



SAN FRANCISCO PLANNING DEPARTMENT

Preliminary Project Assessment

Date: January 24, 2013
Case No.: **2012.1398U**
Project Address: 1601 Mariposa Street
Block/Lot: 4005/001B & 004
4006/006, 019 & 020
Zoning: UMU (Urban Mixed Use) Zoning District
40-X Height and Bulk District
Area Plan: [Area Plan, If Applicable]
Project Sponsor: Rick Westberg
Related California
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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 proposes demolition of three existing one-story industrial buildings and construction of two mixed-use residential buildings with 291 dwelling units, approximately 5,300 square feet of commercial use, and basement level parking for 235 spaces. Located at the base of Potrero Hill, the development includes a mid-block pedestrian mews that is open to the public and lined with active uses. All proposed work is expected to be done in conformance with the current UMU zoning controls and the Eastern Neighborhood Plan.

ENVIRONMENTAL REVIEW:

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. Environmental Evaluation applications are available in the Planning Department lobby at 1650 Mission Street, Suite 400, at the Planning Information Center at 1660 Mission Street, and online at www.sfplanning.org under the "Publications" tab.

Pursuant to the California Environmental Quality Act (CEQA), this project may qualify for a Community Plan Exemption (CPE) under the Eastern Neighborhoods Rezoning and Area Plan. Section 15183 of the 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.

However, to the extent that new impacts and/or mitigation measures are identified that were not included in the Eastern Neighborhoods Final Environmental Impact Report¹ ("Eastern Neighborhoods FEIR"), and are "peculiar" to the project, the CPE would require an attached Focused Initial Study and Negative Declaration, or a Focused Environmental Impact Report (EIR) depending on whether or not the peculiar impacts can be fully mitigated.

To determine fees for environmental review, please refer to page one of the Planning Department's Fee Schedule, under "Studies for Project inside of Adopted Plan Areas – Community Plan Fees." If a Focused Initial Study and a Negative Declaration or Focused EIR is required, additional fees would be assessed based on construction cost. Results of the required technical studies discussed below, will determine whether a Focused Initial Study and a Negative Declaration or Focused EIR is required.

Based on our preliminary review, it appears that the following mitigation measures that were identified in the area plan EIR would apply to the proposed project:

- **Archeological Resources.** Archeological studies are generally not required unless the project includes grading or foundation work to a depth of five feet or more. If the site is found to be sensitive, less ground disturbance may trigger mitigation requirements. The Eastern Neighborhoods FEIR was programmatic and did not analyze specific development projects in the project area; therefore, specific physical project evaluations, such as 1601-1677 Mariposa Street, would undergo individual environmental review in accordance with **Mitigation Measure J-2: Properties with No Previous Studies**. Implementation of this prescribed mitigation measure would reduce the potential adverse effect on archeological resources of the project area to a less-than-significant level and would not prompt the need for a Negative Declaration or Focused EIR.

¹ Available for review on the Planning Department's Area Plan EIRs web page: <http://www.sfplanning.org/index.aspx?page=1893>.

Mitigation Measure J-2 applies to the entirety of the study area outside of Archeological Mitigation Zones A and B. Because the project site is outside Archeological Mitigation Zones A and B, a Preliminary Archeological Sensitivity Study must be prepared by an archeological consultant with expertise in California prehistoric and urban historical archeology. The archeological consultant has to be selected from the Planning Department's Archeological Review Consultant Pool and in accordance with the Planning Department's consultant selection procedure. The Sensitivity Study should: 1) determine the historical use of the project site based on any previous archeological documentation and Sanborn maps; 2) determine types of archeological resources/properties that may have been located within the project site and whether the archeological resources/property types would potentially be eligible for listing in the California Register of Historical Resources (CRHR); 3) determine if 19th or 20th century soils-disturbing activities may have adversely affected the identified potential archeological resources; 4) assess potential project effects in relation to the depth of any identified potential archeological resource; and 5) assess whether any CRHR-eligible archeological resources could be adversely affected by the proposed project and recommend appropriate further action.

Based on the Sensitivity Study, the Environmental Review Officer (ERO) shall determine if an Archeological Research Design/Treatment Plan (ARD/TP) shall be required to more definitively identify the potential of the project on archeological resources to a less than significant level. The scope of the ARD/TP shall be determined in consultation with the ERO and consistent with the standards for archeological documentation established by the Office of Historic Preservation for purposes of compliance with CEQA, in Preservation Planning Bulletin No. 5.

