

SAN FRANCISCO PLANNING DEPARTMENT

МЕМО

DATE:	July 26, 2017
TO:	Tomas Janik, Six Fifty Harrison Investors LLC.
FROM:	Joy Navarette, Planning Department
RE:	Case No. 2017-004921PPA for 650 Harrison Street

Please find the attached Preliminary Project Assessment (PPA) for the address listed above. You may contact the staff contact, Julie Moore, at (415) 575-8733 or Julie.Moore@sfgov.org, to answer any questions you may have, or to schedule a follow-up meeting.

arrete, Environmental Planner

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SAN FRANCISCO PLANNING DEPARTMENT

Preliminary Project Assessment

Date:	July 26, 2017	
Case No.:	2017-004921PPA	
Project Address:	650 Harrison Street	
Block/Lot:	3750/009	
Zoning:	MUR (Mixed-Use Residential) Zoning District	
	85-X Height & Bulk District	
Existing Area Plan:	East SoMa	
Proposed Area Plan: Central SoMa		
Proposed Zoning:	MUO (Mixed-Use Office) Zoning District	
	130-G Height & Bulk District	
Project Sponsor:	Cody Fornari, Tomas Janik	
	Six Fifty Harrison Investors LLC	
	415-923-8377	
Staff Contact:	Julie Moore – (415) 575-8733	
	Julie.Moore@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 April 18, 2017, 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, and 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, 18,000-square-foot (sf) industrial building and construct a 14-story, 128-foot-tall residential building with ground floor retail. The existing building on the approximately 11,000-sf subject lot was constructed in 1940. The proposed new building would include 118 dwelling units consisting of 60 studios, 48 two-bedroom, and 10 one-bedroom units. On the basement level, the project would include 26 vehicle parking spaces accessed by a vehicle elevator, cistern, electrical, mechanical, and generator rooms. On the ground level, the project includes 989 sf of retail space at the corner of Hawthorne Street and Harrison Street, resident amenity spaces, building circulation and service areas, and 106 Class 1 bicycle parking spaces. The project would replace two curb cuts on Hawthorne Street of 30 feet and 17 feet with a new 16-foot-wide curb cut for access to the parking garage. The project would require excavation to a depth of approximately 11 feet and the removal of about 3,950 cubic yards of soil.

BACKGROUND:

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 was released in April 2013 and an update to that Plan, the Central SoMa Plan (Draft Plan) was released in August 2016, 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 Draft EIR was published in December 2016. The Draft Plan and its proposed rezoning are anticipated to be before decision-makers for approval in late 2017. The proposed project appears to be consistent with the height and bulk designations of the Draft Plan. At this point it is unknown whether the height designation proposed in the Draft Plan would ultimately be approved by the Planning Commission and Board of Supervisors. Further comments in this PPA are based on Draft Plan concepts published to date, and the Central SoMa Plan Draft Environmental Impact Report (DEIR) published December 14, 2016, both of which are subject to change.

PRELIMINARY PROJECT COMMENTS:

The following comments address general issues that may affect the proposed project.

1. Central SoMa Plan. The subject property falls within the ongoing Central SoMa Plan Area, generally bounded by 2nd Street to the east, 6th Street to the west, Townsend Street to the south, and an irregular border that generally jogs along Folsom, Howard, and Stevenson Streets to the north. A Draft Plan was published in April 2013, and a revised Draft Plan was published in August 2016. The Draft Plan has been evaluated in a Draft Environmental Impact Report (EIR), published in December 2016. The Draft Plan proposes changes to the allowed land uses, building heights, and bulk controls,

¹ Available for review on the Planning Department's Area Plan EIRs web page at: <u>http://sf-planning.org/area-plan-eirs</u>.

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, and "Draft Plan" refers to the document published in April 2016 under the name "Central SoMa Plan Draft for Public Review."

and includes strategies for improving all the streets and sidewalks, increasing parks and recreational opportunities, and improving the neighborhood's environmental sustainability. The EIR, the Plan, and the proposed rezoning and affiliated Code changes are anticipated to be before decision-makers for approval in late 2017. The Draft Plan is available for download at: http://centralsoma.sfplanning.org.

Further comments in this section of the PPA are based on the 2016 draft Central SoMa Plan and Implementation Strategy.

- 2. Land Use. The Draft Central SoMa Plan recommends rezoning the subject property to the Central SoMa MUO (Central SoMa Mixed Use-Office) zoning district, in which the proposed residential and retail uses would be allowed. The proposed uses are generally consistent with key objectives of the Central SoMa Plan, which include providing support for substantial development in this transit-rich area.
- **3. Urban Form: Height and Bulk.** In recognition of the desire to accommodate more growth in the area, the Draft Central SoMa Plan recommends changing the height limit of the subject property to 130 feet. The project is proposed to be in the "G" bulk district, which establishes maximum dimensions above 85 feet in height.
- 4. Sustainability & Central SoMa Eco-District. 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.

