



# SAN FRANCISCO PLANNING DEPARTMENT

**MEMO**

**DATE:** February 20, 2015  
**TO:** Marc Dimalanta, D-Scheme Studio Architects  
**FROM:** Julian J. Bañales, Planning Department  
**RE:** PPA Case No. 2014-002016PPA for 17 Grace Street

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

Reception:  
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Please find the attached Preliminary Project Assessment (PPA) for the address listed above. You may reach the staff contact, Doug Vu, at (415) 575-9120 or [Doug.Vu@sfgov.org](mailto:Doug.Vu@sfgov.org) to answer any questions you may have, or to schedule a follow-up meeting.

  
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Julian J. Bañales, Senior Planner



# SAN FRANCISCO PLANNING DEPARTMENT

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## Preliminary Project Assessment

*Date:* February 20, 2015  
*Case No.:* **2014-002016PPA**  
*Project Address:* 17 Grace Street  
*Block/Lot:* 3509/026  
*Zoning:* RED-MX (Residential Enclave, Mixed)  
Western SoMa Special Use District  
45-X Height and Bulk District  
*Area Plan:* Western SoMa Community Plan  
*Project Sponsor:* Marc Dimalanta  
D-Scheme Studio Architects  
(415) 252-0888  
*Staff Contact:* Doug Vu – (415) 575-9120  
[Doug.Vu@sfgov.org](mailto:Doug.Vu@sfgov.org)

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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, San Francisco Public Utilities Commission, 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 five-story, 45-foot tall residential building on an approximately 2,831 square-foot lot. The proposed 10,463 gross square foot building could be accessed from either Grace or Washburn Street, include thirteen dwelling units, fourteen secure bicycle parking spaces, and no automobile parking. This proposal is located adjacent to another proposal for the development of a similar five-story, 45-foot tall residential building located at 15 & 23 Grace Street (lots 024 & 025) under Record No. 2014-001736PPA.

### ENVIRONMENTAL REVIEW:

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 Western SoMa Community Plan area, which was evaluated in the *Western SoMa Community Plan, Rezoning of Adjacent Parcels, and 350 Eighth Street Project Final Environmental Impact Report EIR* (Western SoMa PEIR), certified in December, 2012.<sup>1</sup> Because the proposed project is consistent with the development density identified in the area plan, it is eligible for a community plan exemption (CPE). Please note that a CPE is a type of exemption from environmental review, and cannot be modified to reflect changes to a project after approval. Proposed increases beyond the CPE project description in project size or intensity after project approval will require reconsideration of environmental impacts and issuance of a new CEQA determination. Within the CPE process, there can be three different outcomes as follows:

1. *Stand-Alone CPE*. If all potentially significant project-specific and cumulatively considerable environmental impacts are fully consistent with significant impacts identified in the Western SoMa programmatic EIR (Western SoMa PEIR), and if there are no new "peculiar" significant impacts unique to the proposed project. In these situations, all pertinent mitigation measures and CEQA findings from the Western SoMa PEIR are applied to the proposed project, and a CPE checklist and certificate is prepared. The applicable fees are: (a) the CPE determination fee (currently \$13,659) and (b) the CPE certificate fee (currently \$7,580).
2. *CPE + Focused Mitigated Negative Declaration (MND)*. If new site- or project-specific significant impacts are identified for the proposed project that are not identified in the Western SoMa PEIR, and if these new significant impacts can be mitigated to a less-than-significant level, then a focused MND is prepared to address these impacts, and a supporting CPE certificate is prepared to address all other impacts that were encompassed by the Western SoMa PEIR, with all pertinent mitigation measures and CEQA findings from the Western SoMa PEIR also applied to the proposed project. The applicable fees are: (a) the CPE determination fee (currently \$13,659) and (b) the standard environmental evaluation fee (which is based on construction value).
3. *CPE + Focused EIR*. If the proposed project would have significant impacts that 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 are encompassed by the Western SoMa PEIR, with all pertinent mitigation measures and CEQA findings from the Western SoMa PEIR also applied to the proposed project. The applicable fees are: (a) the CPE determination fee (currently \$13,659); (b) the standard environmental evaluation fee (which is based on construction value); and (c) one-half of the standard EIR fee (which is also based on construction value).