- **Noise.** With the implementation of **Noise Mitigation Measures F-2, F-3, F-4, and F-6**, the project is not expected to result in any peculiar impacts not identified in the Eastern Neighborhoods FEIR with respect to noise. In addition, the proposed project would include the demolition of 3 existing 1-story industrial buildings and the construction of a new 4-story office building which would not add any new noise-sensitive uses within the project area. Application of these following mitigation measures would reduce any noise-related impacts to a less-than-significant level.

Mitigation Measure F-2: Construction Noise. The area plan EIR noted that where environmental review of a development project undertaken subsequent to the adoption of the proposed zoning controls determines that construction noise controls are necessary due to the nature of planned construction practices and the sensitivity of proximate uses, the Planning Director shall require that the sponsors of the subsequent development project develop a set of site-specific noise attenuation measures under the supervision of a qualified acoustical consultant. Thus, Mitigation Measure F-2 from the area plan EIR may apply to the proposed project. Additional information regarding construction activities and the equipment to be used as well as the proximity of noise sensitive uses will be reviewed as part of the environmental review process. If deemed necessary based upon the proximity of sensitive receptors, this mitigation measure requires the sponsors of the subsequent development projects to develop a set of site-specific noise attenuation measures under the supervision of a qualified acoustical consultant. Prior to commencing construction, a plan for such measures shall be submitted to the Department of Building Inspection to ensure that maximum feasible noise attenuation will be achieved.

Mitigation Measure F-3: Interior Noise Levels. For new development including noise-sensitive uses located along streets with noise levels above 60 dBA (Ldn), as shown in EIR Figure 18, where such development is not already subject to the California Noise Insulation Standards in Title 24 of the California Code of Regulations, the project sponsor shall conduct a detailed analysis of noise reduction requirements. Such analysis shall be conducted by person(s) qualified in acoustical analysis and/or engineering. Noise insulation features identified and recommended by the analysis shall be included in the design, as specified in the San Francisco General Plan Land Use Compatibility Guidelines for Community Noise to reduce potential interior noise levels to the maximum certificate of extent feasible.

Mitigation Measure F-4: Siting of Noise-Sensitive Uses. The area plan EIR noted that where environmental review of a development project undertaken subsequent to the adoption of the proposed zoning controls determines that noise-sensitive uses may be in proximity to noise-generating uses, the Mitigation Measure F-4 from the area plan EIR would apply. Mitigation Measure F-4 would reduce potential conflicts between existing noise-generating uses and new sensitive receptors, for new development including noise-sensitive uses. The Planning Department shall 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-sight 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 project approval action. The analysis shall be prepared by persons qualified in acoustical analysis and/or engineering prior to the first project approval action, in order to demonstrate that acceptable interior noise levels consistent with those in the Title 24 standards can be attained.

Mitigation Measure F-6: Open Space in Noisy Environments. To minimize effects on development in noisy areas, for new development including noise-sensitive uses, the Planning Department shall, through its building permit review process, in conjunction with noise analysis required pursuant to Mitigation Measure F-4, require that open space required under the Planning Code for such uses be protected, to the maximum feasible extent, from existing ambient noise levels that could prove annoying or disruptive to users of the open space. Implementation of this measure could involve, among other things, site design that uses the building itself to shield on-site open space from the greatest noise sources, construction of noise barriers between noise sources and open space, and appropriate use of both common and private open space in multi-family dwellings, and implementation would also be undertaken consistent with other principles of urban design.

- **Hazardous Materials.** The proposed project would include the construction of a new 4-story building on a lot previously used for industrial purposes. An existing 1-story industrial building structure would be demolished on the project site as part of the project. Given the proposed scope of work, including foundation reinforcement, the proposed project is not expected to result in any peculiar impacts not identified in the Eastern Neighborhoods FEIR, provided that **Hazardous Materials Mitigation Measure L-1** is implemented. Application of the following mitigation measure would reduce any impacts related to hazardous materials to a less-than-significant level.

