Please find the attached Preliminary Project Assessment (PPA) for the address listed above. You may contact the staff contact, Patrick Race, at (415) 575-9132 or patrick.race@sfgov.org, to answer any questions you may have, or to schedule a follow-up meeting.

Joshua Switzky, Acting Director of Citywide Planning
Preliminary Project Assessment

Date: January 13, 2014
Case No.: 2013.1690U
Project Address: 1075 Market Street
Block/Lot: 3703/062
Zoning: C-3-G Downtown General
         90-X Height and Bulk
         Market Street Special Sign District
Area Plan: Downtown Plan
Project Sponsor: Robert Huggins
               Encore Funds
               One Letterman Drive, Building C, Suite 3800
               San Francisco, CA 94129
               415-561-0600
Staff Contact: Patrick Race, 415-575-9132
               patrick.race@sfgov.org

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 existing commercial building (former adult entertainment complex) and replace with a new 8-story mixed use (retail& residential) building with approximately 7,500 square feet of retail space, up to 99 condominium dwelling units, and 24 parking spaces. The building will have frontages on both Market Street and Stevenson Street, with its main residential entrance and parking entry curb cut located on Stevenson Street.

ENVIRONMENTAL REVIEW:

In compliance with the California Environmental Quality Act (CEQA), the environmental review process must be completed before any project approval may be granted. This review may be done in conjunction
with the required approvals listed below. In order to begin formal environmental review, please submit an Environmental Evaluation Application for the full scope of the project (demolition and construction). Environmental Evaluation 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 under the “Publications” tab. See “Studies for Project outside of Adopted Plan Areas” on page 2 of the current Fee Schedule for calculation of environmental application fees.¹

The following environmental issues would likely be addressed as part of the project’s environmental review based on our preliminary review of the proposed project as it is described in the Preliminary Project Assessment (PPA) submittal dated November 14, 2013:

1. **Historic Architectural Resources.** The proposed project includes the demolition of a potential historic resource (building constructed 50 or more years ago); therefore, the project would be subject to the Planning Department’s historic preservation review, which may include the preparation of an historic resource evaluation (HRE) by a qualified professional who meets the Secretary of the Interior’s Professional Qualification Standards.

The project site is located within the Market Street Theater and Loft National Register Historic District. Therefore, the proposed project would be reviewed for its compatibility with the District at the time of review for the Environmental Evaluation Application. Based on an evaluation completed by Tim Kelley in March 2011,² the building appears to have been greatly altered and was given a historic resource status code 6X, which indicates that the building is not eligible for listing on the National Register. However, no evaluation has been done to see if the building is eligible for listing on the California Register. Therefore, an additional analysis may be required to evaluate the building’s eligibility for listing on the California Register at the time of review for the Environmental Evaluation Application.³

If an HRE is deemed necessary, the Planning Department will provide the project sponsor with a list of three consultants from the Historic Resource Consultant Pool,⁴ which shall be known as the potential consultant list or PCL. Once the Environmental Evaluation Application is submitted, please contact Tina Tam, Senior Preservation Planner, via email (tina.tam@sfgov.org) for the list of three consultants. Upon selection of the historic resource consultant, the scope of the HRE shall be prepared in consultation with Department Preservation staff.

2. **Archaeological Resources.** Project implementation would entail soil-disturbing activities associated with building construction, including excavation that would reach a depth of approximately 15 feet below grade. Based on this, the project would require a Preliminary Archeological Review (PAR),

³ Tina Tam, San Francisco Planning Department. *Email to Kei Zushi, San Francisco Planning Department, PPA: 1075 Market Street,* December 19, 2013. This email is available for review as part of Case File No. 2012.1690U at the San Francisco Planning Department, 1650 Mission Street, Suite 400, San Francisco, California 94103.
which would be conducted in-house by the Planning Department Archeologist. The PAR would determine what type of soils disturbance/modification would result from the project, such as excavation, installation of foundations, soils improvement, site remediation, etc. Any available geotechnical report or Phase II ESA prepared for the project site would be reviewed as part of the archeological review for this project. In addition, it would also be determined if the project site is in an area that is archeologically sensitive. The result of this review would be provided in a memorandum to the environmental planner assigned to the project. If it is found that the project has the potential to affect an archeological resource, the PAR memorandum would identify any additional measures to be implemented. Such actions may include application of appropriate archeological mitigation measures and/or requiring additional archeological studies as part of the environmental evaluation. If an additional archeological study is required, it must be prepared by a qualified archeological consultant. The qualified consultant must be selected from a list of three archeological consultants from the Planning Department’s archeological resources consultant file provided by the Planning Department during the environmental review process. The Planning Department Archeologist will be informed by the geotechnical study of the project site’s subsurface geological conditions (see Item 9, Geology, below).

