



SAN FRANCISCO PLANNING DEPARTMENT

Preliminary Project Assessment

Date: March 26, 2013
Case No.: **2013.0124U**
Project Address: 1450 15th Street
Block/Lot: 3549/064
Zoning: UMU
50-X
Area Plan: Eastern Neighborhoods
Project Sponsor: Ian Birchall
415.512.9660
Staff Contact: Kearstin Dischinger 415.558.6284
Kearstin@sfgov.org

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

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 demolish the existing 6,088 square foot industrial building and construct an 5-story, 50-foot tall mixed use building. The existing building on the L-shaped subject lot was constructed in 1920. The proposed new building would include 23 dwelling units, and 17 auto parking spaces and 12 bicycle parking spaces.

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:

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

The proposed project is located within the Eastern Neighborhoods Area Plan, which was evaluated in *Eastern Neighborhoods Rezoning and Area Plans Programmatic Final Environmental Impact Report EIR* (Eastern Neighborhoods Plan EIR), which was certified in 2008.¹ Because the proposed project is consistent with the development density identified in the area plan, it is eligible for community plan exemption (CPE). Potentially significant project environmental impacts that were identified in and pertinent mitigation measures and CEQA findings from the underlying area plan final EIR may be applicable to the proposed project.

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 Plan EIR. 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 Plan Area EIR, 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 Plan Area EIR 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; (b) the CPE certificate fee; and (c) a proportionate share fee for recovery for costs incurred by the Planning Department for the Eastern Neighborhoods Plan Area EIR.
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 Plan Area EIR, 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 Plan Area EIR, with all pertinent mitigation measures and CEQA findings from the Eastern Neighborhoods Plan Area EIR also applied to the proposed project. With this outcome, the applicable fees are: (a) the CPE determination fee; (b) the standard environmental evaluation fee (which is based on construction value); and (c) a

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

proportionate share fee for recovery for costs incurred by the Planning Department for the Eastern Neighborhoods Plan Area EIR.

3. **CPE + Focused EIR.** If any new site- or project-specific impacts cannot be mitigated to a less-than-significant level, then a focused EIR is prepared to address these impacts, and a supporting CPE certificate is prepared to address all other impacts that were encompassed by the Eastern Neighborhoods Plan Area EIR, with all pertinent mitigation measures and CEQA findings from the Eastern Neighborhoods Plan Area EIR also applied to the proposed project. With this outcome, the applicable fees are: (a) the CPE determination fee; (b) the standard environmental evaluation fee (which is based on construction value); (c) one-half of the standard EIR fee (which is also based on construction value); and (d) a proportionate share fee for recovery for costs incurred by the Planning Department for the Eastern Neighborhoods Plan Area EIR.

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

Based on our preliminary review the following topic areas would require additional study to identify significant impacts not identified in area plan EIR:

1. **Historic Resources.** The project site has been included in the *Mission Reconstruction Historic District*. 1450 15th 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).

The proposed project consists of demolition and new construction within the identified *Mission Reconstruction Historic District*, and therefore, the project is subject to the Department’s Historic Preservation review. To assist in analysis of the proposed project, the Department requires a Historic Resource Evaluation Report (HRER), focused on evaluating impacts of the proposed project on identified historical resource(s), 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 HRER should focus on evaluation of the proposed project for conformance with the Secretary of the Interior’s Standards for Rehabilitation (Secretary’s Standards), including assessing compatibility of the new design with adjacent historical resources, and assess potential impacts to historical resources.

In evaluating the proposed project, the architecture, massing, height, materials, and articulation of the proposed building should be considered. Additional design comments will be provided upon submittal of the Environmental Evaluation Application and HRER.

As the proposed project will create six or more dwelling units, and/or, construct an addition of 10,000 square feet or more, use of the Historic Resource consultant pool for identification of a preservation

² Documents in italics in this PPA are available in the Planning Department lobby at 1650 Mission Street Suite 400, at the Planning Information Center at 1660 Mission, and can be accessed on the Planning Department’s website, <http://sfplanning.org> via the website’s search window.

consultant to prepare the HRER shall be required. The Department will provide the project sponsor with a list of three consultants from the Historic Preservation Consultant Pool, which shall be known as the "potential consultant list" or "PCL," upon submittal of the Environmental Evaluation Application.