Mitigation Measure L-1: Hazardous Building Materials. The existing building on the project site was constructed in 1992. Pursuant to this mitigation measure, development proposals within the Eastern Neighborhoods require that the subsequent project sponsors ensure that any equipment

containing PCBs or DEPH, such as fluorescent light ballasts, are removed and properly disposed of according to applicable federal, state, and local laws prior to the start of renovation, and that any fluorescent light tubes, which could contain mercury, are similarly removed and properly disposed of. Any other hazardous materials identified, either before or during work, shall be abated according to applicable federal, state, and local laws. This mitigation measure would apply to the proposed project, if any interior demolitions of the existing buildings are proposed

In addition, existing environmental hazards in the vicinity of the project site and the potential for hazards and hazardous materials contamination from past historic uses on the site would need to be reviewed. The project includes some ground disturbance for foundation reinforcement, but no other excavation activities. The project site is located with known serpentine soils, which may contain asbestos and require proper removal and disposal with local, state, and federal regulations. It is therefore likely that the project will require a Phase I Environmental Site Assessment, and other studies as determined necessary by the San Francisco Department of Public Health (DPH).

A copy of the Phase I Environmental Site Assessment should be included with the Environmental Evaluation Application package, if available at the time of submittal. This study would be required prior to the completion of environmental review. The Phase I Environmental Site Assessment will be forwarded to DPH for their review and the project sponsor would be required to submit a fee to DPH for their review. If site remediation is required, the project sponsor would be required to implement site specific mitigation measures. DPH would provide oversight of remediation activities through their Voluntary Remediation Action Program. For more information regarding the Voluntary Remediation Action Plan Program and fees related to DPH review and oversight, please see: <http://www.sfdph.org/dph/EH/HazWaste/hazWasteVoluntaryRemedial.asp>.

- **Air Quality (AQ) Analysis.** The proposed project, which includes the construction of a new building at a total of 365,735 square feet and 291 dwelling units, exceeds the Bay Area Air Quality Management District's (BAAQMD) construction screening levels for criteria air pollutants. Therefore an analysis of the project's criteria air pollutant emissions is likely to be required.

The project proposes demolition of three single-story industrial buildings, as well as grading and construction of a new 4-story building across a 2.96-acre project site. 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 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). Pursuant to the Construction Dust Ordinance, the proposed project would be required to prepare a Construction Dust Control Plan for review and approval by the San Francisco Department of Public Health (DPH) or comply with applicable dust control requirements outlined in the ordinance.

In addition to construction dust, demolition and construction activities would require the use of heavy duty diesel equipment which emits diesel particulate matter (DPM). DPM is a designated

toxic air contaminant, which may affect sensitive receptors located up to and perhaps beyond 300 feet from the project site. Additional measures may be required to reduce DPM emissions from construction vehicles and equipment.

The proposed project includes sensitive land uses (291 dwelling units) that may be nearby roadway-related pollutants and other stationary sources that may emit toxic air contaminants. In addition, Health Code Article 38 applies to the proposed project. Health Code Article 38 requires that new residential development greater than 10 units located within the Potential Roadway Exposure Zone perform an Air Quality Assessment to determine whether PM_{2.5} concentrations from roadway sources exceed 0.2 micrograms per cubic meter (0.2 µ/m³). Sponsors of projects on sites exceeding this level are required to install ventilation systems or otherwise redesign the project to reduce the outdoor PM_{2.5} exposure indoors. The proposed project is located within the Potential Roadway Exposure Zone, therefore an analysis of annual exposure to roadway related particulate matter would be required. 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. For more information on Health Code Article 38 please see: <https://www.sfdph.org/dph/EH/Air/default.asp>.

During the environmental review process the proposed project will be reviewed to determine whether mitigation measures in the form of either construction emissions minimization or air filtration and ventilation mitigation measures will be required and whether any additional mitigation measures identified in the underlying Eastern Neighborhoods Area Plan EIR will be required. Should the project include stationary sources of air pollutants including, but not limited to, diesel boilers or back-up generators, an Air Quality Technical Report may be required for additional air pollutant modeling. If an Air Quality Technical Report is required, the project sponsor must retain a consultant with experience in air quality modeling to prepare a scope of work that must be approved by Environmental Planning prior to the commencement of any required analysis and/or modeling determined necessary.

