



SAN FRANCISCO PLANNING DEPARTMENT

MEMO

DATE: May 27, 2014
TO: Mark Conroe, Urban Communities, LLC
FROM: Rick Cooper, Planning Department
RE: PPA Case No. 2014.0484U for 1699 Market Street

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

Reception:
415.558.6378

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415.558.6409

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Information:
415.558.6377

Please find the attached Preliminary Project Assessment (PPA) for the address listed above. You may contact the staff contact, Melinda Hue at (415) 575-9041 or melinda.hue@sfgov.org, to answer any questions you may have, or to schedule a follow-up meeting.

A handwritten signature in cursive script, appearing to read "Rick Cooper".

Rick Cooper, Senior Planner



SAN FRANCISCO PLANNING DEPARTMENT

Preliminary Project Assessment

Date: May 27, 2014
Case No.: **2014.0484U**
Project Address: 1699 Market Street
Block/Lot: 3504/030
Zoning: NCT-3 (Moderate Scale Neighborhood Commercial Transit District)
85-X
Area Plan: Market and Octavia Area Plan
Project Sponsor: Mark Conroe, Urban Communities, LLC – (415) 431-6506
mark@presidiop.com
Staff Contact: Melinda Hue – (415) 575-9041
Melinda.Hue@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 Public Utilities Commission, Department of Building Inspection, Department of Public Works, Department of Public Health, and others. In most cases, consultation with the Public Utilities Commission is required prior to completion of the environmental review. The information included herein is based on plans and information provided for this assessment and the Planning Code, General Plan, Planning Department policies, and local/state/federal regulations as of the date of this document, all of which are subject to change.

PROJECT DESCRIPTION:

The project site is located on Market Street between Valencia Street and Gough Street, with limited frontages along Stevenson Street and McCoppin Street. The proposal is to demolish the existing 22,170 square-foot commercial building and associated surface parking lot and construct a 9-story, 85-foot tall mixed use building. The existing one- to two-story building on the 27,708 square foot subject lot was constructed in 1954. The proposed new building would include 160 dwelling units, 123 below-grade parking spaces, and 4,500 square feet of commercial space along Market Street. The project would require excavation of up to five to ten feet below ground surface (bgs) to accommodate the proposed basement parking level.

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 Market and Octavia Area Plan, which was evaluated in the Market and Octavia Area Plan Programmatic Final Environmental Impact Report ("Market and Octavia FEIR"), which was certified in 2007. Because the proposed project is consistent with the development density identified in the area plan, it is eligible for a community plan exemption (CPE). 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 Market and Octavia 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 Market and Octavia 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 \$13,339); (b) the CPE certificate fee (currently \$7,402); and (c) a proportionate share fee for recovery for costs incurred by the Planning Department for preparation of the Market and Octavia FEIR.
2. **CPE + Mitigated Negative Declaration.** If new site- or project-specific significant impacts are identified for the proposed project that were not identified in the Market and Octavia FEIR, and if these new significant impacts can be mitigated to a less-than-significant level, then a focused mitigated negative declaration is prepared to address these impacts, and a supporting CPE certificate is prepared to address all other impacts that were encompassed by the Market and Octavia FEIR, with all pertinent mitigation measures and CEQA findings from the Market and Octavia FEIR also applied to the proposed project. With this outcome, the applicable fees are: (a) the CPE determination fee (currently \$13,339); (b) the standard environmental evaluation fee (which is based on construction value); and (c) a proportionate share fee for recovery for costs incurred by the Planning Department for preparation of the Market and Octavia FEIR.
3. **CPE + Focused EIR.** If any new site- or project-specific significant impacts cannot be mitigated to a less-than-significant level, then a focused EIR is prepared to address these impacts, and a supporting CPE certificate is prepared to address all other impacts that were encompassed by the Market and Octavia FEIR, with all pertinent mitigation measures and CEQA findings from the Market and Octavia FEIR also applied to the proposed project. With this outcome, the applicable fees are: (a) the CPE determination fee (currently \$13,339); (b) the standard environmental evaluation fee (which is based on construction value); (c) one-half of the standard EIR fee (which

is also based on construction value); and (d) a proportionate share fee for recovery for costs incurred by the Planning Department for preparation of the Market and Octavia FEIR.

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 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.**

Below is a list of topic areas that would require additional study based on our preliminary review of the project as it is proposed in the Preliminary Project Assessment (PPA) submittal dated March 28, 2014.