In order to begin formal environmental review, please submit an Environmental Evaluation Application (EEA). This review may be done in conjunction with the required approvals listed below, but must be completed before any project approval may be granted. See page 2 of the current Fee Schedule for

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<sup>1</sup> San Francisco Planning Department, Western SoMa Community Plan, Rezoning of Adjacent Parcels and 350 Eighth Street Project Environmental Impact Report, Planning Department Case Nos. 2008.0877E and 2007.1035E. Refer to <http://www.sfplanning.org/index.aspx?page=1828> under the above title.

calculation of environmental application fees. **Note that until an approval application is submitted to the Current Planning Division, only the proposed Project Description will be reviewed by the assigned environmental Coordinator.**

Do not submit payment with EEA. The Planning Department will contact you to request the fee prior to project assignment.

Below is a list of topic areas that would require additional study based on the preliminary review of the project as it is proposed in the Preliminary Project Assessment (PPA) submitted November 19, 2014.

**Aesthetics.** The proposed project would likely qualify as a "Transit-Oriented Infill Project" pursuant to Public Resources Code Section 21099(d), which eliminates the need to evaluate aesthetics as a potential significant environmental effect of the proposed project. Therefore, preparation of photo simulations for purposes of aesthetic analysis as part of the CEQA review would not be required. However, given the degree of visual change anticipated as a result of the proposed project, the Planning Department may require photo simulations of the proposed project in the context of its surroundings from nearby public viewpoints for informational purposes.

**Air Quality.** The proposed project's 13 dwelling units would not exceed the Bay Area Air Quality Management District's (BAAQMD) construction and operational screening levels for criteria air pollutants. Therefore, an analysis of the project's criteria air pollutant emissions is not likely to be required.

In addition, 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 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).

The project site is located within an Air Pollutant Exposure Zone, as mapped and defined by Health Code, Article 38. The Air Pollutant Exposure Zone identifies areas with poor air quality based on an inventory and modeling assessment of air pollution, exposures, and health vulnerability from mobile, stationary, and area source emissions within San Francisco. The project proposes to construct new sensitive land uses (i.e., residential), which are subject to enhanced ventilation measures pursuant to Health Code Article 38. The project sponsor will be required to submit an Article 38 application to Department of Public Health (DPH) prior to the issuance of any environmental determination. Please provide a copy of the initial application with the EEA.

Equipment exhaust measures during construction will likely also be required. Detailed information related to construction equipment, phasing and duration of each phase, and cubic yards of excavation shall be provided as part of the EEA. If the project would generate new sources of toxic air contaminants including, but not limited to, emissions from 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 and additional measures will likely be required to reduce stationary source emissions. At this time it is likely the proposed project would not require a backup diesel generator due to the proposed height, but this shall be confirmed at the time of the EEA submittal.

**Archeological Resources.** The PPA Application does not indicate the total depth of excavation necessary to accommodate the proposed structure's foundation. The project sponsor shall include specific information in the EEA regarding the type of foundation, the depth of excavation and the total volume of material to be removed.

**Western SoMa FEIR Archeological Mitigation Measure MCP-4a: Project-Specific Preliminary Archeological Assessment** may be applicable to the proposed project. This mitigation measure requires a Preliminary Archeological Review (PAR) which would be conducted in-house by the Planning Department archeologist. During the PAR it will be determined what type of soils disturbance/modification will result from the project, such as excavation, installation of foundations, soils improvement, site remediation, etc. Any available geotechnical/soils or Phase I hazardous materials report prepared for the project site will be reviewed at this time. Secondly, it will be determined if the project site is in an area that is archeologically sensitive. The results of this review will be provided in a memorandum to the Environmental Planner assigned to the project. If it is found that the project has the potential to affect an archeological resource, the PAR memorandum will identify appropriate additional actions to be taken, which could include appropriate archeological mitigation measures and/or additional archeological studies that would be required as part of the environmental evaluation.

