DATE:       July 12, 2016
TO:         Will Mollard – Workshop
FROM:       Wade Wietgrefe, Planning Department
RE:         PPA Case No. 2016-004946PPA for 280-282 7th Street

Please find the attached Preliminary Project Assessment (PPA) for the address listed above. You may contact the staff contact, Michael Li, at (415) 575-9107 or michael.j.li@sfgov.org, to answer any questions you may have, or to schedule a follow-up meeting.

Wade Wietgrefe, Senior Planner
Preliminary Project Assessment

Date: July 12, 2016
Case No.: 2016-004946PPA
Project Address: 280-282 7th Street
Block/Lot: 3730/290
Zoning: WMUG (Western SoMa Mixed Use – General) Zoning District
Western SoMa Special Use District
SoMa Youth and Family Special Use District
65-X Height and Bulk District
Area Plan: Western SoMa
Project Sponsor: Will Mollard – Workshop1
(415) 409-9267
Staff Contact: Michael Li
(415) 575-9107, michael.j.li@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 April 13, 2016, 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 project site, which is in San Francisco’s South of Market neighborhood, is a through lot with 50 feet of frontage on 7th Street and 25 feet on Langton Street. The project site is occupied by a two-story, 20-foot-tall commercial building that is currently vacant. The building was previously occupied by a nightclub.

The proposed project consists of demolishing the existing building and constructing a new six-story, 65-foot-tall mixed-use building containing 23 dwelling units, approximately 3,668 square feet (sf) of retail space, and 17 parking spaces. The retail space would be on the ground floor, and the dwelling units would be on the second through sixth floors. The garage would be in the basement, and a ramp would lead up to the garage door on Langton Street. The width of the existing driveway and curb cut on Langton Street would be reduced from approximately 20 feet to 10 feet. Bicycle parking would be provided in the basement-level garage (26 spaces are required: 23 Class 1 spaces and one Class 2 space for the residential uses and two Class 2 spaces for the commercial use). Usable open space for the residents of the proposed project would be provided in the form of an interior courtyard on the second floor and a roof terrace on the sixth floor.

Construction of the proposed project would include excavation to a depth of 15 feet below ground surface (bgs) and the removal of about 3,472 cubic yards of soil for the building foundation and basement-level garage.

BACKGROUND:

The project site is within the Western SoMa Community Plan. On December 6, 2012, the Planning Commission certified the Western SoMa Community Plan, Rezoning of Adjacent Parcels, and 350 8th Street Project Final Environmental Impact Report EIR (Western SoMa FEIR). The project sponsor is encouraged to read the full plan at http://generalplan.sfplanning.org/Western_SoMa_Area_Plan.pdf.

ENVIRONMENTAL REVIEW:

Community Plan Exemption

Section 15183 of the California Environmental Quality Act (CEQA) Guidelines states that projects that are consistent with the development density established by a community plan for which an environmental impact report (EIR) was certified do not require additional environmental review, except as necessary to determine the presence of project-specific significant effects not identified in the programmatic plan area EIR.

As discussed above, the proposed project is located within the Western SoMa Community Plan, which was evaluated in the Western SoMa FEIR. If the proposed project is consistent with the development density identified in the area plan, it would be eligible for a community plan exemption (CPE). Please note that a CPE is a type of exemption from environmental review, and cannot be modified to reflect changes to a project after approval. Proposed increases beyond the CPE project description in project size or intensity

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1 Available for review on the Planning Department’s Area Plan EIRs web page: http://sf-planning.org/area-plan-eirs.
after project approval will require reconsideration of environmental impacts and issuance of a new CEQA determination.

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

1. **CPE Only.** All potentially significant project-specific and cumulatively considerable environmental impacts are fully consistent with significant impacts identified in the Western SoMa FEIR, and there would be no new "peculiar" significant impacts unique to the proposed project. In these situations, all pertinent mitigation measures and CEQA findings from the Western SoMa FEIR are applied to the proposed project, and a CPE checklist and certificate is prepared. With this outcome, the applicable fees are: (a) the CPE determination fee (currently $14,017) and (b) the CPE certificate fee (currently $7,779).

