DATE: March 15, 2016
TO: Jay Wallace, Jay Wallace Associates
FROM: Joy Navarrete, Planning Department
RE: PPA Case No. 2015.016326PPA for Seawall Lot 323 & 324

Please find the attached Preliminary Project Assessment (PPA) for the address listed above. You may contact the staff contact, Chelsea Fordham, at (415) 575-9071 or Chelsea.Fordham@sfgov.org, to answer any questions you may have, or to schedule a follow-up meeting.

Joy Navarrete
Senior Planner
Preliminary Project Assessment

Date: March 15, 2016
Case No.: 2015-016326PPA
Project Name: Teatro Zinzanni (Seawall Lots 323 and 324)
Block/Lot: 0138/001, 0139/002
Zoning: C-2 (Community Business)
Waterfront Special Use District No. 3.
40-X Height and Bulk District
Project Sponsor: Jay Wallace, Jay Wallace & Associates
(415) 601-2081
Staff Contact: Chelsea Fordham – (415) 575-9071
Chelsea.Fordham@sfgov.org

DISCLAIMERS:

This Preliminary Project Assessment (PPA) letter provides feedback to the project sponsor from the Planning Department regarding the proposed project described in the PPA application submitted on December 10, 2015, as summarized below. This PPA letter identifies Planning Department review requirements for the proposed project, including those related to environmental review, approvals, neighborhood notification and public outreach, the Planning Code, project design, and other general issues of concern for the project. Please be advised that the PPA application does not constitute an application for development with the Planning Department. The PPA letter also does not represent a complete review of the proposed project, does not grant a project approval of any kind, and does not in any way supersede any required Planning Department approvals listed below.

The Planning Department may provide additional comments regarding the proposed project once the required applications listed below are submitted. While some approvals are granted by the Planning Department, some are at the discretion of other bodies, such as the Planning Commission or Historic Preservation Commission. Additionally, it is likely that the project will require approvals from other City agencies such as the Department of Building Inspection, Public Works, the Municipal Transportation Agency, Department of Public Health, San Francisco Public Utilities Commission, and others. The information included herein is based on the PPA application and plans, the Planning Code, General Plan, Planning Department policies, and local/state/federal regulations as of the date of this document, all of which are subject to change.

PROJECT DESCRIPTION:

The proposed project would demolish a surface parking lot and construct a new 4-story, 183,000 square-foot hotel building with 180 to 200 hotel rooms, and a 25,000 square-foot theatre for the Teatro Zinzanni show. Additionally, a 7,500 square-foot open space would be constructed on the project site. Both the theatre and hotel would provide amenities including, kitchen, restaurant and bar, merchandising, ticket booth, back-of-house, and front desk.
The proposed project would not contain any off-street parking. There is one proposed loading space to be located off of Davis Street. The project is proposing two bulbouts on Broadway to create a 90-foot passenger loading zone on Broadway for the hotel guests and theatre goers. The project is proposing to create a new curb line and sidewalk on Davis Street. The proposed building would include 10 Class 2 bicycle parking spaces and an unknown amount of Class 1 bicycle parking spaces. Project construction would require excavation to a depth of 17 feet and would require a foundation with pile supported footings. The project site is located on the Embarcadero, Broadway, Davis Street, and Vallejo Street. The project would also require vacation of Vallejo Street between Davis and The Embarcadero. This right of way is current used as a surface parking lot.

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 continue your diligent pursuit of the submitted Environmental Evaluation Application (EEA) for the full scope of the project. Note that until an entitlement application is submitted to the Current Planning Division, only the proposed Project Description will be reviewed by the assigned Environmental Coordinator.

If it is determined that the project could result in a significant impact, an initial study would be prepared. The initial study may be prepared either by an environmental consultant from the Department’s environmental consultant pool or by Department staff. Should you choose to have the initial study prepared by an environmental consultant, contact Devyani Jain at (415) 575-9051 for a list of three eligible consultants. If the initial study finds that the project would have a significant impact that could be reduced to a less-than-significant level by mitigation measures agreed to by the project sponsor, then the Department would issue a preliminary mitigated negative declaration (PMND). The PMND would be circulated for public review, during which time concerned parties may comment on and/or appeal the determination. If no appeal is filed, the Planning Department would issue a final mitigated negative declaration (FMND). Additional information regarding the environmental review process can be found at: http://www.sf-planning.org/modules/showdocument.aspx?documentid=8631.

