



SAN FRANCISCO PLANNING DEPARTMENT

Preliminary Project Assessment

Date: July 5, 2013
Case No.: **2013.0370U**
Project Address: 575 Sixth Street
Block/Lot: 3778/005
Zoning: SALI (Service/Arts/Light Industrial) Zoning District
Western SoMa Special Use District
40-55-X Height and Bulk District
Area Plan: Western SoMa Community Plan Area
Central Corridor Plan Area (In progress/Ongoing)
Project Sponsor: Dan Frattin, Reuben, Junius & Rose
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DISCLAIMERS:

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

PROJECT DESCRIPTION:

The proposal is to demolish the structures on the project site on Lot 005 of Assessor's Block 3778 and construct an eleven-story, 160-foot-tall, 655,150 gross square feet (gsf) office development separated into one nine-story building and one 11-story building connected by pedestrian bridges at the fifth and sixth levels. The project site currently contains a two-story, 45,874 square foot (sq. ft.) retail/wholesale building and parking lot which are part of the San Francisco Flower Mart complex.

The project site is approximately 81,056 sq. ft. (1.86 acres) and occupies the southwest section of the block bounded by Bryant Street to the north, Fifth Street to the east, Brannan Street to the south, and Sixth Street to the west. Morris Street runs north-south parallel to Sixth Street midway through the western half of the block. The proposed project would include extending Morris Street to Brannan Street via a mid-block pedestrian walkway accessible from Brannan Street.

The proposed office development would include 508,040 gsf of new office space and 16,410 gsf of retail space on the ground floor. It would have two basement levels with parking on the 80,320-sq. ft. first basement level, and mechanical rooms on the 48,000-sq. ft. second basement level. The below-grade parking garage would be accessible from Bryant Street via two driveways along Morris Street. The development would provide 10,227 sq. ft. of open space.

PLANNING CONTEXT:

The project site is located within the Western South of Market (SoMa) Community Plan area, adopted in 2013. Based on the Western SoMa Plan, the project site is currently zoned Service/Arts/Light Industrial (SALI) with a height and bulk limits of 40-55-X (for more information on height restrictions, see Planning Code Section 263.28: Special Exceptions: SALI Districts in the 40-55-X Height and Bulk District). The proposed project is located within the Western SoMa Community Plan Area, which was evaluated in *Western SoMa Community Plan, Rezoning of Adjacent Parcels and 350 Eighth Street Project Final Environmental Impact Report*, certified in 2012.¹

The project site also falls within the proposed Central Corridor Plan area, a community planning process initiated in 2011. A draft Central Corridor Plan was released in April 2013, with proposed changes to the allowed land uses and building heights in the Plan area, including a strategy for improving the public realm within the Plan area and vicinity. The Central Corridor Plan will be evaluated in an Environmental Impact Report (EIR), which is currently underway. The draft Plan and its proposed rezoning are anticipated to be before decision-makers for approval in late 2014.

As part of the Central Corridor Plan, the Planning Department has developed preliminary recommendations for new land use controls as well as new height and bulk controls for the plan area. The most recent plan concepts, which are available for download at <http://centralcorridor.sfplanning.org>, were presented at a public workshop on June 13, 2012. These concepts form the basis of the draft Central Corridor Plan (draft Plan), though they are subject to change and refinement. The draft Plan includes two height alternatives. The EIR will study the Central Corridor's Mid-Rise Height Alternative and a modified High-Rise Height Alternative, which vary for the project site. The proposed height designation for the project site in the draft Plan is split across Lot 005. Under the Mid-Rise alternative, the western half of the lot has a height limit at 55 feet and the eastern half of the lot has a height limit at 65 feet. Under the High-Rise Alternative, the height limit is proposed at 65 feet and 85 feet for the western and eastern halves, respectively. At this point, it is unknown which height option, if any, would ultimately be approved by the Planning Commission and Board of Supervisors. Further comments in this Preliminary Project Assessment (PPA) are based on the draft Plan concepts published to date, which are contingent on the approval of the proposed Central Corridor Plan rezoning by the Planning Commission and Board of Supervisors.

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 EIR was certified

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

do not require additional environmental review, except as necessary to determine the presence of peculiar project-specific significant effects not identified in the programmatic plan area EIR. The proposed land use (office) and building heights are not consistent with either the Western SoMa Plan and/or the proposed height options being studied presently in the Central Corridor Area Plan EIR. The 575 Sixth Street project proposes a 160-foot height for one of two office mid-rise office towers which would not be consistent with the draft Central Corridor Plan's proposed height limits or the height limits currently being studied in the Central Corridor EIR. Thus, it is unlikely that the proposal, as currently presented, would qualify for a Community Plan Exemption (CPE) under the proposed Central Corridor Area Plan EIR. However, the proposed project would be assessed based on the height districts in place at the time that the Planning Department entitlements for the proposed project are sought. If the proposed project does not fit within the height and density identified for the project site in the certified and adopted Central Corridor Plan, the proposed project would be precluded from qualifying for a CPE under the Central Corridor Plan as discussed below.

ENVIRONMENTAL REVIEW:

The proposed project requires environmental review either individually, likely in a project-specific EIR, or in a CPE under the future Central Corridor Plan EIR if the project were to be revised to be made consistent with the approved Central Corridor Plan zoning controls. As stated above, the proposed project is located within the Western SoMa Community Plan Area, which was evaluated in the *Western SoMa Community Plan, Rezoning of Adjacent Parcels, and 350 Eighth Street Project Final Environmental Impact Report EIR* (Western SoMa FEIR), certified in 2012. However, since the proposed project is not consistent with the land use or development density (zoning) identified in the Western SoMa Community Plan, it is not eligible for a CPE under the Western SoMa FEIR. Given that the project site is within the geographic area evaluated in the Western SoMa FEIR, any development on the project site would potentially be subject to the mitigation measures promulgated therein. Potentially significant project environmental impacts that were identified in and pertinent mitigation measures and CEQA findings from the Western SoMa FEIR that may be applicable to the proposed project are included below, under the applicable environmental topic. However, it should also be noted that mitigation measures from the Western SoMa FEIR that are applicable to the proposed project area could be refined, augmented or superseded under the future Central Corridor Plan EIR which would also be applicable to the proposed project area.

