



SAN FRANCISCO PLANNING DEPARTMENT

MEMO

DATE: March 5, 2018
TO: Ian Birchall and Steve Saray
FROM: Joshua Switzky, Planning Department
RE: PPA Case No. 2017-015678PPA for 425 Broadway

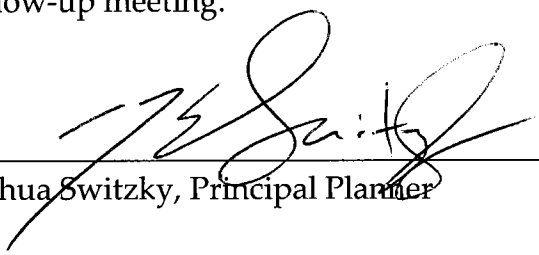
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Please find the attached Preliminary Project Assessment (PPA) for the address listed above. You may contact the staff contact, Paolo Ikezoe, at (415) 575-9137 or paolo.ikezoe@sfgov.org, to answer any questions you may have, or to schedule a follow-up meeting.



Joshua Switzky, Principal Planner



SAN FRANCISCO PLANNING DEPARTMENT

Preliminary Project Assessment

Date: March 5, 2018
Case No.: **2017-015678PPA**
Project Address: 425 Broadway
Block/Lot: 0163/002
Zoning: Broadway NCD (Neighborhood Commercial) District
65-A-1
Project Sponsor: Ian Birchall
415-512-9660
Staff Contact: Paolo Ikezoe – 415-575-9137
paolo.ikezoe@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 12/08/2017, 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.

The PPA application indicates that the project sponsor intends to apply the State Density Bonus Law. The "Environmental Review" section of this PPA letter provides feedback on the environmental review requirements of the higher-density bonus project that the sponsor ultimately seeks to have entitled. The remainder of the PPA letter primarily addresses the code-complaint base project, which must be evaluated in order to assess the project's eligibility to receive concessions, incentives, and waivers, as well as a density and height bonus, if requested. Note that this PPA letter does not make a determination of the project's eligibility for such concessions, incentives, and waivers.

PROJECT DESCRIPTION:

The proposal is to demolish the existing 21,724-square-foot (sf) parking garage and construct a 6-story, 63-foot-tall mixed use building. The existing building on the 13,638-sf subject lot contains 144 commercial parking spaces. The base project proposed would include 28 dwelling units, including seven below market rate, and 15 parking spaces. The proposed new building would include 48 dwelling units (including seven below market rate), 92 car parking spaces, 53 bicycle parking spaces (49 Class 1 and 4 Class 2 spaces) and 2,570 sf of ground floor commercial space. The proposed car parking would use stackers for a proposed 23 residential spaces and 69 valet/commercial spaces. The proposal includes approximately 8,530 cubic yards of excavation, to a depth of approximately 16 feet below grade.

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.¹ 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.

- Detailed information about proposed soils-disturbing activities, such as grading, installation of foundations, soils improvement, and site remediation;
- Detailed information related to any proposed stationary sources of emissions such as a back up diesel generator;
- Any available geotechnical/soils reports (with boring logs) prepared for the project;
- Detailed information related to construction equipment and construction phasing and duration, including whether pile driving or other particularly noisy construction methods are required. If you have already filed your EEA, you may provide the requested information and documents as supplements to your application; and

¹ San Francisco Planning Department. Fee Schedule for Application Fees. Available online at: <http://sf-planning.org/permit-forms-applications-and-fees>.

- Shadow analysis of proposed project's shadow on the John Yehall Chin Elementary School playyard;
- A Phase I Environmental Site Assessment (ESA) that meets the requirements of Health Code section 22.A.6.
- A copy of the Maher Application filed with the San Francisco Health Department (health department)

In addition to the requested additional information and documents, please pay the Historic Resource Evaluation Report Part 2 fee for Department Historic Preservation staff review of the project for compatibility with the Jackson Square Historic District Extension.

