



SAN FRANCISCO PLANNING DEPARTMENT

Preliminary Project Assessment

Date: April 6, 2012
Case No.: **2012.0147U**
Project Address: 1785 15th Street
Block/Lot: 3555/036
Zoning: RTO-M (Residential, Transit-Oriented-Mission) District
55-X Height and Bulk District
Project Sponsor: Toby Morris, Kerman Morris Architects
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DISCLAIMERS:

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

PROJECT DESCRIPTION:

The project site is a 2,883 square foot (sf) lot containing a 1,546 sf, one-story residential structure built circa 1920. The property is located on the south side of 15th Street on a block bounded by Albion, 16th, and Guerrero Streets in the Mission District neighborhood. The proposed project includes demolition of the existing structure and construction of a new 55'-0" tall, five-story, 11,199 sf, 9-unit residential building. The proposed project would also provide five (5) parking spaces within a ground floor garage.

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. The project qualifies for a CPE: In this case, all potentially significant project-specific and cumulatively considerable environmental impacts are fully consistent with significant impacts identified in underlying Eastern Neighborhoods Rezoning and Area Plans Programmatic Final Environmental Impact Report (Eastern Neighborhoods FEIR) meaning there would be no new "peculiar" significant impacts unique to the proposed project. In these situations, all pertinent mitigation measures and CEQA findings from the underlying area plan FEIR are applied to the proposed project, and a CPE checklist and certificate is prepared. With this outcome, the applicable fees in addition to the Environmental Document Determination of \$12,462 are: (a) the \$6,920 CPE certificate fee; and (b) a proportionate share fee for recovery of costs incurred by the Planning Department for preparation of the Eastern Neighborhoods FEIR in the amount of \$10,000.

2. The project qualifies for a CPE plus a Focused Initial Study/Mitigated Negative Declaration: One or more new "peculiar" significant impacts for the proposed project are identified that were not identified in the underlying plan area FEIR. If any new significant impacts "peculiar" to the proposed project can be mitigated, then a focused Mitigated Negative Declaration to address these impacts is prepared and a supporting CPE certificate would be prepared to address all other impacts that were encompassed by the underlying plan area FEIR, with all pertinent mitigation measures and CEQA findings from the underlying area plan FEIR also applied to the proposed project. With this outcome, the applicable fees in addition to the Environmental Document Determination of \$12,462 are: (a) the standard environmental evaluation (EE) fee based on the cost of construction; and (b) a proportionate share fee for recovery for costs incurred by the Planning Department for preparation of the Eastern Neighborhoods Rezoning FEIR in the amount of \$10,000.

3. The project qualifies for a CPE + Focused EIR: One or more new "peculiar" significant impacts may be identified for the proposed project that were not identified in the underlying plan area FEIR. If any new significant impacts "peculiar" to the proposed project cannot be mitigated, then a focused EIR to address these impacts is prepared and a supporting CPE certificate is prepared to address all other impacts that were encompassed by the underlying plan area FEIR, with all pertinent mitigation measures and CEQA findings from the underlying area plan FEIR also applied to the proposed project. With this outcome, the applicable fees in addition to the Environmental Document Determination of \$12,462 are: (a) the standard environmental evaluation (EE) fee based on the cost of construction; (b) one-half of the standard EIR fee; and (c) a proportionate share fee for recovery for costs incurred by the Planning Department for preparation of the Eastern Neighborhoods FEIR in the amount of \$10,000.

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

may be granted. An **Environmental Evaluation Application** is required for the full scope of the project and may include the following:

Archeological Study: The project includes grading, foundation work, and installation of an elevator pit and car stacker pit, each to a depth of approximately six (6) feet, and lies within Archeological Mitigation Zones B (Mitigation Measure J-3: Mission Dolores Archeological District, Eastern Neighborhoods Rezoning and Area Plans EIR, page S-48, www.sfplanning.org); therefore, an archeology study is required.