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 will be required. An EIR must be prepared by an environmental consultant from the Planning Department’s environmental consultant pool (http://www.sfplanning.org/ftp/files/MEA/Environmental_consultant_pool.pdf). The Planning Department will provide more detail to the project sponsor regarding the EIR process should this level of environmental review be required.

Below is a list of topic areas addressed through the environmental review process. Some of these would require additional study based on the preliminary review of the project as it is proposed in the PPA application.

1. **Historic Resources.** The subject property is a non-contributing property within the Northeast Waterfront Landmark District, which is designated under Article 10 of the San Francisco Planning
The proposed construction is subject to review by the Department’s Historic Preservation staff for compatibility with the district. To assist in this review, the project sponsor must hire a qualified professional to prepare a Historic Resource Evaluation (HRE) report. The professional must be selected from the Planning Department’s Historic Resource Consultant Pool. Please contact Tina Tam, Senior Preservation Planner, via email (tina.tam@sfgov.org) for a list of three consultants from which to choose. Please contact the HRE scoping team at HRE@sfgov.org to arrange the HRE scoping. Following an approved scope, the historic resource consultant should submit the draft HRE report for review to Environmental Planning after the project sponsor has updated the EE Application as necessary to reflect feedback received in the PPA letter. The HRE should be submitted directly to the Department and copied to the project sponsor. Project sponsors should not receive and/or review advance drafts of consultant reports per the Environmental Review Guidelines. Historic Preservation staff will not begin reviewing your project until a complete draft HRE is received.

The proposed project also requires the review and approval of a Certificate of Appropriateness application by the Historic Preservation Commission. Please see additional comments under the Preservation section below.

2. **Archeological Resources.** The proposed project will require Preliminary Archeological Review (PAR) by a Planning Department archeologist. To aid this review the Department archeologist may request a Preliminary Archeological Sensitivity Assessment (PASS) by a Department Qualified Archeological Consultant, subject to the review and approval by the Department archeologist. The Department archeologist will provide three names from the Qualified Archeological Consultant list if the PASS is required. The PAR will assess the archeological sensitivity of the project site based on in-house source material and will consider the potential for archeological impacts resulting from proposed soils disturbance. Please provide detailed information, including sections, proposed soils-disturbing activities, such as grading, excavation, installation of foundations, soils improvement, and site remediation in the EEA, and submit any available geotechnical/soils or phase II hazardous materials reports prepared for the project to assist in this review. If the Department archeologist determines that the project has a potential to adversely affect archeological resources, the PAR will identify additional measures needed to address the potential effect. These measures may include preparation of an archeological research design and treatment plan, implementation of one of the Planning Department’s three standard archeological mitigation measures (archeological testing, monitoring, or accidental discovery), or other appropriate measures.

3. **Tribal Cultural Resources.** Tribal cultural resources (TCRs) are a class of resource established under the California Environmental Quality Act (CEQA) in 2015. TCRs are defined as a site, feature, place, cultural landscape, sacred place or object with cultural value to a California Native American tribe, that is either included on or eligible for inclusion in the California Register of Historical Resources or a local historic register, or is a resource that the lead agency, at its discretion and supported by substantial evidence, determines is a TCR. Planning Department staff will review the proposed project to determine if it may cause an adverse effect to a TCR; this will occur in tandem with preliminary archeological review. No additional information is needed from the project sponsor at this time. Consultation with California Native American tribes regarding TCRs may be required at the request of the tribes. If staff determines that the proposed project may have a potential significant
adverse impact on a TCR, mitigation measures will be identified and required. Mitigation measures may include avoidance, protection, or preservation of the TCR and development of interpretation and public education and artistic programs.

4. **Transportation.** Based on the Planning Department’s Transportation Impact Analysis Guidelines for Environmental Review, the project would require additional transportation analysis to determine whether the project may result in a significant impact. Therefore, the Planning Department requires that a consultant listed in the Planning Department’s Transportation Consultant Pool prepare a Transportation Impact Study. You are required to pay additional fees for the study; please contact Virnaliza Byrd at (415) 575-9025 to arrange payment. Once you pay the fees, please contact Manoj Madhavan at (415) 575-9095 or [manoj.madhavan@sfgov.org](mailto:manoj.madhavan@sfgov.org) so that he can provide you with a list of three consultants from the pre-qualified Transportation Consultant Pool. Upon selection of a transportation consultant, the Department will assign a transportation planner who will direct the scope of the consultant-prepared study.