Environmental Review Document

If the additional analysis outlined below indicates that the project would not have a significant effect on the environment, the project could be eligible for a Class 32 infill development categorical exemption under CEQA Guidelines section 15332. If a Class 32 exemption is appropriate, Environmental Planning staff will prepare a certificate of exemption.

If it is determined that the project could result in a significant impact, an initial study would be prepared. The initial study may be prepared either by an environmental consultant from the Department's environmental consultant pool or by Department staff. Should you choose to have the initial study prepared by an environmental consultant, contact Chelsea Fordham at (415) 575-9017 for a list of three eligible consultants. If the initial study finds that the project would have a significant impact that could be reduced to a less-than-significant level by mitigation measures agreed to by the project sponsor, then the Department would issue a preliminary mitigated negative declaration. The preliminary mitigated negative declaration would be circulated for public review, during which time concerned parties may comment on and/or appeal the determination. If no appeal is filed, the Planning Department would issue a final mitigated negative declaration. Additional information regarding the environmental review process can be found at: <http://sf-planning.org/environmental-review-process>.

If the initial study indicates that the project would result in a significant impact that cannot be mitigated to below a significant level, an environmental impact report (EIR) will be required. 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 project site is a two-level parking garage located in the California Register-eligible Jackson Square Historic District Extension. Therefore, the proposed new construction is subject to review by the Department's Historic Preservation staff for compatibility with the district. An EEA and Historic Resource Evaluation Report Part 2 fee is required in order for the department's Historic Preservation staff to review the proposed project for compatibility with the historic district.

2. **Archeological Resources.** The proposed project will require Preliminary Archeological Review (PAR) by a Planning Department archeologist. To aid this review the Department archeologist may request a Preliminary Archeological Sensitivity Assessment (PASS) by a Department Qualified Archeological Consultant, subject to the review and approval by the Department archeologist. The Department archeologist will provide three names from the Qualified Archeological Consultant list if the PASS is required. The PAR will assess the archeological sensitivity of the project site based on in-house source material and will consider the potential for archeological impacts resulting from proposed soils disturbance. Please provide detailed information, including sections, proposed soils-disturbing activities, such as grading, excavation, installation of foundations, soils improvement, and site remediation in the EEA, and submit any available geotechnical/soils or phase II hazardous materials reports prepared for the project to assist in this review. If the Department archeologist determines that the project has a potential to adversely affect archeological resources, the PAR will identify additional measures needed to address the potential effect. These measures may include preparation of an archeological research
3. Tribal cultural resources (TCRs) are a class of resource established under CEQA in 2015. TCRs are defined as a site, feature, place, cultural landscape, sacred place or object with cultural value to a California Native American tribe, that is either included on or eligible for inclusion in the California Register of Historical Resources or a local historic register, or is a resource that the lead agency, at its discretion and supported by substantial evidence, determines is a TCR. Planning Department staff will review the proposed project to determine if it may cause an adverse effect to a TCR; this will occur in tandem with preliminary archeological review. No additional information is needed from the project sponsor at this time. Consultation with California Native American tribes regarding TCRs may be required at the request of the tribes. If staff determines that the proposed project may have a potential significant adverse impact on a TCR, mitigation measures will be identified and required. Mitigation measures may include avoidance, protection, or preservation of the TCR and development of interpretation and public education and artistic programs.
4. **Transportation.** Based on the PPA application, a transportation impact study is not anticipated; an official determination will be made subsequent to submittal of the EEA. However, the project site is located on a high injury corridor on Broadway as mapped by Vision Zero.² Planning staff have reviewed the proposed site plans and offer the following recommendations, some of which address the safety of persons walking and cycling to and from project site and vicinity:
 - Transportation Planner coordination is likely required for this project.
 - A transportation planner would be assigned to provide coordination between the planning department and other agencies on the design of the proposed driveway and proposed valet operations.
 - Right turn in/ and right turn out movements are recommended.
5. **Noise.** 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

2 This map is available at: <http://visionzerosf.org/maps-data/>.

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 at 48 units, 2,600 square feet of retail, and 69 spaces of commercial parking is below the Bay Area Air Quality Management District's (BAAQMD) construction and operational screening levels for criteria air pollutants.³ 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 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 not 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. However, if the project would include 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. 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.⁴ 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.