2. **Mitigated Negative Declaration.** If new site- or project-specific significant impacts are identified for the proposed project that were not identified in the Western SoMa FEIR, and if these new significant impacts can be mitigated to a less-than-significant level, then a focused mitigated negative declaration is prepared to address these impacts, and a supporting CPE checklist is prepared to address all other impacts that were encompassed by the Western SoMa FEIR, with all pertinent mitigation measures and CEQA findings from the Western SoMa FEIR also applied to the proposed project. With this outcome, the applicable fees are: (a) the CPE determination fee (currently $14,017) and (b) the standard environmental evaluation fee (which is based on construction value).

3. **Focused EIR.** If any new site- or project-specific significant impacts cannot be mitigated to less-than-significant levels, then a focused EIR is prepared to address these impacts, and a supporting CPE checklist is prepared to address all other impacts that were encompassed by the Western SoMa FEIR, with all pertinent mitigation measures and CEQA findings from the Western SoMa FEIR also applied to the proposed project. With this outcome, the applicable fees are: (a) the CPE determination fee (currently $14,017) and (b) the standard environmental evaluation fee (which is based on construction value).

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 project site was previously evaluated in a historical resources survey which concluded that the site does not contain any building considered individually eligible for national, state, or local listing as a historic resource. The project site, however, is located within an eligible or identified historic district (the Western SoMa Light Industrial and Residential Historic District). Therefore, the proposed construction is subject to review by the Planning 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 may submit the draft HRE
report for review to Environmental Planning after the project sponsor has filed the EE Application and updated it as necessary to reflect feedback received in the PPA letter. The HRE should be submitted directly to the Planning 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.

2. **Archeological Resources.** The proposed project includes excavation to a depth of approximately 15 feet bgs and the removal of about 3,472 cubic yards of soil for the building foundation and basement-level garage. Due to these soils-disturbing activities, the proposed project is subject to Western SoMA PEIR Mitigation Measure M-CP-4a: Project-Specific Preliminary Archeological Assessment. Therefore, the proposed project will require Preliminary Archeological Review (PAR) by a Planning Department archeologist. To aid this review the Planning Department archeologist may request a Preliminary Archeological Sensitivity Assessment (PASS) by a Planning Department Qualified Archeological Consultant, subject to the review and approval by the Planning Department archeologist. The Planning 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 Planning Department archeologist determines that the project has a potential to adversely affect archeological resources, the PAR will identify additional measures needed to address the potential effect. These measures may include preparation of an archeological research design and treatment plan, implementation of project mitigation measures (such as archeological testing, monitoring, or accidental discovery), or other appropriate measures.

3. **Transportation.** Based on the PPA submittal, a transportation impact study is not anticipated; an official determination will be made subsequent to submittal of the EEA. In order to facilitate that determination, Planning Department staff requests the following information:
   - Provide the specifications for the mechanical parking stackers
   - Include the dimensions of existing and proposed sidewalks and curb cuts on plans
   - Show the existing/proposed curb cuts and the curb cuts to be removed
   - Designate the proposed bicycle parking spaces as Class 1 or Class 2
   - Indicate where loading activities (residential and commercial) will occur

In addition, the project sponsor should consider reducing the number of parking spaces.

*Transportation Demand Management Program*

On April 28, 2016, the Planning Commission adopted a resolution to initiate Planning Code amendments that would require development projects to comply with a proposed Travel Demand
Management (TDM) Program. The intent of the proposed TDM Program is to reduce vehicle miles traveled and to make it easier for people to get around by sustainable travel modes such as transit, walking, and biking.

Under the proposed TDM Program, land uses are grouped into four categories, A through D. For each land use category that is subject to the TDM Program, the City would set a target based on the number of accessory vehicle parking spaces that the project intends to provide for that land use category. To meet each target, the project sponsor must select TDM measures—each worth a specified number of points—from a menu of options. In general, if a project sponsor proposes more parking, the target for that land use category—and thus, the number of TDM measures that the sponsor must implement to meet it—would increase. Some of the TDM measures included in the menu are already required by the Planning Code. Points earned from implementing these measures would be applied towards achieving a project’s target(s). Project sponsors would be required to implement and maintain TDM measures for the life of the project.

The proposed project includes 23 dwelling units and thus would be subject to the proposed TDM Program. Based on the 17 parking spaces associated with the residential use, the proposed project would be required to meet or exceed a target of 13 points for land use category C.

