



SAN FRANCISCO PLANNING DEPARTMENT

Preliminary Project Assessment

Date: March 20, 2013
Case No.: **2013.0066U**
Project Address: 520 9th Street
Block/Lot: 3526/005
Zoning: Urban Mixed Use (UMU) Zoning District
40-X
Area Plan: Showplace Square/Potrero Area Plan
Project Sponsor: Jeremy Schaub
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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 proposal is to construct a new four story residential building of approximately 18,559 gross square feet on a vacant lot of 4,778 square feet. The project will include a total of 12 two bedroom units and nine parking spaces on the ground level, accessible from 9th Street.

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 Eastern Neighborhoods Rezoning and Area Plans*.¹ 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 Eastern Neighborhoods Rezoning and Area Plans Final EIR ("Eastern Neighborhoods FEIR")*, and there would be no new "peculiar" significant impacts unique to the proposed project. In these situations, all pertinent mitigation measures and CEQA findings from *the Eastern Neighborhoods FEIR* are applied to the proposed project, and a CPE checklist and certificate is prepared. With this outcome, the applicable fees are: (a) the CPE determination fee (currently \$13,004); (b) the CPE certificate fee (currently \$7,216); and (c) a proportionate share fee for recovery for costs incurred by the Planning Department for preparation of *the Eastern Neighborhoods FEIR*.
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 Eastern Neighborhoods FEIR*, and if these new significant impacts can be mitigated to a less-than-significant level, then a focused mitigated negative declaration is prepared to address these impacts, and a supporting CPE certificate is prepared to address all other impacts that were encompassed by *the Eastern Neighborhoods FEIR*, with all pertinent mitigation measures and CEQA findings from *the Eastern Neighborhoods FEIR* also applied to the proposed project. With this outcome, the applicable fees are: (a) the CPE determination fee (currently \$13,004); (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 preparation of *the Eastern Neighborhoods FEIR*.
3. **CPE + Focused EIR.** If any new site- or project-specific significant 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 Eastern Neighborhoods FEIR*, with all pertinent mitigation measures and CEQA findings from *the Eastern Neighborhoods FEIR* also applied to the proposed project. With this outcome, the applicable fees are: (a) the CPE determination fee (currently \$13,004); (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 preparation of *the Eastern Neighborhoods FEIR*.

In order to begin formal environmental review, please submit an *Environmental Evaluation Application*. See "Studies for Project inside of Adopted Plan Areas – Community Plan Fees" on page 2 of the current *Fee Schedule* for calculation of environmental application fees.

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 (PIC) at 1660 Mission, and online on the Planning Department's website at: <http://sfplanning.org>.

Below is a list of studies that would be required based on our preliminary review of the project as it is proposed in the Preliminary Project Assessment (PPA) submittal dated January 11, 2013:

1. **Phase I Environmental Site Assessment (ESA).** The context of existing environmental hazards in the immediate setting must be reviewed and a Phase I ESA will need to be provided. When a Phase I ESA indicates evidence of site contamination, a Phase II Investigation, including sampling and laboratory analysis of the soil and groundwater, would be required by the Department of Public Health (DPH). If a Phase II investigation is required, it must be completed before environmental clearance. If project construction has the potential to disturb existing toxins, specific mitigation measures may be required and a Focused Initial Study could be required. If so, the Initial Study will help determine that either: (1) the project is issued a Preliminary Mitigated Negative Declaration stating that the project would not have a significant effect on the environment with mitigation, or (2) an Environmental Impact Report (EIR) is required to analyze the project's significant impacts on the environment. DPH can assist the project sponsor in identifying measures to reduce any significant impacts to a less-than-significant level.

Hazardous Materials Mitigation Measure L-1 would be applicable to the proposed project. The mitigation measure requires that the project sponsor ensure that any equipment containing PCBs or DEPH, such as fluorescent light ballasts, and any fluorescent light tubes containing mercury be removed and properly disposed of in accordance with applicable federal, state, and local laws. In addition, any other hazardous materials identified, either before or during work, shall be abated according to applicable federal, state, and local laws.