2. **Archeological Resources.** The proposed project consists of demolition, grading, and a new mat foundation, and installation of an elevator pit and car stacker pit, each to a maximum 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); therefore, archeology review is required.

In compliance with this mitigation measure, a Preliminary Archeological Sensitivity Study would be prepared by the Department upon submittal of an Environmental Evaluation Application. Based on the Sensitivity Study, the Environmental Review Officer (ERO) and the Departments Archeological Technical Specialist would determine if an Archeological Research Design/Treatment Plan (ARD/TP) would be required to more definitively identify the potential for archeological resources to be present within the project site and determine the appropriate action necessary to reduce the potential impact of the project on archeological resources to a less-than-significant level. If an ARD/TP is required, it must be prepared by an archeological consultant with expertise in California prehistoric and urban historical archeology. The qualified consultant must be selected from one of three archeology consultants assigned to this project by the Department during the environmental review process.

3. **Noise.** The Eastern Neighborhoods EIR identified a number of noise mitigation measures applicable to construction, as well as, siting of noise-sensitive land uses (such as residential uses) in areas that are substantially effected by existing noise levels. The project site is located in an area where traffic-related noise exceeds 60 Ldn (a day-night averaged sound level).

Application of *Noise Mitigation Measures F-1 and F-2 (Construction Noise)* are intended to reduce construction-related noise impacts. *Mitigation Measure F-1* applies to pile driving activities and would require that piles be pre-drilled. Since the Project proposes a mat foundation for construction of the new building, *Mitigation Measure F-1* may not apply to the project. *Mitigation Measure F-2* would require construction projects near noise sensitive land uses to implement noise attenuation measures. Project sponsors would be required to submit a plan that outlines the noise attenuation measures to be implemented during the construction phase. The plan must be submitted to the Department of Building Inspection (DBI), for review and approval, prior to the issuance of any construction or demolition permit.

Mitigation Measure F-4: Siting of Noise-Sensitive Uses would apply as the project sponsor is proposing to site residential uses within the UMU Use District in an area that exceeds 60 Ldn. *Mitigation Measure F-4: Siting of Noise-Sensitive Uses* would require the sponsor to prepare an acoustical study that identifies potential noise-generating uses within 900 feet of, and have direct line-of-sight to, the project site and include at least one 24-hour noise measurement with maximum noise level readings taken at least every 15 minutes. The study should include any recommendations regarding building design to ensure that the interior noise environment meets Title 24 Building Code acoustical requirements.

Mitigation Measure F-6: Open Space in Noisy Environments would also apply in order to protect the project's proposed common open space from existing ambient noise levels. Compliance with this mitigation measure requires that site design consider elements that would shield on-site open space from the greatest noise sources and/or construction of noise barriers between noise sources and open space.

4. **Transportation Study.** Based on the Planning Department's transportation impact analysis guidelines, the project would potentially add at least 34 PM peak hour person trips and thus could require additional transportation analysis. A determination of whether a transportation impact analysis would be required would be rendered after submittal of an Environmental Evaluation Application. If required, the scope of work and the transportation report would need to be prepared by a qualified consultant working at the direction of the Planning Department staff. 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. Please consult with the environmental planner assigned to the case prior to request the list of qualified consultants.

5. **Geotechnical Study.** 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 building codes for new development based on these conditions could reduce the project's potential for geological impacts related to structural damage and surface settlement to less-than-significant levels. To assist Department staff in their determination, it is recommended that you provide a preliminary geotechnical investigation with boring logs and foundation design recommendations for the proposed project.
6. **Hazardous Materials.** The proposed project would include the construction of a new 5-story building on a lot previously used for industrial purposes. An existing one-story industrial building structure on the project site would be demolished as part of the project. Given the proposed scope of work, including foundation reinforcement and excavation for elevator pits and car stacker pits, 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. 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 need to be reviewed. The existing building on the project site was constructed in 1908. 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.

In addition, existing environmental hazards in the vicinity of the project site and the potential for hazards and hazardous materials contamination from past industrial uses on the site would need to be reviewed. The project includes some ground disturbance for a new foundation, elevator pit and car stacker pit. 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 project's 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>

7. **Air Quality (AQ) Analysis.** The project includes demolition of an existing 6,800-square-foot, one-story building, and the construction of a 23,421 square foot, five-story residential building. 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 PEIR identified a significant impact related to construction air quality and included *Mitigation Measure G-1: Construction Air Quality*. 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). 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).