As stated in the Eastern Neighborhoods Rezoning and Area Plan Final EIR (“Eastern Neighborhoods FEIR”), implementation of the following mitigation measure can reduce the potential adverse effect on archeological resources of the project area to a less-than-significant level. “Based on the presence of archeological properties of a high level of historical, ethnic, and scientific significance within the Mission Dolores Archeological District, the following measure shall be undertaken to avoid any significant adverse effect from soils disturbing activities on buried archeological resources. The project sponsor shall retain the services of a qualified archeological consultant having expertise in California prehistoric and urban historical archeology. At the direction of the ERO, the archeology consultant may be required to have acceptable documented expertise in California Mission archeology. The scope of the archeological services to be provided may include preparation of an ARD/TP. The archeological consultant shall undertake an archeological testing program as specified herein. In addition, the consultant shall be available to conduct an archeological monitoring and/or data recovery program if required pursuant to this measure. The archeological consultant’s work shall be conducted in accordance with this measure at the direction of the Environmental Review Officer (ERO). All plans and reports prepared by the consultant as specified herein shall be submitted first and directly to the ERO for review and comment, and shall be considered draft reports subject to revision until final approval by the ERO. Archeological monitoring and/or data recovery programs required by this measure could suspend construction of the project for up to a maximum of four weeks. At the direction of the ERO, the suspension of construction can be extended beyond four weeks only if such a suspension is the only feasible means to reduce to a less than significant level potential effects on a significant archeological resource as defined in CEQA Guidelines Sect. 15064.5 (a)(c).”

Historic Resource Evaluation Report (HRER): The proposed project consists of demolition of a building constructed 50 or more years ago and is located within the Mission Reconstruction Historic District; therefore, the project is subject to the Department’s Historic Preservation review, which would include preparation of a Historic Resource Evaluation Report (HRER) by a qualified consultant from the Historic Preservation Consultant Pool, which shall be known as the “potential consultant list” or “PCL”.

Under CEQA, evaluation of the potential for proposed projects to impact “historical resources” is a two-step process: the first is to determine whether the property is an “historical resource” as defined in Section 15064.5(a)(3) of CEQA; and, if it is an “historical resource,” the second is to evaluate whether the action or project proposed by the sponsor would cause a “substantial adverse change”. Since, the project site is located within the Mission Reconstruction Historic District the Planning Department must determine if the proposed project’s scale, design, or

materials are consistent with those of nearby historical resources for the purposes of the California Environmental Quality Act, and if the proposed design is compatible with the potential historic district. The Planning Department requires a Historic Resource Evaluation Report to be prepared by a qualified professional who meets the Secretary of the Interior's Professional Qualification Standards in Historic Architecture or Architectural History. The qualified professional must be selected from one of three historic resource consultants assigned to this project by the Planning Department during the submittal of the Environmental Evaluation Application.

For more information on the Planning Department's historic architectural resource evaluation, please see San Francisco Preservation Bulletin No. 16, which is available at www.sfplanning.org under "Historic Preservation."

Geotechnical Study: The project site is relatively flat and is identified as being within a liquefaction hazard zone. The Project Sponsor should prepare a geotechnical investigation to identify the primary geotechnical concerns associated with the proposed project and the project site. The geotechnical investigation should identify known hazards, and provide recommendations for mitigation including, but not limited to, soil preparation and foundation design. The geotechnical investigation should be submitted with the EE Application.

Air Quality: Project-related demolition, excavation, grading and other construction activities may cause wind-blown dust that could contribute particulate matter into the local atmosphere. The Eastern Neighborhoods Final EIR identified a significant impact related to construction air quality and determined that *Mitigation Measure G-1: Construction Air Quality* would reduce effects to a less-than-significant level. Subsequently, the San Francisco Board of Supervisors approved a series of amendments to the San Francisco Building and Health Codes generally referred hereto as the Construction Dust Control Ordinance (Ordinance 176-08, effective July 30, 2008) with the intent of reducing the quantity of dust generated during site preparation, demolition, and construction work in order to protect the health of the general public and of onsite workers, minimize public nuisance complaints, and to avoid orders to stop work by the Department of Building Inspection (DBI).