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

⁴ Refer to <http://sf-planning.org/consultant-sponsor-resources> for latest "Greenhouse Gas Compliance Checklist for Private Development Projects."

8. **Wind.** The proposed project would not involve construction of a building over 80 feet in height. Therefore, a consultant-prepared wind analysis is not anticipated to be required.
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 public open spaces, including any under jurisdiction of the Recreation and Park Commission. However, the preliminary shadow analysis found that the proposed project may cast shadow on the John Yehall Chin Elementary School playyard, which was identified as proposed for inclusion in the Shared Schoolyard Program.⁵ Therefore, a shadow analysis may be needed.
10. **Geology.** The project site is located on a parcel with a slope greater than 20 percent. A geotechnical study prepared by a qualified consultant must be submitted with the EEA. The study should provide recommendations for any geotechnical concerns identified in the study. In general, compliance with the state and local 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 department archeologist of the project site's subsurface geological conditions.
11. **Hazardous Materials.** The proposed project would add 48 residential units on a site that is located approximately 350 feet from a known leaking underground fuel tank site. 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 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.

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 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

⁵ <http://www.sfshareschoolyard.org/>. Accessed February 26, 2018.

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. **Broadway Neighborhood Commercial District.** Per Sec. 714, the Broadway District controls are designed to encourage development that is compatible with the existing moderate building scale and mixed-use character, and maintain the district's balance of entertainment uses, restaurants, and small-scale retail stores. New buildings exceeding 40 feet in height will be carefully reviewed and rear yards at residential levels are protected. Most commercial uses in new buildings are permitted at the first two stories. Neighborhood-serving businesses are strongly encouraged. In order to protect the livability of the area, limitations apply to new fast-food restaurants and adult entertainment uses at the first and second stories, as well as late-night activity. Financial services are allowed on the ground story subject to certain limitations. Nonretail offices are prohibited in order to prevent encroachment of the adjoining downtown office uses. Due to the high traffic volume on Broadway, most automobile and drive-up uses are prohibited in order to prevent further traffic congestion. Parking garages are permitted if their ingress and egress do not disrupt the traffic flow on Broadway. Housing development in new buildings is encouraged above the second story.

Per Sec. 253.1 and 714, new construction in the Broadway NCD which exceeds 40 feet in height is subject to the Urban Design Guidelines and preservation design guidelines analysis, according to the Secretary of the Interior's Standards for the Treatment of Historic Properties.

2. **Development of Large Lots.** Section 121.1 states that new construction or significant enlargement of existing buildings on lots of 5,000sf or larger in the Broadway Neighborhood Commercial District shall be permitted only as Conditional Uses. In addition to the Conditional Use findings, the City Planning Commission shall consider the extent to which the project meets the following design

review criteria: (1) The mass and facade of the proposed structure are compatible with the existing scale of the district. (2) The facade of the proposed structure is compatible with design features of adjacent facades that contribute to the positive visual quality of the district. Because the subject lot measures over 5,000 sf, the new construction would require an application for Conditional Use Authorization, with additional Sec. 121.1 findings submitted as part of that application process.

