



# SAN FRANCISCO PLANNING DEPARTMENT

**MEMO**

**DATE:** February 18, 2015

**TO:** Jody Knight, Reuben, Junius & Rose, LLP, Project Sponsor's  
Representative

**FROM:** Devyani Jain, Planning Department

**RE:** PPA Case No. 2014-002026PPA for 1726 Mission Street

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

Reception:  
**415.558.6378**

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Please find the attached Preliminary Project Assessment (PPA) for the address listed above. You may contact the staff contact, Tania Sheyner, at (415) 575-9127 or [Tania.Sheyner@sfgov.org](mailto:Tania.Sheyner@sfgov.org), to answer any questions you may have, or to schedule a follow-up meeting.

A handwritten signature in black ink, appearing to read "Devyani Jain", written over a horizontal line.

Devyani Jain, Senior Planner



# SAN FRANCISCO PLANNING DEPARTMENT

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## Preliminary Project Assessment

*Date:* February 18, 2015  
*Case No.:* 2014.002026PPA  
*Project Address:* 1726 Mission Street  
*Block/Lot:* 3532/004A and 005  
*Zoning:* Urban Mixed Use (UMU)  
68-X Height and Bulk district  
*Area Plan:* Mission Area Plan  
*Project Sponsor:* Jody Knight, Project Sponsor's Representative  
415-567-9000  
*Staff Contact:* Tania Sheyner – 415-575-9127  
[Tania.Sheyner@sfgov.org](mailto:Tania.Sheyner@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 demolish the existing 3,500-square-foot, vacant two-story industrial building and construct a six-story, 68-foot-tall mixed-use building that would include 36 dwelling units, 29 parking spaces, and approximately 900 square feet of commercial space. The existing building on the 7,800 square foot subject lot was constructed in 1923.

### ENVIRONMENTAL REVIEW:

#### *Community Plan Exemption*

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 (FEIR)*, certified in 2008.<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. **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 \$13,659) and (b) the CPE certificate fee (currently \$7,580).
2. **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 checklist 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 \$13,659) and (b) the standard environmental evaluation fee (which is based on construction value).
3. **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 checklist 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 \$13,659); (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**. The Environmental Evaluation Application can be submitted at the same time as the Preliminary Project Assessment Application. The environmental review may be done in conjunction with the required approvals listed below, but must be completed before any project approval may be granted.

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

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. See page 2 of the current *Fee Schedule* for calculation of environmental application fees.

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) submittal dated November 13, 2014.

1. **Historic Resources.** The existing building on the project site is less than 45 years of age and/or was previously evaluated in a historical resources survey and found ineligible for national, state, or local listing. Thus, the proposed project is not subject to review by the Department's Historic Preservation staff; no additional analysis of historic architectural resources is required.
2. **Archeological Resources.** Project implementation would entail soil-disturbing activities associated with building construction, including excavation that would reach a depth of approximately 2 feet below grade. The project site is located within an area where no previous archeological survey has been prepared. 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 project site lies within the Archaeological Mitigation Zone J-3: *Properties within the Mission Dolores Archeological District*. Based on the presence of archeological properties of a high level of historical, ethnic, and scientific significance within the Mission Dolores Archeological District, the following measure shall be undertaken to avoid any significant adverse effect from soils disturbing activities on buried archeological resources. The project sponsor shall retain the services of a qualified archeological consultant from the Planning Department's rotational Qualified Archeological Consultants List (QACL). The project sponsor must contact the Department archeologist to obtain the names and contact information for the next three archeological consultants on the QACL. The whole QACL is available at [http://www.sf-planning.org/ftp/files/MEA/Archeological\\_Review\\_consultant\\_pool.pdf](http://www.sf-planning.org/ftp/files/MEA/Archeological_Review_consultant_pool.pdf).

