



SAN FRANCISCO PLANNING DEPARTMENT

MEMO

DATE: October 17, 2016
TO: Jonathan Pearlman, Elevation Architects
FROM: Joy Navarrete, Planning Department
RE: PPA Case No. 2016-009538 PPA for 300 5th Street

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

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Please find the attached Preliminary Project Assessment (PPA) for the address listed above. You may contact the staff contact, Chris Thomas, at (415) 575-9036 or christopher.thomas@sfgov.org, to answer any questions you may have, or to schedule a follow-up meeting.

A handwritten signature in black ink, appearing to read "Joy Navarrete", written over a horizontal line.

Joy Navarrete, Senior Planner



SAN FRANCISCO PLANNING DEPARTMENT

Preliminary Project Assessment

Date: October 17, 2016
Case No.: **2016-009538PPA**
Project Address: 300 5th Street
Block/Lot: 3753/146
Zoning: MUR (Mixed Use – Residential)
Within ¼ Mile of an Existing Fringe Financial Service
Youth and Family Zone
85-X
Area Plan: Eastern SoMa (Eastern Neighborhoods)
Central SoMa
South of Market
Project Sponsor: Jonathan Pearlman, Elevation Architects
415-537-1125
jonathan@elevationarchitects.com
Staff Contact: Chris Thomas – 415-575-9036
christopher.thomas@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 July 15, 2016, 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 proposal is to demolish the existing one-story, approximately 1,660-square-foot (sf) Shell gas station service center and construct an eight-story, 85-foot-tall (100 feet tall with elevator penthouse), approximately 13,400 sf mixed use building with 1,300 sf of commercial space at the ground floor and nine residential units on floors 2 through eight (four one-bedroom units and five two-bedroom units). The commercial space and the residential lobby would be accessed by separate entrances on Folsom Street. Nine Class 1 bicycle parking spaces would be provided on the ground floor and four Class 2 bicycle parking spaces would be provided on Folsom Street in front of the project site. No vehicular parking would be provided. The depth and volume of excavation was not provided in the application documents; however, in a September 22, 2016 email the project architect stated that the project will not have a basement and be constructed over a mat slab foundation, likely with piers. The mat slab might be 24 inches thick resulting in approximately 166 cubic yards of excavated material over the approximately 2,250-sf lot. The project site is within the boundaries of the Central SoMa Historic Resources Survey; however, it is not within a designated historic district. The existing gas station service center was built in 1990 and is not considered a historic resource.

PLANNING CONTEXT:

The proposed project is located within the Eastern Neighborhoods Area Plan, which was evaluated in the *Eastern Neighborhoods Rezoning and Area Plans Programmatic Final Environmental Impact Report (Eastern Neighborhoods PEIR)*, certified in 2008.¹ The project site also lies within the proposed Central SoMa Plan area, a community planning process initiated in 2011. The Central Corridor Plan Draft for Public Review² (Draft Plan) was released in April 2013, with proposed changes to the allowed land uses and building heights in the Plan area, including a strategy for improving the public realm within the Plan area and vicinity. The Draft Plan is available for download at <http://centralsoma.sfplanning.org>. The Central SoMa Plan will be evaluated in an Environmental Impact Report (EIR), which is currently underway. The Draft Plan and its proposed rezoning are anticipated to be before decision-makers for approval in 2016.

The existing zoning for the project site is MUR (Mixed Use – Residential), which allows residential and commercial uses, while the proposed use district for the project site in the Draft Plan is MUG (Mixed Use – General), which allows residential and small-scale retail uses. The Draft Plan includes two height alternatives; for both the mid-rise and high rise alternatives the project site height limit is 85-X. Further comments in this Preliminary Project Assessment (PPA) are based on the Draft Plan concepts published to date, which are contingent on the approval of the proposed Central SoMa Plan rezoning by the Planning Commission and Board of Supervisors.

ENVIRONMENTAL REVIEW:

Community Plan Exemption

¹ Available for review on the Planning Department's Area Plan EIRs web page at: <http://www.sf-planning.org/index.aspx?page=1893>.

² Please note that the Central SoMa Plan was formerly called the Central Corridor Plan. To avoid ambiguity, this letter uses the current "Central SoMa Plan" when referring to the ongoing planning process, while "Draft Plan" refers to the document published in April 2013 under the name "Central Corridor Plan Draft for Public Review."

