



SAN FRANCISCO PLANNING DEPARTMENT

**Evaluation Only. Created with Aspose.Words for SharePoint. Copyright © 2009 - 2011
Aspose Pty Ltd.**

1650 Mission St.
Suite 400
San Francisco,
CA 94103-2479

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

Preliminary Project Assessment

Date: October 28, 2011
Case No.: **2011.0931U**
Project Address: 8 Octavia Boulevard
Block/Lot: 0855/011
Zoning: Hayes Neighborhood Commercial Transit/NCT-3
50-X/85-X
Project Sponsor: Mark MacDonald
(415) 692-9737
Staff Contact: Jeanie Poling – (415) 575-9072
jeanie.poling@sfgov.org

DISCLAIMERS:

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

PROJECT DESCRIPTION:

The 12,600-square foot project site is located on the east side of the Octavia Boulevard frontage road and runs the full length of the block from Haight Street to Market Street. The vacant, approximately 48-foot-by-256-foot parcel is sloped, with the Haight Street frontage approximately 30 feet higher in elevation than the Market Street frontage. The proposal is to construct an eight-story, 74-foot-tall, 48,375-square-foot building containing 51 residential units over 2,085 square feet of retail and 25 ground-floor parking spaces (plus one carshare space), which would be accessed from the Octavia Boulevard frontage road. The project site is the former Central Freeway Parcel V in the Market and Octavia Plan Area.

ENVIRONMENTAL REVIEW:

Environmental evaluation is required for the full scope of the project. Pursuant to the California Environmental Quality Act (CEQA), this project is likely to qualify for a community plan exemption

(CPE) under the Market and Octavia Neighborhood Plan. 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 Market and Octavia Neighborhood Plan programmatic EIR (Market and Octavia PEIR), 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 Market and Octavia PEIR 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 \$12,720); (b) the CPE certificate fee (currently \$7,061); and (c) a proportionate share fee for recovery for costs incurred by the Planning Department for the Market and Octavia PEIR.
2. **CPE + Focused Initial Study/Mitigated Negative Declaration.** If new site- or project-specific significant impacts are identified for the proposed project that were not identified in the Market and Octavia PEIR, and if any of 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 certificate is prepared to address all other impacts that were encompassed by the Market and Octavia PEIR, with all pertinent mitigation measures and CEQA findings from the Market and Octavia PEIR also applied to the proposed project. With this outcome, the applicable fees are: (a) the CPE determination fee (currently \$12,720); (b) the standard environmental evaluation fee (which is based on construction value); and (c) a proportionate share fee for recovery for costs incurred by the Planning Department for the Market and Octavia PEIR.
3. **CPE + Focused EIR.** If any site- or project-specific impacts cannot be mitigated to a less-than-significant level, then a focused EIR is prepared to address these impacts, and a supporting CPE certificate is prepared to address all other impacts that were encompassed by the Market and Octavia PEIR, with all pertinent mitigation measures and CEQA findings from the Market and Octavia PEIR also applied to the proposed project. With this outcome, the applicable fees are: (a) the CPE determination fee (currently \$12,720); (b) the standard environmental evaluation fee (which is based on construction value); (c) one-half of the standard EIR fee (which is also based on construction value); and (d) a proportionate share fee for recovery for costs incurred by the Planning Department for the Market and Octavia PEIR.

Please submit an *Environmental Evaluation Application*. See pages 2, 10, and 11 of the current *Fee Schedule* for calculation of environmental fees inside adopted plan areas.¹

The Department has determined that the proposed project would not require a transportation study or analysis of impacts to offsite historical resources. Results of the studies below will determine which of the three different CPE outcomes described above are necessary for completion of CEQA review.

¹ Documents in italics in this PPA are available in the Planning Department lobby at 1650 Mission Street Suite 400, at the Planning Information Center at 1660 Mission, and can be accessed on the Planning Department's website, <http://sfplanning.org> via the website's search window.