3. Transportation and Circulation. The project sponsor has indicated that the proposed project would include 90 to 99 residential units. 90 residential units would consist of 23 studio units, 22 junior one-bedroom units, 33 one-bedroom units, and 12 two-bedroom units, which would generate approximately 1,830 daily persons-trips and 223 P.M. peak-hour persons-trips based on Transportation Trip Generation Calculations developed by the Planning Department. The unit mix for 99 residential units was not provided by the project sponsor, and therefore the trip generation calculations for 99 residential units could not be prepared. Based on the potential trip generation from the proposed project and the project site’s proximity to bike routes and Civic Center Muni/Bart stations, a Transportation Impact Study (TIS) would most likely not be required for the proposed project.

A formal determination as to whether a TIS is required will be made after submittal of the Environmental Evaluation Application. If a TIS is required, the Planning Department will provide additional guidance related to the process for selecting a transportation consultant and assist in the development of the scope of work for the analysis. The consultant must be selected from a list of three transportation consultants from the Planning Department’s transportation consultant file provided by the Planning Department during the environmental review process.

At the time of filing of the Environmental Evaluation Application, please ensure that the project description responds to the following comments:

6 Kei Zushi, San Francisco Planning Department. Transportation Calculations, October 4, 2012. These calculations are available for review as part of Case File No. 2012.1690U at the San Francisco Planning Department, 1650 Mission Street, Suite 400, San Francisco, California 94103.
a. Show in the site plan the dimensions of all existing and proposed sidewalks, driveways, and curb cuts;

b. Clarify the number of bicycle parking spaces; and

c. Clarify the location of the proposed trash.

4. **Noise.** Based on the City’s GIS-based traffic noise model map, the project site is located along a segment of Market Street with noise levels between 70 and 75 dBA $L_{dn}$ (a day-night averaged sound level). The fronting portion of Stevenson Street has noise levels between 60 and 65 dBA $L_{dn}$. The Land Use Compatibility Chart for Community Noise in the San Francisco General Plan, Environmental Protection Element states that construction of new dwelling units should generally be discouraged in an area with noise levels above 65 dBA $L_{dn}$ and that a detailed analysis of the noise reduction requirements must be made and needed noise insulation features included in the design of the building.\(^8\) Based on this, a noise analysis prepared by a qualified acoustic consultant would be required for the project. A formal determination as to whether a Noise Study is required and as to the scope of the Noise Study will be made after submittal of the Environmental Evaluation Application.

Construction noise would be subject to the San Francisco Noise Ordinance (Article 29 of the San Francisco Police Code), which includes restrictions on noise levels of construction equipment and hours of construction. If pile driving is to be used during the construction, measures to reduce construction noise may be required as part of the proposed project.

5. **Air Quality.** The proposed project does not exceed the Bay Area Air Quality Management District’s (BAAQMD) construction and operational screening levels for criteria air pollutants. The project site is not located within the Potential Roadway Exposure Zone or Air Pollution Hot Spot.\(^9\)

Project-related demolition, excavation, grading, and other construction activities may cause windblown 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, to minimize public nuisance complaints, and to avoid orders to stop work by the San Francisco Department of Building and Inspection (DBI).

In addition to construction dust, construction activities would require the use of heavy-duty diesel equipment that emits diesel particulate matter (DPM). DPM is a designated toxic air contaminant that

---

\(^{8}\) San Francisco Planning Department. *San Francisco General Plan, Environmental Protection Element.* Available online at: [http://www.sf-planning.org/ftp/general_plan/16_Environmental_Protection.htm](http://www.sf-planning.org/ftp/general_plan/16_Environmental_Protection.htm)

\(^{9}\) In an effort to identify areas of San Francisco most adversely affected by sources of TACs, the San Francisco Planning Department and the San Francisco Department of Public Health (DPH) have partnered with the BAAQMD to inventory and assess air pollution and exposures from mobile, stationary, and area sources within San Francisco. Areas with poor air quality, termed “air quality hot spots” were identified based on two health-protective criteria: 1) excess cancer risk from the contribution of emissions from all modeled sources > 100 per one million population; or 2) cumulative PM$_{2.5}$ concentrations > 10 micrograms per cubic meter (µg/m$^3$). Land use projects within these air quality hot spots require special consideration to determine whether the project’s activities would expose sensitive receptors to substantial air pollutant concentrations.
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 construction vehicles and equipment.

The proposed project would introduce a new sensitive land use (residential use) that may be affected by nearby roadway-related pollutants and other stationary sources that may emit toxic air contaminants. Projects that are more than 75 feet in height require an emergency back-up generator, which is a new source of toxic air contaminants. At a proposed height of 90 feet, the proposed project would be required to include an emergency back-up generator. New back-up emergency generators require a permit from the Bay Area Air Quality Management District (BAAQMD). Therefore, the project generator would be subject to BAAQMD’s New Source Review, which requires that the health risk resulting from the siting of such a new source be limited at the property line.

If the project would generate new sources of toxic air contaminants including, but not limited to: diesel generators or boilers, or any other stationary sources, the project would result in toxic air contaminants that may affect both on-site and off-site sensitive receptors. 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. Because the project includes an emergency back-up generator, 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 prior to the commencement of any required analysis and/or modeling determined necessary.