The Planning Code would currently require the proposed project, as described in the PPA, to provide the following TDM measures:

- Bicycle Parking (Planning Code Section 155.2; TDM Menu ACTIVE-2 – option a)
- Parking unbundling (Planning Code Section 167; TDM Menu PKG-1)

The project may be required to select and incorporate additional TDM measures to meet the target(s) listed above. A full list of the TDM measures included in the menu of options is available at [http://sf-planning.org/shift-encourage-sustainable-travel](http://sf-planning.org/shift-encourage-sustainable-travel). When an environmental planner is assigned, he or she will provide additional guidance regarding the proposed TDM Program and next steps.

4. **Noise.** Western SoMa PEIR Mitigation Measure M-NO-2a: General Construction Noise Control Measures, requires that the project sponsor develop a set of site-specific noise attenuation measures under the supervision of a qualified acoustical consultant when the environmental review of a development project determines that construction noise controls are necessary due to the nature of planned construction practices and sensitivity of proximate uses. This mitigation measure requires that a plan for such measures be submitted to the Department of Building Inspection (DBI) prior to commencing construction to ensure that maximum feasible noise attenuation will be achieved. This mitigation measure will likely be applicable to the proposed project.

Western SoMa PEIR Mitigation Measure M-NO-2b: Noise Control Measures During Pile Driving, addresses impacts related to pile driving. Based on the PPA application, the type of building foundation has not yet been determined. In the event that pile driving is necessary to construct the building foundation, Western SoMa PEIR Mitigation Measure M-NO-2b would be applicable to the proposed project.
Western SoMa PEIR Mitigation Measure M-NO-1c: Siting of Noise-Generating Uses, would not apply to the proposed project because the proposed land uses (residential and commercial) would not be expected to generate noise levels in excess of ambient noise, either short term, at nighttime, or as a 24-hour average, in the project site vicinity.

5. **Air Quality.** The proposed project, with 23 dwelling units, is below the Bay Area Air Quality Management District’s (BAAQMD) construction and operational screening levels for criteria air pollutants. Therefore an analysis of the project’s criteria air pollutant emissions would not likely be required.

Project-related demolition, excavation, grading, and other construction activities may cause wind-blown dust that could contribute particulate matter into the local atmosphere. To reduce construction dust impacts, the proposed project will be required to adhere to the dust control requirements set forth in the Construction Dust Control Ordinance contained in San Francisco Health Code Article 22B and San Francisco Building Code Section 106.A.3.2.6.

The project site is located within an Air Pollutant Exposure Zone (APEZ), as mapped and defined by San Francisco Health Code Article 38 (Article 38). The APEZ 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. The project proposes to construct new sensitive land uses (i.e., dwelling units), which are subject to enhanced ventilation measures pursuant to Article 38. The project sponsor will be required to submit an Article 38 application to the Department of Public Health (DPH) prior to the issuance of any environmental determination. Please provide a copy of the initial application with the EEA.

Equipment exhaust measures during construction, such as those specified in Western SoMa PEIR Mitigation Measure M-AQ-7: Construction Emissions Minimization Plan for Health Risks and Hazards, will likely be required for the proposed project. Please provide detailed information related to construction equipment, phasing and duration of each phase, and the volume of excavation as part of the EEA.

If the project would generate new sources of toxic air contaminants including, but not limited to, emissions from diesel generators or boilers, or any other stationary sources, the project would result in toxic air contaminants that may affect both on-site and off-site sensitive receptors and additional measures will likely be required to reduce stationary source emissions. Based on the information in the PPA application, the proposed project, at a height of 65 feet, likely would not require a backup diesel generator, but this will be confirmed at the time of the EEA submittal.

6. **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 GHG Reduction Strategy would result in less-than-significant impacts from

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2 BAAQMD, CEQA Air Quality Guidelines, May 2011, Chapter 3.
3 Refer to [http://www.sfdph.org/dph/eh/Air/default.asp](http://www.sfdph.org/dph/eh/Air/default.asp) for more information.
GHG emissions. In order to facilitate a determination of compliance with San Francisco’s GHG Reduction Strategy, the Planning Department has prepared a GHG 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 GHG Reduction Strategy. Projects that do not comply with an ordinance or regulation may be determined to be inconsistent with San Francisco’s GHG Reduction Strategy.

