



SAN FRANCISCO PLANNING DEPARTMENT

MEMO

DATE: January 12, 2018
TO: Daniel Frattin, Reuben, Junius & Rose, LLP
FROM: Joshua Switzky, Planning Department
RE: PPA Case No. 2017-012789PPA for 816 Folsom Street

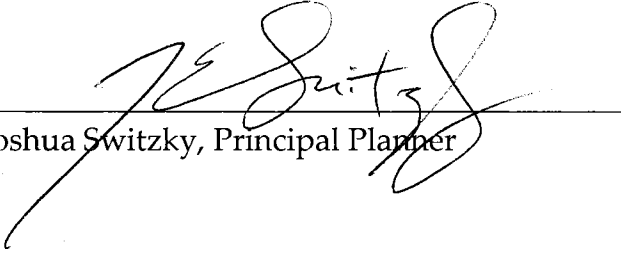
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Please find the attached Preliminary Project Assessment (PPA) for the address listed above. You may contact the staff contact, Mat Snyder, at (415) 575-6891 or mathew.snyder@sfgov.org, to answer any questions you may have, or to schedule a follow-up meeting.



Joshua Switzky, Principal Planner



SAN FRANCISCO PLANNING DEPARTMENT

Preliminary Project Assessment

Date: January 12, 2018
Case No.: **2017-012789PPA**
Project Address: 816 Folsom Street
Block/Lot: 3733/014
Zoning: Current: WMUG (Western Soma Mixed-Use General)
Youth and Family Zone Special Use District
Western Soma Special Use District
55-X Height and Bulk District
Proposed: MUO (Mixed-Use Office)
180-CS

Area Plan: Western Soma
Proposed: Central Soma

Project Sponsor: Daniel Frattin
One Bush Street, Suite 600
San Francisco, CA 94104
415-567-9000

Staff Contact: Mat Snyder – 415-575-6891
mathew.snyder@sfgov.org

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DISCLAIMERS:

This Preliminary Project Assessment (PPA) letter provides feedback to the project sponsor from the Planning Department regarding the proposed project described in the PPA application submitted on September 29, 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 7,800 gsf one story commercial structure and construct a 180-foot tall, (18-story over basement) 79,000 gsf hotel. The Project would include 218 guest rooms, a basement level gm facility, 7 Class 1 bike parking spaces and 7 Class 2 bike parking spaces. The proposal does not include providing any off-street vehicular parking or loading spaces; instead the proposal includes removing five on-street parking spaces to establish on-street passenger and freight loading on Folsom Street. Construction would entail the excavation of 5,290 cubic yards going to a depth of 19-feet.

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 2018. The proposed project does appear 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. Proposed Central Soma Area Plan.** The subject property falls within the area covered by the proposed Central Soma Plan. As proposed, the project is generally consistent with the overarching objectives of the Plan, except as otherwise noted below; the project and design comments below discuss any items where more information is needed to assess conformity with either specific policies or Code standards or where the project requires minor modification to achieve consistency. The project sponsor is encouraged to read the full plan, which can be viewed at <http://generalplan.sfplanning.org/index.htm>.

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

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."

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, which includes:

- detailed construction information, including sections, proposed soil-disturbing activities, such as grading, excavation, installation of foundations, soils improvement, and site remediation;
- a construction schedule, which indicates whether pile driving or other particularly noisy construction methods are required;
- detailed information related to any proposed stationary sources;
- noise study scope of work;
- wind study scope of work;
- information that addresses the proposed project’s potential to cast shadow on Yerba Buena Gardens and the Intercontinental Terrace;
- a geotechnical report; and
- Maher Application and Phase I Environmental Site Assessment

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 environmental review documents, depending on the outcome of the proposed Central SoMa Area Plan rezoning.