- **Greenhouse Gases.** The 2010 CEQA Air Quality Guidelines provide CEQA thresholds of significance for greenhouse gas (GHG) emissions. On August 12, 2010, the San Francisco Planning Department submitted to the BAAQMD a draft of the City and County of San Francisco's Strategies to Address Greenhouse Gas Emissions. This document presents a comprehensive assessment of policies, programs and ordinances that collectively represent San Francisco's Qualified Greenhouse Gas Reduction Strategy. The BAAQMD reviewed San Francisco's GHG reduction strategy and concluded that the strategy meets the criteria for a Qualified GHG Reduction Strategy as outlined in BAAQMD's CEQA Guidelines (2010).² Therefore, projects that are consistent with San Francisco's GHG reduction strategy would result in less-than-significant GHG emissions.

In order to facilitate a determination of compliance with San Francisco's GHG reduction strategy, the Planning Department has prepared a Greenhouse Gas Analysis Compliance Checklist. The project sponsor will be required to submit a completed checklist as part of the environmental review process.

² San Francisco's Strategies to Address Greenhouse Gas Emissions and BAAQMD's letter are available online at: <http://www.sfplanning.org/index.aspx?page=1570>.

- **Transportation.** The Department has preliminarily determined that a transportation study would be required for the proposed project. The project includes the construction of 289,551 square feet of residential space and 5,265 square feet of retail space that would generate approximately 3,262 new daily person trips of which more than 499 would be in the PM Peak Hour. About 278 of the PM peak hour person trips would be automobile trips. The additional peak hour trip potential would require additional transportation analysis. Please request a formal determination from the E Case Planner, once assigned.

The transportation report would need to be prepared by a qualified consultant working at the direction of the Planning Department staff. This process would be initiated after the Environmental Evaluation Application has been filed. The Planning Department's list of approved transportation consultants is available at http://www.sf-planning.org/ftp/files/MEA/Transportation_consultant_pool.pdf. Please see "Transportation Impact Analysis Guidelines for Environmental Review" on the Planning Department's website and "Miscellaneous Fees" in the Planning Department's current Fee Schedule for Applications. As noted on the Fee Schedule, there is a separate fee to SFMTA for review of the transportation report. The qualified professional must be selected from one of three transportation consultants assigned by the Planning Department during the submittal of the Environmental Evaluation Application. Prior to initiating this report, please consult with the assigned Transportation Planner and obtain sign off on the scope of work.

- **Geotechnical Investigation.** The project site is located near or within an area subject to liquefaction potential, a Seismic Hazards Study Zone designated by the California Division of Mines and Geology. The investigation of geotechnical and soil conditions and the application of the building codes for new development based on these conditions could reduce the potential for impacts related to structural damage and surface settlement to a less-than-significant level. To assist Department staff in their determination, it is recommended that you provide a preliminary geotechnical investigation with boring logs and foundation recommendations for the proposed project.
- **Historic Resources.** The project site has been included in the *Showplace Square/Northeast Mission Historic Resource Survey*, which was conducted as a part of the Eastern Neighborhoods Rezoning and Area Plans. 1601-1677 Mariposa Street was given a rating of 6Z ("Found ineligible for NR, CR or Local designation through survey evaluation."). As such, the subject property would not be considered a historic resource pursuant to California Environmental Quality Act (CEQA). Therefore, there are no historic resource issues with the subject property.
- **Stormwater Management.** The project site is located on a block that has been identified by the San Francisco Public Utilities Commission (SFPUC) as having the potential to flood during storms. Applicants for building permits for either new construction, change of use (Planning) or change of occupancy (Building Inspection), or for major alterations or enlargements shall be referred to the SFPUC at the beginning of the process, for a review to determine whether the project would result in ground level flooding during storms. The side sewer connection permits for such projects need to be reviewed and approved by the SFPUC at the beginning of the review process for all permit applications submitted to the Planning Department, the Department of Building Inspection, or the Successor Agency to the San Francisco Redevelopment Agency. Please see the attached information and contact Cliff Wong of the SFPUC at 415- 554-8339.

- **Tree Disclosure Affidavit.** The Department of Public Works Code Section 8.02-8.11 requires disclosure and protection of landmark, significant, and street trees located on private and public property. Any tree identified in this Disclosure Statement must be shown on the site plans with size of the trunk diameter, tree height, and accurate canopy drip line. Please submit the Tree Disclosure Affidavit with the Environmental Evaluation Application and ensure trees are appropriately shown on site plans.
- **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 at the initiation of the Community Plan Exemption process. Please provide these mailing labels at the time of submittal.