As discussed above, the project site is located within the Central Corridor Plan study area. If the proposed project is revised and determined to be consistent with the development density and building height and bulk limits ultimately adopted as part of the Central Corridor Plan, it may be determined to be eligible for a CPE under the Central Corridor Plan EIR once that EIR is certified and the Planning Commission and Board of Supervisors have adopted new zoning controls. However, as discussed above, the current proposal is not consistent with proposed height options being studied in the EIR and the proposal would need to be revised to be consistent with the adopted development density in order to qualify for a CPE.

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

1. **CPE Only.** In this case, all potentially significant project-specific and cumulatively considerable environmental impacts are fully consistent with significant impacts identified in the underlying

area plan EIR, meaning there would be no new “peculiar” significant impacts unique to the proposed project. In these situations, all pertinent mitigation measures and CEQA findings from the underlying area plan FEIR are applied to the proposed project, and a CPE checklist and certificate is prepared. With this outcome, the applicable fees, based on the current fee schedule, in addition to the Environmental Document Determination of \$13,004 are: (a) the \$ 7,216 CPE certificate fee; and (b) a proportionate share fee for recovery of costs incurred by the Planning Department for preparation of the underlying plan EIR. Fees for the preparation of the Central Corridor Plan EIR have yet to be determined.

2. **CPE and Focused Initial Study/Mitigated Negative Declaration.** One or more new significant impacts of the proposed project specific to the site or the project proposal are identified that were not identified in the underlying plan area EIR. If any new significant impacts of the proposed project can be mitigated, then a focused Mitigated Negative Declaration to address these impacts is prepared together with a supporting CPE certificate to address all other impacts that were encompassed by the underlying plan area EIR, with all pertinent mitigation measures and CEQA findings from the underlying plan area EIR also applied to the proposed project. With this outcome, the applicable fees, based on the current fee schedule, in addition to the Environmental Document determination of \$13,004 are: (a) the standard environmental evaluation (EE) fee based on the cost of construction; and (b) a proportionate share fee for recovery for costs incurred by the Planning Department for preparation of the underlying plan EIR. Fees for the preparation of the Central Corridor Plan EIR have yet to be determined.
3. **CPE and Focused Environmental Impact Report (EIR).** One or more new significant impacts of the proposed project specific to the site or the project proposal are identified that was not identified in the underlying plan area EIR. If any new significant impacts of the proposed project cannot be mitigated, then a focused EIR to address these impacts is prepared together with a supporting CPE certificate to address all other impacts that were encompassed by the underlying plan area EIR, with all pertinent mitigation measures and CEQA findings from the underlying area plan EIR also applied to the proposed project. With this outcome, the applicable fees, based on the current fee schedule, in addition to the Environmental Document Determination of \$13,004 are: (a) the standard environmental evaluation (EE) fee based on the cost of construction; (b) one-half of the standard EIR fee; and (c) a proportionate share fee for recovery of costs incurred by the Planning Department for preparation of the underlying plan EIR. Fees for the preparation of the Central Corridor Plan EIR have yet to be determined.

Should the proposal be revised to be consistent with the development density in the Central Corridor Plan, the project could qualify for analysis under the CPE process. Alternatively, the proposed project could be analyzed individually, as proposed, in a separate environmental document. This would obviate the proposed project’s reliance on the certification of the Central Corridor Plan EIR. In the case of a separate environmental document, the applicable fees would be (a) the standard environmental evaluation (EE) fee based on the cost of construction; and (b) the standard EIR fee, if an EIR is required.

In either case, based on our preliminary review the following topic areas would require additional study. An **Environmental Evaluation Application** is required for the full scope of the project and would include the following:

- *Transportation Study.* Based on the Planning Department's Transportation Impact Analysis Guidelines, the nine- to 11-story, 160-foot-tall, 508,040 sq. ft. office development with 16,410 sq. ft. of ground-floor retail space would require additional transportation analysis. The Transportation Impact Study (TIS) would need to be prepared by a qualified consultant working at the direction of the Planning Department staff. The Planning Department's list of approved transportation consultants is available at http://www.sf-planning.org/ftp/files/MEA/Transportation_consultant_pool.pdf. Please see "Transportation Impact Analysis Guidelines for Environmental Review" on the Planning Department's website and "Miscellaneous Fees" in the Planning Department's current *Fee Schedule for Applications*. As noted on the *Fee Schedule*, there is a separate fee to San Francisco Municipal Transportation Agency (SFMTA) for review of the transportation report.

Preliminary plans submitted with the Environmental Evaluation Application should show loading areas, site circulation and access, the number of vehicle and bicycle parking spaces, and detailed plans of the basement levels and ground floor.