6. **Greenhouse Gases.** Potential environmental effects related to greenhouse gas (GHG) emissions from the revised project need to be addressed in a project’s environmental evaluation. The project sponsor would be required to submit a completed GHG Compliance Checklist Table 1 for Private Development Projects\(^\text{10}\) demonstrating that the project is in 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.\(^\text{11}\) Projects that do not comply with a GHG-related regulation may be determined to be inconsistent with San Francisco’s Greenhouse Gas Reduction Strategy.

7. **Wind.** The proposed project would result in construction of a 90-foot-tall, 8-story-over-basement, 98,000-sf building. A screening-level wind impact analysis would be required for this project. The wind analysis should take into account the surrounding topography and building heights. A draft scope of the wind analysis shall be submitted to Environmental Planning prior to commencement of any work related to the analysis.

---

8. **Shadow.** The proposed project would result in construction of a 90-foot-tall, 8-story-over-basement, 98,000-sf building. A shadow fan analysis was prepared for this project. The shadow analysis found that the proposed project would not cast shadow on any nearby parks subject to the Planning Code Section 295 or nearby privately-owned parks. However, the project would likely cast shadow on UN Plaza, which is a public open space not subject to Planning Code Section 295. As a result, further shadow analysis would be required for this project. The Planning Department will provide additional guidance related to the scope of the analysis after the Environmental Evaluation Application is filed.

9. **Geology.** The project site is located in a Seismic Hazard Zone, specifically a liquefaction hazard zone, as identified in the San Francisco General Plan. Any new construction on the project site is subject to a mandatory Interdepartmental Project Review because it is located within a Seismic Hazard Zone. A geotechnical study prepared by a qualified consultant must be submitted with the Environmental Evaluation Application. The study should address whether the site is subject to liquefaction, and should provide recommendations for any geotechnical concerns identified in the study. In general, compliance with the building codes, as assured through DBI’s permit review process, would avoid the potential for significant impacts related to structural damage, ground subsidence, liquefaction, landslides, and surface settlement. This study will also help inform the Planning Department Archeologist of the project site’s subsurface geological conditions.

10. **Hazardous Materials.** The proposed project would involve excavation of up to 4,000 cubic yards of soil and a portion of the project site is located within the Maher zone according to the Planning Department’s GIS records. Therefore, the project would be subject to Article 22A of the Health Code, also known as the Maher Ordinance. The Maher Ordinance, which is administered and overseen by the Department of Public Health (DPH), requires the project sponsor to retain the services of a qualified professional to prepare a Phase I Environmental Site Assessment (ESA) that meets the requirements of Health Code Section 22.A.6. The Phase I 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.


---

12 Elizabeth Watty, San Francisco Planning Department. 1075 Market Street - PPA Preliminary Shadow Fan, December 19, 2013. This document is available for review as part of Case File No. 2013.1690U at the San Francisco Planning Department, 1650 Mission Street, Suite 400, San Francisco, California 94103.


14 Robert Huggins, Project Sponsor. Email to Kei Zushi, PPA 1075 Market St., December 13, 2013. This email is available for review as part of Case File No. 2013.1690U at the San Francisco Planning Department, 1650 Mission Street, Suite 400, San Francisco, California 94103.
Please provide a copy of the submitted Maher Application and Phase I ESA with the Environmental Evaluation Application (EEA).

Because the existing building on the project site was constructed prior to 1980, asbestos-containing materials, such as floor and wall coverings, may be found in the building. BAAQMD is responsible for regulating airborne pollutants including asbestos. Please contact BAAQMD for the requirements related to demolition of buildings that may contain asbestos-containing materials. In addition, because of their age, lead paint may be found in the existing building. Please contact DBI for requirements related to demolition of buildings that may contain lead paint.

11. Flooding Potential. The project site is located in a block that has the potential to flood during storms. Contact Cliff Wong of the San Francisco Public Utilities Commission (SFPUC) at (415) 554-8339 regarding the requirements below. Applicants for building permits for either new construction, change of use or change of occupancy, or for major alterations or enlargements shall be referred to the SFPUC at the beginning of the process, for a review to determine whether the project would result in ground level flooding during storms. The side sewer connection permits for such projects need to be reviewed and approved by the SFPUC at the beginning of the review process for all permit applications submitted to the Planning Department, the Department of Building Inspection, or the Successor Agency to the Redevelopment Agency. The SFPUC and/or its delegate (SFDPW, Hydraulics Section) will review the permit application and comment on the proposed application and the potential for flooding during wet weather. The permit applicant shall refer to PUC requirements for information required for the review of projects in flood prone areas. Requirements may include provision of a pump station for the sewage flow, raised elevation of entryways, and/or special sidewalk construction and the provision of deep gutters.

12. Stormwater. If the project results in a ground surface disturbance of 5,000 sf or greater, 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. Responsibility for review and approval of the Stormwater Control Plan is with the SFPUC, Wastewater Enterprise, Urban Watershed Management Program. 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. The project’s environmental evaluation should generally assess how and where the implementation of necessary stormwater controls would reduce the potential negative impacts of stormwater runoff. To view the Stormwater Management Ordinance, the Stormwater Design Guidelines, or download instructions for the Stormwater Control Plan, go to http://sfwater.org/sgd.