2. **Geotechnical Investigation.** Any new construction on the project site is subject to a mandatory Interdepartmental Project Review because it is located within a Seismic Hazard Zone.² In general, compliance with the building codes would reduce the potential for impacts related to structural damage, ground subsidence, liquefaction, landslides, and surface settlement to a less-than-significant level. To assist our staff in reviewing the revised project, the project sponsor should provide a copy of a geotechnical investigation with boring logs for the revised project. This study will also help us conduct the archeological review.
3. **Archeological Resources.** *The Eastern Neighborhoods FEIR* noted that California Register of Historical Resources (CRHR)-eligible archeological resources are expected to be present within existing sub-grade soils of the Plan Area and the proposed land use policies and controls within the Plan Area could adversely affect significant archeological resources. The Planning Department staff has preliminarily determined that *Archeological Mitigation Measure J-2* would be applicable to the proposed project. This mitigation measure requires that a Preliminary Archeological Sensitivity Study (PASS) be prepared by an archeological consultant with expertise in California prehistoric and urban historical archeology. Based on the PASS, the Environmental Review Officer (ERO) would

² San Francisco Planning Department. *Interdepartmental Project Review*. Available online at: <http://www.sf-planning.org/Modules/ShowDocument.aspx?documentid=522>.

determine if an Archeological Research Design /Treatment Plan (ARD/TP) shall be required to more definitively identify the potential for CRHR-eligible archeological resources to be present within the project site and determine the appropriate action necessary to reduce the potential effect of the project on archeological resources to a less-than-significant level. The qualified consultant must be selected from one of three archeological consultants assigned to this project by the Planning Department during the environmental review process.

4. **Historical Resources.** According to the Planning Department Property Information Map (PIM) records, the property is a potential historical resource. However, the results of the Showplace Square Historic Resource Survey indicate that the project site is not an historical resource. It is categorized as 6Z.^{3,4} Properties categorized as 6Z are the properties that are found ineligible for National Register (NR), California Register (CR) or Local designation through survey evaluation.⁵ Based on the results of the Showplace Square Historic Resource Survey, the property located at 1000 Brannan Street (approximately 280 feet to the southeast of the project site) is a known historic resource. As a result, as part of the CEQA review a Preservation Technical Specialist would review the design of the proposed development to ensure that it would not conflict with the historical resource at 1000 Brannan Street.
5. **Transportation Impact Study.** The proposed project would generate approximately 120 daily persons-trips and 21 P.M. peak-hour persons-trips based on Transportation Trip Generation Calculations developed by the Planning Department.⁶ Based on this, a Transportation Impact Study (TIS) would most likely not be required for the proposed project. A formal determination as to whether a TIS is required will be made after submittal of the Environmental Evaluation Application. If a TIS is required, the consultant must be selected from one of three transportation consultants assigned to this project by the Planning Department during the environmental review process.
6. **Air Quality.** The project would involve construction of a 40-foot-tall, four-story, 18,559-sf residential building providing 12 dwelling units. A nine-space off-street parking garage would be provided on the ground floor. The project site is currently vacant. Project-related excavation, grading, and other construction activities may cause wind-blown dust that could contribute particulate matter into the local atmosphere. *The Eastern Neighborhoods FEIR* identified a significant impact related to

³ San Francisco Planning Department. *Showplace Square Historic Resource Survey*, December 16, 2011. Available online at: <http://www.sf-planning.org/index.aspx?page=2674>.

⁴ The Showplace Square / Northeast Mission Survey includes documentation and assessment of more than 600 individual properties that are located within the area that is bounded approximately by Duboce Avenue and Bryant Street to the north, 20th Street to the south, 7th and Pennsylvania Streets to the east, and Shotwell and Folsom Streets to the west.

⁵ San Francisco Planning Department. Key for Understanding Integrity Rating and Architecture Rating used in the Showplace Square / Northeast Mission Historic Resources Survey. Available online at: http://www.sf-planning.org/ftp/files/Preservation/showplace_survey/Key-Ratings-CHRSC-CR.pdf

⁶ Kei Zushi, San Francisco Planning Department, *Transportation Calculations*, February 8, 2013. These calculations are available for review as part of Case File No. 2013.0066U at the San Francisco Planning Department, 1650 Mission Street, Suite 400.

construction air quality and included *Air Quality Mitigation Measure G-1* related to construction activities.