Additionally, the proposed project is located on a high injury corridor as mapped by Vision Zero. Please see the below comments in regards to site circulation.

5. **Noise.** Based on the General Plan’s Background Noise Levels map, the project site is located along a segment of the Embarcadero with noise levels above 75 dBA Ldn (a day-night averaged sound level). Therefore, an acoustical analysis is required for the proposed new noise sensitive receptor type (e.g., hotel) development and for the proposed new noise-generating use development. The acoustical analysis must also demonstrate with reasonable certainty that the California Noise Insulation Standards in Title 24 of the California Code of Regulations can be met. Should such concerns be present, the Department may require the completion of a detailed noise assessment by person(s) qualified in acoustical analysis and/or engineering prior to the first project approval action, in order to demonstrate that acceptable interior noise levels consistent with those in the Title 24 standards can be attained. The acoustical analysis shall also describe what the potential noise increases from noise-generating activities, such as the event space, Teatro ZinZanni would produce.

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. The EEA application should indicate whether pile driving or other particularly noisy construction methods are required.

6. **Air Quality.** The proposed project’s 200 hotel rooms is below the Bay Area Air Quality Management District’s (BAAQMD) construction screening levels for criteria air pollutants. Therefore, an analysis of the project’s criteria air pollutant emissions is not likely to be required. However, detailed information related to cubic yards of excavation must be provided as part of the EEA.

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3. BAAQMD, CEQA Air Quality Guidelines, May 2011, Chapter 3.
In addition, project-related demolition, excavation, grading and other construction activities may cause wind-blown dust that could contribute particulate matter into the local atmosphere. To reduce construction dust impacts, the proposed project will be required to adhere to the dust control requirements set forth in the Construction Dust Ordinance contained in San Francisco Health Code Article 22B and San Francisco Building Code Section 106.A.3.2.6. The proposed project is also required to prepare a Construction Dust Control Plan for review and approval by DPH.

The project site is also located within an Air Pollutant Exposure Zone, as mapped and defined by Health Code, Article 38. The Air Pollutant Exposure Zone identifies areas with poor air quality based on modeling of air pollution, exposures, and health vulnerability from mobile, stationary, and area source emissions within San Francisco. Equipment exhaust measures during construction will likely be required.

If the project would generate new sources of toxic air contaminants including, but not limited to: diesel generators or boilers, or any other stationary sources, the project would result in toxic air contaminants that may affect both on-site and off-site sensitive receptors. Please provide detailed information related to any proposed stationary sources with the EEA.

7. **Greenhouse Gases.** *The City and County of San Francisco’s Strategies to Address Greenhouse Gas Emissions* presents a comprehensive assessment of policies, programs, and ordinances that represents San Francisco’s Qualified Greenhouse Gas (GHG) Reduction Strategy. Projects that are consistent with San Francisco’s Qualified GHG Reduction Strategy would result in less-than-significant impacts from GHG emissions. In order to facilitate a determination of compliance with San Francisco’s Qualified GHG Reduction Strategy, the Planning Department has prepared a Greenhouse Gas Analysis Compliance Checklist. The project sponsor is required to submit the completed table regarding project compliance with the identified regulations and provide project-level details in the discussion column. This information will be reviewed by the environmental planner during the environmental review process to determine if the project would comply with San Francisco’s Greenhouse Gas Reduction Strategy. Projects that do not comply with an ordinance or regulation may be determined to be inconsistent with the Greenhouse Gas Reduction Strategy.

8. **Shadow.** The proposed project would not result in construction of a building greater than 40 feet in height. Therefore, the proposed project is not subject to Section to 295 of the Planning Code. However, during the environmental review of the proposed project, the project may be required to assess what the shadow impacts of the project to nearby public open spaces are.

9. **Geology.** The project site is located within a Seismic Hazard Zone (Liquefaction Hazard Zone likely underlain by artificial fill). Any new construction on the site is therefore subject to a mandatory Interdepartmental Project Review. A geotechnical study prepared by a qualified consultant must be submitted with the EEA. The study should address whether the site is subject to liquefaction, and

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should provide recommendations for any geotechnical concerns identified in the study. In general, compliance with the building codes would avoid the potential for significant impacts related to structural damage, ground subsidence, liquefaction, landslides, and surface settlement. To assist Planning Department staff in determining whether the project would result in environmental impacts related to geological hazards, it is recommended that you provide a copy of the geotechnical information with boring logs for the proposed project. This study will also help inform the Planning Department Archeologist of the project site’s subsurface geological conditions.