1. **Archeological Resources.** The Market and Octavia PEIR anticipated that development at the project site would have the potential to disturb archeological deposits, and *Archeological Mitigation Measure 5.6.A1* was determined to be applicable. This archeological impact and mitigation measure requires that an addendum to the final archeological research design/treatment plan be prepared by a qualified archeological consultant prior to any soils-disturbing activities. This mitigation measure would be included in the CPE and would not require additional analysis in a focused initial study.
2. **Hazardous Materials.** The Market and Octavia EIR identified an area on Octavia Boulevard between Haight and Market Streets as a possible site of soil lead concentrations that may exceed residential or construction-based screening levels. Thus, the EIR recommended preparation of a Site Mitigation Plan for future excavation projects to comply with environmental regulations regarding the handling, disposal, and stockpiling of hazardous wastes. A Phase I Environmental Site Assessment must be submitted with the environmental application. Planning staff will share the report with the Department of Public Health, Environmental Health Section, Local Oversight Program, with whom the project sponsor will coordinate directly in the preparation of the Site Mitigation Plan. Hazardous materials would be addressed in the CPE and would not require additional analysis in a focused initial study.
3. **Geotechnical Investigation.** The Market and Octavia Neighborhood Plan EIR identified the former Central Freeway parcels as being potentially prone to subsidence, and to have a moderate liquefaction hazard. The investigation of geotechnical and soil conditions and the application of the building codes for new development based on these conditions would reduce the potential for impacts related to structural damage; ground subsidence, liquefaction, and landslides; and surface settlement to a less-than-significant level. To assist our staff in their determination, it is recommended that you provide a copy of a geotechnical investigation with boring logs for the proposed project. This study will also help inform the archeological review.
4. **Soil Erosion.** The Market and Octavia Neighborhood Plan EIR identified a potential significant impact related to soil erosion during construction. *Construction Related Soils Mitigation Measure 5.11.A*, which consists of construction best management practices to prevent erosion and discharge of soil sediments to the storm drain system, would reduce any potential impacts to less than significant. This mitigation measure would be included in the CPE and would not require additional analysis in a focused initial study.
5. **Air Quality – Article 38 Compliance.** The proposed project is located within a potential roadway exposure zone identified by the Department of Public Health (DPH). Given that the project proposes sensitive land uses in this potential exposure zone, the project requires an air quality assessment to determine if pollutant concentrations are above the threshold level of 0.2 micrograms per cubic meter. You may choose to have the air quality assessment prepared by a qualified firm and forwarded to DPH for review, or you may request that DPH conduct the assessment.

Should you choose to have the air quality assessment prepared by a qualified firm, please forward a description of the proposed project (including project location and a set of plans) and the results of the air quality assessment to Tom Rivard, San Francisco Department of Public Health, Air Quality Research, Planning and Policy, 1390 Market Street, Suite 210, San Francisco, CA 94102. A fee of \$520

in the form of a check payable to the Department of Public Health for four hours of project review and administrative handling must accompany the assessment.

Should you choose to have DPH prepare the air quality assessment for your proposed project, please forward a description of the project (including project location and a set of plans) to Tom Rivard at the address listed above and a fee of \$1,560 in the form of a check payable to the Department of Public Health. This fee covers 12 hours of preparation of the air quality assessment and administrative handling.

If additional work is necessary, you will be notified by DPH. You will be billed (by DPH) \$130 for each additional hour of work over the first four hours. These fees are charged pursuant to Section 31.47(c) of the San Francisco Administrative Code.

If the air quality assessment finds that concentrations of air pollutants on the site exceed action levels, mitigation measures, outlined in the guidance document, may be required to protect sensitive uses. If the project is subject to Article 38 of the San Francisco Health Code, the actions outlined within that article may be required.