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

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 DEIR was published in December 2016. 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 \$14,910) and (b) the CPE certificate fee (currently \$8,266).
- 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 \$14,910) 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 *Central SoMa EIR*, 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 \$14,910); (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://sf-planning.org/consultant-sponsor-resources>). The Planning Department will provide more detail to the project sponsor regarding the EIR process should this level of environmental review be required.

Below is a list of topic areas addressed through the environmental review process. 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 Area Historic Resource 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 Central SoMa Plan DEIR includes *Mitigation Measure M-CP-4a: Project-Specific Preliminary Archeological Assessment*, which applies to any project involving any soils-disturbing or soils-improving activities including excavation, utilities installation, grading, soils remediation, compaction/chemical grouting to a depth of five (5) feet or greater below ground surface, for which no archeological assessment report has been prepared. The project site lies within the Central SoMa Plan area and is not located within an archeological sensitive area. However, 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.** The proposed project would require additional transportation analysis to determine whether the project may result in a significant transportation impact; an official determination will be made subsequent to the submittal of the EEA. The Planning Department has determined that a transportation study is likely required. Therefore, the Planning Department requires that a consultant listed in the Planning Department's Transportation Consultant Pool prepare a Transportation Impact Study. The Planning Department is in receipt of your fees for the City's review of this study and has provided a list of three consultants from the pre-qualified Transportation Consultant Pool. Please notify Lana Russell-Hurd at (415) 575-9047 [lane.russell@sfgov.org] once you have selected your transportation consultant. After selecting a transportation consultant, a transportation planner will be assigned and 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.⁴ Planning staff may conduct a site visit to identify any pedestrian, cyclist, transit, and/or vehicle safety issues.
5. **Noise.** The proposed project may be subject to Central SoMa Plan DEIR *Noise Mitigation Measure M-NO-1a*: Transportation Demand Management (TDM) for New Development Projects, which addresses the reduction of vehicle noise through development and implementation of a TDM Plan. Other potentially applicable mitigation measures include:

Central SoMa Plan DEIR *Noise Mitigation Measure M-NO-1b*: Siting of Noise-Generating Uses: To reduce potential conflicts between existing sensitive receptors and new noise-generating uses, for new development including Places of Entertainment, or other uses that would potentially generate noise levels substantially in excess of ambient noise (either short-term during the nighttime hours, or as a 24-hour average), the Planning Department shall require the preparation of a noise analysis that, identifies potential noise-sensitive uses within 900 feet of the project site and includes noise measurements, among other requirements.

Central SoMa Plan DEIR *Noise Mitigation Measure M-NO-2a*: General Construction Noise Control Measures: The project sponsor of a development project that is within 100 feet of noise-sensitive receptors shall utilize the best available noise control techniques and other activities to ensure that project noise from construction activities is reduced to the maximum extent feasible.

Central SoMa Plan DEIR *Noise Mitigation Measure M-NO-2b*: Noise and Vibration Control Measures during Pile Driving. For individual projects that require pile driving, a set of site-specific noise attenuation measures shall be prepared under the supervision of a qualified acoustical consultant. These attenuation measures shall be included in construction of the project and shall include as many of the control strategies included in the Central SoMa Plan DEIR, and any other effective strategies, as feasible.

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

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

6. **Air Quality. Criteria Air Pollutants.** The proposed project, with up to 234 hotel rooms, is below the Bay Area Air Quality Management District's (BAAQMD) construction and operational screening levels for criteria air pollutants.⁵ Therefore, an analysis of the project's criteria air pollutant emissions is not likely to be required. Please provide detailed information related to construction equipment, phasing and duration of each phase, and 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.

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. As a hotel, the project would not be considered a sensitive land use and would therefore not be subject to the enhanced ventilation measures pursuant to Health Code Article 38.⁶

Equipment exhaust measures during construction will likely also be required. Please provide detailed information related to construction equipment, phasing and duration of each phase, and the volume of excavation as part of the EEA.