If any of the additional analyses determine that mitigation measures not identified in the Eastern Neighborhoods FEIR are required to address peculiar impacts of the proposed project, the environmental document will be a community plan exemption plus a focused initial study/mitigated negative declaration. If the additional analyses identify impacts that cannot be mitigated, the environmental document will be a community plan exemption with a focused EIR. A community plan exemption and a community plan exemption plus a focused initial study/mitigated negative declaration can be prepared by Planning Department staff, but a community plan exemption with a focused EIR would need to be prepared by a consultant on the Planning Department's environmental consultant pool list. If this is necessary, the project sponsor will be provided with three environmental consulting firms from which to choose to have the focused EIR prepared (http://www.sf-planning.org/ftp/files/MEA/Environmental_consultant_pool.pdf).

Please see "Studies for Project inside of Adopted Plan Areas - Community Plan Fees" in the Planning Department's current *Fee Schedule for Applications*. Environmental evaluation applications are available at the Planning Information Center at 1660 Mission Street, and online at www.sfplanning.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.** Planning Code Section 329 applies to all new construction and proposed alterations of existing buildings in the Eastern Neighborhoods that meet at least one of the following criteria:
 - a. The project includes the construction of a new building greater than 75 feet in height (excluding any exceptions permitted per Section 260(b)), or includes a vertical addition to an existing building resulting in a total building height greater than 75 feet; or
 - b. The project involves a net addition or new construction of more than 25,000 gross square feet.

The project meets Criteria 1b above with a total of approximately 365,700 gross square feet of area. Therefore, a Large Project Authorization, or X case, is required.

2. **Building Permit Applications.** Permit application and notification are required for the proposed demolition, new construction and the Large Project Authorization. Building permit applications are available at the Department of Building Inspection at 1660 Mission Street.

Large Project Authorization applications are available in the Planning Department lobby at 1650 Mission Street Suite 400, at the Planning Information Center at 1660 Mission Street, and online at www.sfplanning.org. Building Permit applications are available at the Department of Building Inspection 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 "Permits & Zoning" tab. All registered neighborhood group mailing lists are available online at www.sfplanning.org under the "Resource Center" tab.

PRELIMINARY PROJECT COMMENTS:

The following comments address specific Planning Code and other general issues that may significantly impact the proposed project. For the purpose of providing these comments, the ground floor flex-unit along 18th Street is considered non-residential. Designation of these units as residential may alter some of the comments below.

1. **Rear Yard.** Planning Code Section 134 requires the project to provide a rear yard of at least 25 percent of the lot depth. Because the project is irregularly shaped on a block with frontages on all four streets (Mariposa, Arkansas, 18th, and Carolina Streets), the project does not propose the standard 25 percent rear yard at the rear of the lot. The proposed mid-block passage as a substitute for the rear yard is not permitted in Eastern Neighborhood Mixed Use Districts, except as an approved exception through the Large Project Authorization process. While such configurations may be supported, a minimum of 25 percent of the lot area is preferred. The proposed configuration only represents approximately 16 percent of the lot area. A formal submittal should explore providing additional open area.
2. **Street trees.** Planning Code Section 138.1 requires one street tree for every 20 feet of frontage for new construction. The project is required to provide nine trees at Mariposa Street, 15 trees at Arkansas Street, 14 at 18th Street, and four trees at Carolina Street.
3. **Required Streetscape and Pedestrian Improvements.** In any district, streetscape and pedestrian elements in conformance with the Better Streets Plan shall be required per Planning Code Section 138.1(c)(2), if all the following conditions are present: (1) the project is on a lot that (a) is greater than ½-acre in total area, (b) contains 250 feet of total lot frontage on one or more publicly-accessible

rights-of-way, or (c) the frontage encompasses the entire block face between the nearest two intersections with any other publicly-accessible rights-of-way, and (2) the project includes (a) new construction; (b) addition of 20% or more of gross floor area to an existing building; or (c) alteration to greater than 50% of the existing square footage of a building.