6. **Air Quality – BAAQMD Guidelines.** The proposed project includes the siting of new sensitive receptors (residents) near sources of pollutants. A preliminary air quality screening conducted by the Planning Department identified nearby high-volume roadways that may exceed the PM 2.5 and cancer risk thresholds. The proposed project would require preparation of an air quality technical report that analyzes the health risk impact of construction activities on off-site sensitive receptors (e.g., residents) and the impact of off-site roadway sources on on-site sensitive receptors. The refined air analysis that is required pursuant to Article 38 of the San Francisco Health Code (see item 5 above) may be conducted separately or as part of the air quality technical report.
7. **Stormwater Management.** Prior to issuance of a building permit, the project sponsor is required to prepare a stormwater control plan (SCP) to the San Francisco Public Utility Commission Wastewater Enterprise, Urban Watershed Management Program, that demonstrates compliance with the City's Stormwater Design Guidelines. The project's environmental evaluation would generally evaluate how and where the implementation of required stormwater management and low impact design approaches would reduce potential negative effects of stormwater runoff. This may include environmental factors such as the natural hydrologic system, city sewer collection system, and receiving body water quality. For more information on the SFPUC's stormwater management requirements, see <http://stormwater.sfwater.org>.
8. **Notification of a Project Receiving Environmental Review.** Notice is required to be sent to occupants of properties adjacent to the project site and owners of properties within 300 feet of the project site. Please provide these mailing labels at the time of application submittal.

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.** In order for the project to proceed, the Planning Commission would need to approve Conditional Use authorization, pursuant to Section 303, for the following aspects of the project:
 - a. Lot Size. Conditional Use authorization is required for the development of lots greater than 10,000 square feet within the Hayes-Gough NCT and the NCT-3 districts. In addition to the findings that apply to all Conditional Use authorizations (Section 303(c)), the Planning Commission must also consider the criteria of Sections 121.1 and 121.5.
 - b. Protected Pedestrian-, Cycling-, and Transit-Oriented Street Frontages. Per Planning Code Section 155(r)(3)(H), new garage entries, driveways or other vehicular access to off-street parking or loading (except for the creation of new publicly-accessible streets and alleys) requires Conditional Use authorization if the off-street parking access is located on Octavia Boulevard from Fell Street to Market Street as is the proposed off-street parking access.
2. **Variance.** As proposed, one aspect of the project does not comply with the Planning Code.
 - a. Bicycle Parking. Per Planning Code Section 155.5, 25 bicycle parking spaces are required for the project, but the plans indicate that 11 bicycle parking spaces will be provided. Therefore, a Variance is required for the Bicycle Parking standard of Code Section 155.5.
3. **Building Permit Application.** A Building Permit Application is required for the preparation of the site and for the proposed new construction. This portion of the project will require Planning Code Section 312 Neighborhood Notification, which may be done in conjunction with other required Building Permit Applications that also require 312 notifications, as well as the Conditional Use authorization and Variance notification process. Building Permit Applications are available at the Department of Building Inspection located at 1660 Mission Street.

Conditional Use and Variance 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 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 *Affidavit for Pre-Application Meeting* packet includes instructions and template forms. All registered neighborhood group mailing lists are available online at www.sfplanning.org by searching for *Neighborhood Groups Map*. A neighborhood groups list for the Downtown/Civic Center area is enclosed for your convenience.

PRELIMINARY PROJECT COMMENTS:

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

1. Rear Yard. Planning Code Section 134(a)(1)(C) stipulates that Central Freeway Parcel V is not required to provide rear yards at any level of the building, provided that the project fully meets the usable open space requirement for dwelling units per Planning Code Section 135, the exposure requirements of Section 140, and gives adequate architectural consideration to the light and air needs of adjacent buildings given the constraints of the project site. If future project revisions cause the project to not fully meet one of the aforementioned standards, then a Variance may be required.
2. Usable Open Space. Section 135 requires that a specific amount of usable open space be provided for each dwelling unit. The Hayes-Gough NCT District requires dwelling units to have 60 square feet of private open space, or 79.8 square feet of common open space, while the NCT-3 District requires dwelling units to have 80 square feet of private open space, or 106.4 square feet of common open space. Both private and common open space must meet specific requirements for dimensions, location, and exposure to light and air. As currently proposed, the project appears to provide the majority of the open space as common open space in the form of a roof deck. As the project evolves, staff will need to specifically analyze any proposed open space(s) to determine whether the open space will qualify toward fulfilling the requirements of Section 135. If the project does not meet the usable open space requirements, a Variance may be required.
3. Obstructions over Streets and Alleys. The proposed vertical sunshades and sunshade mounting system will not require a Variance provided that the sunshades are operable and are in conformity with other City codes.
4. Active Ground Floor Uses/Ground Floor Ceiling Height. Planning Code Section 145.1(c)(3) requires active street frontages with the exception of space allowed for parking and loading access, building egress, and access to mechanical systems. Space for active uses as defined in Section 145.1(b)(2) and permitted by the specific district in which it is located shall be provided within the first 25 feet of building depth on the ground floor and 15 feet on floors above the ground floor as measured from any facade facing a street at least 30 feet in width. Much of the proposed Octavia Boulevard frontage does not appear to be consistent with this Code requirement. Please see further discussion under Section 14a below.