At the direction of the ERO, the archeology consultant may be required to have acceptable documented expertise in California Mission archeology. The scope of the archeological services to be provided may include preparation of an ARD/TP. The archeological consultant shall undertake an archeological testing program as specified herein. In addition, the consultant shall be available to conduct an archeological monitoring and/or data recovery program if required pursuant to this measure. The archeological consultant's work shall be conducted in accordance with this measure at the direction of the Environmental Review Officer (ERO). All plans and reports prepared by the consultant as specified herein shall be submitted first and directly to the ERO for review and comment, and shall be considered draft reports subject to revision until final approval by the ERO. Archeological monitoring and/or data recovery programs required by this measure could suspend construction of the project for up to a maximum of four weeks. At the direction of the ERO, the suspension of construction can be extended beyond four weeks only if such a suspension is the only feasible means to reduce to a less than significant level potential effects on a significant archeological resource as defined in CEQA Guidelines Sect. 15064.5 (a)(c).

*Archeological Testing Program.* The archeological consultant shall prepare and submit to the ERO for review and approval an archeological testing plan (ATP). The archeological testing program shall be conducted in accordance with the approved ATP. The ATP shall identify the property types of the expected archeological resource(s) that potentially could be adversely affected by the proposed project, the testing method to be used, and the locations recommended for testing. The purpose of the archeological testing program will be to determine to the extent possible the presence or absence of archeological resources and to identify and to evaluate whether any archeological resource encountered on the site constitutes an historical resource under CEQA.

At the completion of the archeological testing program, the archeological consultant shall submit a written report of the findings to the ERO. If based on the archeological testing program the archeological consultant finds that significant archeological resources may be present, the ERO in consultation with the archeological consultant shall determine if additional measures are warranted. Additional measures that may be undertaken include additional archeological testing, archeological monitoring, and/or an archeological data recovery program. If the ERO determines that a significant archeological resource is present and that the resource could be adversely affected by the proposed project, at the discretion of the project sponsor either:

- A) The proposed project shall be re-designed so as to avoid any adverse effect on the significant archeological resource; or
- B) A data recovery program shall be implemented, unless the ERO determines that the archeological resource is of greater interpretive than research significance and that interpretive use of the resource is feasible.

*Archeological Monitoring Program.* If the ERO in consultation with the archeological consultant determines that an archeological monitoring program shall be implemented the archeological monitoring program shall minimally include the following provisions:

- The archeological consultant, project sponsor, and ERO shall meet and consult on the scope of the AMP reasonably prior to any project-related soils disturbing activities commencing. The ERO in consultation with the archeological consultant shall determine what project activities shall be archeologically monitored. In most cases, any soils- disturbing activities, such as demolition, foundation removal, excavation, grading, utilities installation, foundation work, driving of piles (foundation, shoring, etc.), site remediation, etc., shall require archeological monitoring because of the risk these activities pose to potential archaeological resources and to their depositional context;
- The archeological consultant shall advise all project contractors to be on the alert for evidence of the presence of the expected resource(s), of how to identify the evidence of the expected resource(s), and of the appropriate protocol in the event of apparent discovery of an archeological resource;
- The archeological monitor(s) shall be present on the project site according to a schedule agreed upon by the archeological consultant and the ERO until the ERO has, in consultation

with project archeological consultant, determined that project construction activities could have no effects on significant archeological deposits;

- The archeological monitor shall record and be authorized to collect soil samples and artifactual/ecofactual material as warranted for analysis;
- If an intact archeological deposit is encountered, all soils-disturbing activities in the vicinity of the deposit shall cease. The archeological monitor shall be empowered to temporarily redirect demolition/excavation/pile driving/construction activities and equipment until the deposit is evaluated. If in the case of pile driving activity (foundation, shoring, etc.), the archeological monitor has cause to believe that the pile driving activity may affect an archeological resource, the pile driving activity shall be terminated until an appropriate evaluation of the resource has been made in consultation with the ERO. The archeological consultant shall immediately notify the ERO of the encountered archeological deposit. The archeological consultant shall make a reasonable effort to assess the identity, integrity, and significance of the encountered archeological deposit, and present the findings of this assessment to the ERO. Whether or not significant archeological resources are encountered, the archeological consultant shall submit a written report of the findings of the monitoring program to the ERO.