5. Off-Street Parking. The Plan proposes to set the amount of parking allowed in the CMUO district to a maximum of 0.5 spaces per unit, with no potential to increase this ratio. The project currently

proposes 26 off-street parking spaces for a 118-unit building (0.25 spaces per unit), and thus meets this proposed requirement.

- 6. Existing Use/PDR Replacement. The PPA application states that 18,000 square feet of office space will be demolished as part of this proposal. However, City records indicate that the building was constructed as an industrial building with a mezzanine. No record of an approved Change of Use to convert the space from an industrial use to an office use could be located. Therefore, the Project will be subject to the replacement requirements per Planning Code Section 202.8, which states that "In the areas that, as of July 1, 2016, are zoned UMU, MUO or SLI, the replacement space shall include 0.75 square foot of PDR, Institutional Community, or Arts Activities use for each square foot of the use proposed for conversion." Please include the PDR, Institutional Community, or Arts Activities use replacement space in your project submittal.
- 7. Site Design, Open Space and Massing. The Planning Department generally supports the intent of the project as it would provide needed housing and space for retail uses; however the proposed elevation drawings were too schematic to provide detailed comments.

ENVIRONMENTAL REVIEW:

The proposed project requires environmental review in accordance with the California Environmental Quality Act (CEQA). This section identifies the likely environmental review process and additional information and studies necessary to complete environmental review. Formal environmental review begins with Planning Department review of the **Environmental Evaluation Application (EEA)** filed by the project sponsor. The EEA can be submitted at the same time as the PPA application or subsequent to issuance of the PPA letter.

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 http://sf-planning.org/permit-forms-applications-and-fees. See "Environmental Applications" on page 2 of the current Fee Schedule for a calculation of environmental application fees.³ In addition, please see page 4 of the Fee Schedule for monitoring fees applicable to projects that require active monitoring of mitigation measures.

A detailed and accurate description of the proposed project is essential for adequate environmental review. Please update the EEA project description as necessary to reflect feedback provided in this PPA letter and include the additional information and/or documents requested herein and listed again below.

• Information regarding project excavation details, construction equipment (particularly use of pile driving or other particularly noisy construction methods) and schedule, proposed HVAC equipment and stationary sources such as emergency backup generators.

³ San Francisco Planning Department. Fee Schedule for Application Fees. Available online at: <u>http://sf-planning.org/permit-forms-applications-and-fees</u>.

• Plans showing dimensions of existing and proposed sidewalks, existing and proposed curb cuts, and curb cuts to be removed, and passenger and freight loading areas.

If you have already filed your EEA, you may provide the requested information and documents as supplements to your application. The proposed project may be eligible for one of the following two environmental review documents, depending upon the outcome of the proposed Central SoMa Area Plan rezoning.

Option 1: Environmental Review Document- Community Plan Evaluation

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 Central SoMa Plan area. The Central SoMa Plan Draft EIR was published in December 2016. The Draft Plan and its proposed rezoning are anticipated to be before decision-makers for approval in late 2017. If the Central SoMa Plan and its proposed rezoning are approved and the proposed project is consistent with the development density identified in the area plan, it would be eligible for a community plan evaluation (CPE). Please note that a CPE is a type of streamlined environmental review, and cannot be modified to reflect changes to a project after approval. Proposed increases in project size or intensity after project approval beyond the CPE project description 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. All potentially significant project-specific and cumulatively considerable environmental impacts are fully consistent with significant impacts identified in the *Central SoMa EIR*, and there would be no new significant impacts peculiar to the proposed project or its site. In these situations, all pertinent mitigation measures and CEQA findings from the *Central SoMa EIR* 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 \$14,427) and (b) the CPE certificate fee (currently \$8,005).
- 2. Mitigated Negative Declaration. If new site- or project-specific significant impacts are identified for the proposed project that were not identified in the *Central SoMa EIR*, 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 *Central SoMa EIR*, with all pertinent mitigation measures and CEQA findings from the *Central SoMa EIR* also applied to the proposed project. With this outcome, the applicable fees are: (a) the CPE determination fee (currently \$14,427) 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 lessthan-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 *Central SoMa EIR*,

with all pertinent mitigation measures and CEQA findings from the *Central SoMa EIR* also applied to the proposed project. With this outcome, the applicable fees are: (a) the CPE determination fee (currently \$14,427); (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 (<u>http://sf-planning.org/consultant-sponsor-resources</u>). The Planning Department will provide more detail to the project sponsor regarding the EIR process should this level of environmental review be required.