Planning Code Section 145.1(c)(4)(B) requires ground floor, non-residential uses in NCT districts to have a minimum floor-to-floor height of 14 feet, as measured from grade except in 40-foot and 50-foot height districts, where buildings shall have a minimum floor-to-floor height of 10 feet. The proposed ground-floor commercial space located at the Market Street/Octavia Boulevard corner does not appear to be consistent with this Code requirement as its floor-to-floor height appears to be 12 feet. Please see further discussion under Section 14a below.

Planning Code Section 145.4(b)(10) requires that the Market Street frontage contains a ground-floor commercial use, which the project proposes. The ground-floor commercial space must be eventually occupied by an “active commercial use,” which is defined in Table 145.4 of the Planning Code.

5. Off-Street Parking. Pursuant to Section 151.1, the maximum parking ratio that is principally permitted in the Hayes-Gough NCT and NCT-3 District is a ratio of 0.5 off-street parking spaces per dwelling unit. A maximum of 25 off-street residential parking spaces could be principally permitted for the project. The project proposes 25 off-street parking spaces, and therefore complies with the parking allowed by Section 151.1. However, the Department would prefer that bicycle parking requirements are met rather than allowing the maximum allowed off-street vehicle parking and would suggest devoting some of the proposed off-street parking spaces to bicycle parking to help the project meet its bicycle parking requirement. Please see further discussion under item 14b below.
6. Bicycle Parking. Pursuant to Section 155.5, 25 bicycle parking spaces are required for the project, while the project proposes 11 bicycle parking spaces. In order to proceed with the deficient amount of bicycle parking, a Variance would need to be granted and the Variance request would have to clearly demonstrate how the Variance request meets the criteria of Code Section 305(c). As discussed under items 5 and 13, the Department strongly recommends that project includes at least the minimum amount of bicycle parking required of the project by the Code.
7. Car Sharing. Pursuant to Section 166, one car share space is required and will be provided by the project.
8. Dwelling Unit Mix. Pursuant to Section 207.6, no less than 40 percent of the dwelling units shall contain at least two bedrooms. The project proposes 34 out of 51 dwelling units as minimum two-bedroom units and complies with this requirement.
9. Shadow Analysis. Projects over 40 feet in height require a *Shadow Analysis Application* under Planning Code Section 295 to ensure that new buildings do not cast new shadows on properties that are under the jurisdiction of the San Francisco Recreation and Park Department. A shadow analysis was completed under Case No. 2008.0569K that examined the project as it is currently proposed. The analysis revealed that no net shadow would be added to any Recreation and Park Department properties and thus the project complies with Section 295.
10. Bird-Safe Regulations. To comply with San Francisco’s recently adopted standards for bird-safe buildings, the proposed project should not include any free-standing clear glass walls, skywalks, greenhouses on rooftops, or balconies that have unbroken glazed segments 24 square feet and larger in size. For more information, see *Standards for Bird Safe Buildings*.

11. Inclusionary Affordable Housing. Affordable housing is required for a project proposing five or more dwelling units. The Project Sponsor must submit an *Affidavit for Compliance with the Inclusionary Affordable Housing Program* to the Planning Department identifying the method of compliance, on-site, off-site, or in-lieu fee. Any on-site affordable dwelling-units proposed as part of the project must be designated as owner-occupied units, not rental units. Affordable units designated as on-site units shall be sold as ownership units and will remain as ownership units for the life of the project.