7. **Shadow.** The proposed project would result in the construction of a building greater than 40 feet in height. A preliminary shadow fan analysis prepared by Planning Department staff indicates that the 65-foot-tall proposed project could cast shadow on Howard and Langton Mini Park, which is under the jurisdiction of the Recreation and Park Commission and is subject to Planning Code Section 295. In addition, the shadow fan conservatively assumes there would be a 16-foot-tall mechanical penthouse that has the potential to cast shadow on Victoria Manalo Draves Park, which is also subject to Planning Code Section 295, and the playground of Bessie Carmichael Elementary School. For more information on Planning Code Section 295, see “Preliminary Project Comments” below. The project sponsor is therefore required to hire a qualified consultant to prepare a detailed shadow study. The consultant must submit a Shadow Study Application, which can be found on the Planning Department’s website (http://www.sf-planning.org/Modules/ShowDocument.aspx?documentid=539). A separate fee is required. The consultant must also prepare a proposed scope of work for review and approval by Planning Department staff prior to preparing the analysis.

8. **Geology.** The project site is located within a Seismic Hazard Zone (Liquefaction Zone). 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 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.

9. **Hazardous Materials.** The project site is located in a Maher Area, meaning that it is known or suspected to contain contaminated soil and/or groundwater. In addition, construction of the proposed project would require the disturbance of more than 50 cubic yards of soil. Therefore, the proposed 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 DPH, requires the project sponsor

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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.

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

Western SoMa PEIR Mitigation Measure M-HZ-2: Hazardous Building Materials Abatement, would be applicable to the proposed project. This mitigation measure requires that the project sponsor ensure that any equipment containing polychlorinated biphenyls (PCBs) or di(2-ethylhexyl) phthalate (DEPH), such as fluorescent light ballasts, and any fluorescent light tubes containing mercury be removed and properly disposed of in accordance with applicable federal, state, and local laws. In addition, any other hazardous materials identified, either before or during work, must be abated according to applicable federal, state, and local laws.

Because the existing building was constructed prior to 1980, asbestos-containing materials, such as floor and wall coverings, may be found in the building. The BAAQMD is responsible for regulating airborne pollutants including asbestos. Please contact the BAAQMD for the requirements related to demolition of buildings with asbestos-containing materials. In addition, because of its age (constructed prior to 1978), lead paint may be found in the existing building. Please contact the DBI for requirements related to the demolition of buildings that may contain lead paint.

10. 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 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. **Large Project Authorization** from the Planning Commission is required per Planning Code Section 329 for the new construction of a building greater than 75 feet in height or greater than 25,000 gross square feet (gsf).

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

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

All applications are available in the Planning Department lobby at 1650 Mission Street, Suite 400, at the Planning Information Center at 1660 Mission Street, and online at www.sfplanning.org. Building Permit applications are available at the DBI 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. **Western SoMa Eastern Neighborhoods Area Plan.** The subject property falls within the area covered by the Western SoMa Community Plan of the General Plan. The Western SoMa Community Plan updated policies of the older South of Market Area Plan. As proposed, the project is generally consistent with the overarching objectives of the Plans, though the project and design comments below discuss any items where more information is needed to assess conformity with either specific policies or Code standards or where the project requires minor modification to achieve consistency.

2. **Large Project Authorization:** Planning Code Section 329 outlines the requirements for a Large Project Authorization in Eastern Neighborhoods Mixed Use Zoning Districts. Pursuant to Planning Code Section 201, the WMUG District is considered to be an Eastern Neighborhoods Mixed Use Zoning District. Large Project Authorization is required for new construction of more than 25,000 gsf. All large projects within the WMUG District are subject to review by the Planning Commission in an effort to achieve the objectives and policies of the General Plan, the applicable Design Guidelines, and the Planning Code.