3. **Residential Density.** Per Sec. 207, as modified by Sec. 714, the residential density for the Broadway NCD is 1 dwelling unit for every 400 square feet of lot area. There are two lot areas provided for the subject lot: 14,226.5 sf includes the lot area subject to a Verdi Place easement; 13,638 sf is the lot area minus the Verdi Place easement. Based on the two figures provided, the maximum allowable dwelling unit density would be either 36 units or 34 units respectively, depending upon the nature of the Verdi Place easement agreement and any associated development restrictions, which would need to be explored as part of the project review. The base project submitted for Preliminary Project Assessment provides 35 dwelling units, which may not comply to code if the Verdi Place easement restricts future private development
4. **Dwelling Unit Mix.** Per Sec. 207.7, for all projects that propose the creation of 10 or more new dwelling units, the following dwelling unit mix requirements apply: (1) No less than 25% of the total number of proposed dwelling units shall contain at least two bedrooms. Any fraction resulting from this calculation shall be rounded to the nearest whole number of dwelling units; (2) No less than 10% of the total number of proposed dwelling units shall contain at least three bedrooms. Any fraction resulting from this calculation shall be rounded to the nearest whole number of dwelling units. Units counted towards this requirement may also count towards the requirement for units with two or more bedrooms as described in subsection (c)(1). The base project submittal proposes 9 out of the proposed 35 dwelling units to have at least two bedrooms. Also, 4 out of the 35 dwelling units have three bedrooms. The dwelling unit mix provided in the base project submittal meets Planning Code requirements.
5. **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. The proposed rear yard is less than 25% in some areas but does meet the 15-foot minimum dimension, and therefore appears to meet the exposure requirement for those units that only have windows fronting the rear yard area.
6. **Non-Residential Use Size Limits.** Per Sec. 121.2, Non-Residential Uses of 3,000 sf or larger in the Broadway Neighborhood Commercial District may be permitted only as Conditional Uses. The use area shall be measured as the Gross Floor Area for each individual Non-Residential Use. The Gross Floor Area of the proposed gym in the base project appears to exceed 3,000 sf and would require Conditional Use Authorization from the Planning Commission.
7. **Rear Yard.** Section 134(a)(1)(C) requires the project to provide a rear yard at the lowest story containing a Dwelling Unit, and at each succeeding level or story of the building. The minimum rear yard depth shall be equal to 25% of the total depth of the lot on which the building is situated, but in no case less than 15 feet.

Because this project is located on an L-shaped site, one of the street frontages (Broadway or Montgomery Street) must be designated as the front of the property, and the rear yard would then be provided based on that determination. The rear yard requirements in NC Districts may be modified or waived in specific situations as described in Sec. 134(e) if all of the following criteria are met: (A) Residential uses are included in the new or expanding development and a comparable amount of usable open space is provided elsewhere on the lot or within the development where it is more accessible to the residents of the development; and (B) The proposed new or expanding structure will not significantly impede the access of light and air to and views from adjacent properties; and (C) The proposed new or expanding structure will not adversely affect the interior block open space formed by the rear yards of adjacent properties.

The base project proposal, which uses Montgomery Street as the front of the property for the purposes of Sec. 134, provides an at-grade rear yard area along the west property line that is slightly greater than 25% of the total lot area (3,668sf). The depth of the rear yard area ranges from 18'-8" up to 34'-6" (25% of the lot depth). Should the Department's Urban Design review of the project call for a continuous streetwall along the Broadway frontage, a rear yard modification could be sought in accordance with Planning Code Sec. 134(e).

8. **Open Space – Residential.** Section 135, as modified by Sec. 714 (Broadway NCD) requires 60 square feet of open space for each dwelling unit, if private, or 80 square feet for each dwelling unit, if it is common open space. Additionally, any such open spaces must meet the dimensional requirements of Subsections (f) and (g). The project proposes to provide all required open space as common usable open space at grade along the west property line. While the block does not exhibit a pattern of mid-block open space, the placement of required open space for the project near the southwest corner of the lot creates the closest possible adjacency to what little mid-block open space currently exists. The proposed common open space meets the 15' minimum dimension requirement. For the project's 35 proposed dwelling units, the minimum required common open space would be 2,800sf. The rear yard includes 3,357sf of common open space, which exceeds the code requirement.

9. **Street Frontage Requirements.** Per Sec. 145.1, controls apply to above-grade parking setbacks, parking and loading entrances, active uses, ground floor ceiling height, street-facing ground-level spaces, transparency and fenestration, and gates, railings, and grillwork.

- Both the ground floor gym and the HOA meeting room are 25 feet in depth, which meets the required dimension for active ground floor uses. However, further review would be needed to determine if the meeting room facing Montgomery Street would be in use regularly enough to be considered in conformance with Sec. 145.1.