If the project would generate new sources of toxic air contaminants including, but not limited to, emissions from diesel generators or boilers, or any other stationary sources, the project would result in toxic air contaminants that may affect both on-site and off-site sensitive receptors and additional measures will likely be required to reduce stationary source emissions. Based on the information in the PPA application, the proposed project would likely require a backup diesel generator due to the proposed height, but this will be confirmed at the time of the EEA submittal.

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

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.

San Francisco's Qualified GHG Reduction Strategy, the Planning Department has prepared a Greenhouse Gas Analysis Compliance Checklist.⁷ 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.
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 shadow on any properties under the jurisdiction of the Recreation and Park Commission or any school properties. However, the shadow fan shows that the proposed project has the potential to cast shadow on the publically accessible open space at Yerba Buena Gardens and the Intercontinental Terrace. Please note that the shadow fan does not account for intervening building between the project site and these open spaces. In addition, the shadow fan is based on the assumption that the open space is at Yerba Buena Gardens is at ground level; it is not based on the fact that this open space is at roof level. Please provide information that addresses the proposed project's potential to cast shadow on this open space with the EEA.
10. **Geology.** The project site is located within a seismic hazard zone (liquefaction hazard zone likely underlain by artificial fill), but does not have greater than 20-percent slope. 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 project is located in a Maher area, meaning that it is known or suspected to contain contaminated soil and/or groundwater. In addition, construction of the proposed project would require the disturbance of more than 50 cubic yards of soil. Therefore, the

⁷ Refer to <http://sf-planning.org/consultant-sponsor-resources> for latest "Greenhouse Gas Compliance Checklist for Private Development Projects."

⁸ San Francisco Planning Department. *Interdepartmental Project Review*. Available online at: <http://sf-planning.org/permit-forms-applications-and-fees>

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: <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.

Central SoMa Draft EIR *Hazards and Hazardous Materials Mitigation Measure M-HZ-3* would be applicable to the proposed project. The mitigation measures requires that the project sponsor ensure that any building planned for demolition is surveyed for hazardous building materials including, electrical equipment containing polychlorinated biphenyl (PCBs), fluorescent light ballasts containing PCBs or bis(2-ethylhexyl) phthalate (DEHP), and fluorescent light tubes containing mercury vapors. These materials shall be removed and properly disposed of prior to the start of demolition according to federal, State, and local laws and regulations.

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. **Naturally Occurring Asbestos.** The proposed project would not include excavation on a site that is underlain by serpentine soils. Therefore, there are no project-related concerns related to naturally occurring asbestos.
13. **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. **Development Controls.** The project would be located in the MUO Zoning District within the proposed 180-CS Height & Bulk District and the proposed project with a building height of 180-ft. would be permitted, pending the final Central SoMa Area Plan controls. Therefore, the comments below regarding height and bulk controls are preliminary and subject to change under the adopted Central SoMa Area Plan.
2. **Conditional Use Authorization for Hotel Uses.** Section 842.49 requires Conditional Use authorization for tourist hotel uses in height districts that are 105-feet and above in MUO Districts; Section 121.6 requires Conditional Use authorization for large scale retail uses, including hotels. Planning Code section 303(g) sets forth additional required findings for hotel uses requiring conditional use authorization. Please demonstrate compliance with Planning Code Section 303 (g):

Hotels and Motels. With respect to applications for development of tourist hotels and motels, the Planning Commission shall consider, in addition to the criteria set forth in Subsections (c) and (d) above:

- (1) The impact of the employees of the hotel or motel on the demand in the City for housing, public transit, child-care, and other social services. To the extent relevant, the Commission shall also consider the seasonal and part-time nature of employment in the hotel or motel;
 - (2) The measures that will be taken by the project sponsor to employ residents of San Francisco in order to minimize increased demand for regional transportation;
 - (3) The market demand for a hotel or motel of the type proposed; and
 - (4) In the Transit Center C-3-O(SD) Commercial Special Use District, the opportunity for commercial growth in the Special Use District and whether the proposed hotel, considered with other hotels and non-commercial uses approved or proposed for major development sites in the Special Use District since its adoption would substantially reduce the capacity to accommodate dense, transit-oriented job growth in the District.
3. **Conditional Use Authorization for Large-Scale Retail Uses.** Per Planning Code Section 121.6, establishment of a single retail use in excess of 50,000 gross square feet in any zoning district other than the C-3 Zoning Districts shall require conditional use authorization pursuant to Section [303](#) unless such use already is prohibited. Because Planning Code Section 102 defines hotel uses as retail uses, strict interpretation of the Code applies this provision to hotel uses. However, staff will be following up with Department's legislation team and Zoning Administrator to see if any policy or legislative clean-up will be forthcoming to clarify this requirement for hotel uses.

With respect to applications for the establishment of large-scale retail uses under Section [121.6](#), in addition to the criteria set forth in Subsections (c) and (d), the Commission shall consider the following:

- (1) The extent to which the retail use's parking is planned in a manner that creates or maintains active street frontage patterns;
- (2) The extent to which the retail use is a component of a mixed-use project or is designed in a manner that encourages mixed-use building opportunities;
- (3) The shift in traffic patterns that may result from drawing traffic to the location of the proposed use;
- (4) The impact that the employees at the proposed use will have on the demand in the City for housing, public transit, childcare, and other social services; and
- (5) An economic impact study. The Planning Department shall prepare an economic impact study using qualified City staff or shall select a consultant from a pool of pre-qualified consultants to prepare the economic impact study required by this Subsection. The analysis, in the form of a study, shall be considered by the Planning Commission in its review of the application. The applicant shall bear the cost of paying the consultant for his or her work preparing the economic impact study, and any necessary documents prepared as part of that study. The applicant shall also pay an administrative fee to compensate Planning Department and City staff for its time reviewing the study, as set forth in Section [359](#) of this Code. The study shall evaluate the potential economic impact of the applicant's proposed project, including:
 - (A) **Employment Analysis.** The report shall include the following employment information: a projection of both construction-related and permanent employment generated by the proposed project, and a discussion of whether the employer of the proposed project will pay a living wage, inclusive of non-salary benefits expected to be provided, relative to San Francisco's cost of living.
 - (B) **Fiscal Impact.** The report shall itemize public revenue created by the proposed project and public services needed because of the proposed project, relative to net fiscal impacts to the General Fund. The impacts to the City's public facilities and infrastructure shall be estimated using the City's current assumptions in existing nexus studies (including area plan, transit, open space in-lieu fee and other impact fees), and should account for any contributions the proposed project would make through such impact fee payments.
 - (C) **Leakage Analysis Study.** This portion of the report shall be twofold: both quantitative and qualitative. The quantitative portion shall provide an analysis of whether the proposed project will result in a net increase or decrease in the capture of spending by area residents on items that would otherwise be purchased outside the area. The area to be studied for potential economic impacts of the proposed project shall be determined by the City in consultation with the expert conducting the study as different sizes of study areas would be pertinent depending on a multitude of factors, including but not limited to, size and type of the proposed store. This quantitative leakage analysis should be

paired with a qualitative assessment of whether the proposed use would complement existing merchandise selection in the area by adding greater variety of merchandise, bolstering the strength of an existing retail cluster, or matching evolving consumer preferences.