**Geology and Soils.** Any new construction on the project site is subject to a mandatory Interdepartmental Project Review because it is located within a Seismic Hazard Zone (Liquefaction Hazard Zone).<sup>2</sup> A geotechnical study prepared by a qualified consultant must be submitted with the EEA. The study should address whether the site is subject to liquefaction, and should provide recommendations for any geotechnical concerns identified in the study. In general, compliance with the building codes would avoid the potential for significant impacts related to structural damage, ground subsidence, liquefaction, landslides, and surface settlement. To assist Planning Department staff in determining whether the project would result in environmental impacts related to geology, it is recommended that you provide a copy of the geotechnical information with boring logs for the proposed project. This study will also help inform the Planning Department Archeologist of the project site's subsurface geological conditions.

**Greenhouse Gases.** The City and County of San Francisco's *Strategies to Address Greenhouse Gas Emissions* provides a comprehensive assessment of policies, programs, and ordinances that represents San Francisco's Qualified Greenhouse Gas (GHG) Reduction Strategy.<sup>3</sup> Projects that are consistent with San Francisco's Qualified GHG Reduction Strategy would result in less-than-significant impacts from GHG emissions. In order to facilitate a determination of compliance with San Francisco's Qualified GHG Reduction Strategy, the Planning Department has prepared a Greenhouse Gas Analysis Compliance Checklist. The project sponsor is required to submit the completed checklist

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

<sup>3</sup> 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>

regarding project compliance with the identified regulations. Please be specific and provide detailed information in the discussion column to clarify how the proposed project would comply with each item. 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 GHG Reduction Strategy. Projects that do not comply with an ordinance or regulation may be determined to be inconsistent with the GHG Reduction Strategy.

**Hazardous Materials.** The proposed structure is within an area of potentially contaminated soils and the proposed project is therefore subject to Article 22A of the Health Code (also known as the Maher Ordinance). The Maher Ordinance, which is administered and overseen by the Department of Public Health (DPH), requires the Project Sponsor to retain the services of a qualified professional to prepare a Phase I Environmental Site Assessment (ESA) that meets the requirements of Health Code Section 22.A.6. The Phase I ESA would determine the potential for site contamination and level of exposure risk associated with the project. Based on that information, soil and/or groundwater sampling and analysis, as well as remediation of any site contamination, may be required. These steps are required to be completed prior to the issuance of any building permit.

DPH requires that projects subject to the Maher Ordinance complete a Maher Application, available at: <http://www.sfdph.org/dph/EH/HazWaste/hazWasteSiteMitigation.asp>. Fees for DPH review and oversight of projects subject to the ordinance would apply. Please refer to DPH's fee schedule, available at: <http://www.sfdph.org/dph/EH/Fees.asp#haz>. Please provide a copy of the submitted Maher Application and Phase I ESA with the EEA.

**Historical Resource Evaluation (HRE).** The proposed project would be built on a vacant parcel and would not include demolition of any structure. However, the proposed project is within the boundaries of the Western SoMa Light Industrial & Residential Historic District (District) and two parcels within the project block are designated as contributing resources to the District. The Western SoMa FEIR Impact CP-2 found that construction of incompatible new buildings adjacent to historical architectural resources would not have a significant impact upon historical resources in the Community Plan Area because alterations to or near existing historic buildings would be guided by the *Design Standards for the Western SoMa Special Use District*. In order to ensure that the proposed project will not have an adverse impact upon nearby historic resources due to incompatibility, a compatibility analysis may be required.

To assist in this review, the project sponsor must hire a qualified professional to prepare a Compatibility Analysis. The professional must be selected from the Planning Department's Historic Resource Consultant Pool. Upon issuance of the PPA letter, the Project Sponsor may contact Tina Tam, Senior Preservation Planner, via email ([tina.tam@sfgov.org](mailto:tina.tam@sfgov.org)) for a list of three consultants from which to choose. Please contact the HRE scoping team at [HRE@sfgov.org](mailto:HRE@sfgov.org) to arrange the Compatibility Analysis scoping. The historic resource consultant should submit the draft Compatibility Analysis for review to Environmental Planning after the project sponsor has filed the EE Application and updated it as necessary to reflect feedback received in the PPA letter. Historic Preservation staff will not begin reviewing your project until a complete HRE is received.