- Section 145.1(c)(4)(C) states that ground floor non-residential uses in all NC districts with height districts over 50 feet are required to have 14-foot ground floor ceiling heights. The base project plans indicate the ground floor ceiling height on the Montgomery Street elevation measures 11'-3". Because that space is proposed as a meeting room associated with the building's residential use, 14-foot ceilings would not be required.

- The Montgomery Street garage entrance measures 10'Wx12'-6"H. The height of the garage door should accommodate the angle necessary for a vehicle to clear the opening while descending the down-sloping driveway, but otherwise be kept to the lowest height for safe clearance.

10. **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 more than 10 net new units of housing and thus is subject to the TDM Program. Based on the proposed 15 parking spaces associated with the Residential use in the base project, the project will be required to meet or exceed a target score of 12 points for land use categories A (Retail) and C (Residential). A TDM application should be submitted as part of the case review materials to the Planning Department. However, please be aware that additional review of the selected TDM Plan may be needed, particularly in light of the requested density bonus, and that revisions to the project may result in the need to revise the project's TDM Plan as well.
11. **Street Frontages.** Pursuant to Section 145(c)(2), no more than one-third of the width or 20 feet, whichever is less, of any given street frontage shall be devoted to vehicular access. As proposed, the Project devotes 10 feet of the Montgomery Street frontage to off-street parking / loading access. Therefore, the project conforms to Planning Code Section 145(c)(2).
12. **Parking and Curb Cuts.** Section 714 states that off-street parking is not required in the Broadway NCD; however, off-street residential parking for up to 1 car for each 2 dwelling units is permitted. The base project proposes 15 off street parking spaces, to be located below grade and accessed via Montgomery Street. The bonus project proposes 23 residential parking spaces, which is within the principally permitted 0.5 spaces per unit in the Broadway NCD.

"Accessory Parking Garage" The Planning Code does not include a category or definition for Accessory Parking Garage, as proposed in the submittal. New construction, and any of its associated uses, would be reviewed as a new project subject to current Planning Code requirements. Under the current code, parking garages require Conditional Use Authorization. Definitions of parking garages, per Sec. 102, are provided below:

Parking Garage, Private. A Non-Retail Automotive Use that provides temporary parking accommodations for automobiles, trucks, vans, bicycles, or motorcycles in a garage not open to the general public, without parking of recreational vehicles, mobile homes, boats, or other vehicles, or storage of vehicles, goods, or equipment.

Parking Garage, Public. A Retail Automotive Use that provides temporary parking accommodations for automobiles, trucks, vans, bicycles, or motorcycles in a garage open to the general public, without parking of recreational vehicles, mobile homes, boats, or other vehicles, or storage of vehicles, goods, or equipment.

13. **Protected Street Frontages.** Planning Code Section 155 limits vehicular access to off-street parking or loading to preserve the pedestrian character of certain downtown and neighborhood commercial districts and to minimize delays to transit service. Accordingly, vehicular access to off-street parking or loading shall not be permitted on Broadway. Because the project proposes to eliminate the existing

parking garage entrance and curb cut on Broadway, the project would bring the site into greater conformance with the Planning Code.