The Eastern Neighborhoods Final EIR also identified a significant impact related to air quality for sensitive *land uses* and determined that *Mitigation Measure G-2: Air Quality for Sensitive Land Uses* would reduce effects to a less-than-significant level. New residential development that is proposed within the Potential Roadway Exposure Zone perform an Air Quality Assessment to determine whether the PM 2.5 concentration at the project site is greater than 0.2 micrograms per cubic meter (0.2 $\mu\text{g}/\text{m}^3$). Sponsors of projects on sites where the PM 2.5 concentration exceeds the 0.2 $\mu\text{g}/\text{m}^3$ threshold are required to install ventilation systems or otherwise redesign the project to reduce the PM 2.5 concentration for the habitable areas for the dwelling units to below the threshold. Since the proposed project would locate sensitive residential receptors within an area identified by the Department of Public Health (DPH) as potentially exceeding roadway particulate matter thresholds, an analysis of annual exposure to roadway related particulate matter would be required.

Noise Measurements and Acoustical Analysis: The project site's 15th Street frontage is subject to 65 to 75 dBA (Ldn) traffic noise levels. The proposed project includes the siting of new noise-sensitive uses, onsite, given that the project includes new residential development.

As a result, the Planning Department will require the preparation of an analysis that includes, at a minimum, a site survey to identify potential noise generating uses within 900 feet of, and that have a direct line-of-site to, the project site, and including at least one 24-hour noise measurement (with maximum noise level readings taken at least every 15 minutes), prior to the first approval action on the project. The analysis must be prepared by persons qualified in acoustical analysis and/or engineering and shall demonstrate with reasonable certainty that Title 24 standards, where applicable, can be met, and that there are no particular circumstances about the proposed project site that appear to warrant heightened concern about noise levels in the vicinity. Should such concerns be present, the Planning Department may require the completion of a detailed noise assessment by person(s) qualified in acoustical analysis and/or engineering prior to the first approval action, in order to demonstrate that acceptable interior noise levels, consistent with those in the Title 24 standards can be attained (see Mitigation Measure F-4: Siting of Noise-Sensitive Use, Eastern Neighborhoods Rezoning and Area Plans EIR, page S-42).

The proposed project would also be subject to Mitigation Measure F-1: Construction Noise, and Mitigation Measure F-2: Construction Noise, see Eastern Neighborhoods Rezoning and Area Plans EIR, page S-40 and S-41.

Shadow: Section 295 restricts new shadow on public spaces under the jurisdiction of the Recreation and Park Department by any structure exceeding 40 feet, unless the Planning Commission finds the impact to be less than significant. To determine whether the project would conform to Section 295, a shadow fan analysis was prepared by the Planning Department.

Based on the information provided by the applicant, the "shadow fan" diagram prepared by the Planning Department indicates the project shadow does not reach any property protected by the sunlight ordinance; no further review will be required.

The Environmental Evaluation application is 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. To determine fees for environmental review, please refer to page one of our fee schedules, under "Studies for Projects inside of Adopted Plan Areas."

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. A **Variance** from Planning Code Sections 132 (Front Setback), 134 (Rear Yard), and 140 (Exposure) is required for the proposed project.
2. A **Building Permit Application** is required for the demolition of the existing building.

3. A **Building Permit Application** is required for the new construction of the proposed building.

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 Pre-application packet, which includes instructions and template forms, is available at www.sfplanning.org under the "Applications" tab. All registered neighborhood group mailing lists are available online at www.sfplanning.org under the "Publications" tab.

PRELIMINARY PROJECT COMMENTS:

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

Planning Code

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

Front Setback. Planning Code Section 132(a) requires that any building or addition constructed shall be set back to the average of the front setbacks of the two adjacent buildings. If there is only one adjacent building, then the required setback for the subject building is one-half of the front setback of the adjacent building. Section 132(g) requires that no less than 20 percent of the front setback area shall be landscaped. Therefore, the proposed project requires revision to meet the front setback requirement, or you may request and justify a front setback variance. The Department generally recommends that the need for a variance for new construction to be avoided.