The project triggers requirement for the Better Streets Plan by meeting Conditions 1(a), (b), and 2(a). The project sponsor will be required to submit a Streetscape Plan illustrating the location and design of streetscape improvements appropriate to the street type, including site furnishings, landscaping, corner curb extensions, and sidewalk widening as appropriate. The Planning Department may require these elements as part of conditions of approval. For more information on process, guidelines, and requirements for street improvements, refer to www.sfbetterstreets.org.

4. **Standards for Bird Safe Buildings.** Planning Code Section 139 outlines bird-safe standards for new construction to reduce bird mortality from circumstances that are known to pose a high risk to birds and are considered to be "bird hazards." Feature-related hazards may create increased risk to birds and need to be mitigated. Any feature-related hazards, such as free-standing glass walls, wind barriers, or balconies must have broken glazed segments 24 square feet or smaller in size. Please review the standards and indicate the method of window treatments to comply with the requirements where applicable.
5. **Exposure.** Planning Code 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. Approximately 58 of the proposed 291 units do not face onto an open area that meets the dimensional requirements. These units are located at the northern section of the East Building. For a project on a sizeable lot, exposure to dwelling units should be accommodated. Otherwise, an exception must be sought through the Large Project Authorization process. The Department generally encourages projects to minimize the number of units needing an exposure exception. A formal submittal should explore providing Code complying exposure for more units.
6. **Rooftop Screening.** Planning Code Section 141 rooftop mechanical equipment and appurtenances to be used in the operation or maintenance of a building shall be arranged so as not to be visible from any point at or below the roof level of the subject building. This requirement shall apply in construction of new buildings and in any alteration of mechanical systems of existing buildings that result in significant changes in such rooftop equipment and appurtenances. The features so regulated shall in all cases be either enclosed by outer building walls or parapets, or grouped and screened in a suitable manner, or designed in themselves so that they are balanced and integrated with respect to the design of the building. Minor features not exceeding one foot in height shall be exempted from this regulation.
7. **Ground Floor Commercial Space and Street Frontage.** Planning Code Section 145.1 defines street frontages that are pedestrian-oriented, fine-grained, and which are appropriate and compatible with the surrounding buildings and uses. Please ensure that the height of the ground floor is 17 feet minimum from floor to floor for the proposed commercial spaces. The intent of the requirement for the tall ground floor is to provide space suitable for a mixture of non-residential uses, which also require access to loading facilities and features like large roll-up doors.

8. **Off-Street Parking.** Planning Code Section 151.1 permits up to 1 car for each dwelling unit in UMU District with at least 2 bedrooms and at least 1,000 square feet of occupied floor area and subject to the criteria of Subsection (g). Please identify the location, size, and type of each qualifying dwelling unit.
9. **Off-Street Loading.** Planning Code Section 152.1 requires two off-street freight loading spaces for a residential use in UMU Districts when the gross floor area is between 200,001 and 500,000 square feet, and one space for a commercial use between 10,001 and 30,000 square feet. The project proposes approximately 222,400 gross square feet of residential use and 5,300 gross square feet of commercial use. Therefore, two off-street loading spaces are required while none have been proposed.
10. **Bulk: Horizontal Mass.** Planning Code Section 270.1 requires any project with a frontage of more than 200 feet to incorporate one or more mass reduction breaks in the building that reduce the horizontal scale of the building into discrete sections not more than 200 feet in length. The minimum dimensions required for such a break are 30 feet of width and 60 feet of depth above 25 feet. The proposed separations at Arkansas and 18th Streets do not appear to meet the requirement. The project should provide code-complying horizontal mass breaks in a formal submittal.
11. **Bulk: Mid-Block Alley.** Planning Code Section 270.2 requires new construction on lots with frontage greater than 200 linear feet but less than 300 feet to provide a publicly-accessible mid-block alley for the entire depth of the property. There is no proposed publicly-accessible mid-block alley at the Arkansas Street frontage, where the length is 300 feet.
12. **Inclusionary Housing.** Affordable housing is required for a project proposing ten or more dwelling units. The Project Sponsor must submit an 'Affidavit of Compliance with the Inclusionary Affordable Housing Program: Planning Code Section 419,' to the Planning Department identifying the method of compliance, on-site, off-site, or in-lieu fee. Any on-site affordable dwelling-units proposed as part of the project must be designated as owner-occupied units, not rental units. Affordable units designated as on-site units shall be sold as ownership units and will remain as ownership units for the life of the project.