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

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

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

12. First Source Hiring. Chapter 83 of the San Francisco Administrative Code, passed in 1998, established the First Source Hiring Program to identify available entry-level jobs in San Francisco and match them with unemployed and underemployed job-seekers. The intent is to provide a resource for local employers seeking qualified, job ready applicants for vacant positions while helping economically disadvantaged residents who have successfully completed training programs and job-readiness classes.

The ordinance applies to (1) any permit application for commercial development exceeding 25,000 square feet in floor area involving new construction, an addition or a substantial alteration which results in the addition of entry level positions for a commercial activity; or (2) any application which requires discretionary action by the Planning Commission relating to a commercial activity over 25,000 square feet, but not limited to conditional use; or (3) any permit application for a residential development of ten units or more involving new construction, an addition, a conversion or substantial rehabilitation.

The project proposes more than ten dwelling units and therefore is subject to the requirement. For further information or to receive a sample First Source Hiring Agreement, please contact Ken Nim, Workforce Compliance Officer, CityBuild, Office of Economic and Workforce Development, City and County of San Francisco, 50 Van Ness, San Francisco, CA 94102.

13. Impact Fees. The Market and Octavia Community Improvements Fund (Section 421) is implemented in part through district-specific Market and Octavia Community Improvement Impact Fee, which applies to the Project Area. Fees shall be assessed on both the residential and non-residential components of the project according to the gross square feet of each use in the project. The sponsor

may wish to pursue in-kind improvements that would offset some or all of the required Market and Octavia Community Improvement Impact Fee, as described in Section 421.3(d).

Pursuant to Section 421.7, the project may also be subject to a Transportation Impact Fee, should such a fee be adopted for the Market and Octavia Area Plan in the future. The project shall also be subject to the Market and Octavia Area Plan Affordable Housing fee (Section 416).

The applicable fees shall be due prior to the issuance by the Department of Building Inspection (DBI) of the first construction document for the project.

14. Consistency with the General Plan/Market and Octavia Area Plan. The Market and Octavia Area Plan strongly supports the development of the former Central Freeway parcels with new buildings that help repair the urban fabric degraded by the former freeway. The Area Plan provides detailed design guidelines and policy guidance for each of the freeway parcels. While the overall program, scale, and architectural character of the proposed building are generally in keeping with the intent of the Area Plan, certain aspects of the project and its design do not yet fully consistent with the detailed guidelines, many of which have been additionally codified in the Planning Code. These issues are:

- a. Active Ground Floor Uses/Ground Floor Ceiling Height. The Area Plan guidelines for Central Freeway Parcel V state: "Active ground floor uses are required along Market Street and strongly encouraged along Octavia Boulevard...Ground floor uses along the Market Street frontage should have a minimum ceiling height of 15 feet..." The proposed project has only a 12-foot floor-to-floor height for the Market Street retail space, which not only fails to meet the Code-required minimum of 14 feet (per Section 145.1) for NCT districts, but does not meet the Plan's policy goal of 15-foot ceilings along Market Street as a monumental civic street with grander spaces. As the monumental gateway building at this prominent site, the ground-floor retail space should not just meet but exceed the minimum requirement. Further, given the constrained nature of the proposed retail space and its narrow plan dimensions (14 feet wide), it is necessary to feature a tall ceiling to make the space inviting and successful. It is important to note that the height limit for the site is 85 feet and the proposed project is only 75 in height, therefore there is more than enough leeway in the height limit to meet the minimum requirements. Along Octavia Boulevard, the proposed project largely features blank concrete walls and opaque glass at sidewalk level and only one entry of any kind accessing the sidewalk for the entire 275-foot length of the building. Granted that the slope of Octavia Boulevard is challenging, the proposal does not meet the spirit of the Plan's desire for active uses, which are also reflected in the Planning Code's ground floor active use requirements in Section 145.1.
- b. Curb Cuts/Auto Parking/Bicycle Parking. Curb cuts on Octavia Boulevard are strongly discouraged and would require a Conditional Use permit. However, given the sites alternative frontages on Market (where curb cuts are prohibited) and Haight Street (a key transit corridor), the proposal to access parking from Octavia is the only acceptable option. However, given that parking access from Octavia is still undesirable (it is a bicycle route) and that the location is highly transit-, bicycle-, and pedestrian-oriented, on-site parking should be minimized. No auto parking is required. The project is

proposing the maximum permitted auto parking without discretionary approval (0.5 spaces per unit), yet is proposing less than half of the minimum required bicycle parking (11 spaces proposed, 25 minimum required per Section 155.5). The project should more than meet the minimum bicycle parking requirement, and not meeting this requirement should not come at the expense of providing non-required auto parking.

