adjacent to major SFPUC infrastructure. For projects meeting the above criteria, please contact SFProjectReview@sfgov.org for a SFPUC Project Review and Land Use Application. For more information regarding the SFPUC's water, sewer, and stormwater requirements, please visit the For Developers webpage at:
<http://www.sfgov.org/index.aspx?page=574>
28. **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.
29. **Stormwater.** If the project results in a ground surface disturbance of 5,000 sq.ft., 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.

30. **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 <http://sfwater.org/index.aspx?page=141>.
31. **Non-Potable Water Reuse.** Beginning November 1, 2016, all new buildings of 250,000 square feet or more of gross floor area, must install non-potable water reuse systems to treat and reuse available alternate water sources for toilet and urinal flushing and irrigation. All three buildings on the Flower Mart site are larger than 250,000 SF. Your project will need approvals from the San Francisco Public Utilities Commission and permits from both the Department of Public Health and DBI to verify compliance with the requirements and local health and safety codes. To view more information about the requirements, please visit <http://www.sfwater.org/np>. Project teams may contact nonpotable@sfwater.org for assistance. The Department recommends the project sponsor work with the Planning Department and the SFPUC to consider a district-scale system that serves the entire Project and optimize co-benefits of non-potable and stormwater management approaches that support living roofs and streetscape greening.
32. **Noise Regulations Relating to Residential Uses Near Places of Entertainment (POE).** New residential development within 300 feet of a Place of Entertainment must go through an Entertainment Commission outreach process ([Ordinance Number 070-015](#)). In addition, new residential development will also be required to record a Notice of Special Restrictions (NSR) on the site. The subject site is located within 300 feet of an existing POE(see enclosed map, Attachment-Figures). Please note that the Planning Department will not consider an entitlement application complete until the following are completed:
- (A) The Entertainment Commission has provided written notification to the Planning Department indicating that it either did not wish to hold a hearing, or that it held a hearing and the Project Sponsor attended; and
 - (B) The Project Sponsor has included a copy of any comments and/or recommendations provided by the Entertainment Commission regarding the proposed Project as well as the date(s) when the those comments were provided. This shall be done as an additional sheet in any plan set submitted to the Planning Department and as an attachment in an entitlement application.

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

33. **Diaper Changing Stations.** Planning Code Section 168 requires new retail sales and services uses or retail entertainment and recreation uses, 5,000 square feet or more in size, to provide and maintain baby diaper-changing accommodations.
34. **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. The following Inclusionary Affordable Housing requirements are those in effect at the time as of issuance of this letter, and the Central SoMa Plan will likely change them. In the event that the requirements change, the Project Sponsor shall comply with requirements in place at the time of the issuance of first construction document. 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 exception agreement is secured by the project sponsor. Affordable units designated as on-site units shall be affordable units for the life of the project. The applicable percentage is dependent on the number of units in the project, the zoning of the property, and the date that the project submitted a complete Environmental Evaluation Application. A complete Environmental Evaluation Application has not been submitted; therefore, pursuant to Planning Code Section 415.3 and 415.6, the Inclusionary Affordable Housing Program requirement for the On-site Affordable Housing Alternative is to provide 25% of the proposed dwelling units as affordable to low-income households as defined by the Planning Code and Procedures Manual.

For your information, if a project proposes rental units, it may be eligible for an On-site Alternative to the Affordable Housing Fee if that is the method of compliance the project sponsor were to choose and demonstrates 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.