14. **Bicycle Parking (Class I).** Planning Code Section 155 requires this project to provide at least 35 Class I bicycle parking spaces. The proposed project contains 36 Class I bicycle parking. Please note that bicycle parking counts towards any Transportation Demand Management (TDM) requirements that may apply to this project.
15. **Bicycle Parking (Class II).** Planning Code Section 155 requires the project, which includes Retail Sales and Service uses in the form of the proposed gym, to provide at least 2 Class II bicycle parking spaces provided through on-street bicycle racks; however SFMTA has final authority on the type, placement and number of Class II bicycle racks within the public ROW. 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 II 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>. The project proposes 2 Class II bicycle parking spaces, in accordance with Sec. 155. Please note that bicycle parking counts towards any Transportation Demand Management (TDM) requirements that may apply to this project.
16. **Noise Regulations Relating to Residential Uses Near Places of Entertainment (POE).** New residential development within 300 feet of a Place of Entertainment must go through an Entertainment Commission outreach process ([Ordinance Number 070-015](#)). In addition, new residential development will also be required to record a Notice of Special Restrictions (NSR) on the site. The subject site is located within 300 feet of an existing POE, see enclosed map. Please note that the Planning Department will not consider an entitlement application complete until the following are completed:
 - (A) The Entertainment Commission has provided written notification to the Planning Department indicating that it either did not wish to hold a hearing, or that it held a hearing and the Project Sponsor attended; and
 - (B) The Project Sponsor has included a copy of any comments and/or recommendations provided by the Entertainment Commission regarding the proposed Project as well as the date(s) when the 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.

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.** 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.
20. **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>.
21. **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.

22. **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.

PRELIMINARY DESIGN COMMENTS:

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

1. **Site Design, Open Space, and Massing.** To more appropriately reinforce the stepping of building massing ascending Montgomery, and better relate to the heights of adjacent buildings on Broadway the Department recommends the upper floor on Broadway step back further (20') and the upper floor massing be redistributed to six stories fronting Montgomery Street.
2. **Architecture.** Staff will provide further detailed design review on the subsequent submission. The Department recommends that the project provide high-quality materials on all visible walls, and meet the architectural detailing and character of the neighborhood. The scale and proportions of the façade composition should likewise demonstrate compatibility with the prevailing patterns of the context.
3. **On-site Parking.** The Department recommends increasing physical separation between the proposed commercial parking and the parking spaces that are accessory to the residential units.
4. **Vision Zero.** In 2014, the City adopted the [Vision Zero Policy](#) 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 Vision 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 pedestrian and vehicle high-injury corridor, and is encouraged to incorporate safety measures into the project.

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 (TSF) (§411A)**
2. **Residential Child Care Impact Fee (§414A)**

AFFORDABLE HOUSING:

3. **Inclusionary Affordable Housing (§415):** 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. 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 for an ownership project is to provide 21% of the proposed dwelling units as affordable with a minimum of 11% of the units affordable to low-income households and the remaining 10% of the units affordable to moderate/middle-income households, as defined by the Planning Code and Procedures Manual. The requirement for the On-site Affordable Housing alternative for a rental project is to provide 19% of the proposed dwelling units as affordable with a minimum of 11% of the units affordable to low-income households, and the remaining 9% of the

units affordable to moderate/middle income households. The off-site fee of 30% for a rental project or 33% for an ownership project will be charged on all bonus units.

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 Evaluation Application.**
2. **Historic Resource Evaluation -- Pt. 2 Project Impact Analysis.** Please refer to the Environmental Review, Historic Resources section of this assessment for further information.
3. **Conditional Use Authorization Application** from the Planning Commission is required for several items covered in the Planning Code and Procedural comments above.
4. **Individually Requested State Density Bonus Program Application.**
5. **Transportation Demand Management Application.**
6. A **Building Permit Application** is required for the demolition of the existing building on the subject property.
7. A **Building Permit Application** is required for the proposed demolition and 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 [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”.