*Archeological Data Recovery Program.* The archeological data recovery program shall be conducted in accord with an archeological data recovery plan (ADRP). The archeological consultant, project sponsor, and ERO shall meet and consult on the scope of the ADRP prior to preparation of a draft ADRP. The archeological consultant shall submit a draft ADRP to the ERO. The ADRP shall identify how the proposed data recovery program will preserve the significant information the archeological resource is expected to contain. That is, the ADRP will identify what scientific/historical research questions are applicable to the expected resource, what data classes the resource is expected to possess, and how the expected data classes would address the applicable research questions. Data recovery, in general, should be limited to the portions of the historical property that could be adversely affected by the proposed project. Destructive data recovery methods shall not be applied to portions of the archeological resources if nondestructive methods are practical.

The scope of the ADRP shall include the following elements:

- *Field Methods and Procedures.* Descriptions of proposed field strategies, procedures, and operations.
- *Cataloguing and Laboratory Analysis.* Description of selected cataloguing system and artifact analysis procedures.
- *Discard and Deaccession Policy.* Description of and rationale for field and post-field discard and deaccession policies.
- *Interpretive Program.* Consideration of an on-site/off-site public interpretive program during the course of the archeological data recovery program.
- *Security Measures.* Recommended security measures to protect the archeological resource from vandalism, looting, and non-intentionally damaging activities.
- *Final Report.* Description of proposed report format and distribution of results.

- *Curation.* Description of the procedures and recommendations for the curation of any recovered data having potential research value, identification of appropriate curation facilities, and a summary of the accession policies of the curation facilities.

*Human Remains and Associated or Unassociated Funerary Objects.* The treatment of human remains and of associated or unassociated funerary objects discovered during any soils disturbing activity shall comply with applicable State and Federal laws. This shall include immediate notification of the Coroner of the City and County of San Francisco and in the event of the Coroner's determination that the human remains are Native American remains, notification of the California State Native American Heritage Commission (NAHC) who shall appoint a Most Likely Descendant (MLD) (Pub. Res. Code Sec. 5097.98). The archeological consultant, project sponsor, and MLD shall make all reasonable efforts to develop an agreement for the treatment of, with appropriate dignity, human remains and associated or unassociated funerary objects (CEQA Guidelines. Sec. 15064.5(d)). The agreement should take into consideration the appropriate excavation, removal, recordation, analysis, custodianship, curation, and final disposition of the human remains and associated or unassociated funerary objects. If non-Native American human remains are encountered, the archeological consultant, the ERO, and the Office of the Coroner shall consult on the development of a plan for appropriate analysis and recordation of the remains and associated burial items since human remains, both Native American and non-Native American, associated with the Mission Dolores complex (1776-1850s) are of significant archeological research value and would be eligible to the CRHR.

*Final Archeological Resources Report.* The archeological consultant shall submit a Draft Final Archeological Resources Report (FARR) to the ERO that evaluates the historical significance of any discovered archeological resource and describes the archeological and historical research methods employed in the archeological testing/monitoring/data recovery program(s) undertaken. Information that may put at risk any archeological resource shall be provided in a separate removable insert within the final report.

Once approved by the ERO, copies of the FARR shall be distributed as follows: California Archaeological Site Survey Northwest Information Center (NWIC) shall receive one (1) copy and the ERO shall receive a copy of the transmittal of the FARR to the NWIC. The Major Environmental Analysis division of the Planning Department shall receive three copies of the FARR along with copies of any formal site recordation forms (CA DPR 523 series) and/or documentation for nomination to the National Register of Historic Places/California Register of Historical Resources. In instances of high public interest in or the high interpretive value of the resource, the ERO may require a different final report content, format, and distribution than that presented above.