**Noise.** The Planning Department's noise maps indicate that the proposed project is not in an area where existing ambient noise levels on surrounding streets are at or exceed 60 dBA Ldn (a day-night averaged sound level). Therefore **Western SoMa Mitigation Measures M-NO-1a (Interior Noise Levels for Residential Uses)**, **M-NO-1b (Siting of Noise-Sensitive Uses)**, and **M-NO-1d (Open Space in Noisy Environments)** would likely not apply. As the project does not involve the siting of a noise-generating use, **Mitigation Measure M-NO-1c (Siting of Noise-Generating Uses)** would also not apply. In order to limit construction noise, **Mitigation Measure M-NO-2a (General Construction Noise Control Measures)** would apply to the proposed project, as would **Mitigation Measure M-NO-2b (Noise Control Measures During Pile Driving)** if pile driving will be included in construction of the proposed building.

**Shadow.** The proposed project would result in construction of a building over 40 feet in height. Planning Code Section 295 requires that a shadow analysis be performed to determine whether a project has the potential to cast shadow on properties under the jurisdiction of the San Francisco Recreation and Park Commission or on other open space such as a school playground. Department staff has prepared a preliminary shadow fan that indicates the project would not cast new shadow on any properties under the jurisdiction of the Recreation and Park Department, nor would it cast shadows on any other parks or open spaces. Therefore, a detailed shadow study is not required.

**Stormwater and Flooding.** Combined with your proposal for the adjacent properties at 15 & 23 Grace Street, the proposed projects would result in a ground surface disturbance of 5,000 square feet or more and is subject to San Francisco's stormwater management requirements as outlined in the Stormwater Management Ordinance and the corresponding SFPUC Stormwater Design Guidelines (Guidelines). Projects that trigger the stormwater management requirements must prepare a Stormwater Control Plan demonstrating project adherence to the performance measures outlined in the Guidelines, including: (a) reduction in *total volume* and *peak flow rate* of stormwater for areas in combined sewer systems OR (b) *stormwater treatment* for areas in separate sewer systems. Responsibility for review and approval of the Stormwater Control Plan is with the SFPUC, Wastewater Enterprise, Urban Watershed Management Program. Without SFPUC approval of a Stormwater Control Plan, no site or building permits can be issued. The Guidelines also require a signed maintenance agreement to ensure proper care of the necessary stormwater controls. The project's environmental evaluation should generally assess how and where the implementation of necessary stormwater controls would reduce the potential negative impacts of stormwater runoff. To view the Stormwater Management Ordinance or the Stormwater Design Guidelines, or to download instructions for the Stormwater Control Plan, go to <http://sfwater.org/sdg>.

**Transportation.** Based on the PPA submittal, a transportation study is not anticipated. However, an official determination will be made subsequent to submittal of the environmental evaluation application.

**Tree Planting and Protection Checklist.** The Department of Public Works (DPW) Code Section 8.02-8.11 requires disclosure and protection of landmark, significant, and street trees located on private and public property. Any such trees must be shown on the Site Plans with the size of the trunk

diameter, tree height, and accurate canopy drip line. Please submit a Tree Planting and Protection Checklist with the EEA and ensure that trees are appropriately shown on site plans.<sup>4</sup>

**Wind.** The proposed project would not involve construction of a building over 80 feet in height and initial review by a wind consultant, including a recommendation as to whether a wind tunnel analysis is needed, is not required.

#### **CEQA-RELATED NOTIFICATION AND DISCLOSURE:**

**Notification of a Project Receiving Environmental Review.** Notice is required to be sent to occupants of the project site and properties adjacent to the project site, as well as to owners and, to the extent feasible, occupants of properties within 300 feet of the project site at the initiation of the environmental review. Please be prepared to provide mailing labels upon request during the environmental review process.