- *Hazardous Materials.* The project site is known to be underlain by artificial fill and the proposal includes excavation of approximately 20 feet below grade. The Western SoMa FEIR identified a potential impact associated with encountering subsurface contamination during site-specific development in the project area and required *Mitigation Measure M-HZ-3: Site Assessment and Corrective Action*, which requires the project sponsor to ensure that a site-specific Phase I Environmental Site Assessment (ESA) be prepared to determine the potential for site contamination and the level of exposure risk associated with the project. Since the project site is within the Western SoMa Community Plan area, the proposed project would likely be subject to this mitigation measure within the Western SoMa FEIR, or a similar mitigation measure would likely apply. The Phase I ESA and any related documentation should be submitted with the Environmental Evaluation Application. The Phase I will determine whether any additional analysis (e.g., a Phase II soil sampling) will be necessary. If the level(s) of chemical(s) onsite would create an unacceptable risk to human health or the environment, appropriate cleanup levels for each chemical, based on current and planned land use, shall be determined in accordance with accepted procedures adopted by the lead regulatory agency providing oversight (e.g., the Department of Toxic Substances Control [DTSC], the Regional Water Quality Control Board [RWQCB], or San Francisco Department of Public Health [DPH]). A remedial action plan or similar plan for remediation may be required for review and approval by the appropriate regulatory agency. Upon determination that site remediation has been successfully completed, the regulatory agency shall issue a closure letter to the responsible party. For sites that are cleaned to levels that do not allow unrestricted land use, or where containment measures were used to prevent exposure to hazardous materials, the DTSC may require a limitation on the future use of the property. The requirements of these plans and the land use restriction shall transfer to the new property owners in the event that the property is sold.

Review of the Phase I and any additional studies recommended by the Phase I would require oversight from the San Francisco Department of Public Health (DPH). Please note that the DPH charges a fee for their review. DPH may recommend that the project sponsor enroll in its Voluntary Remedial Action Program (VRAP). More information on DPH's Voluntary Remedial Action Program may be found at <http://www.sfdph.org/dph/EH/HazWaste/hazWasteVoluntaryRemedial.asp>.

Additionally, the Western SoMa FEIR identified *Mitigation Measure M-HZ-2: Hazardous Building Materials Abatement*, which requires subsequent projects to properly dispose of any polychlorinated biphenols (PCB) such as florescent light ballasts or any other hazardous building materials in accordance with applicable local, state and federal laws. Since the project site is within the Western SoMa Community Plan area, the proposed project would likely be subject to this mitigation measure from the Western SoMa FEIR, or a similar mitigation measure would likely apply.

- *Air Quality (AQ) Analysis.* The proposed project includes demolition of all structures on the project site and the construction of two new office buildings with ground-floor retail space. The proposed project at 508,040 sq. ft. of office use and 16,410 sq. ft. of ground-floor retail use exceeds the Bay Area Air Quality Management District's (BAAQMD) construction and operational screening levels for criteria air pollutants. Therefore an analysis of the project's criteria air pollutant emissions is likely to be required.

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 San Francisco Board of Supervisors approved a series of amendments to the San Francisco Building and Health Codes generally referred hereto as the Construction Dust Control Ordinance (Ordinance 176-08, effective July 30, 2008) with the intent of reducing the quantity of dust generated during site preparation, demolition, and construction work in order to protect the health of the general public and of onsite workers, minimize public nuisance complaints, and to avoid orders to stop work by the Department of Building Inspection (DBI). Pursuant to the Construction Dust Ordinance, the proposed project would be required to prepare a *Construction Dust Control Plan* for review and approval by the San Francisco Department of Public Health (DPH).

In addition to construction dust, demolition and construction activities would require the use of heavy-duty diesel equipment which emit diesel particulate matter (DPM). DPM is a designated toxic air contaminant, which may affect sensitive receptors located up to and perhaps beyond 300 feet from the project site. Additional measures may be required to reduce DPM emissions from project-related construction vehicles and equipment.

If the project would generate new sources of toxic air contaminants including, but not limited to: diesel generators or boilers, or any other stationary sources, the project could result in toxic air contaminants that may affect both on-site and off-site sensitive receptors. Additional measures may be required to reduce toxic air contaminant emissions affecting on-site and off-site sensitive receptors.

During the environmental review process the proposed project will be reviewed to determine whether mitigation measures in the form of either construction emissions minimization measures or air filtration and ventilation mitigation measures will be required. Should the project include stationary sources of air pollutants including, but not limited to, diesel boilers or back-up generators, an Air Quality Technical Report may be required for additional air pollutant modeling. If an Air Quality Technical Report is required, the project sponsor must retain a consultant with experience in air quality modeling to prepare a scope of work that must be approved by Environmental Planning's relevant staff prior to the commencement of any required analysis and/or modeling determined necessary.

The Western SoMa FEIR identified a significant impact related to violation of an air quality standard and included *Mitigation Measure M-AQ-2: Transportation Demand Management Strategies for Future Development Projects* which is applicable to projects that generate over 3,500 daily vehicle trips. The FEIR also found significant impacts related to uses that emit Diesel Particulate Matter (DPM) and included *Mitigation Measure M-AQ-4: Siting of Uses that Emit PM2.5 or DPM and other TACs* (Toxic Air Contaminants), significant impacts related to construction emissions included *Mitigation Measure M-AQ-6: Construction Emissions Minimization Plan for Criteria Air Pollutants* and *Mitigation Measure M-AQ-7: Construction Emissions minimization Plan for Health Risks and Hazards*. As part of the air quality analysis, the proposed project will be screened against air quality impacts identified in the Western SoMa FEIR and/or the Central Corridor Plan EIR. Any applicable mitigation measures identified in these plan EIRs such as the ones described below, or similar measures, would likely be required for the proposed project as well.