35. **Central SoMa Public Benefits Requirements.** The Central SoMa Plan is considering raising requirements for public benefits commensurate with additional development potential granted by the Plan. For more information, please see the Central SoMa Draft Plan and Implementation Strategy entitled "Part IIC – Central SoMa Requirements for New Development," available online at:

http://default.sfplanning.org/Citywide/Central_Corridor/Central_SoMa_Plan_Part02C-Requirements_for_New_Development_FINAL.pdf

36. **Impact Fees.** This project will be subject to various impact fees, as more fully detailed below. Please refer to the Planning Director's Bulletin No. 1 for an overview of Development Impact Fees,⁷ 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. Transportation Sustainability Fee (Planning Code Section 411A)
 - b. Child-Care In-Lieu Fee & Residential Child Care Fee (Planning Code Sections 414 & 414A)
 - c. Affordable Housing Fee (Planning Code Section 415)
 - d. Eastern Neighborhoods Impact Fees (Planning Code Section 423)
37. **Option for In-Kind Provision of Community Improvements and Fee Credits.** Project Sponsors may propose to directly provide community improvements to the City. In such a case, the City may enter into an In-Kind Improvements Agreement with the sponsor and issue a fee waiver for the Eastern Neighborhoods Impact Fee from the Planning Commission. This process is further explained in Section 412.3(d) of the Planning Code. More information on in-kind agreements can be found in the Application Packet for In-Kind Agreement on the Planning Department website.
38. **First Source Hiring Agreement.** A First Source Hiring Agreement is required for any project proposing to construct 25,000 gross square feet or more. For more information, please contact:
- Ken Nim, Workforce Compliance Officer
CityBuild, Office of Economic and Workforce Development
City and County of San Francisco
1 South Van Ness, San Francisco, CA 94102
Direct: 415.701.4853, Email: ken.nim@sfgov.org
Fax: 415.701.4897
Website: <http://oewd.org/Workforce-Development.aspx>

PRELIMINARY DESIGN COMMENTS:

The comments identify preliminary design issues that may substantially affect the proposed project. The objectives, policies, and implementation measures referenced below stem from the Draft Central SoMa Plan and its Implementation Matrix found on the plan's website: <http://sf-planning.org/central-soma-plan> unless otherwise noted.

Urban Design

1. **Site Design, Open Space, and Massing.** Based on the proposed *Central SoMa Area Plan* under which the proposed project height would be permissible, according to Implementation Measure 3.1.1.1, the proposed residential development, other than the ground floor restaurant, would not be allowable. With a lot area of 30,721 sq.ft., the lot area exceeds the Special Use District limit of 30,000 for

residential land uses. According to the *Central SoMa Area Plan*, “Parcels larger than 30,000 square feet south of Harrison Street require that two-thirds of new development below 160 feet in height be non-residential.”

If the project sponsor were to reduce the project site area below 30,000 sq.ft., then the proposed residential development would be allowable. Such a lot area reduction could be accomplished by splitting the one existing parcel into two parcels. In this scenario, the newly created adjacent parcel could not be developed as part of the proposed project, including being situated above the proposed project’s below-grade parking. In order for this new parcel to be used as open space and satisfy the Planning Code’s exposure requirements for the proposed residential units, the new parcel would either need to become a public right-of-way or dedicated to the City in perpetuity as an easement. The adjacent new parcel would also not count towards the proposed project’s rear yard requirement. Additionally, the bulk controls within the Central SoMa Plan would require that the building massing be set back 15’ from any property line beginning at a height of 85’. If the project sponsor were to pursue this scenario, where the proposed project site is split into two parcels, the bulk controls would apply at the newly created lot line between the parcels (see Implementation Measure 8.3.4.2).

If the project were to propose office use instead, or a mix of office and residential that were not to exceed the provisions of the Special Use District, the Department recommends providing the mid-block passageway POPOS on deep enough ground that will allow trees to grow. Please review POPOS requirements under Implementation Measure 5.5.1.1 that describe size, location, activity, and amenity options and/or requirements.

3. **Architecture.** As described in the Central SoMa Plan, the Planning Department would like to see a more innovative and expressive design for the project overall that reflects the prominence that this building will have in the neighborhood and on the skyline. Please review the Plan’s Objective 8.6 “Promote high quality architecture that enhances the neighborhood” – in particular Policy 8.6.2. “Promote innovative and contextually-appropriate design.” The Department also recommends reviewing pages 151-155 of the Draft Central SoMa Area Plan, Part II.D Guide to Urban Design, a document that further expresses the architecture and neighborhood character vision for the plan.