4. **Open Space – Non-Residential.** The Central SoMa Area Plan (CSAP) would require this project to provide one foot of privately owned public open space (POPOS) for every 50 gross square feet of retail uses, including a hotel. For a 78,935 square-foot hotel, 1,579 square feet of non-residential open space are required. Your PPA plans do not identify any POPOS. The open space would be required to comply with certain design standards such as being open to the sky, open during evenings and weekends, lined by active uses, etc. POPOS in Central SoMa are also required to contain climate appropriate, habitat supportive greening on at least 50% of the surface area. Ensure that the proposed POSOS meet these standards, please re-design the project to comply and clearly identify the open space on the site or landscaping plan when submitting your entitlement application. Note that the Central Soma Plan may include new code provisions that would enable projects, like the subject project, to pay an open space impact fee in-lieu of providing the open space on site.
5. **Pedestrian Streetscape Plan.** The Department is working with the SFMTA to coordinate the Better Streets and Central SoMa Plan policies with its Vision Zero and other complete street projects happening throughout the district (i.e., 3rd, 4th, 5th, 6th, Howard, Folsom, Harrison, Bryant, Brannan, and Townsend Streets). This collaboration incorporates pedestrian, bicycle, transit, stormwater management, and greening improvements, as well as passenger and commercial loading, and emergency vehicle access needs. Please see the Department's *Better Streets Plan* and Section 138.1(c) (2) (ii) and *Central SoMa Plan* for the additional elements that may be required as part of the project's streetscape improvements. Also see SFMTA's website regarding their ongoing plans for Folsom Street, including the subject block face. (<https://www.sfmta.com/projects/folsom-howard-streetscape-project>) They City's www.sfplantfinder.org tool may be used to identify tree and planting species that meet City standards while supporting biodiversity.
6. **Standards for Bird Safe Buildings.** Please note that the proposal will be subject to Planning Code Section 139, Standards for Bird Safe Buildings. Please note and demonstrate compliance with the feature-related requirements, under subsection (c)(2).
7. **Ground Floor Frontages.** At this stage the architecture is preliminary and the Department will provide more detailed feedback on subsequent submissions with detailed elevations to ensure the project meets the ground floor frontage requirements under Section 145.1.
8. **Shadow Analysis.** Section 295 requires that a shadow analysis 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 shadows on San Francisco Recreation and Park properties. Therefore, no additional analysis would be required under Planning Code Section 295.
9. **Shadow Reduction.** New buildings and additions to existing buildings in the Eastern Neighborhoods Mixed Use Districts where the building height exceeds 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](#). In determining the impact of shadows, the following factors shall be taken into account: The amount of area shadowed, the duration of the shadow, and the importance of sunlight to the type of open space being shadowed. Determinations under this Section with respect to Eastern Neighborhoods Mixed Use Districts shall be made in accordance with the provisions of Section [307](#) of this Code. A preliminary shadow fan indicated the proposed building at 180 in height will cast a shadow on open space, though not under the San Francisco Recreation and Parks Department.

10. **Off-Street Freight Loading.** Per Planning Code Section 152.1, no off-street loading is required for hotels less than 100,000 square feet. However, are required for hotels above the aforementioned square footage pursuant to Section 152.1.
11. **Bicycle Parking.** Based upon the currently proposed program, a 218-room hotel would require the project to provide at least seven Class 1 and five Class 2 bicycle parking spaces that meet the location, dimension and accessibility criteria pursuant to Sections 155.1 and 155.2. No bicycle parking spaces are identified within the schematic plans. Please identify these spaces and demonstrate compliance in your entitlement application plans.
12. **Transportation Demand Management (TDM) Program.** The TDM Program was adopted by the Board of Supervisors in February 2017, and took effect on March 19, 2017. The proposed project includes 78,953 sq. ft. of hotel use and thus is subject to the TDM Program. Based on the proposed zero parking spaces associated with the hotel, the project will be required to meet or exceed a target score of 13 ([TDM tool](#)) points for land use category A: Retail.
13. **SoMa Youth and Family SUD.** The project site falls within the SoMa Youth and Family Special Use District (SUD), subject to the criteria of Planning Code Section 249.40A. The SUD requires a conditional use authorization for a variety of uses. It also requires certain projects to provide a larger amount of affordable housing pursuant to Section 249.40A(c)(B-C).
14. **Western SoMa Special Use District.** The project site falls within the Western SoMa Special Use District. As such, it is subject to the criteria of Planning Code Section 823.
15. **Noise Regulations Relating to Uses Near Places of Entertainment.** Pursuant to Section 314, a new hotel use within 300 feet of a Place of Entertainment (POE) must go through an Entertainment Commission outreach process ([Ordinance Number 070-015](#)), and may be required to record a Notice of Special Restrictions (NSR) on the site. As of the date of the publication of this letter, the project site is not located within 300 feet of an existing POE. However, as the project moves forward with its entitlement process, please be aware of potential POEs that could arise and would warrant further outreach. 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 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://sfgov.org/entertainment/contact-us> for additional information regarding the outreach process.