- *Greenhouse Gas Compliance Checklist for Private Development Projects*. Potential environmental effects related to greenhouse gas emissions from the proposed project need to be addressed in a project's environmental evaluation. An electronic version of the Greenhouse Gas Compliance Checklist Table 1 for Private Development Projects is available on the Planning Department's website at <http://www.sfplanning.org/index.aspx?page=1886>. The project sponsor would be required to submit the completed table regarding project compliance with the identified regulations and provide project-level details in the discussion column. This information will be reviewed by the environmental 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 San Francisco's Greenhouse Gas Reduction Strategy.
- *Geotechnical*. The project site is located in a Seismic Hazard Zone, specifically a liquefaction hazard zone, as identified in the San Francisco General Plan. The investigation of geotechnical and soil conditions and the application of the building codes for new development based on these conditions would reduce the potential for impacts related to structural damage, ground subsidence, liquefaction, landslides, and surface settlement to less-than-significant levels. To assist our staff in their determination, it is recommended that you provide a copy of a geotechnical investigation with boring logs for the proposed project. This study will also help inform the archeological review.

In addition, Interdepartmental Project Reviews are mandatory for new construction projects that propose buildings eight stories or more and new construction on parcels identified by the State of California Department of Conservation, Division of Mines and Geology as Seismic Hazard Zones in the City and County of San Francisco. As such, the project sponsor must request and participate in an Interdepartmental Project Review prior to any application that requires a public hearing before the Planning Commission or new construction building permit. Project Sponsors may elect to request an interdepartmental review for any project at any time. However, it is strongly recommended that the request is made prior to the submittal of a building permit or Conditional Use application. The Planning Department acts as the lead agency in collaboration with the Department of Building Inspection (DBI); the Department of Public Works (DPW); and the San Francisco Fire Department (SFFD). Staff from each of these disciplines will attend the Interdepartmental Project Review meeting.

- *Noise*. The Western SoMa FEIR identified a number of noise mitigation measures applicable to construction activity. The project site is located in an area where traffic-related noise exceeds 60 Ldn

(a day-night averaged sound level) and may be within the vicinity of sensitive noise receptors. Application of *Noise Mitigation Measures M-NO-2a: General Construction Noise Control Measures* and *M-No-2b: Noise Control Measures During Pile Driving* are intended to reduce construction-related noise impacts. *Mitigation Measure M-NO-2a* would require construction projects near noise sensitive land uses to implement noise attenuation measures. *Mitigation Measure M-NO-2b* applies to pile driving activities and would require that piles (if included in the foundation design) be pre-drilled. Project sponsors would be required to submit a plan to DBI that outlines the noise attenuation measures to be implemented during the construction phase. As part of the environmental review process, the proposed project will be screened against noise impacts identified in the Western SoMa FEIR and/or the Central Corridor Plan EIR. Any applicable mitigation measures identified in these plan EIRs such as the ones described above, or similar measures, would likely be required for the proposed project as well.

- *Historic Resource Evaluation Report (HRER)*. According to Planning Department records, the existing buildings on the project site were constructed in 1956, making them approximately 57 years old at the time of this review. The buildings at 575 Sixth Street were included in the South of Market Historic Resource Survey (SoMa Survey) survey, during which it was determined that assessment of the California Flower Market complex could not be accurately completed without additional information. Thus, the environmental analysis will require a Historic Resource Evaluation Report (HRE) to determine whether the buildings on the site are considered historic resources. The HRE shall be prepared by a qualified professional who meets the Secretary of the Interior's Professional Qualification Standards in Historic Architecture or Architectural History. The qualified professional must be selected from one of three historic resource consultants assigned by Tina Tam, Senior Preservation Planner at the Planning Department. Please contact Tina Tam at (415) 558-6325 or at tina.tam@sfgov.org.

Instructions on completing this report are included in "San Francisco Preservation Bulletin No. 16: City and County of San Francisco Planning Department CEQA Review Procedures for Historic Resources." The preservation bulletin is available at www.sfplanning.org under: "Plans & Programs" "Historic Preservation" "Preservation Bulletins." Prior to initiating work on the *Historic Resource Evaluation Report*, please have the selected consultant contact Planning Department Preservation Staff to scope the report.

The Western SoMa FEIR identified *Mitigation Measure M-CP-1a: Documentation of a Historical Resource*, *Mitigation Measure M-CP-1b: Oral Histories*, and/or *Mitigation Measures M-CP-1c: Interpretive Program*, which apply to projects that would cause a substantial adverse change in the significance of a historical resource through demolition. If it is determined that the structures proposed for demolition at 575 Sixth Street are historical resources, these mitigation measures or similar measures, would likely apply.

- *Archeological Resources*. The proposed project includes demolition, excavation, grading, and foundation work to a depth greater than five feet below grade. The Western SoMa FEIR identified the potential for project-specific significant impacts on archeological resources resulting from ground-disturbing activities in the Western SoMa Community Plan area. Implementation of *Mitigation Measure M-CP-4a: Project Specific Preliminary Archeological Assessment* from the Western SoMa FEIR, or a similar measure, would likely apply to the proposed project. This measure applies to

properties for which no archeological assessment report has been prepared. Projects to which this mitigation measure applies are subject to Preliminary Archeology Review (PAR) or a Preliminary Archeological Sensitivity Study (PASS) by the San Francisco Planning Department archeologist. If required, an Archeological Research Design Treatment (ARDTP) shall be prepared by an archeological consultant with from the pool of qualified archeological consultants maintained by the Planning Department archeologist.