10. **Hazardous Materials.** The proposed project would excavate in an area of potential site contamination (e.g. from fill located on the project site). Therefore, the project is subject to Article 22A of the Health Code, also known as the Maher Ordinance. The Maher Ordinance, which is administered and overseen by the Department of Public Health (DPH), requires the project sponsor to retain the services of a qualified professional to prepare a Phase I Environmental Site Assessment (ESA) that meets the requirements of Health Code Section 22.A.6. The Phase I ESA would determine the potential for site contamination and level of exposure risk associated with the project. Based on that information, soil and/or groundwater sampling and analysis, as well as remediation of any site contamination, may be required. These steps are required to be completed prior to the issuance of any building permit.

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

11. **Disclosure Report for Developers of Major City Projects.** The San Francisco Ethics Commission S.F. Camp. & Govt. Conduct Code § 3.520 et seq. requires developers to provide the public with information about donations that developers make to nonprofit organizations that may communicate with the City and County regarding major development projects. This report must be completed and filed by the developer of any “major project.” A major project is a real estate development project located in the City and County of San Francisco with estimated construction costs exceeding $1,000,000 where either: (1) The Planning Commission or any other local lead agency certifies an EIR for the project; or (2) The project relies on a program EIR and the Planning Department, Planning Commission, or any other local lead agency adopts any final environmental determination under CEQA. A final environmental determination includes: the issuance of a Community Plan Exemption (CPE); certification of a CPE/EIR; adoption of a CPE/Final Mitigated Negative Declaration; or a project approval by the Planning Commission that adopts CEQA Findings. (In instances where more than one of the preceding determinations occur, the filing requirement shall be triggered by the earliest such determination.) A major project does not include a residential development project with four or fewer dwelling units. The first (or initial) report must be filed within 30 days of the date the Planning Commission (or any other local lead agency) certifies the EIR for that project or, for a major project relying on a program EIR, within 30 days of the date that the Planning Department, Planning Commission, or any other local lead agency adopts a final environmental determination under CEQA. Please submit a Disclosure Report for Developers of Major City Projects to the San Francisco Planning Department.
Ethics Commission. This form can be found at the Planning Department or online at http://www.sfethics.org.

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. **Conditional Use Authorization (CUA).** In order for the project to proceed, the Planning Commission would need to grant a Conditional Use authorization, pursuant to Section 303, to allow the development of a hotel use within the C-2 District. In addition to the findings which apply to all Conditional Use authorizations (Section 303(c)), the Planning Commission must also consider the criteria of Section 303(g), which are specific to Conditional Use authorizations for hotel and motel uses.

2. **Certificate of Appropriateness (COA).** The subject properties are located within a designated Landmark District under Article 10 of the Planning Code; therefore, the project requires the review and approval of a Certificate of Appropriateness application by the Historic Preservation Commission (HPC). In addition, all new construction within an Article 10 Landmark District will require review by the HPC’s Architectural Review Committee prior to scheduling a COA hearing before the full HPC. The HPC will consider the factors of architectural style, design, arrangement, texture, materials, color, and other pertinent factors to ensure the proposed work will be compatible with the character of the Landmark district as described in Appendix D of Article 10.

3. **General Plan Referral.** The proposed vacation of the Vallejo right-of-way requires review and approval by the Planning Commission.

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

Conditional Use Authorization, Certificate of Appropriateness, and General Plan Referral 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 Inspections at 1660 Mission Street.

NEIGHBORHOOD NOTIFICATIONS AND PUBLIC OUTREACH:

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

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.

Notification of a Project Receiving Environmental Review. Notice may be required to be sent to occupants of the project site and properties adjacent to the project site, as well as to owners and, to the extent feasible, occupants of properties within 300 feet of the project site at the initiation of the environmental review process. Please be prepared to provide mailing addresses on a CD upon request during the environmental review process.

PRELIMINARY PROJECT COMMENTS:

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

1. **General Plan Compliance.** The Urban Design Element of the San Francisco General Plan strongly discourages vacating public rights-of-ways for private ownership or use:

   POLICY 2.8: Maintain a strong presumption against the giving up of street areas for private ownership or use, or for construction of public buildings.

   POLICY 2.9: Review proposals for the giving up of street areas in terms of all the public values that streets afford.