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

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

Within the CPE process, there can be three different outcomes as follows:

- 1. CPE Only.** All potentially significant project-specific and cumulatively considerable environmental impacts are fully consistent with significant impacts identified in the *Eastern Neighborhoods PEIR*, and there would be no new "peculiar" significant impacts unique to the proposed project. In these situations, all pertinent mitigation measures and CEQA findings from the *Eastern Neighborhoods PEIR* are applied to the proposed project, and a CPE checklist and certificate is prepared. With this outcome, the applicable fees are: (a) the CPE determination fee (currently \$14,017) and (b) the CPE certificate fee (currently \$7,779).
- 2. Mitigated Negative Declaration.** If new site- or project-specific significant impacts are identified for the proposed project that were not identified in the *Eastern Neighborhoods PEIR*, and if these new significant impacts can be mitigated to a less-than-significant level, then a focused mitigated negative declaration is prepared to address these impacts, and a supporting CPE checklist is prepared to address all other impacts that were encompassed by the *Eastern Neighborhoods PEIR*, with all pertinent mitigation measures and CEQA findings from the *Eastern Neighborhoods PEIR* also applied to the proposed project. With this outcome, the applicable fees are: (a) the CPE determination fee (currently \$14,017) and (b) the standard environmental evaluation fee (which is based on construction value).
- 3. Focused EIR.** If any new site- or project-specific significant impacts cannot be mitigated to a less-than-significant level, then a focused EIR is prepared to address these impacts, and a supporting CPE checklist is prepared to address all other impacts that were encompassed by the *Eastern Neighborhoods PEIR*, with all pertinent mitigation measures and CEQA findings from the *Eastern Neighborhoods PEIR* also applied to the proposed project. With this outcome, the applicable fees are: (a) the CPE determination fee (currently \$14,017); (b) the standard environmental evaluation fee (which is based on construction value); and (c) one-half of the standard EIR fee (which is also based on construction value). An EIR must be prepared by an environmental consultant from the Planning Department's environmental consultant pool (http://www.sfplanning.org/ftp/files/MEA/Environmental_consultant_pool.pdf). The Planning

Department will provide more detail to the project sponsor regarding the EIR process should this level of environmental review be required.

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 (EEA)**. The EEA can be submitted at the same time as the PPA Application. The environmental review may be done in conjunction with the required approvals listed below, but must be completed before any project approval may be granted. **Note that until an entitlement application is submitted to the Current Planning Division, only the proposed Project Description will be reviewed by the assigned Environmental Coordinator.** EEAs are available in the Planning Department lobby at 1650 Mission Street, Suite 400, at the Planning Information Center at 1660 Mission Street, and online at www.sfplanning.org under the "Publications" tab. See "Environmental Applications" on page 2 of the current Fee Schedule for a calculation of environmental application fees.³

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

1. **Historic Resources.** Constructed in 1990, the existing gas station service building on the project site is less than 45 years of age and was found ineligible for national, state, or local listing in the South of Market Area Historic Resource Survey. Thus, the proposed project is not subject to review by the Department's Historic Preservation staff; no additional analysis of historic architectural resources is required.
2. **Archeological Resources.** The project site lies within the East South of Market (SoMa) Area Plan which is part of the Eastern Neighborhoods Rezoning and Area Plans (Eastern Neighborhoods Plan). The project site is within an area subject to Eastern Neighborhoods Plan Mitigation Measure J-2 (Properties With No Previous Studies). Therefore, 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, depth and volume of excavation, installation of foundations, soils improvement, and site remediation in the EEA, and submit any

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

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 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. **Transportation.** Based on the PPA submittal, a transportation impact study is not anticipated; an official determination will be made subsequent to submittal of the EEA. However, the project site is located on a high injury corridor as mapped by Vision Zero.⁴ Planning staff have reviewed the proposed site plans and recommends that site plans submitted with the EEA show the existing and proposed sidewalks (that is, any streetscape plan including the location of the Class 2 bicycle spaces), so that potential pedestrian and bicyclist safety hazards may be evaluated.
5. **Noise.** *Eastern Neighborhoods PEIR Noise Mitigation Measure F-1: Construction Noise* addresses requirements related to the use of pile-driving. The project sponsor has not indicated whether the project would involve pile driving. If pile driving would be involved, *Noise Mitigation Measure F-1* 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.