13. **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.\(^{16}\) Any tree identified in the Affidavit for Tree Disclosure must be shown on the Site Plans with the size of trunk diameter, tree height, and accurate canopy drip line. Please submit an Affidavit along with the Environmental Evaluation Application and ensure that trees are appropriately shown on site plans.

14. **Bird-Safe Building Ordinance.** The project would be subject to Planning Code Section 139, Standards for Bird-Safe Buildings, which addresses Location-Related Standards and Feature-Related Standards.\(^{17}\) The project’s environmental evaluation would generally discuss how the implementation of bird-safe design standards would reduce potential adverse effects on birds due to the lighting, glazing, balconies, and so forth.

15. **Notification of a Project Receiving Environmental Review.** Notice is required to be sent to occupants of properties adjacent to the project site and owners of properties within 300 feet of the project site. Please be prepared to provide these mailing labels upon request during the environmental review process.

Based on the preliminary review of the proposed project, the project appears to be consistent with the existing zoning designation and regulations applicable to the project site. In addition, the project site is located within the city limits and less than five acres in size. It also appears that the project can be adequately served by all required utilities and public services. For these reasons, if the project would not result in a significant impact on the environment, including traffic, noise, air quality, water quality, habitats for endangered, rare, or threatened species, the project could be eligible for a Class 32 infill development project categorical exemption from environmental review 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. 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 (PMND). The PMND would be circulated for public review for a period of 20 calendar days, during which time concerned parties may comment on and/or appeal the determination. If an appeal is filed, the Planning Commission would hold a hearing to decide the appeal. If no appeal is filed, the Planning Department would issue a final mitigated negative declaration (FMND).

If the initial study indicates that the project would result in a significant impact that cannot be mitigated to below a significant level, an EIR must be prepared by an environmental consultant from the Planning

---

\(^{16}\) San Francisco Planning Department. *Affidavit for Tree Disclosure.* Available online at: [http://sfmea.sfparding.org/Tree_Disclosure.pdf](http://sfmea.sfparding.org/Tree_Disclosure.pdf)

Department’s environmental consultant pool. For example, if the HRER determines that the building proposed for demolition is a historic resource (see item 1, above) and the demolition of the building results in a significant impact on historic resources, which cannot be reduced by mitigation measures agreed to by the project sponsor to a less-than-significant level, the Planning Department would require the preparation of an EIR focused on historical architectural resources. The Planning Department would provide more detail to the project sponsor regarding the EIR process should this level of environmental review be required.

**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. **Downtown Project Authorization (Section 309 Application).** A Downtown Project Authorization from the Planning Commission is required per Planning Code Section 309 for the new construction of a building greater than 75 feet in height and greater than 50,000 gsf.
   
   a. **Exceptions.** As a component of the Downtown Project Authorization process, projects may seek specific exceptions to the provisions of the Planning Code, as outlined in Planning Code Section 309. Based on the Department’s initial review of the plans, the following exception may be required:
      
      i. **Rear Yard (Section 134).** The project does not include a Code compliant rear yard. In C-3 Districts, an exception to the rear yard requirements of this Section may be allowed, in accordance with the provisions of Section 309, provided that the building location and configuration assure adequate light and air to windows within the residential units and to the usable open space provided.

      ii. **Wind (Section 148):** A wind analysis will be required for the proposed project. If the wind analysis determines that the project will result in, or does not eliminate pre-existing exceedances to the wind comfort levels outlined in Section 148 (ground-level winds exceeding 11mph for pedestrians and 7mph for public seating areas), an exception may be sought under Planning Code Section 309. Please note that you cannot seek an exception under Section 309 from any new exceedances to the hazardous wind levels of 26 mph.

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

Downtown Project Authorization 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](http://www.sfplanning.org). Building Permit applications are available at the Department of Building Inspections 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.

The Planning Department recommends that the Project Sponsor conduct outreach with surrounding property owners, however a Pre-application meeting is not required for this project. 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. **Theater Removal.** The Planning Department’s database identifies the property as a current or former movie theater. The proposed demolition may require a Conditional Use pursuant to Planning Code Sections 221(d), 221.1, and 303(k); unless, however, the theater was used as an Adult Entertainment Enterprise, as defined in Planning Section 221(k), in which case the movie theater removal controls do not apply. Please provide the Planning Department with permit evidence to clarify the history of this property as it relates to theater and/or adult entertainment uses.

2. **Interim Controls on Formula Retail Mid-Market:** Please note that there are currently interim controls affecting the subject property requiring conditional use authorization for formula retail uses on Market Street from 6th Street to Van Ness Avenue, subject to specified exceptions, for 18 months. This control expires on March 6, 2015.

3. **Shadow Study – Section 295.** A preliminary shadow study was conducted by Staff in conjunction with this PPA Application, and it indicated that the project will not cast a shadow on any park or open space protected under Planning Code Section 295.