   POLICY 2.10: Permit release of street areas, where such release is warranted, only in the least extensive and least permanent manner appropriate to each case.

   See Preliminary Design Comments below for detailed comments about building massing and vacating the public right-of-way.

2. **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.

3. **Tree Planting and Protection Checklist.** Completion of this checklist is required for this project. No permit will be approved by the Planning Department before satisfying all applicable tree-related requirements; including receiving clearance from the Department of Public Works (DPW) to plant required street trees and/or remove Protected Trees. Please fill out a checklist for the property.

4. **Streetscape Plan.** The project is located on a lot that is greater than ½ acre in area (~57,778 Sf excluding ROW), contains 250-feet of total lot frontage on one or more publicly-accessible rights-of-way (~460-feet), the frontage encompasses the entire block face between the nearest two intersections with any other publicly-accessible rights-of-way and the project includes a new construction, and as such, requires the submittal of a Streetscape Plan to the Planning Department to ensure that the new streetscape and pedestrian elements are in conformance with the Department’s Better Streets Plan. This Streetscape Plan shall be submitted to the Planning Department no later than 60 days prior to any Planning Commission action, and shall be considered for approval at the time of other project approval actions. The streetscape plan should show the location, design, and dimensions of all
existing and proposed streetscape elements in the public right-of-way directly adjacent to the fronting property, including street trees, sidewalk landscaping, street lighting, site furnishings, utilities, driveways, and curb lines, and the relation of such elements to proposed new construction and site work on the property. Please see the Department’s Better Streets Plan and Section 138.1(c)(2)(ii) for the additional elements that may be required as part of the project’s streetscape plan. See preliminary design comments below for further comments on proposed streetscape.

Under the Better Streets Plan (BSP):

- Under the Better Streets Plan (BSP), Vallejo Street is classified as a Neighborhood Commercial Street with a recommended sidewalk width of 15’.
  See: [http://www.sfbetterstreets.org/design-guidelines/street-types/](http://www.sfbetterstreets.org/design-guidelines/street-types/)
- Davis Street is a Commercial Throughway with a recommended sidewalk width of 15’.
- Broadway is a Downtown Residential Street with a recommended sidewalk width of 15’.
- The Embarcadero is a Park Edge, with a recommended sidewalk width or 24’.

5. **Bird Safe Glazing.** The subject property is located less than 300 feet from an Urban Bird Refuge and may be in an unobstructed line to the refuge. As such, the project is subject to the Bird Safe Glazing Standards outlined in Planning Code Section 139. The submitted plans indicating the project may include “feature-related hazards”, such as free-standing glass walls, wind barriers, and greenhouses on rooftops that have unbroken glazed segments that are 24 sf and larger in size. If any such feature is proposed, the entire feature must be treated with bird-safe glazing.

6. **Rooftop Screening.** Planning Code Section 141 requires that rooftop mechanical equipment and appurtenances to be used in the operation or maintenance of a building shall be arranged so as not to be visible from any point at or below the roof level of the subject building. The features so regulated shall in all cases be either enclosed by outer building walls or parapets, or grouped and screened in a suitable manner, or designed in themselves so that they are balanced and integrated with respect to the design of the building. Minor features not exceeding one foot in height shall be exempted from this regulation. Detailed architectural plans that specify the rooftop features of the project must be provided in order to determine whether the project satisfies this Code requirement.

7. **Active Uses Required.** Planning Code Section 145.1(c)(3) requires that space for active uses as defined in Subsection (b)(2) and permitted by the underlying zoning district be provided within the first 25 feet of building depth on the ground floor and 15 feet on floor above from any façade facing a street at least 30 feet in width. Building systems including mechanical, electrical, and plumbing features may be exempted from this requirement by the Zoning Administrator only in instances where those features are provided in such a fashion as to not negatively impact the quality of the ground floor space. Further street-frontage elevation detail is needed to determine whether the ground floor is designed in a manner that does not negatively impact the quality of the ground floor space so as to be considered for exemption from this requirement by the Zoning Administrator.

8. **Bicycle Parking.** Planning Code Section 155.5 requires this project to provide at least 26 bicycle parking spaces (20 Class 1 & 6 Class 2). The proposed project contains some bicycle parking but does
not provide enough information to confirm the required number and type of bicycle parking is provided. Please refer to planning Section 155 and Zoning Administrator Bulleting No. 9 for additional information about providing bicycle parking and revise the plans to indicate the required bicycle parking spaces.