- *Shadow Study.* The proposed project would result in construction of two buildings 40 feet or greater in height. As part of the Preliminary Project Assessment, Planning Department staff prepared a shadow fan analysis. The shadow fan analysis shows that the project would not cast shadows on any public open spaces and recreational resources, including but not limited to parks under the jurisdiction of the San Francisco Recreation and Park Department. Therefore, a detailed shadow study prepared by a qualified consultant is not required.
- *Wind Study. Mitigation Measure M-WS-1: Screening-Level Wind Analysis and Wind Testing,* as identified in the Western SoMa FEIR, or a similar measure, would likely apply to the proposed project. The measure applies to any structures within the Plan area that have a proposed height of 80 feet or taller and requires the following wind analysis. Given that the proposed project would involve construction of buildings over 80 feet in height, the project is required to undergo a screening-level wind impact analysis that takes into account the surrounding topography and building heights. As part of this analysis, a qualified wind expert will review the proposed building plans as well as results of other wind tests conducted nearby, if available. Based on this review, a determination will be made as to whether wind hazards are expected as a result of project development. If not enough information is available to make a determination with relative certainty that no wind hazard criteria are expected, a project-level wind test shall be conducted. If required, a project-level wind test shall be prepared by a qualified wind expert to determine impacts on pedestrian-level wind speeds. The methodology of a wind test shall be consistent with accepted San Francisco Planning Department practice. The consultant will be required to prepare a proposed scope of work for review and approval by the Environmental Planning case manager prior to preparing the analysis.
- *Tree Disclosure Affidavit.* The Department of Public Works Code Section 8.02-8.11 requires disclosure and protection of landmark, significant, and street trees located on private and public property. Any tree identified in this Disclosure Statement must be shown on the Site Plans with size of the trunk diameter, tree height, and accurate canopy drip line. Please submit an Affidavit with the Environmental Evaluation Application and ensure trees are appropriately shown on site plans.
- *Biological Resources. Mitigation Measures M-BI-1a: Pre-Construction Special-Status Bird Surveys and M-BI-1b: Pre-Construction Special-Status Bat Surveys,* or similar measures, as identified in the Western SoMa FEIR would likely apply to the proposed project. Due to the proposed demolition of buildings on the project site, the project is subject to *Mitigation Measures M-BI-1a: Pre-Construction Special-Status Bird Surveys* and *M-BI-1b: Pre-Construction Special-Status Bat Surveys.* *Mitigation Measure M-BI-1a* requires that conditions of approval for building permits issued for construction of project within the Western SoMa Community Plan area include a requirement for pre-construction special-status bird surveys when trees would be removed or buildings demolished as part of an individual project. Pre-construction special-status bird surveys shall be conducted by a qualified biologist between February 1 and August 15 if tree removal or building demolition is scheduled to take place during that period. *Mitigation Measure M-BI-1b* requires pre-construction special-status bat surveys by a qualified bat

biologist when large trees (those with trunks over 12 inches in diameter) are to be removed, or vacant buildings or buildings used seasonally or not occupied, especially in the upper stories, are to be demolished.

The Department suggests that the sponsor consider *Improvement Measure I-BI-2: Night Lighting Minimization* to reduce the less-than-significant effects on birds from night lighting. This would entail reducing building lighting from exterior and interior sources.

- *Stormwater Management.* Prior to issuance of a building permit, the project sponsor is required to prepare and submit a Stormwater Control Plan (SCP) to the San Francisco Public Utilities Commission (SFPUC) Wastewater Enterprise, Urban Watershed Management Program. The SCP shall demonstrate compliance with the City's Stormwater Design Guidelines. The project's environmental evaluation would generally evaluate how and where the implementation of required stormwater management and low-impact design approaches would reduce potential negative effects of stormwater runoff. This may include environmental factors such as the natural hydrologic system, city sewer collection system, and receiving body water quality. For more information on the SFPUC's stormwater management requirements, see <http://stormwater.sfwater.org>.
- *Flood Notification.* This lot is on a block that has the potential to flood during storms. Please see the attached notice and contact Cliff Wong at the San Francisco Public Utilities Commission at (415) 554-8339.

Based on a preliminary review of the information contained within the PPA application, it appears that the project, given its size, scope and mix of uses, could have a significant effect on the environment and thus the Planning Department requires preparation of an Environmental Impact Report (EIR). The Planning Department requires that the applicant select an environmental consultant to prepare the requisite CEQA documentation. The selection of environmental consultants is subject to the Planning Department's Consultant Selection Guidelines and this process will be managed by an environmental planner that will be assigned to this case upon receipt of the Environmental Evaluation Application and documentation listed above. Please proceed with consultant selection only in conjunction with direction provided by the assigned environmental case planner.

Once a consultant is selected, the first step of the environmental review process is to prepare a Notice of Preparation (NOP). The NOP consists of a project description and indicates to the general public which of the environmental topic areas may be potentially significant and the subject of the EIR. In consultation with Environmental Planning staff, the project sponsor could choose to prepare a full-scope EIR that would be preceded by an NOP without an accompanying Initial Study. The Initial Study contains all topics on the City's standardized CEQA checklist and assists in scoping those environmental topics that may require further analysis in the EIR.

This environmental review may be done in conjunction with the required approvals listed below, but must be completed before any project approval may be granted.

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. Note that the subject parcel is within the Central Corridor Plan area. The Central Corridor Plan process is anticipated to be completed by late 2014. Comments in this PPA related to the Central Corridor planning process are based on those in the Draft Plan published in April 2013, which is the basis for the EIR being prepared. These concepts are subject to change and are contingent on the eventual approval by the Planning Commission and Board of Supervisors.

1. **Rezoning.** The project site is located within the SALI (Service/Arts/Light Industrial) District. The proposed office use is not permitted under this zoning designation, and the proposed Floor Area Ratio (FAR) exceeds the allowed maximum. In order for the project to proceed, the Planning Commission and Board of Supervisors would need to approve new zoning controls for the subject parcel.

The zoning concepts published in the Central Corridor Plan indicate that a reclassification to MUO (Mixed-Use Office) is being considered for the site. The proposed office use would be permitted in MUO Zoning District, though the project may exceed the proposed FAR under this zone. Please see further discussion in the Preliminary Project Comments section.

2. **Height District Reclassification.** The project site is located within the 40-55-X Height and Bulk District. The height of the proposed project would exceed the height limit. In order for the project to proceed, the Board of Supervisors would need to approve a Height District Reclassification for the subject parcel.