Rear Yard. Planning Code Section 134(a)(2) requires the minimum rear yard to be equal to 45 percent of the total lot. Section 134(c)(1) allows a reduction in the minimum rear yard to the average between the depths of the rear building walls of the two adjacent buildings. This Section also states that the building height within the last 10 feet permitted by this reduction shall be limited to 30 feet. Section 134(c)(3) states that the location of the rear building wall of an adjacent building shall be taken at the point where it occupies at least one-half of the lot width, and which has a height of at least two stories or 20 feet. Therefore, the proposed project requires revision to meet the rear yard requirement, or

you may request and justify a rear yard variance. The Department generally recommends that the need for a variance for new construction to be avoided.

Street trees. Planning Code Section 138.1 requires one street tree for every 20 feet of frontage for new construction. No street trees are shown on the plans. In addition, please fill out and submit the Tree Disclosure Form.

Exposure. Section 140 requires that each dwelling unit have at least one room that meets the 120-square-foot minimum superficial floor area requirement of Section 503 of the Housing Code face directly on a street right-of-way, code-complying rear yard, or an appropriately sized courtyard. The proposed rear yard is not code-complying. Therefore, the proposed project requires revision to meet the minimum exposure requirement, or you may request and justify an exposure variance. The Department generally recommends that the need for a variance for new construction to be avoided.

Transit Development Impact Fees. This project is subject to the applicable fees outlined in Section 411 et seq.

Affordable Housing. This project is subject to the affordable housing requirements outlined in Section 415 et seq. Please submit an affidavit indicating your intent on meeting this requirement.

Eastern Neighborhoods Impact Fees. This project is subject to the applicable fees outlined in Section 423 et seq.

General Plan

The Mission District is a diverse neighborhood with a rich mixture of housing, commercial and Production, Distribution & Repair (PDR) uses that traditionally has welcomed immigrants and newcomers to the City. It is well served by transit. New development should add to the rich mixture of uses in the Mission District, and provide more housing, especially affordable units. New development should be well designed, compatible with the scale of surrounding development, consistent with neighborhood character, and improve livability in the Mission.

The proposed project does not require amendment of the General Plan. Residential use on the site is a permitted use on the subject property, which is located in a RTO-M (Residential, Transit-Oriented–Mission - Neighborhood) Use District and a 55-X (Height and Bulk) District. A residential use would also be consistent with the objectives and policies of San Francisco General Plan, including the Mission Area Plan. However several project features, including but not limited to height, massing, bulk, setbacks, and unit mix, may be limited by requirements of the General Plan, Planning Code, design guidelines and design review by the Department. This section focuses on General Plan objectives and policies.

Housing Affordability: The General Plan incorporates Objectives and Policies that focus on providing additional housing, especially affordable housing. (Housing Element, Policy 4.5, Mission Area Plan Objective 1.2, 2.1, 2.6). These objectives call for the City to assure availability of permanently affordable housing, while maintaining neighborhood character. The project would provide 9 dwelling units; 1 of the units would be an affordable inclusionary unit. General Plan

objectives and policies call for the City to assure that a significant percentage of housing be affordable units.

Building Scale and Bulk: The Urban Design Element contains policies and language that call for new development to be consistent with the prevailing scale of development (Urban Design Element Policies 3.1, 3.5, 3.6, Mission Area Plan Objective 1.2, Policy 1.2.3). The project would be 5 stories in height. Most other residential buildings in the project vicinity are shorter, ranging from 2 to 4 stories in height. The building would extend from the front property line to 20 feet from the rear property line on the 100 foot deep property, providing less than the required 45' rear yard. The proposed building construction in the required rear yard and the front setback would require approval of a Variance. However, the proposed rear yard is similar to the small rear yards on a number of contiguous parcels that front on 15th Street and Guerrero Street.

Building Design: The General Plan calls for new development to be of high quality design and consistent with design guidelines (Housing Element, Policies 11.1, 11.2). The conceptual plans provided by the project sponsor show building height, bulk and massing but provide little information about architectural design. When the project sponsor provides drawings depicting design features; the Department will consider and comment on the project's architectural design.

Neighborhood Compatibility: The General Plan calls for new development to be compatible with existing neighborhood character and for neighborhood livability to be protected (Housing Element Policies 11.3, 11.5, Urban Design Element Policies 2.6, 3.1, 3.5, 4.15, and Mission Area Plan Objective 1.2 and policy 3.1.8). Mission Area Plan Policy 3.1.8 calls for new development to respect existing patterns of rear yard open space. In the immediate project vicinity, there is a pattern of small rear yards. As discussed earlier, the project requires a Variance application for rear yard and front yard setback requirements established by Planning Code Sec. 134 and Sec. 132.