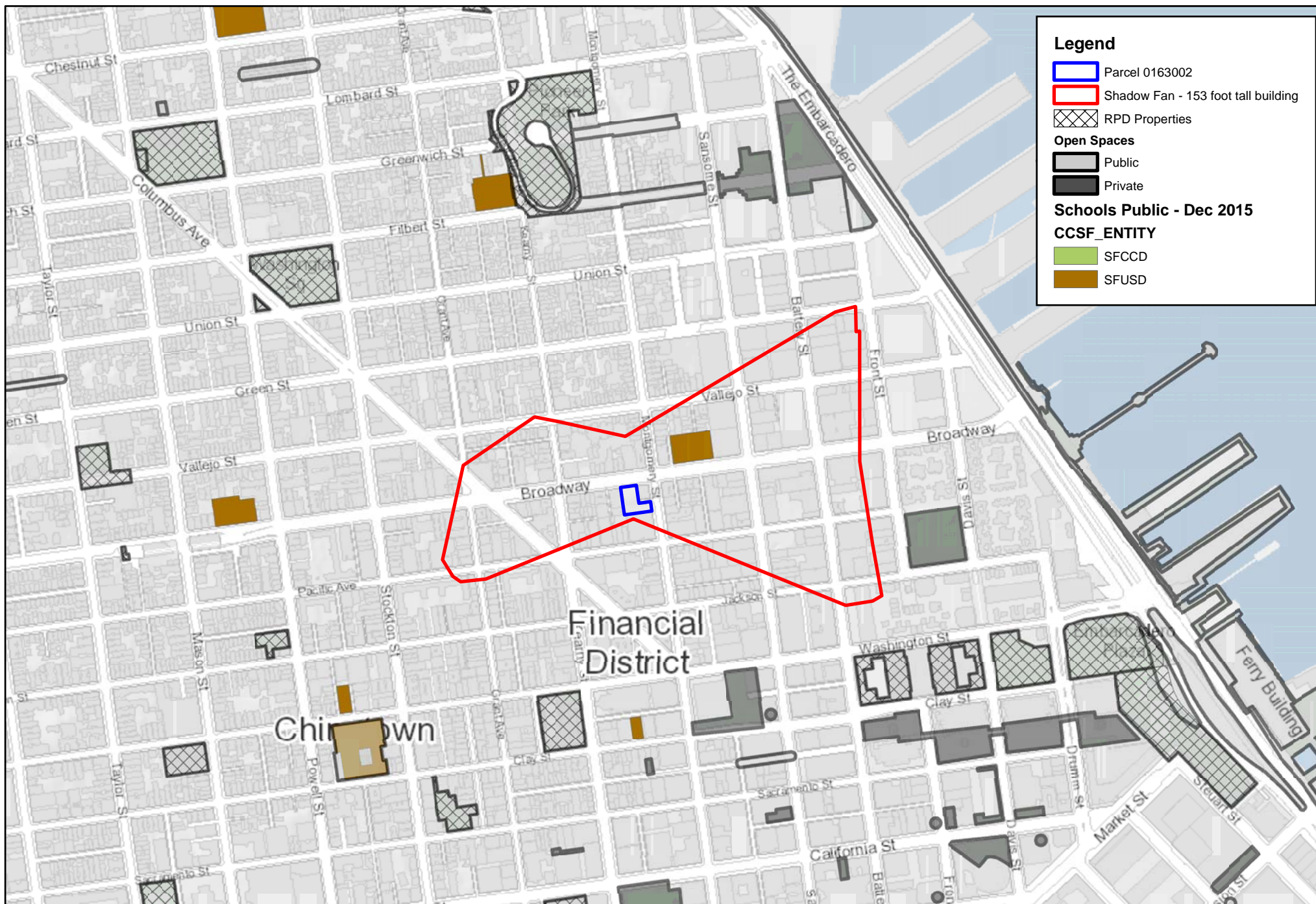
2. **Neighborhood Outreach.** This project is required to undertake additional public outreach in advance of the Planning Commission hearing on the Conditional Use Authorization. The developer is required to conduct an additional outreach meeting, notifying owners and tenants who live within 300’ of the project as well as all registered neighborhood organizations for the Financial District 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 **September, 5, 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: Richard Chen, Property Owner
Eiliesh Tuffy, Current Planning
Alana Callagy, Environmental Planning
Paolo Ikezoe, Citywide Planning and Analysis
Jonas Ionin, Planning Commission Secretary
Charles Rivasplata, SFMTA
Jerry Sanguinetti, Public Works
Pauline Perkins, SFPUC
Planning Department Webmaster (planning.webmaster@sfgov.org)



Title: 425 Broadway Street

Comments: 2017-012624PPA

Printed: 12 February, 2018

0 550 1,100 1,650 2,200 Feet



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