9. Off-Street Parking. Pursuant to Planning Code Section 161 (d), the Zoning Administrator or Planning Commission in specific cases may determine an appropriate reduction in off-street parking requirements in Waterfront Special Use Districts. In considering any such reduction, the Zoning Administrator, in the case of uses that are Principally Permitted, and the Planning Commission, in the case of uses that are Conditionally Permitted, shall consider the criteria set forth in Section 307(i).

10. Diaper Changing Stations. Per Planning Code Section 168, all Public Serving Establishments over 5,000 sf must provide a safe, sanitary, and convenient baby diaper-changing station, deck table, or similar amenity which is installed or placed in a separate, designated location in a Public-Serving Establishment subject to the provisions of this Section. Such accommodations may include, but are not limited to, stations, decks, and tables in women’s and men’s restrooms or unisex/family restrooms. Please incorporate this requirement into the proposal.

11. Use. Pursuant to Planning Code Section 210.1, Entertainment, Arts and Recreation Uses, which includes theaters, are principally permitted in the C-2 Zoning District. However, hotel uses require the review and approval of a Condition Use Authorization by the Planning Commission.

12. Waterfront Special Use District (SUD). Section 240 establishes three Waterfront Special Use Districts, Numbers 1, 2 and 3. The subject property is located within the Waterfront Special Use District No. 3. Pursuant to Section 240.3(j), the basic floor area ratio limit for properties within this SUD shall be 5.0 to 1. The plans submitted indicate that the proposed floor area ratio is under this limit.

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

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

14. Flood Notification. The project site is in a block that has the potential to flood during storms. The SFPUC will review the permit application to comment on the proposed application and the potential for flooding during wet weather. Applicants for building permits for either new construction, change of use, or change of occupancy, or for major alterations or enlargements must contact the SFPUC at the beginning of the process to determine whether the project would result in ground-level flooding during storms. Requirements may include provision of measures to ensure positive sewage flow, raised elevation of entryways, and/or special sidewalk construction and the provision of deep gutters. The side sewer connection permits for such projects need to be reviewed and approved by the SFPUC at the beginning of the review process for all permit applications submitted to the Planning
Department, DBI, or the Successor Agency to the San Francisco Redevelopment Agency. For information required for the review of projects in flood-prone areas, the permit applicant shall refer to Bulletin No. 4: [http://www.sf-planning.org/ftp/files/publications_reports/DB_04_Flood_Zones.pdf](http://www.sf-planning.org/ftp/files/publications_reports/DB_04_Flood_Zones.pdf).

15. **Stormwater.** If the project results in a ground surface disturbance of 5,000 sq ft 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. The SFPUC Wastewater Enterprise, Urban Watershed Management Program is responsible for review and approval of the Stormwater Control Plan. Without SFPUC approval of a Stormwater Control Plan, no site or building permits can be issued. The Guidelines also require a signed maintenance agreement to ensure proper care of the necessary stormwater controls. To view the Stormwater Management Ordinance, the Stormwater Design Guidelines, or download instructions for the Stormwater Control Plan, go to [http://sfwater.org/sdg](http://sfwater.org/sdg). Applicants may contact stormwaterreview@sfwater.org for assistance.

16. **Impact Fees.** This project will be subject to various impact fees. Please refer to the Planning Director’s Bulletin No. 1 for an overview of Development Impact Fees, and to the Department of Building Inspection’s Development Impact Fee webpage for more information about current rates.

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

- a. Transit Sustainability Fee [Planning Code Section 411(a)]
- b. Public Art [Planning Code Section 429]
- c. Jobs-Housing Linkage Fee [Planning Code Section 413; pending further analysis of Planning Code Section 413(b)(4)]

**PRESERVATION COMMENTS:**

1. **Northeast Waterfront Landmark District.** The Northeast Waterfront Landmark District is significant for its collection of commercial masonry warehouse structures from the late nineteenth century and early twentieth century that served the once-bustling maritime-warehousing commerce from the Gold Rush era to the mid-1960s. The structures vary in height from approximately six stories closest to the base of Telegraph Hill, northwest of the District, to a maximum of four stories at The Embarcadero and the Bay, east of the District. Many of the oldest structures are one and two stories in height. The earliest brick structures blend easily with the scaled-down Beaux Arts forms of the turn of the century and the plain reinforced-concrete structures characteristic of twentieth century industrial architecture. Common architectural features are repeated throughout the District providing visual distinction, such as load-bearing brick and reinforced concrete walls, large bulk, arched fenestration, and minimal use of decorative details.
As mentioned previously, a COA is required for any construction, alteration, removal, or demolition of a designated Landmark or a structure located in a Landmark district for which a City permit is required. In appraising a proposal for a COA, the HPC will consider the factors of architectural style, design, arrangement, texture, materials, color, and other pertinent factors to ensure the proposed work will be appropriate for and consistent with the effectuation of the purposes of Article 10. Specifically, the HPC will consider whether the proposed work would be compatible with the character of the Northeast Waterfront Landmark District as described in Appendix D of Article 10. As such, the proposed work should be compatible with the character of the landmark district as described in the designating ordinance.