3. **Transportation Study.** Based on a preliminary review of the proposed project by Planning Department's transportation planners, a transportation study is not likely to be required. This determination is preliminary in nature and will be revisited upon submittal of the EE Application (plans included with the EE Application should include dimensions of existing and proposed curb cut widths). Based on the preliminary review of the proposed project, Department staff also recommends that the project sponsor consider providing fewer parking spaces, given the project site's proximity to local and regional transit lines. The project sponsor should also coordinate

with the assigned environmental case planner and the San Francisco Municipal Transportation Agency regarding the approved and planned Transit Effectiveness Project improvements and roadway network changes adjacent to the project site.

4. **Hazardous Materials.** The proposed project would require excavation of over 50 cubic yards to accommodate the slab foundation. Moreover, the proposed project would include the construction of a new mixed-use/residential building on a site previously used for industrial purposes. Therefore, the project is 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 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 Environmental Evaluation Application (EEA).

In addition, *Eastern Neighborhoods FEIR Hazardous Materials Mitigation Measure L-6: Hazardous Building Materials* would apply to the proposed project. Consistent with this mitigation measure, the project sponsor would be required to ensure that any equipment containing polychlorinated biphenyls or di-ethylhexyl phthalate, such as fluorescent light ballasts, be removed and properly disposed of according to applicable federal, state, and local laws prior to the start of demolition, and that any fluorescent light tubes, which could contain mercury, be similarly removed and properly disposed of. This measure also requires that any other hazardous building materials identified, either before or during work, be abated according to applicable federal, state, and local laws.

5. **Air Quality (AQ) Analysis.** The proposed project's 36 dwelling units and 900 feet of retail uses are below the Bay Area Air Quality Management District's (BAAQMD) construction and operation screening levels for criteria air pollutants.<sup>2</sup> However, detailed information related to cubic yards of excavation shall be provided as part of the EEA.

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

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<sup>2</sup> BAAQMD, *CEQA Air Quality Guidelines*, May 2011, Chapter 3.



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).

The project site is also 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 Article 38 application with the Environmental Evaluation Application.<sup>3</sup>

Equipment exhaust measures during construction, such as those listed in Mitigation Measure M-AQ-1, Construction Air Quality, 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.

6. **Greenhouse Gases.** *The City and County of San Francisco's Strategies to Address Greenhouse Gas Emissions* presents a comprehensive assessment of policies, programs, and ordinances that represents San Francisco's Qualified Greenhouse Gas (GHG) Reduction Strategy. 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.<sup>4</sup> The project sponsor is 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 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

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<sup>3</sup> Refer to <http://www.sfdph.org/dph/eh/Air/default.asp> for more information.

<sup>4</sup> Refer to <http://sf-planning.org/index.aspx?page=1886> for latest "Greenhouse Gas Compliance Checklist for Private Development Projects."

comply with an ordinance or regulation may be determined to be inconsistent with the Greenhouse Gas Reduction Strategy.

7. **Noise.** The *Eastern Neighborhoods FEIR* identified a number of noise mitigation measure applicable to construction activities as well as to the siting of noise-generating land uses (such as residential uses) in areas that are substantially affected by existing noise levels. The project site is located along Mission Street, where traffic-related noise exceeds 70 L<sub>dn</sub> (a day-night averaged sound level). The project would be subject to *Eastern Neighborhoods FEIR Noise Mitigation Measure F-2: Construction Noise*. Pursuant to this mitigation measure, the Planning Director shall require that the project sponsor develop a set of site-specific noise attenuation measures under the supervision of a qualified acoustical consultant when the environmental review of a development project determines that construction noise controls are necessary due to the nature of planned construction practices and sensitivity of proximate uses. This mitigation measure requires that a plan for such measures be submitted to DBI prior to commencing construction to ensure that maximum feasible noise attenuation will be achieved.