As described on page 2, the zoning concepts published in the Central Corridor Plan (April 2013) planning process indicate that height limits of 55-65 feet (Mid-Rise Alternative) and 65-85 (High Rise Alternative) are being considered for this site. The proposed project's height of 160 feet is greater than either of the height scenarios proposed for the project site. These are the two scenarios being analyzed in the Central Corridor Plan EIR; however, this analysis is not an indication of which height scenario will ultimately be adopted as part of the Plan and is not a guarantee that the Planning Commission or the Board of Supervisors will approve changes to height limits. Based on these alternatives, the EIR will not include analysis of taller heights on the subject site as proposed in this PPA. Please see further discussion in the Preliminary Project Comments section.

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3. **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.

4. An **Office Allocation** from the Planning Commission is required per Planning Code Section 321 et seq. to establish more than 25,000 gross square feet of new office space.

5. A **Building Permit Application** is required for the demolition of the existing buildings on the subject property.

6. A **Building Permit Application** is required for the proposed new construction on the subject property.

Applications are available in the Planning Department lobby at 1650 Mission Street Suite 400, at the Planning Information Center at 1660 Mission Street, and online at www.sfplanning.org. Building Permit applications are available at the Department of Building Inspection at 1660 Mission Street.

NEIGHBORHOOD NOTIFICATIONS AND PUBLIC OUTREACH:

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

This project is required to conduct a **Pre-Application** meeting with surrounding neighbors and registered neighborhood groups before a development application may be filed with the Planning Department. The Pre-application packet, which includes instructions and template forms, is available at www.sfplanning.org under the "Permits & Zoning" tab. All registered neighborhood group mailing lists are available online at www.sfplanning.org under the "Resource Center" tab.

PRELIMINARY PROJECT COMMENTS:

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

1. **Existing Zoning/Height and Bulk.** The subject property is located within the Service/Arts/Light Industrial (SALI) Zoning District, which does not permit office use. It is located within a 40-55-X Height and Bulk district, which does not permit the project's proposed height and bulk. *The project could not be approved under existing zoning.*
2. **Central Corridor Plan.** The subject property falls within the ongoing Central Corridor Plan study area, initiated in 2011, and as described on page 2 of this PPA.

The Central Corridor Plan includes recommendations for new land use controls as well as new height and bulk controls for the subject property. The draft plan is available for download at <http://centralcorridor.sfplanning.org>. *Further comments in this section of the PPA are based on the draft Central Corridor concepts published to date.*

3. **Land Use.** The Central Corridor Plan concepts recommend rezoning the subject property to the Mixed-Use Office (MUO) zoning district, in which the proposed office use would be allowed. The office use is generally consistent with key objectives of the Central Corridor Plan, which include providing support for substantial development in a transit-rich area and favoring office development over other kinds of growth, particularly on large parcels. The Central Corridor Plan concepts also include a new Special Use District that would limit new residential development to smaller parcels

or, on larger parcels, as a component in a mixed-use project with major commercial development. The project sponsor has indicated that the project could potentially include a residential component; if such is the case, the residential use should be secondary to the office and retail uses.

The proposed plan also calls for a SoMa Entertainment SUD, in which entertainment uses would be permitted. In order to create a diverse and dynamic 24-hour neighborhood characteristic of SoMa, the Central Corridor Plan's preliminary land use principles envision a mixed-use neighborhood in which substantial office development is balanced with retail, arts, entertainment, industrial, and residential uses. The proposed 22,937 sq. ft. of ground floor retail use supports this vision of a mixed-use neighborhood; the project sponsor is encouraged to further explore inclusion of a variety of uses for these ground floor spaces.

- 4. Urban Form: Height and Bulk.** In recognition of the desire to accommodate more growth in the area, the draft Central Corridor Plan concepts recommends two height scenarios, which would change the height limit of the subject property from 40-55 feet to either 55/65 feet or 65/85 feet. Please note that existing requirements in Eastern Neighborhoods districts for mid-block alleys and massing reduction for large projects will continue to apply.

The proposed building height of 160 feet is above both the Mid Rise and the High Rise alternatives proposed in the Central Corridor Plan and which will be analyzed in the Plan EIR. The proposed building heights are greater than the envelope being analyzed in the EIR. The Plan publication and ongoing EIR analysis is not an indication of which heights will ultimately be adopted as part of the Plan and is not a guarantee that the Planning Commission or the Board of Supervisors will approve the proposed heights or whether these bodies will change existing height limits.

- 5. Eco-District.** An Eco-District is a neighborhood or district where residents, community institutions, property owners, developers, and businesses join together with city leaders and utility providers to meet sustainability goals and co-develop innovative projects at a district or block-level. The Planning Department has identified the Central Corridor Plan area as a Type 2 Eco-District. All major new development in the Central Corridor Plan area will be expected to participate in the Eco-District program and the Sustainability Management Association set up to guide it. Please see <http://www.sfplanning.org/index.aspx?page=3051> or contact Kate McGee at 558-6367 for more information.
- 6. Large Project Authorization.** Planning Code Section 329 outlines the requirements for a Large Project Authorization in Eastern Neighborhoods Mixed Use Zoning Districts. A Large Project Authorization is required of new construction of more than 25,000 gross square feet. All large projects within the Eastern Neighborhoods Area Plan are subject to review by the Planning Commission in an effort to achieve the objectives and policies of the General Plan, the applicable Design Guidelines and the Planning Code. To the extent possible, the project should be designed to minimize deviations and should strive to comply with all Planning Code requirements.
- 7. Office Development Authorization.** Since the proposed project involves the new construction of over 100,000 sf of office space, the proposed project would need to obtain an Office Development

Authorization from the Planning Commission, as outlined in Planning Code Section 321. Please be advised that if all pending office applications were to proceed, the office limit would be exceeded.