Any development on the project site would be subject to the mitigation measures identified in the Eastern Neighborhoods PEIR and the Central SoMa EIR. Potentially significant project environmental impacts that were identified in and pertinent mitigation measures and CEQA findings from the Eastern Neighborhoods PEIR applicable to the proposed project are discussed below, under the applicable environmental topic. If the Central SoMa Plan is approved, these Eastern Neighborhoods PEIR mitigation measures may be revised or replaced, and/or additional mitigation measures may apply to the proposed project.

Option 2: Environmental Review Document

The proposed project is located within the Eastern Neighborhoods Area Plan, which was evaluated in the *Eastern Neighborhoods Program EIR (PEIR)*. However, it is not consistent with the land use or development density (zoning) identified in the Eastern Neighborhoods Area Plan, and it is therefore not eligible for a community plan evaluation (CPE) under the *Eastern Neighborhoods PEIR*. Therefore, a project-specific initial study/mitigated negative declaration or environmental impact report (EIR) is required. Nonetheless, because the project site is within the geographic area evaluated in the *Eastern Neighborhoods PEIR*, 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 *Eastern Neighborhoods PEIR* that may be applicable to the proposed project are discussed below, under the applicable environmental topic. Based on a preliminary review of the project as it is proposed in the PPA application, some of these topics would require additional study.

- 1. **Historic Resources.** The existing building on the project site was previously evaluated in the South of Market historical resources survey and found ineligible for national, state, or local listing. Thus, the proposed project is not subject to review by the Department's Historic Preservation staff; no additional analysis of historic architectural resources is required.
- 2. Archeological Resources. The project site lies within the *Archeological Mitigation Zone J-2: Properties* with No Previous Studies of the Eastern Neighborhoods PEIR. The proposed project will require Preliminary Archeological Review (PAR) by a Planning Department archeologist. To aid this review the Department archeologist may request a Preliminary Archeological Sensitivity Assessment (PASS) by a Department Qualified Archeological Consultant, subject to the review and approval by the Department archeologist. The Department archeologist will provide three names from the Qualified Archeological Consultant list if the PASS is required. The PAR will assess the archeological sensitivity of the project site based on in-house source material and will consider the potential for archeological impacts resulting from proposed soils disturbance. Please provide

detailed information, including sections, proposed soils-disturbing activities, such as grading, excavation, installation of foundations, soils improvement, and site remediation in the EEA, and submit any available geotechnical/soils or phase II hazardous materials reports prepared for the project to assist in this review. If the Department archeologist determines that the project has a potential to adversely affect archeological resources, the PAR will identify additional measures needed to address the potential effect. These measures may include preparation of an archeological research design and treatment plan, implementation of 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. The Central SoMa Plan DEIR includes Mitigation Measure M-CP-5a: Project-specific Tribal Cultural Resources Assessment, which applies to projects that require excavation to a depth of five feet or greater below ground surface, and is therefore applicable to the proposed project. Planning Department staff will review the proposed project to determine if it may cause an adverse effect to a TCR; this will occur in tandem with preliminary archeological review. No additional information is needed from the project sponsor at this time. Consultation with California Native American tribes regarding TCRs may be required at the request of the tribes. If staff determines that the proposed project may have a potential significant adverse impact on a TCR, mitigation measures will be identified and required. Mitigation measures may include avoidance, protection, or preservation of the TCR and development of interpretation and public education and artistic programs.
- 4. **Transportation.** Based on the Planning Department's Transportation Impact Analysis Guidelines for Environmental Review,⁴ the project would likely require additional transportation analysis to determine whether the project may result in a significant transportation impact. Therefore, the Planning Department requires that a consultant listed in the Planning Department's Transportation Consultant Pool prepare a Circulation Memorandum. Once you select a transportation consultant from the pool, please contact Lana Russell-Hurd at Lana.Russell@sfgov.org or (415) 575-9047 so that she can assign a transportation planner who will direct the scope of the consultant-prepared memorandum. The Department fees for review of a Circulation Memorandum. The Department will also notify the sponsor if SFMTA review may be necessary and if a SFMTA review fee will need to be collected prior to assignment of a transportation planner.

Additionally, the proposed project is located on a high injury corridor as mapped by Vision Zero.⁵ Planning staff have reviewed the proposed site plans and require the following information on proposed project plans submitted with the EEA:

⁴ This document is available at: <u>http://sf-planning.org/consultant-sponsor-resources</u>

⁵ This document is available at: <u>http://www.sfmta.com/sites/default/files/projects/2015/vision-zero-san-francisco.pdf</u>.