In addition, the proposed project would be subject to the San Francisco Noise Ordinance (Article 29 of the *Police Code*), amended in November 2008, which includes restrictions on noise levels of construction equipment and hours of construction activity. Detailed information related to construction equipment, phasing, and duration of each phase may be required as part of the environmental evaluation to assess construction noise levels and methods to reduce such noise, as feasible.

The proposed project would also be subject to the *Eastern Neighborhoods FEIR Noise Mitigation Measure F-4: Siting of Noise-Sensitive Uses*, which is intended to reduce potential conflicts between existing noise-generating uses and new sensitive receptors. This measure would apply to the proposed project because the project includes residential uses, which are considered to be noise-sensitive uses for purposes of CEQA analysis. *Noise Mitigation Measure F-4* requires that a noise analysis be prepared for new development including a noise-sensitive 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 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.

Finally, *Eastern Neighborhoods FEIR Noise Mitigation Measure F-6: Open Space in Noisy Environments* 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. Implementation of this mitigation measure would be undertaken consistent with other principles or urban design.

8. **Shadow Study.** The proposed project would result in construction of a building greater than 40 feet in height (the proposed height is 68 feet). A preliminary shadow fan analysis has been prepared by Planning Department staff (see attached), and indicates that the project does not cast shadows on properties under the jurisdiction of the San Francisco Recreation and Park Commission. Therefore, a shadow study would not likely be required.
9. **Wind Study.** The proposed project would involve construction of a building approximately 68 feet in height. The height of the proposed building is not expected to cause adverse ground-level wind speeds resulting from the project. Therefore, a wind analysis study would not likely be required.
10. **Geology:** The project sponsor is required to prepare a geotechnical investigation to identify the primary geotechnical concerns associated with the proposed project and the site. The geotechnical investigation would identify hazards (among them those related to project site location within an area identified as having potential for liquefaction) and recommend minimization measures for potential issues regarding, but not limited to, soil preparation and foundation design. The geotechnical investigation should be submitted with the EE Application and to assist in the archaeological review of the project (see the Archaeological Resources section above).
11. **Tree Planting and Protection.** 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 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 Environmental Evaluation Application and ensure that trees are appropriately shown on site plans.
12. **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 addresses on a CD upon request following submittal of the Environmental Evaluation Application.
13. **Disclosure Report for Developers of Major City Projects.** The San Francisco Ethics Commission S.F. Camp. & Govt. 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: the issuance of a Community Plan Exemption (CPE); certification of a CPE/EIR; adoption of a CPE/Final Mitigated Negative Declaration; or a project approval by the Planning Commission that adopts CEQA Findings. (In instances where more than one of the preceding determinations occur, 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 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 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.sf-planning.org/ftp/files/MEA/Environmental\\_consultant\\_pool.pdf](http://www.sf-planning.org/ftp/files/MEA/Environmental_consultant_pool.pdf)).

Please see "Studies for Project inside of Adopted Plan Areas - Community Plan Fees" in the Planning Department's current *Fee Schedule for Applications*. Environmental evaluation applications are available at the Planning Information Center at 1660 Mission Street, and online at [www.sfplanning.org](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. A **Large Project Authorization** from the Planning Commission is required within the Eastern Neighborhoods Mixed Use Districts per Planning Code Section 329 to allow the construction of a new building greater than 75 feet in height, a project involving a net addition or new construction greater than 25,000 gross square feet, or a project with 200 or more linear feet of contiguous street frontage on any public right-of-way. Since the project proposes the construction of a new building with a total gross floor area of 40,838 sf, a Large Project Authorization is required. As proposed, the project would require specific exceptions from the provisions of the Planning Code with regard to the following:
  - a. Rear Yard
  - b. Dwelling Unit Exposure
  - c. Off-street parking

Although qualifying projects may seek and justify specific exceptions from the provisions of the Planning Code pursuant to Planning Code Section 329, staff strongly encourages the Project Sponsor to study and seek Code-compliant design alternatives that avoid the necessity for exceptions, particularly for new construction projects which are unencumbered by existing improvements that may otherwise pose constraints. If specific exceptions are pursued, staff strongly encourages the Project Sponsor to minimize the number of exceptions sought.