4. **Shadow Study – Section 147.** Although the preliminary shadow study indicated that the project will not cast a shadow on any park or open space protected under Planning Code Section 295, in order to analyze the Project’s compliance with Planning Code Section 147, the Department will require the sponsors to conduct a shadow analysis and submit it to staff in order to understand the total amount of shadow cast on UN Plaza.

5. **Transfer of Development Rights.** The project would require the purchase of TDR to enable development of floor area over the base FAR of 6:1.

6. **Inclusionary Housing.** 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 419,’ to the Planning Department identifying the method of compliance, on-site, off-site, or in-lieu fee. Any on-site affordable dwelling-units proposed as part of the project must be designated as owner-occupied units, not rental units. Affordable units designated as on-site units shall be sold as ownership units and will remain as ownership units for the life of the project. Please note that if you do choose to provide the required affordable units on-site, they may be excluded from the building’s floor area calculations, and may minimize the amount of TDRs required for this project.

For your information, if a project proposes rental units, it may be eligible for an On-site Alternative to the Affordable Housing Fee if it has demonstrated to the Planning Department that the affordable units are either: 1) ownership only or 2) not subject to the Costa Hawkins Rental Housing Act (a Costa Hawkins exception). Affordable units are not subject to the Costa Hawkins Rental Housing Act under the exception provided in Civil Code Sections 1954.50 through one of the following methods:

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

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

7. Exposure (Section 140). Planning Code Section 140 requires that all dwelling-units face directly onto an open area. It appears that the units in the proposed project all face onto a Code-complying sized open space; however, it appears that there may be obstructions, such as decks, that extend into this open space. Only those obstructions in Planning Code Section 136(c) 14-16, 19-20, and 29 are permitted. Please verify whether the proposed obstructions comply with the permitted obstructions; if they do not, please eliminate them from the project scope, or seek and justify a variance.

8. Downtown Streetscape Improvements. Per Section 138.1(d)(1) and in accordance with the provisions of Section 309, when a permit is granted for any project abutting a public sidewalk in a C-3 District, the Planning Commission may impose additional requirements that the applicant install sidewalk improvements such as benches, bicycle racks, lighting, special paving, seating, landscaping, and sidewalk widening consistent with the guidelines of the Downtown Streetscape Plan if it finds that these improvements are necessary to meet the goals and objectives of the General Plan of the City and County of San Francisco. See http://www.sfbetterstreets.org/design-guidelines/street-types/ to identify relevant street types for the project frontage, which includes Stevenson Alley which will require improvements applicable to a small-scale street. http://www.sfbetterstreets.org/design-guidelines/street-types/alleys/ Please consider a variety of the streetscape improvements listed above, particularly along the Stevenson Street frontage, in order to beautify and help activate the street.

For more information on process, guidelines, and requirements for street improvements, refer to www.betterstreets.org. Required streetscape and pedestrian improvements are not eligible for in-kind fee credit.
9. **Bicycle Parking.** Planning Code Section 155.2 requires this project to provide bicycle parking. Specifically, the Project would be required to provide a total of 100 Class 1 spaces, and 8 Class 2 spaces. Please update the Project accordingly. Please note that you may satisfy some or all of the requirements to provide Class 2 bicycle parking by paying the Bicycle Parking In-Lieu Fee provided in Section 430 of the Planning Code.

10. **Car sharing.** Planning Code Section 166 requires this project to provide at least one car share parking space.

11. **Street trees.** Planning Code Section 138.1 requires one street tree for every 20 feet of frontage for new construction. No street trees are shown on the plans for Stevenson Street. If the sidewalk is too narrow for the installation of Street Trees, the Zoning Administrator may allow alternative landscaping or the payment of an in-lieu fee instead. Please consult with the Department of Public Works to determine the feasibility of installing street trees along Stevenson Street.

12. **Interdepartmental Project Review.** This review is required for all proposed new construction in seismic hazard zones, in which the subject property falls. An application is enclosed.

13. **Market Street Special Sign District.** The property is located in the Market Street Special Sign District, pursuant to Planning Code Section 608.8.

14. **First Source Hiring Agreement.** A First Source Hiring Agreement is required for any project proposing to construct 10 or more dwelling-units. 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, San Francisco, CA 94102
   (415) 581-2303

15. **Invest in Neighborhoods Initiative Area.** The property is located within the Mayor’s Invest in Neighborhoods Initiative Area. For more information, please see [http://www.oewd.org/IIN.aspx](http://www.oewd.org/IIN.aspx)

16. **Community Benefit District – Central Market:** The property is located within the Central Market Community Benefit District. For more information, please see [http://www.oewd.org/Central-Market.aspx](http://www.oewd.org/Central-Market.aspx)

17. **Flood Notification.** The subject property is located in a flood-prone area. Please see the attached bulletin regarding review of the project by the San Francisco Public Utilities Commission.

18. **Recycled Water.** The City requires property owners to install dual-plumbing systems for recycled water use in accordance with Ordinances 390-91, 391-91, and 393-94, within the designated recycled
water use areas for new construction projects larger than 40,000 square feet. Please see the attached SFPUC document for more information.