- Include dimensions of existing and proposed sidewalk on plans
- Show existing/proposed curb cuts and curb cuts to be removed;
- Indicate where loading will occur (freight loading, passenger loading)
- 5. Noise. The proposed project would be subject to Eastern Neighborhoods PEIR Mitigation Measures F-1, and F-2. *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. This information must be included with the EEA submittal. Therefore, *Noise Mitigation Measure F-1* may apply to the proposed project. This mitigation measure requires that contractors use 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 submitted to DBI prior to commencing construction to ensure that maximum feasible noise attenuation will be achieved.

It is anticipated that the proposed project could include HVAC equipment and a backup generator. Depending upon the equipment needed, the proposed project may generate noise that could result in a substantial permanent increase in ambient noise levels. Please provide details regarding proposed HVAC equipment and backup generators as part of the EEA. The assigned environmental coordinator will review proposed project plans and may request that a noise study be prepared by a qualified acoustical consultant. If required, the noise study would include at a minimum: measurements of the existing noise environment, discussion of applicable noise regulations, analysis of the project's noise effects and the ability of noise sources to meet applicable noise standards. The noise study scope of work must be approved by the environmental coordinator prior to the study.

6. Air Quality.

Criteria Air Pollutants. The proposed project, with 118 dwelling units, is below the Bay Area Air Quality Management District's (BAAQMD) construction and operation screening levels for criteria air pollutants.⁶ 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

⁶ BAAQMD, CEQA Air Quality Guidelines, May 2011, Chapter 3.

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.

Local Health Risks and Hazards. The project site is located within an Air Pollutant Exposure Zone, as mapped and defined by Health Code Article 38. The Air Pollutant Exposure Zone identifies areas with poor air quality based on modeling of air pollution, exposures, and health vulnerability from mobile, stationary, and area source emissions within San Francisco. The project proposes to construct new sensitive land uses (i.e., residential), which are subject to enhanced ventilation measures pursuant to Health Code Article 38. The project sponsor will be required to submit an Article 38 application to DPH prior to the issuance of any environmental determination. Please provide a copy of the Article 38 application with the EEA.⁷ In addition, equipment exhaust measures during construction, such as those listed in Mitigation Measure G-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 proposed project's height of 128 feet, the proposed project would likely require a backup diesel generator and additional measures, such as that described in Mitigation Measure G-4, Siting of Uses that Emit Other Toxic Air Contaminants, 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 Analysis Compliance Checklist.⁸ The project sponsor may 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 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.

⁷ Refer to http://www.sfdph.org/dph/eh/Air/default.asp for more information.

⁸ Refer to <u>http://sf-planning.org/consultant-sponsor-resources</u> for latest "Greenhouse Gas Compliance Checklist for Private Development Projects."

- 9. Shadow. The proposed project would result in construction of a building greater than 40 feet in height. A preliminary shadow fan analysis prepared by Planning Department staff indicates that the proposed project could cast shadows on public open space, the Yerba Buena Gardens. The project sponsor is therefore required to hire a qualified consultant to prepare a detailed shadow study. The consultant must submit a Shadow Study Application, which can be found on the Planning Department's website (http://sf-planning.org/permit-forms-applications-and-fees). A separate fee is required. The consultant must also prepare a proposed scope of work for review and approval by Environmental Planning staff prior to preparing the analysis.
- 10. **Geology.** 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 project would include residential development on a project site with the known or suspect potential for subsurface contamination. Therefore, the project is subject to Article 22A of the Health Code, also known as the Maher Ordinance. The Maher Ordinance, which is administered and overseen by the Department of Public Health (DPH), requires the project sponsor to retain the services of a qualified professional to prepare a Phase I Environmental Site Assessment (ESA) that meets the requirements of Health Code Section 22.A.6. The Phase I ESA would determine the potential for site contamination and level of exposure risk associated with the project. Based on that information, soil and/or groundwater sampling and analysis, as well as remediation of any site contamination, may be required. These steps are required to be completed prior to the issuance of any building permit.

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

Eastern Neighborhoods EIR Hazardous Materials Mitigation Measure L-1: Hazardous Building Materials would be applicable to the proposed project. The mitigation measure requires that the project sponsor ensure that any equipment containing polychlorinated biphenyls (PCBs) or di(2-ethylhexyl) phthalate (DEPH), such as fluorescent light ballasts, and any fluorescent light tubes containing mercury be removed and properly disposed of in accordance with applicable federal, state, and local laws. In addition, any other hazardous materials identified, either before or during work, must be abated according to applicable federal, state, and local laws.