2. A **Building Permit Application** is required for the demolition of the existing buildings on the subject property.
3. A **Building Permit Application** is required for the proposed new construction on the subject property.

A Large Project Authorization application is available in the Planning Department lobby at 1650 Mission Street Suite 400, at the Planning Information Center (PIC) at 1660 Mission Street, and online at [www.sfplanning.org](http://www.sfplanning.org). Building Permit applications are available at the Department of Building Inspection at 1660 Mission Street.

#### **NEIGHBORHOOD NOTIFICATIONS AND PUBLIC OUTREACH:**

Project Sponsors are encouraged to conduct public outreach with the surrounding community and neighborhood groups early in the development process. Additionally, many approvals require a public hearing with an associated neighborhood notification. Differing levels of neighborhood notification are mandatory for some or all of the reviews and approvals listed above. Specifically, notification is required for the:

1. Large Project Authorization
2. Building Permit (Section 312)

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. **Eastern Neighborhoods – Mission Area Plan:** The project is located within the boundary of the Mission Area Plan of the Eastern Neighborhoods. The Mission Area Plan promotes a wide range of uses to create a livable and vibrant neighborhood. On the Mission Street corridor, the Plan encourages a transit oriented neighborhood commercial with housing and/or small offices above, and relaxed density and parking requirements to acknowledge good transit service here. As a residential project with ground floor commercial uses, the project as proposed is consistent with the Plan but the proposed amount off-street parking spaces, which is above the maximum allowed, is inconsistent with the Plan. The project is within the Urban Mixed Use (UMU) District, where parking is not required. Given its location near the 16<sup>th</sup> Street BART station and Mission Street bus lines, the proposed project includes parking at a ratio exceeding the requirements of the UMU District. The project and design comments below discuss any items where more information is needed to assess conformity with either specific policies or Code standards or where the project requires minor modification to achieve such consistency.

Please refer to the Mission Area Plan for more guidance and to ensure general conformity with the policies of the Plan. Information on the Mission Plan can be found on the Planning Department's website at: [http://www.sfplanning.org/ftp/General\\_Plan/Mission.htm](http://www.sfplanning.org/ftp/General_Plan/Mission.htm)

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. **Building Height.** Planning Code Section 102.12 and 260 establish the building height measurement methodology. The subject property is located within the 68-X Height and Bulk District which establishes a maximum building height of 68 feet. Permitted exemptions above the maximum height limit are outlined in Planning Code Section 260. To ensure an accurate depiction of a Code-compliant building height, the Section drawing must be taken through the centerline of the building at curb level (not street level as currently depicted) in accordance with the building height measurement methodology.
4. **Rear Yard.** Planning Code Section 134(a)(1)(C) requires the project to provide a rear yard of at least 25 percent of the lot depth or 25 feet (.25 x 100 feet = 25 feet). In the UMU Zoning District, rear yards shall be provided at the lowest story containing a dwelling unit, and at each succeeding level or of the building. As proposed, residential floors two through six of subject building encroach 10 feet into the minimum required 25-foot rear yard. Although the project may seek and justify an exception from the provisions of this Code pursuant to Planning Code Section 329, staff strongly encourages the Project Sponsor to study and seek Code-compliant design alternatives. If a rear yard modification is ultimately sought, staff recommends providing a comparable amount of common open space as would be created by a Code-compliant rear yard (25 feet x 78 feet = 1,950 sf).
5. **Exposure.** Planning Code Section 140 outlines requirements for all dwelling units to face an open area that meet specific dimensional requirements [including a requirement that the required windows face