19. **Stormwater Management Ordinance.** Projects that disturb 5,000 square feet or more of the ground surface must comply with the Stormwater Design Guidelines and submit a Stormwater Control Plan to the SFPUC for review. To view the Guidelines and download instructions for preparing a Stormwater Control Plan, go to http://stormwater.sfwater.org. Applicants may contact stormwaterreview@sfwater.org for assistance.

20. **Plan Submittal Guidelines.** The Department has established minimum plan submittal guidelines: [http://www.sf-planning.org/modules/showdocument.aspx?documentid=8676](http://www.sf-planning.org/modules/showdocument.aspx?documentid=8676). Please note that the Department may require additional information, including visual simulations, in order to complete its review of the project and/or adequately present the project at a public hearing.

21. **Impact Fees.** This project will be subject to various impact fees. An initial review indicates the following impact fees, which are assessed by the Planning Department, will be required:
   a. **Public Art.** All projects that involve construction of a new building in a C-3 District require public art in the amount of 1% of the total construction costs. This can be satisfied through on-site art that is clearly visible from the public sidewalk or through a payment into the City’s Public Artwork Trust Fund.
   b. **Transit Impact Development Fee.** Any new construction that cumulatively results in at least 800 gsf or more of a use covered by the TIDF chart in Section 411.3 is required to pay TIDF impact fees. Residential is excluded, but retail is currently charged at a rate of $13.30/gsf.

22. **Transportation – Increasing Trips by Transit, Bicycle and Foot.** The General Plan calls for sustainable development integrating housing with transportation in ways that increases travel by foot, bicycle and transit (Transportation Element Pol. 28.1). The General Plan and Code also call for new residential development to provide safe and secure bicycle storage. The project, located along Market Street and within blocks of several MUNI lines and BART, does not specify the number of bicycle spaces provided, but should comply with item 9 above. The provision of bicycle parking spaces is consistent with encouraging more trips by transit, bike and foot and with the referenced policies.

**PRELIMINARY DESIGN COMMENTS:**

The following comments address preliminary design issues that may significantly impact the proposed project:
The project is located in central site in the Market Street Theater and Loft Historic District identified by masonry buildings with deep recessed windows, well defined tripartite facades, and finely crafted detailing. Market Street is arguably the City’s most important civic street—it is the focal point for the city’s commercial, ceremonial, and cultural life. Market Street is also the backbone of the city and regional
transit systems and is also the City’s busiest pedestrian and cycling street. Given its special role, buildings along Market Street, and the uses they support, should contribute to its vitality and life as a civic space. New buildings should have a scale and character appropriate for a street of its prominence. This location demands a building with attention to modulation, scale, texture and detailing that are compatible with surrounding buildings along Market Street.

1. **Building Massing, Site Design, and Open Space.** In general the massing open space and site design seem appropriate. The through-lot may lend itself to a variance for the location of rear yard, but the Planning Department encourages the design explore providing an equivalent amount of courtyard space that provides usable open space.

2. **Ground Floor Street Frontage.** The Planning Department lauds the programmed activation of both frontages. The height of the proposed ground floor retail is gracious, and served by enough entrances that enable flexibility of use. At this point, the storefront appears to be well designed and appropriate, but it is expected that more detailed drawings will be developed and reviewed with a formal application.

The residential entry at Market Street should be celebrated as a prominent part of the façade, distinguished in depth, width, and height and detailing from the commercial storefront. The reading of the full height architectural gesture could get lost within the overall pattern of the building cladding. The Planning Department suggests further delineating the entrance such that it is distinct from the overall façade.

The Planning Department appreciates the treatment of the Stevenson Street façade in minimizing the amount of back of house utilities and circulation.

3. **Architecture.** The Planning Department agrees in principle with the project architect’s analysis and objectives of contextual response, and urges adding some of the energy and dynamism of the Stevenson façade into the Market Street expression while retaining the references to the context.

At the same time the Planning Department urges a stronger and more clearly defined base, middle, and top. The offset columnation of the façade to create a base, middle, and top may need to be augmented to give a deeper mottled and textured façade. The Planning Department recommends incorporating stronger horizontal architectural differentiation between the ground floor and second story levels, and at the roof termination. Consider using architectural detailing, such as a belt course or cornice, at the ground floor ceiling height to help frame the pedestrian space of the sidewalk.

The function of the thin ‘brise-soleils’ are unclear, and may need further clarification. Any element on Market Street should be given some heft.

The Planning Department recommends more be done to modulate and articulate the façade at the intermediate scale. A building on Market that neighbors other buildings of stature should incorporate materials that relate to the scale or relate to other historic qualities that impart texture or craft of detail or material. Consider creating an intermediate scale by using window groupings, with deep reveals, intermediate spandrels, and further subdivision of windows by mullions.
At this point the architecture is assumed to be preliminary and the Planning Department would provide further detailed design review on the subsequent submission.

It is expected that the architecture and quality of execution will be superior. High quality materials combined with exceptional articulation and detailing on all visible facades will be essential to a successful project.

Exceptions from code should be matched by a design and configuration of space and architecture that is exceptional.