Because the existing building was constructed prior to 1980, asbestos-containing materials, such as floor and wall coverings, may be found in the building. The Bay Area Air Quality Management District (BAAQMD) is responsible for regulating airborne pollutants including asbestos. Please contact BAAQMD for the requirements related to demolition of buildings with asbestos-containing materials. In addition, because of its age (constructed prior to 1978), lead paint may be found in the existing building. Please contact the San Francisco Department of Building Inspection (DBI) for requirements related to the demolition of buildings that may contain lead paint.

12. Disclosure Report for Developers of Major Projects.

San Francisco Campaign and Governmental Conduct Code Section 3.520 et seq. requires the developer of any project with estimated construction costs exceeding \$1,000,000 to submit a *Disclosure Report for Developers of Major City Projects* if the project requires the issuance of a Community Plan Evaluation (CPE), certification of an Environmental Impact Report (EIR), adoption of a Final Mitigated Negative Declaration, or a project approval by the Planning Commission that adopts CEQA Findings (EIR certification). A residential development project with four or fewer dwelling units is not required to file this report. The first (or initial) report must be filed within 30 days of the date of EIR certification or final environmental determination under CEQA. Please submit a *Disclosure Report for Developers of Major City Projects* directly to the San Francisco Ethics Commission. This form can be found at the Planning Department or online at http://www.sfethics.org.

PRELIMINARY PLANNING CODE AND PROCEDURAL COMMENTS:

The following comments address preliminary Planning Code issues that may substantially affect the design and massing of the proposed project:

- 1. Existing Zoning & Height. Within the existing MUR Zoning District, residential and retail uses are permitted, per Planning Code Section 841. Within the existing 85-X Height and Bulk District, the project would not be permitted, since it proposes a building that is 128-ft in height.
- 2. **Proposed Zoning & Height.** The proposed residential and retail uses would be permitted within the proposed MUO Zoning District, as defined in Planning Code Section 842. The proposed height of 128-ft would be permitted within the proposed 130-G Height and Bulk District.
- 3. **Bulk.** Within the "G" Bulk District, projects above a height of 80-ft are limited to a maximum plan length of 170-ft and a diagonal dimension of 200-ft.
- 4. Open Space Residential. Section 135 requires 80 square feet of open space (private or common) for each residential dwelling unit or 54 square feet per unit if publicly accessible. Please provide dimensions for all open space and include the open space breakdown by type for each floor on your project submittal.

Note: As part of the Central SoMa Area Plan, publically-accessible open space will be required as part of future projects. Please refer to the Draft Plan for additional detail.

- 5. **Open Space Non-Residential**. Section 135.3 requires this project to provide one foot of open space for every 250 square feet of retail (and similar) uses. Please include the open space breakdown by type for each floor on your project submittal.
- 6. **Dwelling Unit Exposure**. Section 140 requires that each dwelling unit have at least one room that meets the 120-square-foot minimum superficial floor area requirement of Section 503 of the Housing Code face directly on a street right-of-way, code-complying rear yard, or an appropriately sized courtyard. Please show that each unit meets exposure requirements on your project submittal.
- 7. **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 will not cast new shadow on properties under the jurisdiction of the San Francisco Recreation and Park Commission. Therefore, a detailed shadow analysis would not need to be prepared.
- 8. Shadow Analysis (Section 147). Section 147 requires that new buildings and additions to existing buildings in C-3, South of Market Mixed Use, and Eastern Neighborhoods Mixed Use Districts that exceed 50 feet shall be shaped to reduce substantial shadow impacts on public plazas and other publicly accessible spaces other than those protected under Section <u>295</u>. A preliminary shadow study conducted by staff in conjunction with this PPA Application indicates that the proposed project could shade public open space, therefore, additional shadow analysis would be required.
- 9. **Transportation Demand Management (TDM) Program.** The TDM Program was adopted by the Board of Supervisors in February 2017, and it took effect on March 19, 2017. The proposed project includes 118 dwelling units, and thus is subject to the TDM Program. Based on the proposed 26 parking spaces associated with the residential use, the project will be required to meet or exceed a target score of 14 points for land use category C.

Please note that if the first Development Application – as defined in Planning Code Section 401 – is submitted by December 31, 2017, then the project will only be required to meet 75% of its target score. A Draft TDM Plan was not submitted, thus general compliance with the current requirements of the TDM Program could not be determined.