As currently proposed, the project sponsor would need to seek exceptions through the Large Project Authorization process for the following Planning Code requirements:

- **Rear Yard.** Planning Code Section 134 outlines the rear yard requirements within the WMUG District. The minimum rear yard depth shall be equal to 25 percent of the total depth of the lot at grade (or 41.25 feet). Currently, the proposed project does not meet this requirement, since the rear yard is provided within an inner court, is less than the required depth, and is not provided at grade. The Planning Department recommends revisions to the rear yard to meet the requirements of the Western SoMa Special Use District (SUD) by providing, at a minimum, a Code-compliant rear yard that meets the 25 percent total depth of lot. This requirement will also be needed to meet the exposure requirements below.

- ** Dwelling Unit Exposure.** Planning Code Section 140 requires all dwelling units face onto a street or qualifying open area. All dwelling units shall feature a window that directly faces a street or open area that is a minimum of 25 feet in every horizontal dimension for the floor at which the dwelling unit in question is located and the floor immediately above it, with an increase of five feet in every horizontal dimension at each subsequent floor. Currently, the proposed project does not meet the exposure requirements for the dwelling units facing the inner court, since the proposed inner court does not meet the dimensional requirements of the Planning Code. The Planning Department recommends revisions to the inner court to meet the dimensional requirements.

- **Open Space.** In the WMUG District, Planning Code Section 135 requires a minimum of 80 sf of usable open space, if not publicly accessible, or 54 sf of usable open space, if publicly accessible, for each dwelling unit. Planning Code Section 823 includes additional requirements that are applicable to projects in the Western SoMa SUD:
  - Section 823(c)(2)(A): Dwelling Units within Eastern Neighborhood Mixed Use Districts shall provide 80 sf per unit of useable open space regardless of whether the open space is privately or publicly accessible; and
o Section 823(c)(2)(B): Roof decks shall not qualify as required private or common useable open space per Section 135 of the Code. Roof decks are further defined in Section 823.

Currently, the project proposes approximately 2,455 sf of total open space: 975 sf via a second floor inner court, and 1,480 sf of open space on top of a sixth-floor roof deck, which, according to the Western SoMa SUD, does not qualify as required private or common useable open space. The project is required to provide 1,840 sf of open space for the 23 dwelling units. An exception to the open space requirements may be sought under the Large Project Authorization process; however, in circumstances where such exception is granted, a fee shall be required per the standards in Planning Code Section 427. The Planning Department recommends revisions to the project to provide a Code-compliant ground-floor rear yard, which would also satisfy the open space requirements. Any rooftop open space may not be credited as code-complying open space, and a fee pursuant to Planning Code Section 427 would apply. Please revise the project accordingly and provide a diagram demonstrating compliance with the open space requirements.

- **Off-Street Parking and Loading.** Pursuant to Planning Code Section 151.1, off-street parking is not required for residential uses in the WMUG District, but off-street parking may be provided. In the WMUG District, one parking space for every four dwelling units is principally permitted, and a maximum of 0.75 parking space for every dwelling unit is permitted with Large Project Authorization from the Planning Commission. Additional parking may be permitted for the ground-floor commercial uses, including one parking space for each 500 sf of gross floor area of retail space up to 20,000 sf.

Based on the proposed 23 dwelling units and approximately 3,668 sf of possible retail use, a total of 13 parking spaces (six for the residential use and seven for the retail use) are principally permitted, and 24 parking spaces (17 for the residential use and seven for the retail use) may be permitted with Large Project Authorization. The Planning Department encourages minimizing the amount of off-street parking provided at the site and would not support any parking over the permitted as-of-right amount.

To the extent possible, the proposed project should be designed to minimize deviations from Planning Code requirements.

3. **Permitted Obstructions:** Planning Code Section 136 outlines the requirements for permitted obstructions over streets, setbacks, rear yards, and useable open space. Currently, the project proposes bay windows over the street and a bridge over the inner court. These elements must meet the dimensional requirements specified in Planning Code Section 136. As further discussed in the Preliminary Design Comments section below, the Planning Department is not supportive of the bridge/walkway across the required rear yard/open space. Please revise your project to include two separate buildings with a Code-compliant rear yard/courtyard in the center. Please also provide additional information, including dimensions, to determine whether other elements (such as the Bay windows) meet the requirements of the Planning Code.

4. **Street Frontage.** Planning Code Section 145.1 outlines requirements for street frontages to ensure that they are pedestrian-oriented, fine-grained, and are appropriate and compatible with the buildings in
WMUG District. Currently, the proposed project appears to meet most of these requirements; however, as part of the EEA, please ensure that the ground floor street frontage meets all of these requirements as related to use, height, transparency, fenestration, gates, railings and grillwork.