**Disclosure Report for Developers of Major City Projects.** The San Francisco Ethics Commission S.F. Campaign & Government Conduct Code § 3.520 et seq. requires developers to provide the public with information about donations that developers make to nonprofit organizations that may communicate with the City and County regarding major development projects. This report must be completed and filed by the developer of any "major project." A major project is a real estate development project located in the City and County of San Francisco with estimated construction costs exceeding \$1,000,000 where either: (1) The Planning Commission or any other local lead agency certifies an EIR for the project; or (2) The project relies on a program EIR and the Planning Department, Planning Commission, or any other local lead agency adopts any final environmental determination under CEQA. A final environmental determination includes a project approval by the Planning Commission that adopts CEQA Findings. (In instances where more than one of the preceding determinations occurs, the filing requirement shall be triggered by the earliest such determination.) A major project does not include a residential development project with four or fewer dwelling units. The first (or initial) report must be filed within 30 days of the date the Planning Commission (or any other local lead agency) certifies the EIR for that project or, for a major project relying on a program EIR, within 30 days of the date that the Planning Department, Planning Commission, or any other local lead agency adopts a final environmental determination under CEQA. Please submit a Disclosure Report for Developers of Major City Projects to the San Francisco Ethics Commission. This form can be found at the Planning Department or online at <http://www.sfethics.org>.

If any of the additional analyses determine that mitigation measures not identified in the area plan EIR are required to address peculiar impacts, the environmental document will be a focused initial study/mitigated negative declaration with a supporting CPE checklist. If the additional analyses identify impacts that cannot be mitigated, the environmental document will be a focused EIR with a supporting CPE checklist. A community plan exemption and a focused initial study/mitigated negative declaration can be prepared by Planning Department staff, but a focused EIR with supporting CPE checklist would need to be prepared by a consultant on the Planning Department's environmental consultant pool ([http://www.sf-planning.org/ftp/files/MEA/Environmental\\_consultant\\_pool.pdf](http://www.sf-planning.org/ftp/files/MEA/Environmental_consultant_pool.pdf)).

If any of the additional analyses determine that mitigation measures not identified in the area plan EIR are required to address peculiar impacts, the environmental document will be a community plan

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<sup>4</sup> <http://www.sf-planning.org/Modules/ShowDocument.aspx?documentid=8321>



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 initial study/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 initial study/EIR would need to be prepared by a consultant on the Planning Department's environmental consultant pool ([http://www.sfplanning.org/ftp/files/MEA/Environmental\\_consultant\\_pool.pdf](http://www.sfplanning.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](http://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. As discussed under 'Preliminary Project Comments' below, the proposed project requires the approval of a **Variance** from Planning Code Section 140 (Exposure). 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](http://www.sfplanning.org).
2. A **Building Permit Application** is required for the proposed new construction on the subject property, and is 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](http://www.sfplanning.org) under the "Permits & Zoning" tab. All registered neighborhood group mailing lists are available online at [www.sfplanning.org](http://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. **Western SoMa Community Plan.** The subject property falls within the Western SoMa Special Use District and is subject to the Western SoMa Community Plan. The Plan promotes neighborhood

qualities and scale that maintain and enhance, rather than destroy, today's living, historic and sustainable neighborhood character. This includes special height, zoning, and design standards that are reflected in the planning provisions below. As proposed, the project is generally consistent with the Plan by providing housing in areas where the Plan encourages housing, conforming to the height limits adopted by the Plan, and supporting car-free living. The Plan is available for download at [http://www.sf-planning.org/ftp/general\\_plan/Western SoMa Area Plan.pdf](http://www.sf-planning.org/ftp/general_plan/Western_SoMa_Area_Plan.pdf).