The subject property is in a 55-X (Height and Bulk) District and allows buildings 55 feet tall. The project is proposed to be 5 stories tall with a roof elevation of 55 feet and a roof deck elevation of 56.5 feet. Stair and elevator penthouse elements would be 65.5 and 71.5 feet in height, respectively. The proposed building height is taller than the adjacent buildings. The parcel to the west (AB 3555/Lot 069-071) is 4 stories in height with a roof elevation of about 36 feet. The parcel to the east (AB 3555/037), is three stories in height with a roof elevation of 31.5 feet. The recently reconstructed Valencia Gardens housing development, located across 15th Street, is 3 stories tall. At 5 stories, the proposed building on the subject property is somewhat inconsistent with the neighborhood scale and character, and inconsistent with the cited General Plan policies.

Transportation – Increasing Trips by Transit, Bicycle and Foot: The General Plan calls for sustainable development integrating housing with transportation in ways that increases travel by foot, bicycle and transit (Housing Element Policy 13.3, Transportation Element Pol. 28.1, Mission Area Plan Objective 3.2 and 4.8). The residential project, located within blocks of multiple MUNI lines and the 16th Street BART station, proposes to provide 5 off-street parking spaces (2 sets of car stackers) and 1 ADA- accessible space, and four (4) wall mounted bicycle racks in the ground floor garage. The limited off-street parking and provision of bicycle storage would encourage more trips by transit, bike and foot, consistent with the referenced policies.

The General Plan and Code call for new residential development to provide safe and secure bicycle storage. Provision of wall mounted bicycle racks appears inconsistent with the intent of General Plan policy, and with Planning Code §155.5, which calls for Class 1 bicycle storage to be provided in new residential development. The project sponsor should provide plans that demonstrate that the off-street parking can function without interfering with bicycle storage and access. Class 1 bicycle storage should be provided.

Curb Cut - Vehicular access to the first floor garage would require a curb cut on 15th Street (there is no existing curb cut). Fifteenth Street is considered a neighborhood residential street in the Better Streets Plan. It is a one way street, with westbound traffic. The Right-of-Way includes two travel lanes, two parking lanes and sidewalks on both sides of the street. A new curb cut would not conflict with existing or proposed bicycle lanes or bus/transit routes, but would result in loss of one on-street parking space, and the size of the curb cut should be limited to minimize loss of on-street parking. The project applicant would require approval for the curb cut from the Department of Parking and Traffic (DPT).

PRELIMINARY DESIGN COMMENTS:

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

Building Massing, Site Design, and Open Space: The building height, in relation to the prevailing heights of adjacent three and four-story buildings is out of scale. The massing of the upper floor and the roof stair and elevator penthouses present additional massing that would impact access to light to the rear yards of the adjacent properties to the West.

Urban Design Advisory Team (UDAT) recommends eliminating the fifth story or setting it back significantly to relate to the adjacent properties more appropriately. The footprint in proportion to the size and proportion of the common open space provided is not appropriate. UDAT recommends increasing the depth of the rear yard to the adjacent rear building wall or 45% to provide a usable rear yard compatible with the adjacent properties.

Ground Floor Frontage: The height of the ground floor provides an excellent opportunity to create a civic scale and active ground floor use, but is dominated by the size and disposition of a garage door. The residential entry is relegated to a subservient expression. The residential entry -- immediately adjacent to the garage entry and in the same plane as the parking garage -- should have greater size and prominence. Differentiate and give stronger definition to the entrance by recessing it from the street and the garage door. Develop the design of the residential entrance to accentuate the height and detail of this area as the project proceeds.

Architecture: At this point the architecture is assumed to be preliminary and UDAT would provide further detailed design review on the subsequent submission with the formal Application

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 **October 6, 2012**. 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.

cc: Toby Morris, Project Sponsor
Erika Jackson, Current Planning
Brett Bollinger, Environmental Planning
Steven Shotland, Citywide Policy & Analysis