Subsequently, the San Francisco Board of Supervisors approved a series of amendments to the San Francisco Building and Health Codes generally referred to 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). Please also note that Ordinance 175-91 requires that non-potable water be used for dust control activities. Furthermore, the contractors would be required to maintain and operate construction equipment so as to minimize exhaust emissions of particulates and other pollutants. See *Air Quality Mitigation Measure G-1* for details.

The proposed project would change the use of the project site from vacant to residential use. Residential uses are considered a sensitive land use for purposes of air quality evaluation. The proposed project would introduce a new sensitive land use in proximity to high volume roadways and potentially other sources of TACs. Public health research consistently demonstrates that children and other sensitive receptors (daycare, schools, senior care facilities, hospitals, and dwelling units) within 100 to 200 meters of freeways or busy roadways have poor lung function and more respiratory disease; both chronic and acute health effects may result from exposure to roadway-related TACs.

The Eastern Neighborhoods FEIR identified a significant impact related to air quality for sensitive land uses and included *Air Quality Mitigation Measure G-2* related to sensitive land uses. Subsequently, San Francisco passed Article 38 of the San Francisco Health Code. 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 µg/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. If existing air pollution at the project site is determined to result in potentially significant impacts to on-site residents, it is likely that, in compliance with *Air Quality Mitigation Measure G-2*, the proposed project would be required to install a mechanical ventilation and air filtration system that removes 80 percent of outdoor particulate matter indoors.

If the project would generate new sources of TACs including, but not limited to, diesel generators or boilers, or any other stationary sources, the project would result in TACs that may affect both on-site and off-site sensitive receptors. *The Eastern Neighborhoods FEIR* identified a significant impact related to uses that emit DPM and included *Air Quality Mitigation Measure G-3, Siting of Uses that Emit DPM*, and *Air Quality Mitigation Measure G-4, Siting of Uses that Emit other TACs*.

During the environmental review process the project will be screened for potential air quality impacts to identify applicable mitigation measures from *the Eastern Neighborhoods FEIR*.

7. **Greenhouse Gas Compliance Checklist for Private Development Projects.** Potential environmental effects related to greenhouse gas (GHG) emissions from the proposed project need to be addressed in a project's environmental evaluation. The project sponsor would be required to submit a completed *GHG Compliance Checklist Table 1 for Private Development Projects* demonstrating that the project is in compliance with the identified regulations and provide project-level details in the discussion column. This information will be reviewed by the environmental planner during the environmental review process to determine if the project would comply with *San Francisco's Greenhouse Gas Reduction Strategy*. Projects that do not comply with a GHG-related regulation may be determined to be inconsistent with *San Francisco's Greenhouse Gas Reduction Strategy*.
8. **Shadow Analysis.** *The Eastern Neighborhoods FEIR* concluded that a significant, adverse environmental impact related to potential shading of parks and public open spaces under the jurisdiction of the San Francisco Recreation and Parks Department would occur as a result of the implementation of the Plan. Planning Code Section 295, the Sunlight Ordinance, mandates that new structures above 40 feet in height that would cast additional shadows on properties under the jurisdiction of the Recreation and Parks Department can only be approved by the Planning Commission if the shadow is determined to be insignificant or not adverse to the use of the park. Also, a recommendation from the Recreation and Parks Commission is required prior to the Planning Commission hearing. Please refer to *Application Packet for Shadow Analysis* on our website for details. The height of the proposed building is 40 feet. Therefore, the proposed project would not require a shadow fan analysis per Planning Code Section 295.
9. **Noise Analysis.** Based on *the Eastern Neighborhoods FEIR*, the project site is located in an area where traffic-related noise exceeds 60 dBA Ldn (a day-night averaged sound level). *Noise Mitigation Measure F-4* requires that a Noise Analysis be prepared for new development including a noise-sensitive use, or residential use, prior to the first project approval action. The mitigation measure requires that such an analysis include, at a minimum, a site survey to identify potential noise-generation uses within 900 feet of, and that have a direct line-of-sight to, the project site. At least one 24-hour noise measurement (with maximum noise level readings taken at least every 15 minutes) shall be included in the analysis. The analysis shall be prepared by person(s) 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 project approval action.

In addition, *Noise Mitigation Measure F-6* would apply to the proposed project as it includes new development of a noise-sensitive use. This mitigation measure requires that open space required under the Planning Code be protected from existing ambient noise levels. 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 or urban design.