The Planning Department expects a high quality of design that responds to its context with a consistent composition of building components, materiality, and other architectural features that reference the scale and proportion of the existing building forms and components.

**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 July 13, 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: Shadow Fan Analysis  
Interdepartmental Project Review Application  
Flood Notification: Planning Bulletin  
SFPUC Recycled Water Information Sheet

cc: Robert Huggins (Encore Funds), Authorized Agent  
   Toby Levy, Architect  
   Elizabeth Watty, Current Planning  
   Kei Zushi, Environmental Planning  
   Patrick Race, Citywide Planning and Analysis  
   David Winslow, Design Review  
   Jerry Robbins, MTA  
   Jerry Sanguinetti, DPW
The City and County of San Francisco (CCSF) does not guarantee the accuracy, adequacy, completeness or usefulness of any information. CCSF provides this information on an "as is" basis without warranty of any kind, including but not limited to warranties of merchantability or fitness for a particular purpose, and assumes no responsibility for anyone's use of the information.
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. Projects identified as such, 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 the abovereferenced applications.

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 your meeting.

Interdepartmental Project Review fees:

1. $1,164 for five or fewer residential units and all affordable housing projects.
2. $1,702 for all other projects.

Please note that $394 of these fees is non-refundable. If your project falls under the second type of fee, and you cancel your meeting, the difference will be refunded to you.

To avoid delays in scheduling your meeting, provide all information requested on this form and submit your request with a check in the appropriate amount payable to the San Francisco Planning Department. Requests may be mailed or delivered to San Francisco Planning Department, 1650 Mission Street, Suite 400, San Francisco, CA 94103-2414. Those wishing more specific or more detailed information may contact the Project Review Meeting Coordinator at (415) 575-9091.

Please note: All returned checks are subject to a $50.00 bank fee.

Interdepartmental Project Reviews are scheduled no sooner than two weeks from the receipt of the request form and check.
Submittal requirements:

Please submit four (4) copies/sets of all information for distribution to each department/agency.

All projects subject to the mandatory Interdepartmental Project Review shall be required to submit the following minimum information in addition to their request form:

1. Site Survey with topography lines;
2. Floor Plans with occupancy and/or use labeled of existing and proposed;
3. Existing and proposed elevations;
4. Roof Plan; and
5. Pictures of the subject property and street frontages.

Planned unit developments or projects with an acre or more of land area shall be required to submit the following additional information:

1. Existing and proposed street names and widths;
2. Location of any existing train tracks; and
3. Location of any existing and proposed easements.

In order for the Interdepartmental Project Review to be most effective and beneficial to you, it is strongly recommended that any issues, concerns and/or specific questions are submitted with this request directed to each discipline.
INTERDEPARTMENTAL PROJECT REVIEW APPLICATION FORM

APPLICATION DATE: _____________________________________________________________

PROJECT CONTACT:
Name ___________________________________________ Phone No. (______)____________________
Address ___________________________________________ FAX No. ________ (______)____________________
Owner __________________________________________________________________________________

PROJECT INFORMATION:
Address __________________________________________________________________________________

How many units does the subject property have? __________________________

Assessor’s Block/Lot(s) _________________________ Zoning District ______________________

Height and Bulk Districts _______________________ Located within Geologic Hazard Zone? Y ☑ N ☑

PROJECT DESCRIPTION / PURPOSE OF MEETING/SPECIFIC QUESTIONS:
(Use attachments if necessary)

_____________________________________________________________________________________

_____________________________________________________________________________________

_____________________________________________________________________________________

<table>
<thead>
<tr>
<th>Land Use Type</th>
<th>Existing</th>
<th>Proposed</th>
<th>Net Change</th>
</tr>
</thead>
<tbody>
<tr>
<td>Number of Dwelling Units</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Commercial Square Footage:</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Retail</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Office</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Number of Hotel Rooms</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Industrial Square Footage</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Other Uses: _________________</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Number of Parking Spaces</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Number of Stories</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Previously contacted staff ______________________________________________________________

Will this project be publicly funded? (specify) _____________________________________________

(Please submit four (4) copies/sets of the Application Form, Floor Plans, Pictures, etc.)
DATE: April 1, 2007 (V1.3)
TITLE: Review of Projects in Identified Areas Prone to Flooding

PURPOSE: This bulletin alerts project sponsors to City and County review procedures and requirements for certain properties where flooding may occur.

BACKGROUND:
Development in the City and County of San Francisco must account for flooding potential. Areas located on fill or bay mud can subside to a point at which the sewers do not drain freely during a storm (and sometimes during dry weather) and there can be backups or flooding near these streets and sewers. The attached graphic illustrates areas in the City prone to flooding, especially where ground stories are located below an elevation of 0.0 City Datum or, more importantly, below the hydraulic grade line or water level of the sewer. The City is implementing a review process to avoid flooding problems caused by the relative elevation of the structure to the hydraulic grade line in the sewers.