a. **Materials**: Please call out all materials (both on the new construction and Teatro ZinZanni’s tent), texture, attachments, and color of finishes, including window and storefront system finishes proposed for the new construction. The project should draw from the material and texture typical of the existing building and the Northeast Waterfront Landmark District. The proposed brick finish appears to be a compatible material choice, however, the brick should not be a panelized brick veneer system.

b. **Design**: The Department prefers the proposed design option with the rectangular window configurations and red brick, as it appears to be the most consistent with the District.

c. **Fenestration**: The proposed fenestration pattern appears to be constructed in a manner that does not reference the character-defining features of the district. Regular patterned and symmetrical fenestration pattern with external profile and configuration that better reflect the character-defining features of the district in a contemporary manner should be considered. Please note the proposed fenestration should be of non-reflective glass, use matte-finished metal components and reduce projection of glass bays to better relate to and be compatible with the district.

d. **Tent Structure**: please provide additional information on the tent enclosure. The tent structure is unusual for the district and, while we acknowledge its uniqueness as a cultural artifact, may itself need to reflect greater compatibility with the district or be housed in a structure that reflects that compatibility. We look forward to a more detailed conversation regarding how to best integrate this component of the project into the district.

e. **Ground Floor Transparency**: Please provide additional information on the interior area just inside the storefront glass to demonstrate that no elements would limit visual access into the interior. Please note that any shelving, counter, or partitions over 3’ in height must be set back a minimum of 10’ from the inside face of the storefront glass or must be 75% open and transparent. No vinyl or other films may be installed to the glazing that may obscure visibility into the interior of the ground floor spaces.
PRELIMINARY DESIGN COMMENTS:

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

The project site is located within an identified landmark district; therefore, the proposed project is subject to further design review by the department’s Preservation staff. Please refer to the Environmental Planning Review – Historic Resources section of the Preliminary Project Assessment for further instruction.

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

1. **Site Design, Open Space and Massing.** The Urban Design Element of the San Francisco General Plan discourages the vacation of streets for private ownership (see policies 2.8-2.10 below). In this case, it is especially significant since the unimproved Vallejo right-of-way represents an important view toward the waterfront, the historic bulkhead of Pier 9, and the Embarcadero.

   Therefore, the Planning Department is challenged to support the vacation of the Vallejo right-of-way in the manner currently proposed because the proposed Circus Tent will block views to the Embarcadero and impede physical connections to the waterfront. The Department recommends the project explore alternatives that may include location of the theater on the parcel to the north - outside the public right of way - connected via a promenade, or even possibly a covered walkway, provided the walkway be open during the day to east/west pedestrian movements along the Vallejo Street right-of-way, and that it be designed to maximize transparency through the structure (see below graphic). Alternately, the project team may wish to consider reducing the footprint of the hotel to include the theater component within the seawall parcel to the south. After exploring these alternatives, should the project team choose to present an evidenced-based argument establishing the clear infeasibility of any reasonable approach other than a vacation, it would be incumbent on the project team to work collaborative with the Department to ensure siting of all building elements within the former right of way in a fashion so as to minimize impacts to pedestrian movement and visual connectivity.

Regardless of the issue of street vacation, the current proposal locates the theater’s back-of house directly adjacent to the proposed public open space. The Planning Department recommends that public space be activated and not be fronted with “back of house” functions. One such means might include an outdoor seasonal theater with an exterior stage, or dining terrace. The proposed open space should be connected to and integrated with the public realm to the greatest extent possible.
The Urban Design Element policies applicable to the proposed project are:

- **POLICY 1.1**
  Recognize and protect major views in the city, with particular attention to those of open space and water.

- **POLICY 2.8**
  Maintain a strong presumption against the giving up of street areas for private ownership or use, or for construction of public buildings.