Furthermore, *Noise Mitigation Measure F-2* requires that a set of site specific noise attenuation measures be developed under the supervision of a qualified acoustical consultant, and that a plan for such measures be submitted to the Department of Building Inspection (DBI) when the Planning Department determines that construction noise controls are necessary due to the nature of planned construction practices and the sensitivity of proximate uses. Finally, *Noise Mitigation Measure F-1*, addressing requirements related to the use of pile-driving, would apply to the proposed project if pile-driving is proposed to be utilized as part of the project.

10. **Flooding Potential.** The project site is in a block that has the potential to flood during storms.⁷ Contact Cliff Wong of the San Francisco Public Utilities Commission (SFPUC) at (415) 554-8339 regarding the requirements below. Applicants for building permits for either new construction, change of use or change of occupancy, 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 (DBI), or the Successor Agency to the San Francisco Redevelopment Agency. The SFPUC and/or its delegate (SF Department of Public Works, Hydraulics Section) will review the permit application and comment on the proposed application and the potential for flooding during wet weather. The permit applicant shall refer to PUC requirements for information required for the review of projects in flood prone areas. Requirements may include provision of a pump station for the sewage flow, raised elevation of entryways, and/or special sidewalk construction and the provision of deep gutters.
11. **Stormwater Management.** The City and County of San Francisco Stormwater Management Ordinance became effective on May 22, 2010. This ordinance requires that any project resulting in a ground disturbance of 5,000 square feet or greater prepare a Stormwater Control Plan (SCP) that is consistent with the November 2009 Stormwater Design Guidelines. Responsibility for review and approval of the SCP is with SFPUC Wastewater Enterprise, Urban Watershed Management Program.

The initial CEQA evaluation of a project will broadly discuss how the Stormwater Management Ordinance is proposed to be implemented if the project triggers compliance with the Stormwater Design Guidelines. The project's environmental evaluation would generally evaluate how and where the implementation of required stormwater management and Low Impact Design (LID) 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.

⁷ San Francisco Planning Department. *Planning Bulletin, Review of Projects in Identified Areas Prone to Flooding*, April 1, 2007. Available online at: <http://ec2-50-17-237-182.compute-1.amazonaws.com/docs/PlanningProvisions/info%20sheet%20v1.3.pdf>.

12. **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. **Rear Yard Variance.** The proposed project requires a Rear Yard Variance per Planning Code Section 134 as discussed under 'Preliminary Project Comments' below.
2. **Exposure Variance.** As currently proposed, and as discussed under 'Preliminary Project Comments' below, this project requires an Exposure Variance from Planning Code Section.
3. A **Building Permit Application** is required for the demolition of the existing building on the subject property.
4. A **Building Permit Application** is required for the proposed new construction on the subject property.

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 "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.

1. **Use.** Residential units are permitted as-of-right in the UMU Zoning District, and are supported by the Showplace Square/Potrero Hill Area Plan.
2. **Interdepartmental Project Review.** This review is required for all proposed new construction in seismic hazard zones, in which the subject property falls. An application is enclosed.
3. **Rear Yard.** Section 134 requires the project to provide a rear yard of at least 25 percent of the lot depth. The proposed project does not provide a code-complying rear yard. The rear yard requirement for this particular lot is applied by separating the property into two areas, a rectangle and a trapezoid. The 25 percent requirement for the rectangular lot is applied from the rear property line. The 25 percent requirement for the trapezoidal lot is applied at the average depth of the two lines drawn perpendicular to the front property line. Additionally, off-setting of the rear yard configuration is not principally permitted within the UMU Zoning District. Please adjust the building mass accordingly or submit an application for a Rear Yard Variance. Please note that the Rear Yard Modification process, as described in Planning Code Section 134(f), is only available to projects that are not combined with any other residential open space modification or exposure variance for the project.
4. **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 which faces directly on a street right-of-way, code-complying rear yard, or an appropriately sized courtyard. The proposed rear yard is not code-complying and does not provide a large enough courtyard to meet the exposure requirement for those units that only have windows fronting the rear yard area. Therefore, the proposed project requires revision to meet the minimum exposure requirement, or you may request and justify a Variance. The Department generally encourages projects to minimize the number of units needing an exposure exception.
5. **Bicycle Parking.** Planning Code Section 155.5 requires this project to provide at least six Class-1 bicycle parking spaces. Please specify the type of bicycle parking (eg. lockers, check-in facilities, monitored parking, restricted access parking, personal storage, or a similar type) on the plans.
6. **Unbundled Parking.** Please be advised that per Planning Code Section 167 all off-street parking spaces accessory to residential uses in new structures of 10 dwelling units, or more, must be leased or sold separately from the rental or purchase fees for dwelling units for the life of the dwelling units. In cases, such as the proposed project, where there are fewer parking spaces than dwelling units, the parking spaces shall be offered first to the potential owners or renters of three-bedroom or more units, second to the owners or renters of two bedroom units, and then to the owners or renters of other units. Renters or buyers of on-site inclusionary affordable units provided pursuant to Section 315 shall have an equal opportunity to rent or buy a parking space on the same terms and conditions as offered to renters or buyers of other dwelling units, and a price determined by the Mayor's Office of Housing.
7. **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,' 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. If provided on-site, 2 units would be required.