- 10. **Off-Street Parking.** Per Planning Code Section 842.08, no off-street parking is required for residential and non-residential uses in the MUO District. Section 151.1 allows a maximum of one parking space per dwelling unit and up to one car for each 500 square feet of Occupied Floor Area up to 20,000 square feet, plus one car for each 250 square feet of Occupied Floor Area in excess of 20,000 for Retail Sales and Services. The proposed project contains 26 parking spaces, which complies with the requirements.
- 11. **Bicycle Parking (Class 1)**. Planning Code Section 155 requires this project to provide at least 105 Class 1 bicycle parking spaces. The proposed project contains 108 Class 1 bicycle parking, which complies with the requirements.

- 12. **Bicycle Parking (Class 2).** Planning Code Section 155 requires the project to provide at least 8 Class 2 bicycle parking spaces provided through on-street bicycle racks; however SFMTA has final authority on the type, placement and number of Class 2 bicycle racks within the public right-of-way. Prior to issuance of first architectural addenda, you will be required contact the SFMTA Bike Parking Program at bikeparking@sfmta.com to coordinate the installation of on-street bicycle racks and ensure that the proposed bicycle racks meet the SFMTA's bicycle parking guidelines. Depending on local site conditions and anticipated demand, SFMTA may request the project sponsor pay an in-lieu fee for Class 2 bike racks required by the Planning Code. The SFMTA bicycle parking guidelines can be found at: https://www.sfmta.com/services/streets-sidewalks/installation-requests/bicycle-racks-corrals.
- 13. **Car Sharing**. Planning Code Section 166 requires this project to provide at least one car share space. The proposed project contains no car share spaces. Please include a minimum of one car share space in your project submittal.
- 14. **First Source Hiring Agreement**. A First Source Hiring Agreement is required for any project proposing to construct 25,000 gross square feet or more. For more information, please contact:

Ken Nim, Workforce Compliance Officer CityBuild, Office of Economic and Workforce Development City and County of San Francisco 50 Van Ness Avenue, San Francisco, CA 94102 (415) 581-2303

- 15. 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 Planning Director Bulletin No. 4: http://sf-planning.org/department-publications
- 16. **Stormwater**. If the project results in a ground surface disturbance of 5,000 sf or greater (creating and/or replacing 5,000 square feet or more of impervious surface), 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. Compliance may occur through a mix of rooftop, sidewalk, and open space treatments and technologies, and is encouraged to be designed as a comprehensive system that maximizes co-benefits for greening, habitat creation, urban heat island reduction, building energy savings, and beautification. Systems within the public realm should consider adjacencies and opportunities for flow-through systems to neighborhood detention areas. To view the Stormwater Management Ordinance, the Stormwater Design Guidelines, or download instructions for the Stormwater Control Plan, http://sfwater.org/sdg. Applicants go to may contact stormwaterreview@sfwater.org for assistance.

- 17. **Recycled Water**. Projects located in San Francisco's designated recycled water use areas are required to install recycled water systems for irrigation, cooling, and/or toilet and urinal flushing in accordance with the Recycled (or Reclaimed) Water Use Ordinance, adopted as Article 22 of the San Francisco Public Works Code. New construction or major alterations with a total cumulative area of 40,000 square feet or more; any new, modified, or existing irrigated areas of 10,000 square feet or more; and all subdivisions are required to comply. To determine if the proposed project is in a designated recycled water use area, and for more information about the recycled water requirements, please visit sfwater.org/index.aspx?page=687.
- 18. 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. The proposed project is less than 250,000 SF, but greater than 40,000 SF, so would be required to compete and submit a water balance study. 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 cobenefits for stormwater management, living roofs, and streetscape greening. Regardless of size, project sponsors are encouraged to consider a district-scale system that serves an entire larger project and/or connects smaller projects with adjacent development through shared systems to maximize efficiency and effectiveness.
- 19. Better Roofs Ordinance. In 2016, San Francisco became the first major city in the U.S. 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 to 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 guidance for developers, designers, and/or owners might best utilize rooftop space; ideally, projects should pursue holistic design and amenity enhancements for 100% of usable roof space that include open space, habitat, stormwater management, urban agriculture, and other beneficial uses. Please see the Planning Department's Living Roof Manual to learn more: http://sf-planning.org/department-publications.

- 20. **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.
- 21. **Refuse Collection and Loading.** San Francisco is a national leader in diverting waste from landfills, has a Mandatory Recycling and Composting Ordinance, and has a goal to achieve zero waste by 2020. In this, the City requires all buildings to be designed with spaces for collecting and loading recycling and composting in common and private areas, and make these options as or more convenient than waste disposal. More information on the complete suite of the City's Zero Waste legislation may be found here: <u>http://sfenvironment.org/zero-waste/overview/legislation</u>. Please also see the Guidance on Recycling Design (page 3) resources for designing appropriate areas: <u>http://sfenvironment.org/sites/default/files/files/sfe_zw_ab088.pdf</u>. Free design and implementation assistance is available from the San Francisco Department of the Environment's Zero Waste Team by calling 415-355-3700.