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

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

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

13. **Eastern Neighborhoods Impact Fees.** This project is subject to the applicable fees outlined in Section 423 et seq. Impact Fees. The Eastern Neighborhoods Public Benefits Fund is implemented in part through district-specific Eastern Neighborhoods Impact Fee which applies to the Project Area. Fees shall be charged on net additions of gross square feet which result in a net new residential unit, contribute to a 20 percent increase of non-residential space in an existing structure, or create non-residential space in a new structure. Fees shall be assessed on residential use, and on non-residential use within each use category of Cultural/Institution/Education; Management, Information & Professional Service; Medical & Health Service; Retail/Entertainment; and Visitor Services; with no substitutions across uses. Fees shall be assessed on mixed use projects according to the gross square feet of each use in the project. The project is within the Impact Fee Tier 1. As of the date of this letter, Tier 1 requires \$8.85 per gross square-foot of residential space and \$6.64 per gross square-foot of non-residential space. For the most up-to-date schedule, please refer to the Department of Building Inspection (DBI) fee register: <http://sfdbi.org/modules/showdocument.aspx?documentid=2570>.

Prior to the issuance by DBI of the first site or building permit for a development project, the sponsor of any project containing space subject to the Eastern Neighborhoods Impact Fee shall pay to the Treasurer according to the schedule in Table 423.3. Planning Code Section 423.3 also provides alternatives satisfying this requirement.

14. **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 see contact information below:

Ken Nim, Workforce Compliance Officer
CityBuild, Office of Economic and Workforce Development
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15. **Flood Notification.** The project site is located in a flood-prone area. Please the San Francisco Public Utilities Commission for more information.
16. **Recycled Water.** The City requires property owners to install dual-plumbing systems for recycled water use in accordance with Ordinances 390-91, 391-91, and 393-94, within the designated recycled water use areas for new construction projects larger than 40,000 square feet.
17. **Potential Roadway Exposure Zone.** The Site is located in an area which may have PM2.5 concentration greater than 0.2ug/m3. Newly constructed residential buildings must comply with ordinance 281-08, amending the San Francisco Health Code by adding Article 38.
18. **Jackson Playground Extension and Impact Fees.** Eighty percent of all Eastern Neighborhood development impact fees must be directed towards priority projects (Jackson extension is not a priority project). Currently the EN impact fees are programmed for the next five years. Funds for new park space would not be available before Fiscal year 2017. Currently the plan calls for one new park space in each plan area (Showplace, SOMA, Mission and Central Waterfront).

The Showplace Square Open Space plan identified multiple open space alternatives for the area. The community chose Dagget Park as the first priority open space project for the project area.

19. **The Transit Impact Development Fee (TIDF).** TIDF is an impact fee levied on new development citywide to offset new development's impacts on the transit system. Effective February 1, 2013, it lowers the threshold for triggering the TIDF from 3000 square feet of new development to 800 square feet. The term "new development" for a mixed use proposal refers to the non-residential portion of the project. Please be advised that the proposed project will trigger the payment of TIDF once a formal submittal has been filed. Please be aware that an ongoing process – the Transportation Sustainability Program – may eventually replace the Transit Impact Development Fee. You can find more information about this program here: <http://www.sf-planning.org/index.aspx?page=3035>

PRELIMINARY DESIGN COMMENTS:

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

1. **Site Design and Open Space.** The intent of the mid-block alley requirement is to moderate long blocks and building mass, and to facilitate pedestrian circulation. The proposed mid-block connection between 18th and Mariposa streets should be clearly delineated as primarily public. The design should differentiate the public mid-block alleys from the other semi-public courtyards and spaces. The 15' separation between the existing school and the north row of housing is minimal, and provides a questionable quality of open space for the dwellings and an insufficient buffer space between the school and the new building. The Planning Department recommends an area more in keeping with a typical rear yard separation. Consider an additional east-west oriented mid-block alley located toward the middle third of the Arkansas block that would create a greater separation between the existing school building and the project.

In general, there appear to be many exceptions sought for -- rear yard, exposure, frontage, horizontal mass, and mid-block alley -- that are not offset by exceptional qualities elsewhere.