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

- Direct financial construction from a public entity.
- Development bonus or other form of public assistance.

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

8. **Eastern Neighborhoods Impact Fees.** This project is subject to the applicable fees outlined in Section 423 et seq.
9. **Flood Notification.** The project site is located in a flood-prone area. Please see the attached bulletin regarding review of the project by the San Francisco Public Utilities Commission.
10. **Stormwater.** As previously mentioned, projects that disturb 5,000 square feet or more of the ground surface must comply with the Stormwater Design Guidelines and submit a Stormwater Control Plan to the SFPUC for review. To view the Guidelines and download instructions for preparing a Stormwater Control Plan, go to <http://stormwater.sfwater.org/>. Applicants may contact stormwaterreview@sfwater.org for assistance.
11. **First Source Hiring Agreement.** A First Source Hiring Agreement is required for any project proposing to construct 25,000 gross square feet or more. This project 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
1 South Van Ness, San Francisco, CA 94102
Direct: 415.701.4853, Email: ken.nim@sfgov.org
Website: <http://oewd.org/Workforce-Development.aspx>

12. **Tree Disclosure Affidavit.** A Tree Disclosure Affidavit must be filled out and submitted with the Building Permit Application for New Construction. This form is available online at www.sfplanning.org, under the “Resource Center/Department Publications” tab.
13. **Street Trees.** The proposed Project requires three street-trees. As submitted, it appears this requirement is met.
14. **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. Please refer to the published document “*Standards for Bird-Safe Building*,” available online at www.sfplanning.org, under the “Resource Center/Department Publications” tab.

PRELIMINARY DESIGN COMMENTS:

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

1. **Site Design, Open Space, and Massing.** The Department recommends a rear yard that complies with the intent of the Planning Code in area, exposure, access and usability. Further, the rear yard, should be designed in such a manner as to be usable as open space. Understanding the challenges of this in relation to the adjacent freeway off-ramp, the Department encourages the designer to explore options for locating an equivalent rear yard that may be less exposed to the freeway traffic – such as an internal court might provide better exposure to the apartments and buffering from the freeway. It may be possible that it remains open to the north property line as well.
2. **Architecture.** At this point the architecture is assumed to be preliminary and the Department would provide further detailed design review on the subsequent submission.
 - It is expected that the architecture and quality of execution will be superior. High quality materials combined with exceptional articulation and detailing on all visible facades will be essential to a successful project.
 - Exceptions from the Planning Code should be matched by a design and configuration of space and architecture that is exceptional.
 - The Department expects a high quality of design that responds to its context with a consistent composition of building components, materiality, and other architectural features that reference the scale and proportion of the existing building forms and components.
 - The Department recommends improving the windows proportions from a horizontal bias to a vertical pattern. Thoughtful detailing of the door and window openings will be essential to the design of façade.
 - Currently the main entry to the building is undistinguishable from all other openings at the ground floor. The entry should be accentuated and celebrated with a recess, height, transparency, landscaping, and signage.

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 **September 20, 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: Interdepartmental Project Review Application
Flood Notification Bulletin

cc: 520 9th Street, LLC, Property Owner
Brittany Bendix, Current Planning
Keiichiro Zushi, Environmental Planning
Steve Wertheim, Citywide Planning and Analysis
David Winslow, Design Review Team
Jerry Sanguinetti, DPW
Jerry Robins, MTA