5. **Shadow.** Pursuant to Planning Code Section 147, new buildings that exceed 50 feet in height in Eastern Neighborhoods Mixed Use Districts shall be shaped, consistent with the dictates of good design and without unduly restricting the development potential of the site in question, to reduce substantial shadow impacts on public plazas and other publicly accessible spaces other than those protected under Planning Code Section 295. As discussed above, a preliminary shadow fan analysis prepared by the Planning Department indicates that the 65-foot-tall proposed project has the potential to cast shadow on two properties subject to Planning Code Section 295 (Howard and Langton Mini Park and Victoria Manalo Draves Park) and the playground of Bessie Carmichael Elementary School. For these reasons, additional shadow analysis will be required. This analysis will be conducted as part of the project’s environmental review.

6. **Bicycle Parking.** Planning Code Section 155.2 outlines requirements for Class 1 and Class 2 bicycle parking spaces for residential developments. The proposed project is required to provide one Class 1 bicycle parking space for every dwelling unit, and one Class 2 bicycle parking spaces for every 20 dwelling units. Therefore, the proposed project is required to provide a total of 23 Class 1 bicycle parking spaces and one Class 2 bicycle parking space for the dwelling units. For the proposed ground floor retail use, a minimum of two Class 2 bicycle parking spaces are required.

   Bicycle parking should be included on future plan sets to indicate compliance with this requirement.

7. ** Dwelling Unit Mix:** Planning Code Section 207.6 outlines the requirements for minimum dwelling unit mix for new residential properties within the WMUG District. The project must provide either: no less than 40 percent of the total number of proposed dwelling units as at least two bedroom units; or no less than 30 percent of the total number of proposed dwelling units as at least three bedroom units. Future plan sets should provide more detail on the number of two and/or three bedrooms provided to ensure compliance with this requirement.

8. **Narrow Street Height Provisions:** For projects within the WMUG District along a Narrow Street (a public right of way less than or equal to 40 feet in width, or any mid-block passage or alley that is less than 40 feet in width), Planning Code Section 261.1 specifies that all subject frontages shall have upper stories set back at least 10 feet at the property line above a height equivalent to 1.25 times the width of the abutting narrow street. No part or feature of a building may penetrate the required setback plane. Langton Street measures approximately 35 feet wide and would be considered a “narrow street.” Along Langton Street, the exterior façade may not be taller than 43 feet 9 inches.

9. **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, the 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 Planning Director Bulletin No. 4: Review of Projects in Identified Areas Prone to Flooding, available at [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).

10. **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. 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.

11. **Noise Regulations Relating to Residential Uses Near Places of Entertainment (POE).** New residential development within 300 feet of a Place of Entertainment must go through an Entertainment Commission outreach process ([Ordinance Number 070-015](http://www.sfgov2.org/index.aspx?page=338)). In addition, new residential development will also be required to record a Notice of Special Restrictions (NSR) on the site. The subject site is located within 300 feet of an existing POE, see enclosed map. Please note that the Planning Department will not consider an entitlement application complete until the following are completed:

   (A) The Entertainment Commission has provided written notification to the Planning Department indicating that it either did not wish to hold a hearing, or that it held a hearing and the Project Sponsor attended; and

   (B) The Project Sponsor has included a copy of any comments and/or recommendations provided by the Entertainment Commission regarding the proposed Project as well as the date(s) when those comments were provided. This shall be done as an additional sheet in any plan set submitted to the Planning Department and as an attachment in an entitlement application.

You may contact Entertainment Commission staff at (415) 554-6678 or visit their webpage at [http://www.sfgov2.org/index.aspx?page=338](http://www.sfgov2.org/index.aspx?page=338) for additional information regarding the outreach process.

12. **SoMa Youth and Family SUD and Affordable Housing.** The project site falls within the SoMa Youth and Family SUD. As such, it is subject to the criteria of Planning Code Section 249.40A. The SUD requires a conditional use authorization for a variety of uses. It also requires certain projects to
provide a larger amount of affordable housing. The subject property currently does not fall on a site that triggers this requirement (see Subsection (c)(1)).