Eastern Neighborhoods PEIR Noise Mitigation Measure F-2: Construction Noise requires that the project sponsor develop a set of site-specific noise attenuation measures under the supervision of a qualified acoustical consultant when the environmental review of a development project determines that construction noise controls are necessary due to the nature of planned construction practices and sensitivity of proximate uses. This mitigation measure requires that a plan for such measures be

⁴ This document is available at: <http://www.sfmta.com/sites/default/files/projects/2015/vision-zero-san-francisco.pdf>.

submitted to DBI prior to commencing construction to ensure that maximum feasible noise attenuation will be achieved.

6. **Air Quality.** The proposed project, with nine dwelling units, is below the Bay Area Air Quality Management District's (BAAQMD) construction and operation screening levels for criteria air pollutants.⁵ Therefore, an analysis of the project's criteria air pollutant emissions is not likely to be required. However, please provide detailed information related to the volume of excavation as part of the EEA.

In addition, project-related demolition, excavation, grading and other construction activities may cause wind-blown dust that could contribute particulate matter into the local atmosphere. To reduce construction dust impacts, the proposed project will be required to adhere to the dust control requirements set forth in the Construction Dust Ordinance contained in San Francisco Health Code Article 22B and San Francisco Building Code Section 106.A.3.2.6. The proposed project is also required to prepare a Construction Dust Control Plan for review and approval by the San Francisco Department of Public Health (DPH).

The project site is also located within an Air Pollutant Exposure Zone, as mapped and defined by Health Code Article 38. The Air Pollutant Exposure Zone identifies areas with poor air quality based on modeling of air pollution, exposures, and health vulnerability from mobile, stationary, and area source emissions within San Francisco. The project proposes to construct new sensitive land uses (i.e., residential), which are subject to enhanced ventilation measures pursuant to Health Code Article 38. The project sponsor will be required to submit an Article 38 application to DPH prior to the issuance of any environmental determination. Please provide a copy of the Article 38 application with the EEA.⁶ In addition, equipment exhaust measures during construction, such as those listed in Eastern Mitigation Measure M-AQ-1, Construction Air Quality, will likely be required.

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 project's proposed height of 85 feet, a backup diesel generator would likely be required and additional measures, such as that described in Mitigation Measure M-AQ-2, Best Available Control Technology for Diesel Generators, will likely be necessary to reduce its emissions. Please provide detailed information related to any proposed stationary sources with the EEA.

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 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

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

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

Analysis Compliance Checklist.⁷ The project sponsor is required to submit the completed table regarding project compliance with the identified regulations and provide project-level details in the discussion column. This information will be reviewed by the environmental planner during the environmental review process to determine if the project would comply with San Francisco's Greenhouse Gas Reduction Strategy. Projects that do not comply with an ordinance or regulation may be determined to be inconsistent with the Greenhouse Gas Reduction Strategy.

8. **Wind.** The proposed project would involve construction of a building over 80 feet in height. The project will therefore 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 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 would not cast shadows on any Department of Recreation and Parks property or any other open space. Therefore, a detailed shadow study would not be required.
10. **Geology.** The project site is located within a Seismic Hazard Zone (a Liquefaction Hazard Zone likely underlain by artificial fill). Any new construction on the site is therefore subject to a mandatory Interdepartmental Project Review.⁸ A geotechnical study prepared by a qualified consultant must 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.
11. **Hazardous Materials.** The proposed site is located in an area with potentially contaminated soils as indicated by the Department of Public Health's Maher Map.⁹ Please confirm the volume and depth of excavation necessary for construction of the proposed project in the EEA. If the amount of excavation is greater than 50 cubic yards, or if otherwise determined by the Department of Public Health, the proposed project may be subject to Article 22A of the Health Code, also known as the Maher Ordinance. The Maher Ordinance, which is administered and overseen by the Department of Public Health (DPH), requires the project sponsor to retain the services of a qualified professional to prepare a Phase I Environmental Site Assessment (ESA) that meets the requirements of Health Code Section 22.A.6. The Phase I ESA would determine the potential for site contamination and level of exposure

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

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

⁹ San Francisco Department of Public Health Maher Map. Available online at: http://www.sf-planning.org/ftp/files/publications_reports/library_of_cartography/Maher%20Map.pdf.

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. If these steps are required, they must be completed prior to the issuance of any building permit.

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

12. **Tree Planting and Protection.** The Department of Public Works Code Section 8.02-8.11 requires disclosure and protection of landmark, significant, and street trees located on private and public property. Any such trees must be shown on the site plans with the size of the trunk diameter, tree height, and accurate canopy drip line. Please submit the *Tree Planting and Protection Checklist* with the EEA and ensure that trees are appropriately shown on site plans. Also see the comments below under "Street Trees."
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 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.