This specific area of the plan is anticipated to have a number of distinctive high-rises and this project should be a key contributor to the neighborhood’s identity; the design as proposed does not do this. A revised design should articulately reference or use contextual materials and proportions, in particular at the building base. The tower should offer a more volumetric design approach that is legible from a variety of vantage points rather than more unarticulated sides at interior property lines. The Department also requests the use of high quality materials.

4. **Passive Design.** Energy consumption, user comfort, and the adjacent micro climate may be greatly enhanced by careful consideration of building orientation, massing, glazing, daylighting, natural ventilation, and operable shading. Ideally buildings maximize solar gain for renewable energy generation and reduce solar gain to minimize cooling and associated energy needs.

Streets

The following comments were generated by the Street Design Advisory Team, SDAT, comprised of staff of Planning, SFMTA, and Public Works.

1. **Central SoMa Plan and the Proposed Bluxome Street Linear Park.** The City's Draft Central SoMa Plan proposes repurposing a portion of the 70-foot wide right-of-way of Bluxome Street as a new linear open space. The Plan is currently being analyzed in the Central SoMa EIR, which is anticipated to be certified in 2017 (see Attachment – Figures (Streetscape Section)). The constellation of development sites along Bluxome Street presents an opportunity to create a high-quality public space along Bluxome Street and share the construction and maintenance of the space. An 8-inch water main lies within the footprint of the proposed linear park. The Project Sponsor would be required to relocate the water main to the new footprint of the street and outside of the proposed Bluxome Street linear park. (see Attachment – Figures (Streetscape Section)). For questions please contact the SFPUC – Water Division at: cddengineering@sfwater.org.
2. **Electrical Transformer Room.** If a new electrical power transformer is required by PG&E to provide power to the building, please show the location of the transformer room on the plans. SF Public Works typically does not permit new transformer vaults in the public right-of-way. If an exception is requested, a Vault Permit from SF Public Works Bureau of Street Use & Mapping (BSM) will be required.
3. **Muni Operator Restroom.** The SFMTA has a need for dedicated Muni operator restroom facilities near this location and requests the project include restrooms for exclusive access/use by Muni operators. The SFMTA is willing to develop an agreement and pay licensing fees for access. General requirements include 24/7 access for SFMTA staff and a location close to a street entrance on the ground floor. For further information contact William Zhao of SFMTA Real Estate (William.Zhao@sfmta.com, 415-701-4514).

PRELIMINARY PROJECT ASSESSMENT EXPIRATION:

This Preliminary Project Assessment is valid for a period of **18 months**. An Environmental Evaluation, Conditional Use Authorization, or Building Permit Application, as listed above, must be submitted no later than **April 8, 2018**. 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.

Attachment: Figures – 330 Townsend Street (Shadow Fan & Entertainment Analysis).

Enclosures: Neighborhood Group Mailing List
Flood Notification: Planning Bulletin
SFPUC Recycled Water Information Sheet

cc: Sean Buran & Scott Soucy, 330 Townsend (SF) Owner, LLC
Ming Yeung, Current Planning
Justin Horner, Environmental Planning

Scott Edmondson, Citywide Planning—Information & Analysis, Coordinator

Maia Small, Design Review, UDAT – Urban Design Advisory Team)

Paul Chasan, Street Design Review, SDAT - Street Design Advisory Team)

Jonas Ionin, Planning Commission Secretary

Charles Rivasplata, SFMTA

Jerry Sanguinetti, Public Works (DPW)

Pauline Perkins, SFPUC

June Weintraub and Jonathan Piakis, DPH (because project site is in Air Pollutant Exposure Zone)