2. **Building Massing.** The building front along Arkansas faces a predominately 2-story block face that steps down the hill in 25' wide increments based on the lot pattern. The Planning Department recommends stepping the building massing in smaller increments to follow the topography along Arkansas and 18th Streets in a closer alignment with the residential pattern across the street, in conjunction with vertical articulation at segments of 50' or less, a modulation that is more in keeping with the existing finer-grained neighborhood pattern. This could be accomplished by stepping the podium and would facilitate the height of ground floor units not to exceed 5' above grade. The Planning Department encourages the massing to correspond with the height envelope. Additionally, introducing massing breaks and an east-west mid-block alley to break the building into separate masses would improve the scale.
3. **Parking, Loading, and Service.** The Planning Department would like to see the parking accessed from a single point of entry. Additionally, the width of the parking entrance should be no greater than 12'. UDAT recommends reducing the parking ratio and the parking footprint. Secured bicycle parking should be as close and accessible as possible to the residential lobby or garage entrance to minimize the travel distance through the garage and conflict with automobiles.
4. **Ground Level Street Front.** Ground floor dwelling units should have setback and raised landscaped entries that range from three to five feet above grade, that provide direct access from the street, per the draft Ground Floor Residential Design Guidelines. The 18th façade should likewise be designed to provide active frontage per the draft ground floor residential design guidelines.
5. **Architecture.** At this point the architecture is assumed to be preliminary and The Planning Department will provide further detailed design review on the subsequent Application. Exceptions to the planning code should be responded to by exceptional design. The proposed architectural design, while preliminary, needs clarity of form. The massing is expected to be refined and articulated. High quality materials and are expected to be developed as the building design progresses.
6. **Required Streetscape and Pedestrian Improvements.** Per Planning Code Section 138.1, the project sponsor will be required to submit a Streetscape Plan illustrating the location and design of streetscape improvements appropriate to the street type, including site furnishings, landscaping, corner curb extensions, and sidewalk widening as appropriate. The Planning Department may require these elements as part of conditions of approval. See <http://www.sfbetterstreets.org/design-guidelines/street-types/> to identify relevant street types for the project frontage.

A corner bulb-out at Carolina and Mariposa should also be provided. The Planning Department recommends a mid-block bulb-out extending from the mid-block alley on Mariposa Street in conjunction with exploring options for a mid-block crossing that could connect the alley to the park. Planning staff is happy to review proposals or meet with the project sponsor to explore ideas.

For more information on process, guidelines, and requirements for street improvements, refer to www.sfbetterstreets.org. Required streetscape and pedestrian improvements are not eligible for in-kind fee credit.

7. This project is requesting the maximum allowable parking for residential and non-residential. As currently proposed this includes two floors of parking, which occupy a large portion of the site on the basement/ground level. There is also a minimal amount of space for bicycle parking. The Department suggests the project sponsor address the following considerations related to parking:

Identify which portion of the parking would be available to the residential portion and explain the circulation/access. Since parking spaces must be sold or rented separately from rental units illustrate a parking access plan that would allow for non-residents to access the residential parking, utilizing mechanisms such as garage only keys etc.

8. While not explicitly required by the Planning Code, explore utilizing space efficient parking layout on the ground floor, such as the tandem parking illustrated on the first floor. This requirement is required for parking seeking a CU for maximum parking (see Planning Code Section 151.1 for a more detailed description).
9. Consider including secure bicycle parking in the garage for the commercial spaces (ground level), especially if more space is made available via a space efficient parking layout.

PRELIMINARY PROJECT ASSESSMENT EXPIRATION:

This Preliminary Project Assessment is valid for a period of **18 months**. An Environmental Evaluation, Conditional Use Authorization, or Building Permit Application, as listed above, must be submitted no later than **July 24, 2014**. Otherwise, this determination is considered expired and a new Preliminary Project Assessment is required. Such applications and plans must be generally consistent with those found in this Preliminary Project Assessment.

Enclosure: Neighborhood Group Mailing List
Interdepartmental Project Review Application
Flood Notification: Planning Bulletin
SFPUC Recycled Water Information Sheet

cc: Rick Westberg, Property Owner
Ben Fu, Current Planning
Christopher Espiritu, Environmental Planning
Kearstin Dischinger, Citywide Planning and Analysis
David Winslow, Design