16. **Filipino Cultural Heritage District.** The project site falls within the Filipino Cultural Heritage District. The SoMa Pilipinas community collaborates with various City departments, including the Planning Department, to develop a strategy and implementation plan to preserve and further develop the SoMa Pilipinas as the regional center of Filipino culture and commerce, to recognize the historical and present contributions of the community and neighborhood, and to stabilize Filipino residents, business and community-serving institutions. The project applicant is encouraged to reach out to the SoMa Pilipinas community to discuss the project and possible opportunities to incorporate the mission of the Heritage District into the project.

17. **First Source Hiring Agreement.** A First Source Hiring Agreement is required for any project proposing to construct 25,000 gross square feet or more. For more information, please contact:

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

18. **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, go to <http://sfwater.org/sdg>. Applicants may contact stormwaterreview@sfwater.org for assistance.

19. **Recycled Water.** This project is located in San Francisco's designated recycled water use area and will be 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.
20. **Non-Potable Water Reuse.** All new buildings less than 250,000 gross square feet of floor area and at least 40,000 square feet must prepare water budget calculations assessing the amount of available rainwater, graywater, and foundation drainage, and the demands for toilet and urinal flushing and irrigation. 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. 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.
21. **Sustainability and Green Building.** The San Francisco Green Building Code (GBC) was updated in January 2017 to reflect California Title 24 amendments as well as new City requirements that support San Francisco's climate goals and others. Per the GBC, this project must be certified LEED Gold. 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 includes maximum water and energy efficiency, renewable energy generation, living roofs and walls, non-potable water reuse, toxic-free environments, sustainable materials (local, renewable, recycled), and other innovative strategies for improving the City's environment. The City also encourages zero-carbon development supported by strategies such as all-electric buildings 100% green (GHG-free) power purchases, passive design (optimal massing, glazing, daylighting, natural ventilation, and operable shading), and district-scale energy. New development in the Central SoMa Plan area is also required to use 100% greenhouse-gas-free electricity. This requirement is met through energy efficiency strategies, maximum renewable energy generation, and green power purchases for the balance.
22. **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>.

23. **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: <http://sfenvironment.org/zero-waste/overview/legislation>. Please also see the Guidance on Recycling Design (page 3) resources for designing appropriate areas: http://sfenvironment.org/sites/default/files/fliers/files/sfe_zw_ab088.pdf. Free design and implementation assistance is available from the San Francisco Department of the Environment's Zero Waste Team by calling 415-355-3700.
24. **Interdepartmental Project Review.** This meeting is required for all proposed new construction eight stories or more in height, and/or in seismic hazard zones. The proposed project meets both criteria, and the application which includes instructions is available at <http://sf-planning.org/permit-forms-applications-and-fees> listed under "I" for Interdepartmental Project Review Meeting Application.

PRELIMINARY DESIGN COMMENTS:

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

Site Design, Open Space, and Massing

The proposed tower's upper story setbacks do not meet the proposed bulk controls as set forth in the *Central Soma Guide to Urban Design*. For guidance on Skyplane calculation, Bulk Controls, and other Urban Design requirements of the Central SoMa Plan, please review the Guide to Urban Design, which can be accessed at:

http://default.sfplanning.org/Citywide/Central_Corridor/Central_SoMa_Plan_Part02D-Guide_to_Urban_Design.pdf

Deviation from the Central SoMa Plan is not supported.