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

ATTACHMENT – Figures – 330 Townsend Street

FIGURE – SHADOW FAN

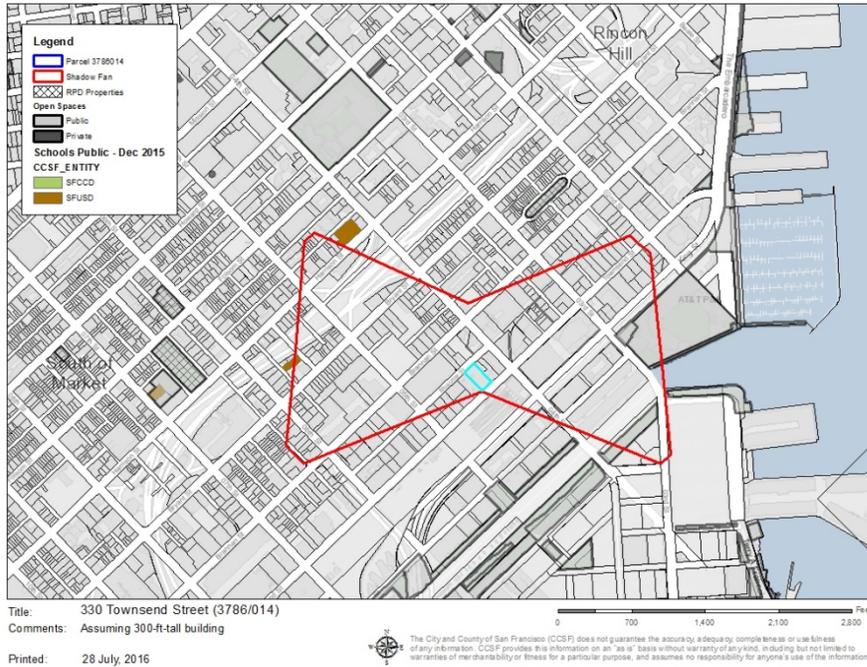


FIGURE – PLACES OF ENTERTAINMENT ANALYSIS

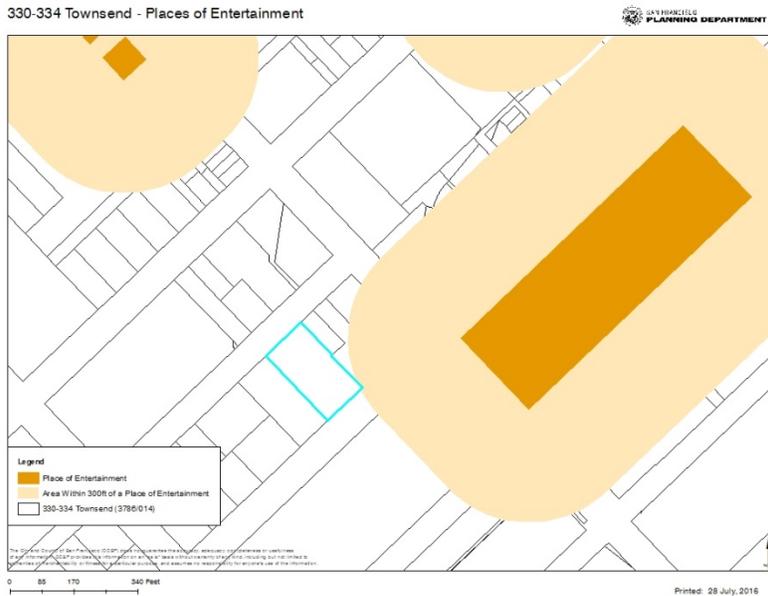
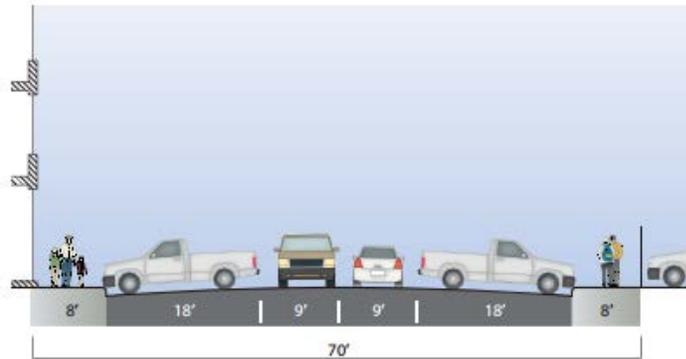
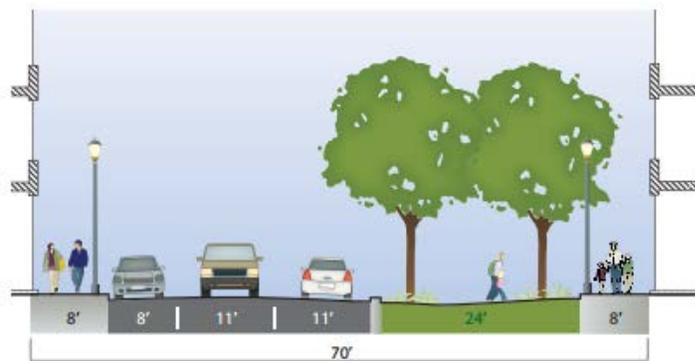