15. Streetscape and Circulation Changes. There are two significant projects currently underway that will substantially affect two of the project's three street frontages in the near future. As part of implementation of a recommendation in the Market and Octavia Plan, the SFMTA is planning to implement an eastbound transit-only lane along the south curb of Haight Street and changing the lane and parking configuration on Haight Street. The City is also engaged in multi-agency effort to redesign Market Street, called the Better Market Street project. There are no proposed designs yet, but this project may result in substantial redesign of the Market Street right-of-way, including the section fronting the project. The Better Market Street project is likely to recommend changes to bicycle facilities, sidewalks (including streetscape elements), auto lanes, and transit operations and facilities. While no aspect of the proposed 8 Octavia project currently conflict with these plans, it is important to be aware of these plans.

PRELIMINARY DESIGN COMMENTS:

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

The proposed building on a sloping corner lot at Octavia Boulevard and Market Street occupies an important and iconic site as an entry to Hayes Valley from the freeway, and sets the tone of future development and use of the freeway parcels to activate and complete Octavia Boulevard.

- **Building Massing, Site Design, and Open Space**

The building massing, broken vertically by open courts facing Octavia, is an appropriate response. Stepping the building up in height where the height limit allows, toward Market Street, would also be an appropriate means of modulating the massing.

The northeast corner of the building at Haight Street presents a massive blank concrete wall and unrefined box in relation to the adjacent smaller-scale and finely articulated residential buildings on Haight Street. Please step the massing back and further sculpt and articulate the northeast corner to transition to the neighboring building.

The triangular forecourt, in conjunction with the concrete wall at the Market Street façade, creates an inactive and uninviting space. The Planning Department would like to see the entrance to the ground floor lobby and retail not require steps down, and would like to see the forecourt designed in a way as to be usable as outdoor space.

The footprint of the building leaves an unusable triangular space between the east side lot line and the building wall that could be an “attractive nuisance.” Please address how this will be treated.

- **Ground Floor Commercial Space and Street Frontage**

The height of the ground floor at Market Street is required per Planning Code Section 145.1 to be 14 feet minimum as measured from grade.

The Octavia Boulevard frontage should have active uses such as residential entries and commercial spaces.

The two-story entry at grade on the north end of Octavia Boulevard appears separated into gated spaces for three ground-floor residential units. This entry should provide a functional transition for residents between the street and semi-private space. How the ground floor entry court will likely be secured is a concern. We are concerned that this space will be dark and generally unused. Clarify if the entry is to be open to the street or gated. The function and quality of this space may be improved if raised from the street level, while elevator access to the dwellings may still be provided via the corridor. Ground floor dwelling units should be raised above grade, and have individual, recessed entries that are accessed directly from the street, no deeper than 10 feet per the draft *Guidelines for Ground Floor Residential Design*.

Similarly, the recess at mid-block Octavia Boulevard that is open to the street but 7 to 9 feet above grade is a missed opportunity to activate the street with direct physical access to it.

- **Architecture**

The 75-foot-high by 31-foot-wide concrete wall facing Market Street is not a contextually appropriate response and deviates significantly from previous designs (including the design competition design) in materiality and massing.

PRELIMINARY PROJECT ASSESSMENT EXPIRATION:

This Preliminary Project Assessment is valid for a period of **18 months**. An Environmental Evaluation, Conditional Use Authorization, or Building Permit Application, as listed above, must be submitted no later than **April 29, 2013**. 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

cc: Mark MacDonald, Project Sponsor
Ken Rich, Office of Economic and Workforce Development
Aaron Hollister, Current Planning
Joshua Switzky, Citywide Policy & Analysis