Streetscape and Street Frontage

Due to the lack of detail provided in the proposed Ground Floor Plan and proposed Street Elevations, Street Frontage (i.e. the interface between private and public realms at the Ground Floor) could not be evaluated. In general, ground level façades should provide a welcoming public-private interface; the length of ground floor façades occupied by non-active uses should be minimized. Provide more-detailed Proposed Ground Floor Plan and Elevations Lobby with future submittals. Exhibits should illustrate the intent for the Hotel Lobby and activation of the Folsom Street frontage.

Architecture

The level of Architectural detail provided in the submission is preliminary. Further design review will be provided on subsequent submissions; however, in general the façade should express significant depth, feature high-quality durable materials, and respond to the architectural detailing and character of the neighborhood. Central SoMa has rich and varied histories that have left material patterns and scales. Contemporary architecture and construction techniques should express their time, but thoughtfully within the lineage of the neighborhood.

DEVELOPMENT FEES:

This project will be subject to various impact fees. Please refer to the [Planning Director's Bulletin No. 1](#) for an overview of Development Impact Fees, and to the Department of Building Inspection's [Development Impact Fee webpage](#) for more information about current rates. 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 (Planning Code Section §411A)
2. Jobs House Linkage (Planning Code Section §413)
3. Child-Care for Hotel Projects (Planning Code Sections §414)
4. Eastern Neighborhoods Impact Fees (Planning Code Section §423)
5. Open Space Non-Residential (Planning Code Section §426)
6. Public Art (§429)

In addition, new additional fees are proposed as part of the Central Soma Plan. See the Central Soma Implementation Plan for further details, see the draft Central Soma Public Benefits Plan: http://default.sfplanning.org/Citywide/Central_Corridor/Central_SoMa_Plan_Part02B-Public_Benefits_Package_FINAL.pdf

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. **Environmental Application.**
2. **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.
3. **Conditional Use Authorization** is required for establishing large-scale retail uses within the existing WMUG and the future MUO Zoning District and for establishing a hotel use within the same districts. Further, depending on any other proposed uses, the SOMA Youth and Family Zone also requires conditional use authorizations for certain uses.
4. A **Building Permit Application** is required for the demolition of the existing building on the subject property.

5. A **Building Permit Application** is required for the proposed demolition and new construction on the subject property.
6. **Interdepartmental Project Review.** This review is required for all proposed new construction in seismic hazard zones, in which the subject property falls. An application is enclosed.

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 [Plan Submittal Guidelines](#).

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 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.