In addition to construction dust, project-related demolition and construction activities would require the use of heavy-duty diesel equipment which emit diesel particulate matter (DPM). DPM is a designated toxic air contaminant, which may affect sensitive receptors located up to 1,000 feet from the project site. Additional measures may be required to reduce DPM emissions from construction vehicles and equipment.

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

During the environmental review process the project will be screened for potential air quality impacts to identify applicable mitigation measures from the Eastern Neighborhoods EIR and determine whether an Air Quality Technical Report is 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 staff prior to the commencement of any required analysis and/or modeling determined necessary.

8. **Greenhouse Gas Analysis.** Potential environmental effects related to greenhouse gas emissions from the proposed project need to be addressed in a project's environmental evaluation. An electronic version of the Greenhouse Gas Compliance Checklist Table 1 for Private Development Projects is available on the Planning Department's website at <http://www.sfplanning.org/index.aspx?page=1886>. The project sponsor would be required to submit the completed table regarding project compliance with the identified regulations and provide project-level details in the discussion column. This information will be reviewed by the Department's 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 an ordinance or regulation may be determined to be inconsistent with San Francisco's GHG Reduction Strategy.
9. **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. For projects with the potential to flood during storm events, 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.
10. **Shadow Study.** 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.

11. **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.
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 at the initiation of the Community Plan Exemption process. Please provide these mailing labels at the time of submittal.

Please submit an **Environmental Evaluation Application**. 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 at the Planning Department's website: 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 31,800 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 NOTIFICATION 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. **Rear Yard.** Planning Code Section 134 requires the project to provide a rear yard of at least 25 percent of the lot depth. The project does not propose the standard 25 percent rear yard at the rear of the lot. The proposed irregularly shaped rear yard as a substitute for the standard rear yard is not permitted in Eastern Neighborhood Mixed Use Districts, except as an approved exception through the Large Project Authorization process. A formal submittal should explore providing additional open area that would be comparable to rear yard.
2. **Open Space.** Planning Code Section 135 requires that usable open space be located on the same lot as the dwelling units it serves. At least 80 square feet of usable open space per dwelling unit, or 54 square feet per dwelling unit of publicly accessible open space, is required. Up to 50 percent of the publicly accessible open space may be provided off-site. The Project has a residential open space requirement of approximately 1,840 square feet of usable open space if private, or 1,242 square feet of publically accessible open space. Although the proposed inner court yard (approximately 2,000 square feet) and balconies combine to exceed the minimum size requirement, they do not meet the minimum dimensional requirements for useable open space. Therefore, exception through the Large Project Authorization process is required. However, for a project such as this on a sizeable lot, sufficient open space should be accommodated. A formal submittal should provide detailed dimensions for confirmation of the open space requirement compliance.
3. **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 four trees at 15th Street and five trees at Shotwell Street.
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 eight of the proposed 23 units do not face onto an open area that meets the dimensional requirements. These units are located at the northern section of the building facing the proposed non-complying rear yard. An exception for exposure 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 all the 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 to 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. **Street Frontage and Ground Floor Uses.** 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. When three or more parking spaces are proposed, all parking spaces must be set back at least 25 feet from the front of the development. Please provide dimensions and ensure that ground floor parking is at least 25 feet away from the frontages.
8. **Off-Street Parking.** Planning Code Section 151.1 allows for provision of up to three parking spaces for each four dwelling units. Additionally, up to one parking space is permitted for each dwelling unit that is two or more bedrooms and at least 1,000 square feet of occupied floor area, subject to the requirements of Sections 151.1. Please identify the size of each qualifying two-bedroom dwelling unit.
9. **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.
10. **Bicycle Parking-** Section 155.5 of the Planning Code provides requirements for bicycle parking in residential development. The proposed bike parking shown in the PPA application appears to meet/ the existing requirements in the Code. Please note that currently the bicycle parking requirements in the Code are under review for significant changes that would likely affect the requirements for this

project. The Planning Commission initiated these changes in August 2012 and an adoption date is pending. For review of potential changes, please see: <http://commissions.sfplanning.org/cpcpackets/2011.0397T.pdf> . These proposals are currently under review and are subject to change.