2. **Interdepartmental Project Review.** An Interdepartmental Project Review is required for all new construction that is eight stories or more, or located within a seismic hazard zone. The subject property is located within a seismic hazard zone. An application is available in the Planning Department lobby at 1650 Mission Street, Suite 400 or at the Planning Information Center (PIC) at 1660 Mission Street, and online at [www.sfplanning.org](http://www.sfplanning.org).
3. **Rear Yard.** Section 134 requires the project to provide a rear yard of at least 25 percent of the lot depth, but no less than 15 feet. Although this requirement may be modified by the Zoning Administrator pursuant to the procedures set forth in Section 307(h) provided that the three criteria under Section 134(f) are met, the Department encourages a Code complying rear yard. Please submit scaled and dimensioned plans in your formal application to verify the inner courtyard is equal to 25 percent of the lot area (or 708 sq. ft.), and be advised this area must be provided at all levels of the building, in addition to the ground floor.
4. **Open Space – Residential.** Section 135 requires 80 square feet of usable open space (private or common) for each dwelling unit. Although the proposal identifies that the minimum amount is met, please submit detailed plans that identify the location and square footage of all the designated open space in your formal application for verification.
5. **Permitted Obstructions.** Please submit scaled floor plans and elevations as part of your formal application to confirm the proposed bay windows meet the dimensional requirements of Section 136(c)(2).
6. **Exposure.** Since the proposed interior courtyard functions as a noncomplying rear yard pursuant to comment #3 above, the studios that face the courtyard do not meet the exposure requirement per Section 140. Therefore, an exposure variance must be applied for, justified and granted by the Zoning Administrator pursuant to Sections 305-306.
7. **Street Frontages.** *APPROPRIATE RELATIONSHIP TO PUBLIC REALM.* The proposed bicycle storage room is not considered an active use as identified under Section 145.1(b)(2). Please revise your design to meet this requirement, in addition to all other criteria under Section 145.1 as part of your formal application.
8. **Building Height.** Planning Code Section 261.1 requires building frontages to have upper stories set back at least 10 feet at the property line above a height equivalent to 1.25 times the width of the abutting narrow street. Since the width of Grace and Washburn Streets is 35 feet, any portion of the proposed building above 43 feet 9 inches must be set back at least 10 feet from the property line for each respective street. Please revise your design to meet this requirement.

9. **Affordable Housing.** Section 415.3 specifies that the affordable housing requirement shall apply to any housing project that consists of ten or more units where an individual project or a phased project is to be undertaken and where the total undertaking comprises a project with ten or more units, even if the development is on separate but adjacent lots. The Project Sponsor must submit an *'Affidavit of Compliance with the Inclusionary Affordable Housing Program: Planning Code Section 415,'* 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 minimum Affordable Housing Percentages are 20% fee, 12% on-site, or 20% off-site. Therefore, this project combined with your other proposal at 15 & 23 Grace Street is collectively considered the total undertaking, and would have a minimum requirement of three affordable housing 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.

10. **Eastern Neighborhoods Impact Fees.** As fully described under Section 423, the Eastern Neighborhoods Impact Fee is dedicated to infrastructure improvements in the Plan Area, directing benefits of the fund clearly to those who pay into the fund by providing necessary infrastructure improvements and housing needed to serve new development. The subject lot is within Tier 1 of the Plan Area, and the project will be required to pay \$9.71 for each net additional gross square foot of residential development. Be advised the fee amount indicated above is current as of the date of this letter, and is indexed each January 1st. The Eastern Neighborhoods Impact Fee is due and payable to the Development Fee Collection Unit at DBI prior to issuance of the first construction document pursuant to Section 107A.13.3.1 of the San Francisco Building Code.

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, subject to the rules and requirements under PC Section 423.3(d).

11. **First Source Hiring Agreement.** 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 the contact information below:

Ken Nim, Workforce Compliance Officer  
CityBuild, Office of Economic and Workforce Development  
City and County of San Francisco  
50 Van Ness, San Francisco, CA 94102  
(415) 581-2303

12. **Stormwater.** If the project results in a ground surface disturbance of 5,000 ft<sup>2</sup> or greater, it is subject to San Francisco's stormwater management requirements as outlined in the Stormwater Management Ordinance and the corresponding SFPUC Stormwater Design Guidelines (Guidelines). Projects that trigger the stormwater management requirements must prepare of a Stormwater Control Plan demonstrating project adherence to the performance measures outlined in the Guidelines including:  
(a) reduction in *total volume* and *peak flow rate* of stormwater for areas in combined sewer systems OR  
(b) *stormwater treatment* for areas in separate sewer systems. Responsibility for review and approval of the Stormwater Control Plan is with the SFPUC, Wastewater Enterprise, Urban Watershed Management Program. Without SFPUC approval of a Stormwater Control Plan, no site or building permits can be issued. The Guidelines also require a signed maintenance agreement to ensure proper care of the necessary stormwater controls. To view the Stormwater Management Ordinance, the Stormwater Design Guidelines, or download instructions for the Stormwater Control Plan, go to <http://sfwater.org/sdg>. Applicants may contact [stormwaterreview@sfwater.org](mailto:stormwaterreview@sfwater.org) for assistance.
13. **Recycled Water.** Projects located in San Francisco's designated recycled water use areas are required to install recycled water systems for irrigation, cooling, and/or toilet and urinal flushing in accordance with the Recycled (or Reclaimed) Water Use Ordinance, adopted as Article 22 of the San Francisco Public Works Code. New construction or major alterations with a total cumulative area of 40,000 square feet or more; any new, modified, or existing irrigated areas of 10,000 square feet or more; and all subdivisions are required to comply. To determine if the proposed project is in a