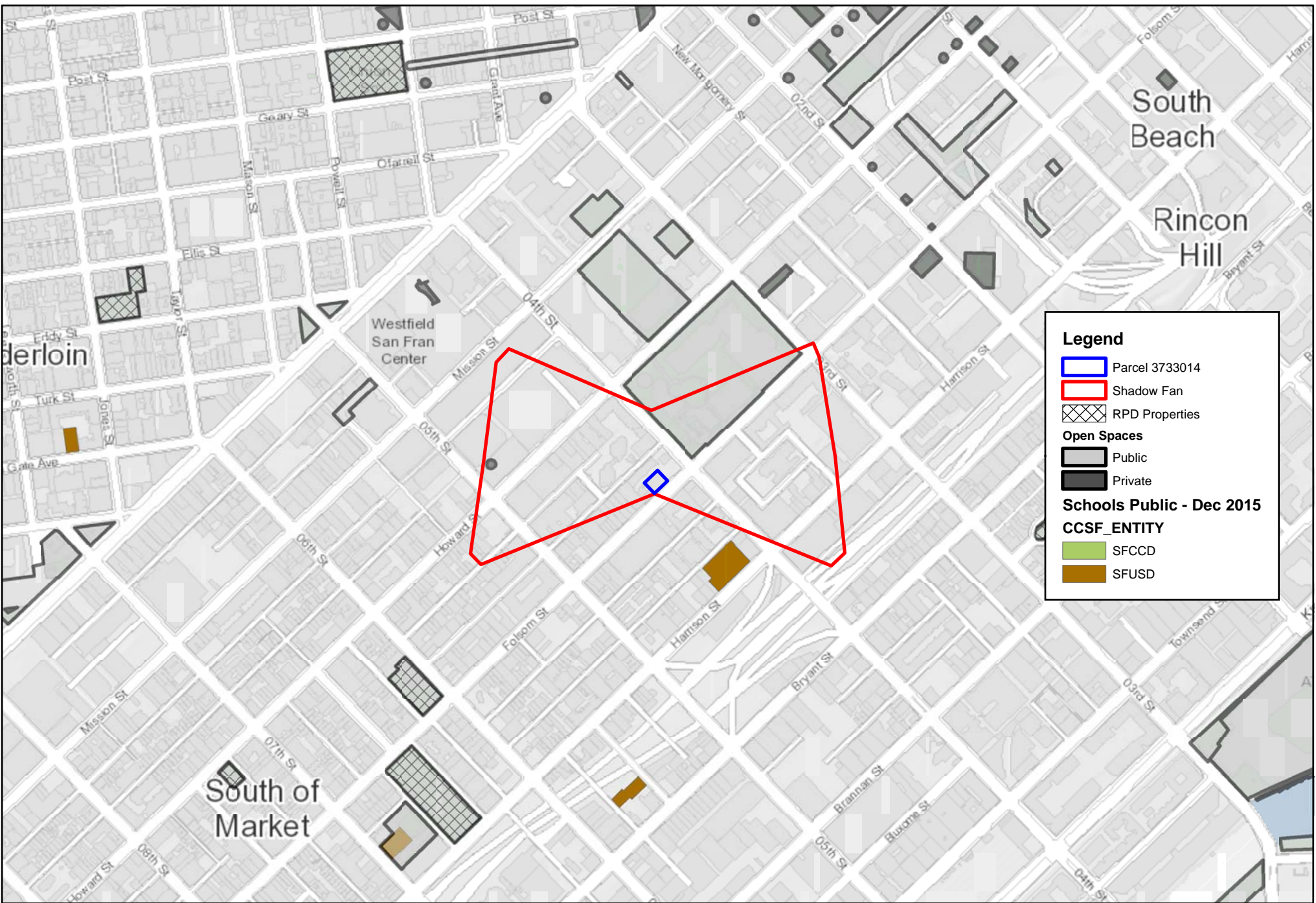
1. **Pre-Application Meeting.** This project is required to conduct a Pre-Application Meeting with surrounding neighbors and registered neighborhood groups before a development application may be filed with the Planning Department. The Pre-Application packet, which includes instructions and template 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, Conditional Use, and Building Permit Applications. 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, Large Project Authorization, Conditional Use Authorization, or Building Permit Application, as listed above, must be submitted no later than **July 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: Shadow Fan

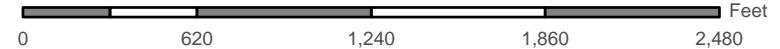
cc: OSIB 816 Folsom Street Properties, LLC, Property Owner
Esmeralda Jardines, Current Planning
Josh Pollak, Environmental Planning
Mat Snyder, Citywide Planning and Analysis
Jonas Ionin, Planning Commission Secretary
Charles Rivasplata, SFMTA
Jerry Sanguinetti, Public Works
Pauline Perkins, SFPUC
June Weintraub and Jonathan Piakis, DPH
Planning Department Webmaster (planning.webmaster@sfgov.org)



Title: Preliminary Shadow Fan--816 Folsom St

Comments: Building height 180 feet per EEA
Assumed to cover entire parcel

Printed: 6 November, 2017



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