PRELIMINARY DESIGN COMMENTS:

The following comments address preliminary design issues that may substantially affect the proposed project:

- 1. **Site Design, Open Space, and Massing.** Provide a setback of 15 feet on all site street frontages above 85 feet.
- 2. Street Frontage. Consider providing a rear yard open space at grade to more effectively contribute to the block's mid-block open space. One suggestion is to modify the proposed amenity to be an outdoor use. Provide a code complying height at the ground floor. Provide additional retail use along Harrison in lieu of the additional amenity space to activate the sidewalk. Additionally, the utility usage along Hawthorne is excessive; pull more of those internally to the ground floor area and either provide residential units that conform to the Department's draft ground Floor Residential Design Guidelines or more retail frontage.
- 3. **Architecture.** As the architecture is diagrammatic, it will be reviewed upon a future application when there is more detail and expression. Review the Department's Central SoMa Guide to Urban Design for background on architectural character and materiality for the neighborhood. Consider an

approach that anchors the base of the building—the area below 85 feet—with more substantial materials and features that help frame the urban room of the street and releases the upper portion of the building—above 85 feet—with either more light and expressive or recessive and subordinate character.

- 4. **Vision Zero.** In 2014, the City adopted the <u>Vision Zero Policy</u> which seeks to eliminate all traffic deaths in the City by 2024. The City subsequently established a network of Vision Zero Corridors which have higher rates of traffic-related injuries and fatalities compared to most San Francisco Streets. The City has determined that streets on the Vison Zero network should be prioritized for safety improvements especially those that improve the safety of vulnerable users like people walking and people on bikes. This project is located on a vehicular high-injury corridor, and is encouraged to incorporate safety measures into the project.
- 5. **Central SoMa Public Benefits Requirements** The Central SoMa Plan is proposing to raise requirements for public benefits requirements commensurate with additional development potential granted by the Plan. For more information, please see Section II.C of the Draft Plan, "Requirements for New Development," available at:

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

DEVELOPMENT FEES:

This project will be subject to various impact fees. Please refer to the <u>Planning Director's Bulletin No. 1</u> for an overview of Development Impact Fees, and to the Department of Building Inspection's <u>Development</u> <u>Impact Fee webpage</u> for more information about current rates. Please note that this list only reflects fees and requirements referenced in the Planning Code. For projects in ongoing plan areas (e.g. Central SoMa, the Hub, etc.) the below list may not accurately reflect all fees that may become applicable to this project.

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

- 1. Transportation Sustainability Fee (TSF) (§411A)
- 2. Residential Child Care Impact Fee (§414A)
- 3. Eastern Neighborhoods Impact Fees (§423)

AFFORDABLE HOUSING:

Please note that there are two pending pieces of legislation that would significantly change the current Inclusionary Housing program: Board File No. 161351 and 170208. They can be tracked through https://sfgov.legistar.com, and are scheduled to be heard by the Board of Supervisors on July 25, 2017.

1. **Inclusionary Affordable Housing (§415):** 25 + Unit Project; EEA Complete after January 12, 2016- no grandfathering:

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. 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 with a minimum of 15% of the units affordable to low-income households and the remaining 10% of the units affordable to lowor moderate/middle-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 it has demonstrated to the Planning Department that the affordable units are either: 1) ownership only or 2) not subject to the Costa Hawkins Rental Housing Act (a Costa Hawkins exception). Affordable units are not subject to the Costa Hawkins Rental Housing Act under the exception provided in Civil Code Sections 1954.50 through one of the following methods:

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

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

PLANNING DEPARTMENT APPROVALS:

The project requires the following Planning Department approvals. These approvals may be reviewed in conjunction with the required environmental review, but may not be granted until after the required environmental review is completed.

1. **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.

- 2. A **Conditional Use Authorization** from the Planning Commission is required per Planning Code Section 202.8 for the conversion of PDR space within the MUR Zoning District.
- 3. A **Building Permit Application** is required for the demolition of the existing building on the subject property.
- 4. A **Building Permit Application** is required for the proposed new construction on the subject property.

In order for Planning Department staff to accurately review projects in a timely manner, plan sets must be complete and thorough. All plans submitted as part of an entitlement or building permit application must meet the Department's <u>Plan Submittal Guidelines</u>.

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 <u>www.sfplanning.org</u>. Building Permit Applications are available at the Department of Building Inspection at 1660 Mission Street.