PERMIT APPLICATION PROCESS:
Applicants for building permits for either new construction, change of use (Planning) or change of occupancy (Building Inspection), or for major alterations or enlargements shall be referred to the San Francisco Public Utilities Commission (SFPUC) at the beginning of the process, for a review to determine whether the project would result in ground level flooding during storms. The side sewer connection permits for such projects need to be reviewed and approved by the PUC at the beginning of the review process for all permit applications submitted to the Planning Department, the Department of Building Inspection, or the Redevelopment Agency.

The SFPUC and/or its delegate (SFDPW, Hydraulics Section) will review the permit application and comment on the proposed application and the potential for flooding during wet weather. The SFPUC will receive and return the application within a two-week period from date of receipt.

The permit applicant shall refer to PUC requirements for information required for the review of projects in flood prone areas. Requirements may include provision of a pump station for the sewage flow, raised elevation of entryways, and/or special sidewalk construction and the provision of deep gutters.
San Francisco Public Utilities Commission  
Recycled Water Installation Procedures for Developers  

The City and County of San Francisco (CCSF) requires property owners to install dual-plumbing systems for recycled water use in accordance with Ordinances 390-91, 391-91, and 393-94, within the designated recycled water use areas under the following circumstances:

- New or remodeled buildings and all subdivisions (except condominium conversions) with a total cumulative area of 40,000 square feet or more
- New and existing irrigated areas of 10,000 square feet or more

The following are procedures to guide developers and property owners with the installation of recycled water service lines. The diagram on the reverse, shows how and where the lines are to be installed, and the required backflow prevention.

**Number of Water Lines Coming onto a Property**
Three to four lines:

1) Fire
2) Potable water domestic
3) Recycled water domestic
4) Recycled water irrigation (if property has landscaping)

**Number of Water Meters**
One water meter required for each water line.

**Required Backflow Prevention**
- Fire line – reduced pressure principle backflow preventer
- Potable water domestic – reduced pressure principle backflow preventer
- Recycled water domestic – reduced pressure principle backflow preventer
- Recycled water irrigation line – reduced pressure principle backflow preventer

All backflow preventers must be approved by the SFPUC's Water Quality Bureau.

The backflow preventer for domestic water plumbing inside the building, and the recycled water system must meet the CCSF's Plumbing Code and Health Code.

**Pipe Separation**
California Department of Public Health regulations require new water mains and new supply lines to be installed at least 4-foot horizontally from, and one foot vertically above a parallel pipeline conveying recycled water.

**Pipe Type**
- Transmission lines and mains – ductile iron
- Distribution and service lines – purple PVC or equivalent
- Irrigation lines – purple PVC or equivalent
- Dual-plumbing – piping described in Chapter 3, Appendix J of the City and County of San Francisco Plumbing Codes

**Temporary Potable Water Use Until Recycled Water Becomes Available**
The potable water line will be used to feed the recycled water lines(s) until such time that recycled water becomes available. When recycled water becomes available, the cross-connection will be broken by the SFPUC, and the potable and recycled water lines will be totally separated. Before recycled water is delivered to the property, cross-connection and backflow testing will take place to assure separation.

Under no circumstances are developers or property owners to “t-off” of the potable water line to the recycled water lines(s).

If you have questions, or would like additional information:

| Recycled Water Ordinances and Technical Assistance | Backflow Prevention |
| San Francisco Public Utilities Commission Water Resources Planning | San Francisco Public Utilities Commission Water Quality Bureau |
| (415) 554-3271 | (650) 652-3100 |

| Recycled Water Plumbing Codes | New Service Line Permits |
| Department of Building Inspection Plumbing Inspection Services | San Francisco Public Utilities Commission Customer Service Bureau |
| (415) 558-6054 | (415) 551-3000 |
BUILDING LOT

NOTE:
1. ALL BACKFLOW PREVENTERS MUST BE APPROVED
   BY SFPUC WATER QUALITY BUREAU.
2. BACKFLOW PREVENTION FOR DOMESTIC WATER
   PLUMBING INSIDE THE BUILDING MUST MEET
   CCSF PLUMBING CODE AND PUBLIC HEALTH
   CODE REQUIREMENTS.
3. BACKFLOW PREVENTER FOR RECYCLED WATER
   SYSTEM MUST MEET CCSF PLUMBING CODE AND
   PUBLIC HEALTH CODE REQUIREMENTS.

RESponsibility OF INSTALLATION OF

HEAVy LINES:
PROPERTY OWNER PAYS FOR NEW SERVICE INSTALLATION.
SFPUC RETAINS OWNERSHIP OF NEW SERVICE UP TO THE END
OF METER ASSEMBLY.

LIGHT LINES: &
PROPERTY OWNER PAYS FOR NEW SERVICE INSTALLATION.
OWNERSHIP REMAINS WITH THE PROPERTY OWNER.

CITY AND COUNTY OF SAN FRANCISCO
PUBLIC UTILITIES COMMISSION
SAN FRANCISCO WATER DEPARTMENT

INSTALLATION OF RECYCLED WATER SERVICE LINES

APPROVED BY:

DESIGNED BY: Cheryl Munoz

DRAWN: W.Villasica

CHECKED: M.Gardiner

DATE: 05/28/08

REV. NO. 2