8. **Open Space – Non-Residential.** Section 135.3 requires this project to provide one square foot of open space for every 250 occupied square feet of retail space, and one square foot of open space for every 50 occupied square feet of office space. Additional details regarding the proposed open space will be required to ensure that the dimensional requirements are met. If the open space provided does not meet the minimum requirements, an in-lieu fee may be paid instead of providing the open space on site per Section 426. Please be aware that while under the current Planning Code this non-residential open space is not required to be open to the public in the MUO District, the Central Corridor Plan proposes to require open space to be open to the public. As such, required non-residential open space should be preferably at-grade, easily accessible and visible to the public, and activated with adjacent uses. Note that any non-vehicular portions of new-mid-block alleys pursuant to that requirement in the Code may count toward the open space requirement.
9. **Street Trees/Streetscape Plan.** Planning Code Section 138.1 outlines the requirements for streetscape and pedestrian improvements, including the requirement for new street trees and a streetscape plan. The proposed project would be required to provide one street tree for every 20 feet of frontage for new construction with any remaining fraction of 10 feet or more of frontage requiring an additional tree, as well as the submittal of a streetscape plan. Therefore, the Project would be required to provide nine (9) street trees along Morris Street, nine (9) street trees along Sixth Street, and fifteen (15) street trees along Zoe Street. Please consult with the Department of Public Works regarding the placement of the street trees.

In addition, the proposed project would be required to provide a Streetscape Plan, since the project site includes new construction on a lot (81,056 sf) greater than ½ acre in total area. Streetscape improvements may range from sidewalk bulb outs to raised walkways or other methods identified in Planning Code Section 138.1. Please consult with the Planning Department Citywide Division developing the streetscape plan improvements.
10. **Bird Safety.** Planning Code Section 139 outlines the standards for new construction to reduce bird mortality and bird hazards. Please refer to these standards to ensure compliance with the Standards for Bird-Safe Buildings.
11. **Shadow.** Based upon a preliminary shadow analysis, the proposed project would not cast shadows on any nearby property owned by the San Francisco Recreation and Park Department. No further shadow analysis would be required.
12. **Street Frontage.** As new construction located within an Eastern Neighborhoods Mixed Use District, the proposed project would be subject to the requirements for street frontage, as outlined in Planning Code Section 145.1, including the requirements for active uses, ground floor ceiling heights, transparency and fenestration, among others. Please refer to Planning Code Section 145.1.

13. **Parking.** Under current zoning (SALI) and the potential zoning under the Central Corridor planning process (MUO), no parking would be required. However, each of these zoning districts would have parking maximums, which are listed in Planning Code Section 151.1. Within the MUO Zoning District, parking is limited to up to seven percent of the gross floor area. Please specify how many parking spaces would be provided as part of the proposed project.
14. **Loading.** Per Planning Code Section 152.1, the proposed project is required to provide five off-street freight loading parking spaces for the 508,040 sq ft of new office space. Please specify how many off-street freight loading parking spaces would be provided as part of the proposed project.
15. **Bicycle Parking.** Planning Code Section 155.4 provides requirements for bicycle parking in new commercial development. The proposed project is required to provide twelve bicycle parking spaces, since the project would construct over 50,000 sq ft of office space.

Please note that currently the bicycle parking requirements in the Code are under review for significant changes that would likely affect the requirements for this project. The Planning Commission approved these changes on May 16, 2013 and an adoption date at the Board of Supervisors is pending and is expected in summer 2013. For review of potential changes, please see: <http://commissions.sfplanning.org/cpcpackets/2011.0397M.pdf>. These proposals are currently under review and are subject to change.

16. **Car-Sharing.** Planning Code Section 166 provides the required number of car sharing spaces for new construction. Please specify how many car-sharing parking spaces would be provided as part of the proposed project.
17. **Transportation Management Program.** Pursuant to Planning Code Section 163, an agreement will be required to be executed with the Planning Department to ensure that transportation brokerage services are provided for the life of the project.
18. **Eastern Neighborhoods Impact Fees.** The Eastern Neighborhoods Impact Fee applies to the Project. Fees shall be assessed per net new gross square footage on residential and non-residential uses within the Plan Area. Fees shall be assessed on mixed use projects according to the gross square feet of each use in the project. Note that Eastern Neighborhoods Fee Tier applicable to this project will be revised upon any rezoning of the property to increase height limits, density allowances, or allowed uses, such as would be necessary for the proposed project to proceed.

The Eastern Neighborhoods Impact Fee shall be paid before the City issues a first construction document, with an option for the project sponsor to defer payment to prior to issuance of the first certificate of occupancy upon agreeing to pay a deferral surcharge in accordance with Section 107A.13.3 of the San Francisco Building Code.

Option for In-Kind Provision of Community Improvements and Fee Credits. Project sponsors may propose to directly provide community improvements to the City. In such a case, the City may enter into an In-Kind Improvements Agreement with the sponsor and issue a fee waiver for the Eastern

Neighborhoods Impact Fee from the Planning Commission. This process is further explained in Section 412.3(d) of the Planning Code.

More information on in-kind agreements can be found in the Application Packet for In-Kind Agreement on the Planning Department website.