- **POLICY 2.9**
  Review proposals for the giving up of street areas in terms of all the public values that streets afford.

- **POLICY 2.10**
  Permit release of street areas, where such release is warranted, only in the least extensive and least permanent manner appropriate to each case.

In order to avoid the unnecessary permanent loss of streets as public assets, methods of release short of total vacation should be considered in cases in which some form of release is warranted. Such lesser methods of release permit later return of the street space to street purposes, and allow imposition of binding conditions as to development and use of the street area.

Mere closing of the street to traffic should be used when it will be an adequate method of release. Temporary use of the street should be authorized when permanent use is not necessary. A revocable
permit should be granted in preference to street vacation. And sale or lease of air rights should be authorized where vacation of the City’s whole interest is not necessary for the contemplated use. In any of these lesser transactions, street areas should be treated as precious assets which might be required for unanticipated public needs at some future time.

Comments in regards to streetscape design made by the Department’s Street Design Advisory Team (SDAT) are presented below.

1. **Streets & Sidewalks Widths.**
   - The Department recommends the sidewalk along Davis Street in front of the proposed project by developed to a width of 19’, with 12’ travel lanes, and 8’ parallel parking.

2. **Bulb-Outs & Bulb-Ins. Please revise your site plan as follows:**
   - The proposed bulb- in on Broadway is very deep and has non-standard curb returns. SDAT recommends reducing this bulb-in.
   - The proposed 6’ bulb-out on Davis Street should be able to accommodate design vehicle SV-30.
   - Bulb-outs and bulb-ins shall be designed to meet SF Public Works standard dimensions with curb returns that ensure a street sweeper can hug the curbs when servicing this block.

3. **Street Trees.** New street trees should be located 20’ from each other on center. Per SFMTA standards, trees shall not be placed within 25 feet of intersections, to enhance pedestrian visibility and safety.

4. **Landscaping and Site Furnishings.** In addition to required street trees, the Department recommends including, sidewalk landscaping, and special paving in the sidewalk zone.
   - Consider incorporating benches and pedestrian lighting into the design.
   - To see specific design guidelines for the above features, see: [www.sfbetterstreets.org](http://www.sfbetterstreets.org).
   - All landscaping, street trees, site furniture, and special paving should be consistent with guidelines in the Better Streets Plan (BSP).

5. **Streetscape Plan.** Please submit a revised site plan that includes the following information: existing and proposed sidewalk dimensions, bulb-out dimensions (including curb radii), and loading locations. The plans should clarify the appropriate City Agency’s jurisdiction of the right-of-way on the plans. The project should return to the Department’s Street Design Advisory Team (SDAT) for further review.

**References**
Please refer to the following design guidelines when revising the project’s design.


PRELIMINARY PROJECT ASSESSMENT EXPIRATION:
This Preliminary Project Assessment is valid for a period of 18 months. An Environmental Evaluation, Application, as listed above, must be submitted no later than September 15, 2017. 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

cc: Port of San Francisco, Property Owner
    Lily Yegazu, Current Planning
    Patrick Race, Citywide Planning and Analysis
    David Winslow, Design Review
    Jonas Ionin, Planning Commission Secretary
    Charles Rivasplata, SFMTA
    Jerry Sanguinetti, Public Works
    Pauline Perkins, SFPUC
    June Weintraub and Jonathan Piakis, DPH
    Planning Department Webmaster (planning.webmaster@sfgov.org)
<table>
<thead>
<tr>
<th>FIRST NAME</th>
<th>LAST NAME</th>
<th>TITLE</th>
<th>ORGANIZATION</th>
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<tbody>
<tr>
<td>Aaron</td>
<td>Peskin</td>
<td>President, District 3</td>
<td>Board of Supervisors</td>
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INTERDEPARTMENTAL PROJECT REVIEW
Effective: February 1, 2009

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. $1,059 for five or fewer residential units and all affordable housing projects.
2. $1,530 for all other projects.

Please note that $345 of these fees are non-refundable. If your project falls under the second type of fee, and you cancel your meeting, $1,185 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, Ste. 400, San Francisco, CA 94103-2414. Those wishing more specific or more detailed information may contact the Project Review Meeting Coordinator at (415) 575-6926.

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:

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)

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Previously contacted staff __________________________________________

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**San Francisco**
**Planning Department**

3
Will this project be publicly funded? (specify) ________________________________
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 (SFPUC, 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.