designated recycled water use area, and for more information about the recycled water requirements, please visit [sfwater.org/index.aspx?page=687](http://sfwater.org/index.aspx?page=687).

**PRELIMINARY DESIGN COMMENTS:**

The project is located in the Western SoMa Special Use District and is subject to the Western SoMa Design Standards. The site is in the center of a large south of Market block adjacent to two small streets. The area is primarily industrial and residential in both use and character with one to four story buildings; however the northwestern end of the larger block is zoned for significant height. The following comments address preliminary design issues that may significantly impact the proposed project:

1. **Site Design, Open Space, and Massing.** The Planning Department recommends that the project's proposed open space be at the same grade as the first level of residential use. The Planning Department also recommends shaping the building to comply with Section 261.1 Additional Height Limits for Narrow Streets, as noted above under 'Preliminary Project Comments'.
2. **Street Frontage.** The Planning Department recommends switching the location of Unit 102 and the bicycle storage so that the residential unit faces the public realm. The unit should be connected to the public realm through a raised entry that follows the Planning Department Ground Floor Residential Guidelines. Unit 101 should also follow the requirements for a residential entry along Washburn Street with either a raised entry or an entry adjacent to a setback to create a landscape buffer space.
3. **Architecture.** As the project is diagrammatic, the Planning Department does not have comment on the architecture at this time.

**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 **August 20, 2016**. Otherwise, this determination is considered expired and a new Preliminary Project Assessment is required. Such applications and plans must be generally consistent with those found in this Preliminary Project Assessment.

Enclosure: Neighborhood Group Mailing List

cc: 15-23 Grace Street LLC, Property Owner  
Doug Vu, Current Planning  
Christopher Espiritu, Environmental Planning  
Lisa Chen, Citywide Planning and Analysis  
Maia Small, Design Review

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| FIRST     | LAST       | TITLE                   | ORGANIZATION  | ADDRESS                                   | CITY          | STATE | ZIP        | TELEPHONE    | EMAIL   | NEIGHBORHOOD OF INTEREST   |  |
|-----------|------------|-------------------------|---|---|---------------|-------|------------|--------------|---|--|--|
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| Antonio   | Diaz       | Project Director        | People Organizing to Demand Environmental and Economic Rights (PODER)               | 474 Valencia Street #125                  | San Francisco | CA    | 94103      | 415-431-4210 | podersf.org   | Excelsior, Mission, South of Market  |  |
| Carolyn   | Diamond    | Executive Director      | Market Street Association   | 870 Market Street, Suite 456              | San Francisco | CA    | 94102      | 415-362-2500 | msadv@pacbell.net   | South of Market  |  |
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| Jason     | Henderson  | Vice Chairman           | Market/Octavia Community Advisory Comm.   | 300 Buchanan Street, Apt. 503             | San Francisco | CA    | 94102      | 415-722-0617 | jc@carpinelli.com   | Castro/Upper Market, Downtown/Civic Center, Mission, South of Market, Western Addition   |  |
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| Ted       | Olson      | Chair                   | TJPA CAC  | 30 Sharon Street                          | San Francisco | CA    | 94114-1709 | 415-407-0094 | olssonted@yahoo.com   | Financial District, South of Market  |  |
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| Tony      | Kelly      | President               | Potrero Boosters Neighborhood Association   | 1459 - 18th Street, Suite 133             | San Francisco | CA    | 94107      | 415-861-0345 |   | 0 Mission, Potrero Hill, South of Market   |  |
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