19. **Jobs-Housing Linkage Program.** Pursuant to Planning Code Section 413 et seq., the Jobs-Housing Linkage Program fee will apply to this project.
20. **Transit Impact Development Fee.** Pursuant to Planning Code Section 411 et seq., the Transit Impact Development Fee will apply to this project. Please be aware that an ongoing process – the Transportation Sustainability Program may eventually replace the Transit Impact Development Fee. You can find more information about this program here:
<http://www.sf-planning.org/index.aspx?page=3035>
21. **Child Care Requirements.** Pursuant to Planning Code Section 414 et seq., this project will be subject to child care requirements, and/or the associated in-lieu fee, since it is constructing more than 50,000 gsf of office space.
22. **Public Art.** Pursuant to Planning Code Section 429 et seq., this project will be subject to the public art requirements, since it involves new construction in excess of 25,000 sq. ft. within the MUO Zoning District.
23. **Stormwater Management.** The City and County of San Francisco Stormwater Management Ordinance became effective on May 22, 2010. This ordinance requires that any project resulting in a ground disturbance of 5,000 sq. ft. or greater prepare a Stormwater Control Plan (SCP) that is consistent with the November 2009 Stormwater Design Guidelines. Responsibility for review and approval of the SCP is with the San Francisco Public Utilities Commission (SFPUC) Wastewater Enterprise, Urban Watershed Management Program.

As described earlier in this PPA, the initial CEQA evaluation of a project will broadly discuss how the Stormwater Management Ordinance is proposed to be implemented if the project triggers compliance with the Stormwater Design Guidelines. The project's environmental evaluation would generally evaluate how and where the implementation of required stormwater management and Low Impact Design (LID) approaches would reduce potential negative effects of stormwater runoff. This may include environmental factors such as the natural hydrologic system, city sewer collection system, and receiving body water quality.

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

Ken Nim, Workforce Compliance Officer
CityBuild, Office of Economic and Workforce Development
City and County of San Francisco

1 South Van Ness, San Francisco, CA 94102
Direct: 415.701.4853, Email: ken.nim@sfgov.org
Fax: 415.701.4897
Website: <http://oewd.org/Workforce-Development.aspx>

PRELIMINARY DESIGN COMMENTS:

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

- 1. Building Massing, Site design, Open Space, and Orientation.** The proposed heights significantly exceed what is allowed under the current zoning (40-55-foot height limit). The proposed heights also significantly exceed what is envisioned in the proposed Central Corridor Plan area for this site. The basic urban form and land use principles of the draft Central Corridor Plan are for a predominant mid-rise (55-feet to 130-feet tall) district with large floor plate character combined with strategically located and widely-spaced slender towers near key transit stops, with heights tapering down to Western SoMa (i.e. toward Sixth Street). Building heights as proposed will need extensive shadow, view, skyline, and immediate context analysis to assess the appropriateness of their heights, bulk, and spacing.

The Planning Department recommends the height of the eastern most building not exceed 85 feet tall per the proposed height limits; the building wing to the west should be sculpted to step down to Sixth Street and should not exceed 65 feet in height.

For large sites, massing breaks and mid-block alleys are envisioned, similar the controls in the Eastern Neighborhoods mixed-use districts. The Planning Department recommends providing a public accessible mid-block alley that connects Brannan Street with Morris Street and that is as wide as the Morris Street right-of-way. A shared space treatment of the mid-block alley should be integrated with the entry court.

The Planning Department recommends preserving the possibility of accommodating a new alley connecting Sixth Street to Morris Street and any future alley network typical of SoMa blocks.

The open space located on the roof should be publicly accessible. To be more accessible and usable, The Planning Department's preference is for such space to be at-grade.

The Planning Department discourages the cul-de-sac driveway / passenger drop-off, but recommends a shared space alley and plaza design that could accommodate limited vehicular access with pedestrian priority public space. See "Parking" below.

In general, the building should be built to the street wall and create a consistent frontage. Recessed areas may be incorporated into the mid-block alleys entrances. The Planning Department recommends locating small retail at the corners of the mid-block alley.

2. **Parking, Loading, and Garage Access.** The Planning Department recommends reducing garage access to a single ramp, located on the north property line. Bike parking is required, but not shown. Bike parking should be as close as possible to lobbies or garage entrances to minimize the travel distance through the garages and conflicts with automobiles.
3. **Architecture.** The proposal is diagrammatic and is assumed to be preliminary. The Planning Department will provide additional architectural review and comments in a subsequent formal Application.
4. **Required Streetscape and Pedestrian Improvements.** Per Planning Code Section 138.1, the project sponsor will be required to submit a Streetscape Plan illustrating the location and design of streetscape improvements appropriate to the street type, including site furnishings, landscaping, corner curb extensions, and sidewalk widening as appropriate. The Planning Department may require these elements as part of conditions of approval.

The Central Corridor Plan calls for sidewalk widening and cycle track along Brannan Street. See <http://www.sfbetterstreets.org/design-guidelines/street-types/> to identify relevant street types and suggested treatment for the project frontage.

The Planning Department recommends that the sponsor consider public realm features such as corner bulb-outs. The Planning Department also recommends the sponsor should consider pedestrian priority shared street improvements to Morris Street. Planning staff is available to review proposals or meet with the project sponsor to explore ideas.

For more information on process, guidelines, and requirements for street improvements, refer to www.sfbetterstreets.org.

Required streetscape and pedestrian improvements are not eligible for in-kind fee credit.

PRELIMINARY PROJECT ASSESSMENT EXPIRATION:

This Preliminary Project Assessment is valid for a period of **18 months**. An Environmental Evaluation, Conditional Use Authorization, or Building Permit Application, as listed above, must be submitted no later than **January 5, 2015**. 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: Neighborhood Group Mailing List
Interdepartmental Project Review Application

Flood Notification: Planning Bulletin
SFPUC Recycled Water Information Sheet

cc: Angelo Stagnaro, Property Owner
Rich Sucre, Current Planning
Andrea Contreras, Environmental Planning
Ilaria Salvadori, Citywide Planning and Analysis
Joshua Switzky, Citywide Planning and Analysis