13. **Inclusionary Affordable Housing.** Inclusionary Affordable Housing is required for a project proposing ten or more dwelling units. The Project Sponsor must submit an ‘Affidavit of Compliance with the Inclusionary Affordable Housing Program: Planning Code Section 415,’ to the Planning Department identifying the method of compliance, on-site, off-site, or affordable housing fee. The following Inclusionary Affordable Housing requirements are those in effect at the time of issuance of this letter. In the event that the requirements change, the Project Sponsor shall comply with requirements in place at the time of the issuance of first construction document. Any on-site affordable dwelling-units proposed as part of the project must be designated as owner-occupied units, not rental units; unless a Costa Hawkins exception agreement is secured by the project sponsor. Affordable units designated as on-site units shall be affordable units for the life of the project. The applicable percentage is dependent on the number of units in the project, the zoning of the property, and the date that the project submitted a complete Environmental Evaluation Application. A complete Environmental Evaluation Application has not been submitted; therefore, pursuant to Planning Code Section 415.3 and 415.6 the Inclusionary Affordable Housing Program requirement for the On-site Affordable Housing Alternative is to provide 12% of the proposed dwelling units as affordable to low-income households as defined by the Planning Code and Procedures Manual.

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:

- direct financial construction from a public entity
- 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.


Based on an initial review of the proposed project, the following impact fees, which are assessed by the Planning Department, will be required. Some of these have been highlighted above:

- Transportation Sustainability Fee (TSF) (Planning Code Section 411A)
- Child-Care Residential Fee (Planning Code Section 414A)
c. Affordable Housing Fee (Planning Code Section 415)

d. Eastern Neighborhoods Impact Fees – Tier 2 (Planning Code Section 423)

These fee amounts are subject to annual review by the City Controller, and may be subject to change. Payment of these impact fees must be received prior to the issuance of the first site permit by the DBI of the first site or building permit for a development project. Planning Code Section 423.3 also provides alternatives satisfying this requirement.

PRELIMINARY DESIGN COMMENTS:

The project site is located in the WMUG District, the Western SoMa SUD, the SoMa Youth and Family SUD, and the Western SoMa and South of Market planning areas.

1. **Site Design, Open Space, and Massing.** The Planning Department requests the project have a courtyard at the ground level no connection between the housing components above the ground floor level to help establish the mid-block open space.

2. **Street Frontage.** The Planning Department recommends placing the transformer and all commercial use along 7th Street and moving the lobby and residential towards the alley in order to activate the primary public access.

3. **Parking and Circulation.** The Planning Department recommends minimal parking; no more than principally permitted.

4. **Architecture.** As the project is diagrammatic, the Planning Department has little comment on the architecture at this time but recommends that the project express significant façade depth, provide high-quality materials and meet the architectural detailing and character of the neighborhood.

PRELIMINARY PROJECT ASSESSMENT EXPIRATION:

This Preliminary Project Assessment is valid for a period of **18 months**. Large Project Authorization and Building Permit Applications, as listed above, must be submitted no later than **January 12, 2018**. 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.
Enclosures: Neighborhood Group Mailing List
Preliminary Shadow Analysis for 280-282 7th Street
Places of Entertainment Within 300 Feet of 280-282 7th Street
Planning Director Bulletin No. 4

cc: Dragonfly Investments Group, Property Owner
Ming Yeung, Current Planning
Michael Li, Environmental Planning
Scott Edmonson, Citywide Planning and Analysis
Maia Small, 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)
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Title: 280-282 7th Street Shadow Fan
Comments: Assumes full lot coverage at height of 81 feet (65 feet plus 16 feet for mechanical penthouse)
July 11, 2016
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.

Places of Entertainment Within 300 Feet of 280-282 7th Street

Legend

- **Place of Entertainment**
- **Area Within 300ft of a Place of Entertainment**
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 new construction, change of use, change of occupancy, or major alterations or enlargements will be referred to the San Francisco Public Utilities Commission (SFPUC) at the beginning of the process 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 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 must comply with SFPUC requirements for projects in flood-prone areas. Such requirements may include provision of a pump station for the sewage flow, raised elevation of entryways, special sidewalk construction, and deep gutters.