FIGURE -- PRELIMINARY DESIGN COMMENTS - STREETS

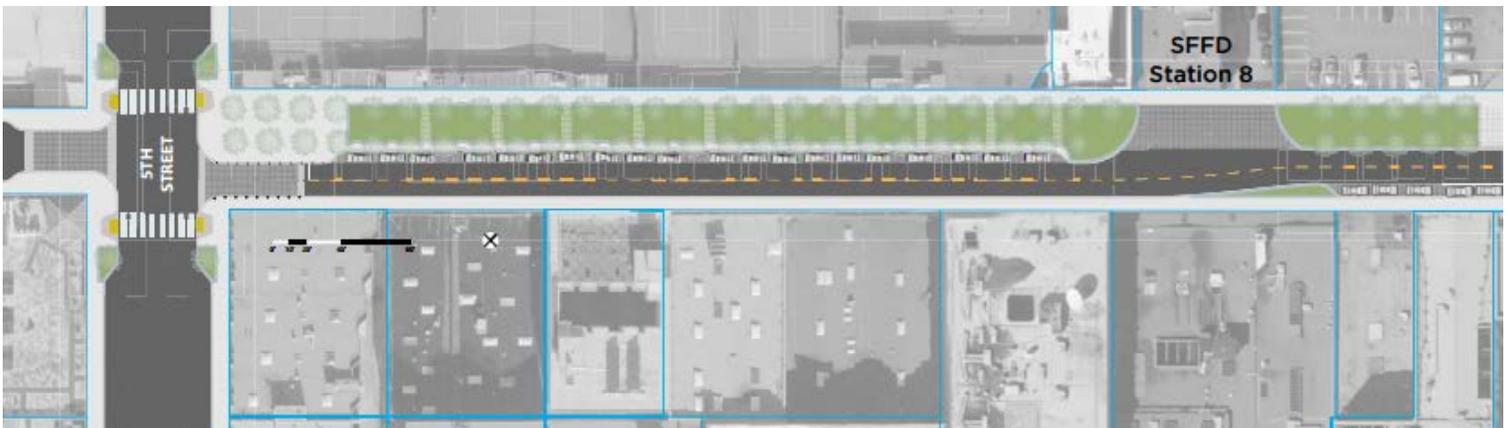
Proposed Bluxome Street Linear Park – Existing – Proposed Section Views, and Plan View



Existing Bluxome Street Section View - Looking West



Proposed Bluxome Street Section View - Looking West



Conceptual Plan View of Bluxome Street Linear Park

Enclosures

1. Neighborhood Group Mailing List
2. Flood Notification: Planning Bulletin
3. SFPUC Recycled Water Information Sheet