NEIGHBORHOOD NOTIFICATIONS AND OUTREACH:

Project Sponsors are encouraged, and in some cases required, to conduct public outreach with the surrounding community and neighborhood groups early in the development process. Additionally, many approvals require a public hearing with an associated neighborhood notification. Differing levels of neighborhood notification are mandatory for some or all of the reviews and approvals listed above.

- 1. **Pre-Application Meeting.** 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 http://sf-planning.org/permit-forms-applications-and-fees listed under "N" for Neighborhood Notification Pre-Application Meeting. The registered neighborhood group and organizations mailing list is available online at http://sf-planning.org/department-publications listed under "N".
- 2. Neighborhood Outreach. This project is required to undertake additional public outreach in advance of the Planning Commission hearing on the Large Project Authorization. The developer is required to conduct an additional outreach meeting, notifying owners and tenants who live within 300' of the project as well as all registered neighborhood organizations for the South of Market neighborhood, after initial design comments have been provided from the Planning Department and prior to the scheduling of the aforementioned Planning Commission hearing. The purpose of this meeting is to keep the community abreast of the project's evolution, presenting the latest design of the project including the Department's requested changes to the community in advance of the Commission taking action on the hearing.
- 3. 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

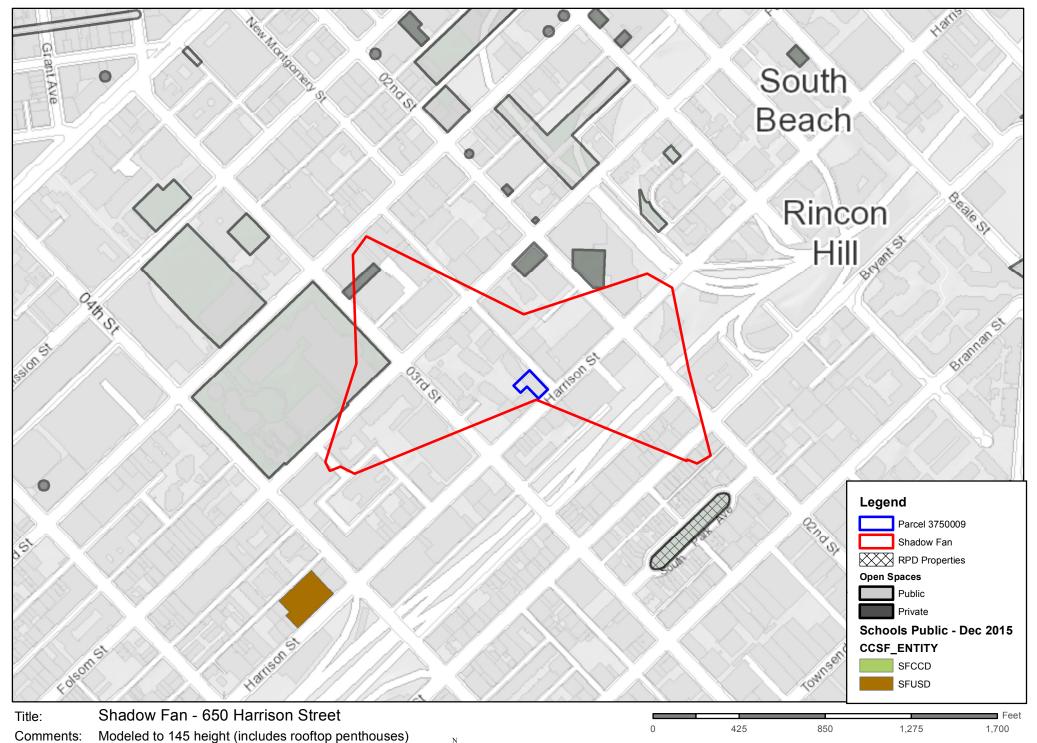
environmental review process. Please be prepared to provide mailing addresses on a CD upon request during the environmental review process.

PRELIMINARY PROJECT 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 **January 17**, **2019**. Otherwise, this determination is considered expired and a new Preliminary Project Assessment is required. Such applications and plans must be generally consistent with those found in this Preliminary Project Assessment.

Enclosure: Preliminary Shadow Fan

cc: Six Fifty Harrison Investors, LLC., Property Owner Linda Ajello Hoagland, Current Planning Julie Moore, Environmental Planning Paolo Ikezoe, Citywide Planning and Analysis Maia Small, Design Review Jonas Ionin, Planning Commission Secretary Charles Rivasplata, SFMTA Jerry Sanguinetti, Public Works Pauline Perkins, SFPUC June Weintraub and Jonathan Piakis, DPH Planning Department Webmaster (planning.webmaster@sfgov.org)



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