11. **Shadow.** Planning Code Section 295 requires that a shadow analysis be conducted for any project greater than 40-feet in height. A preliminary shadow analysis conducted indicated that no public space under the jurisdiction of the Recreation and Parks Department will be shadowed by the proposal, as represented in the plan set submitted with the Preliminary Project Assessment.
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. The project is within the Inclusionary Affordable Housing Program Tier A. As of the date of this letter, Tier A requires 18 percent of the total units constructed to be affordable to and occupied by qualifying persons and families as defined elsewhere in the Code. Therefore, as proposed, the project would have a requirement of four units if provided on-site.

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 Planning Code Section 423 et seq. The Eastern Neighborhoods Public Benefits Fund is implemented in part through district-specific Eastern Neighborhoods Impact Fee which applies to the Project Area. Fees are assessed on mixed use projects according to the gross square footage 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. **Option for In-Kind Provision of Community Improvements and Fee Credits.** Project sponsors may propose to directly provide community improvements to the City. In such a case, the City may enter into an In-Kind Improvements Agreement with the sponsor and issue a fee waiver for the Eastern Neighborhoods Impact Fee from the Planning Commission. This process is further explained in Section 412.3(d) of the Planning Code. More information on in-kind agreements can be found in the Application Packet for In-Kind Agreement on the Planning Department website. The Eastern Neighborhoods Area Plan does not identify a priority infrastructure project that would be an obvious potential in-kind agreement for this project.
15. **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.
16. **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
City and County of San Francisco
1 South Van Ness, San Francisco, CA 94102
Direct: 415.701.4853, Email: ken.nim@sfgov.org
Fax: 415.701.4897
Website: <http://oewd.org/Workforce-Development.aspx>

17. **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.

18. **Stormwater.** 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.
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 prior to issuance of the first construction document. 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:

Site Design, Open Space, and Massing. The usability of the common open space is questionable due to the size, linearity, and proximity to other uses. The Planning Department would like to see the common open space be usable first and foremost. Consider reconfiguring and providing individual private patios for second floor units to provide transition and privacy between the common open space and the immediately adjacent dwellings. The Planning Department recommends a Code-complying rear yard area that corresponds to the massing at the rear yard reduced to align with the adjacent 2-story building. The northern lightwell along the west property lines should be open to the sky on all levels above the first floor.

Vehicle Circulation, Access and Parking

Abandon unused curb cuts or driveways. The single 10-foot wide opening for parking ingress and egress should be sufficient for the limited number of parking spaces.

Bike parking should be as close as possible to the lobby or garage entrance to minimize both travel distance through the garage and conflict with automobiles.

Street Frontage. The ground floor frontages should provide a consistent and active relationship with the fronting streets, per the Draft Ground Floor Residential Design Guidelines.

As described in the Guidelines, ground floor residential units should feature setbacks and raised landscaped entries that range from three to five feet above grade, to provide direct access from the street

while providing transition space and privacy from the sidewalk. Elevating the units, providing a small setback, and providing transition space between private and public realm is critical to the success of these units.

All parking should be setback 25' from the street frontage with active uses fronting to comply with the Planning Code.

Residential units should be setback a 6' at the first and second floors. A setback and raised terrace at the ground level may count toward open space.

The Planning Department recommends that the two-story townhouses be vertically modulated at the façade so that residential units are individually legible.

Refer to the draft Ground Floor Residential Design Guidelines for treatment of the building along the street if the project ultimately proposes residential uses on the ground floor. The draft guidelines document is available for download on the Department website under "Resource Center/Department Publications/Guidelines for Ground Floor Residential Design."

Architecture

At this point the architecture is assumed to be preliminary and the Planning Department will 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 requested from Code requirements must be matched by a design and configuration of space and architecture that is exceptional.

Scale, proportion, and building logic

The building should reflect 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 corner bay should be more prominent. A corner bay may protrude over the actual corner and need not be truncated as currently drawn. Ideally the corner should take cues from the other proximate corner buildings.

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 31, 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: Kevin Jensen, Property Owner
 Ben Fu, Current Planning
 Brett Bolinger, Environmental Planning
 David Winslow, Citywide Planning and Analysis
 Jerry Sanguinetti, DPW
 Jerry Robbins, MTA