- **Historic Resources.** The existing building on the project site was previously evaluated in a historical resources survey and found ineligible for national, state, or local listing. Since the subject property is adjacent to a structure that is within the non-contiguous Market Street Masonry Historic District (a San Francisco Article 10 Designated Historic District), no additional environmental review pertaining to historic resources is required. However, Planning Department staff will evaluate the project to ensure its construction will not physically impact the adjacent resource.
- **Archeological Resources.** Project implementation would entail soil-disturbing activities associated with building construction, including excavation that would reach a depth of approximately five to ten feet below grade. The proposed project would be subject to Market and Octavia FEIR Mitigation Measure C2 General Soil Disturbing Activities which applies to any project involving any soils-disturbing activities including excavation, installation of foundations or utilities or soil remediation beyond a depth of four feet and located within those properties within the Market and Octavia Plan Area for which no archaeological assessment report has been prepared. Mitigation Measure C2 would require for the proposed project either Preliminary Archeological Review (PAR) conducted in-house by the Planning Department archeologist or the preparation of a Preliminary Archeological Sensitivity Assessment (PASS) by a Department Qualified Archeological Consultant subject to the review and approval by the Department archeologist. In almost all cases, the project sponsor would choose the PAR process. The PAR will first determine what type of soils disturbance/modifications would result from the proposed project, such as excavation, installation of foundations, soils improvements, site remediation, etc., second, whether or not the project site is located in an area of archeological sensitivity and, third, what additional steps are necessary to identify and evaluate any potential archeological resources that may be affected by the project. Helpful to the PAR process is the availability of geotechnical or soils characterization studies prepared for the project. The results of this review will be provided in a memorandum to the Environmental Planner assigned to the project.

Alternatively, preparation of a PASS would require the project sponsor to 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.

The Preliminary Archeological Sensitivity Study (PASS) should contain the following:

1. The historical uses of the project site based on any previous archaeological documentation and Sanborn maps;
2. Types of archaeological resources/properties that may have been located within the project site and whether the archaeological resources/property types would potentially be eligible for listing in the California Register of Historical Resources (CRHR);
3. If 19th or 20th century soils-disturbing activities may adversely affect the identified potential archaeological resources;
4. Assessment of potential project effects in relation to the depth of any identified potential archaeological resource;
5. Assessment of whether any CRHR-eligible archaeological resources could be adversely affected by the proposed project and, as warranted, appropriate action.

Based on the PAR or the PASS, the Department archeologist will determine if and what additional measures are necessary to address potential effects of the project to archeological resources. These measures may include implementation of various archeological mitigations such as accidental discovery, archeological monitoring, and/or archeological field investigations. In cases of potential higher archeological sensitivity, preparation of an Archeological Research Design/Treatment Plan (ARD/TP) by an archeological consultant from the QACL may be required.

- **Transportation Study.** Based on the Planning Department's transportation impact analysis guidelines, the project would require additional transportation analysis to determine whether the project may result in a significant impact. Therefore, the Planning Department requires that a consultant listed on the Planning department's Transportation Consultant Pool prepare a Transportation Impact Study. You are required to pay special fees for the Study; please contact Chelsea Fordham at (415) 575-9071 to arrange payment. Once you pay the fees, a Planning Department Transportation Planner will provide you with a list of three consultants from the Transportation Pool, and will direct the scope of the study.

Based on the review of the preliminary plans by the Planning Department, transportation staff has the following initial feedback on the proposed project:

- Consider less parking (due to proximity to transit and bike facilities) and reducing vehicle access to one location (vehicle access at Stevenson Street is preferred)
- Clarify/label where trash collection would occur – avoid trash collection along Market Street
- Bike parking location is difficult to access – recommend relocating bike parking to the ground floor

- Show where Class II bike spaces would be located on plans (coordinate with MTA regarding location of Class II bike spaces)

Based on the above concerns, the Department transportation staff would review the project plans upon submittal of the EEA.

- **Hazardous Materials.** The proposed project would include excavation between five to 10 feet in depth on a project site that had previous industrial uses. Therefore, the project may be 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).

- **Air Quality.** The proposed 160 residential units and 4,500 square feet of ground floor commercial area is below the Bay Area Air Quality Management District's (BAAQMD) construction and operational screening levels for criteria air pollutants.¹ 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).

In addition, San Francisco has partnered with the BAAQMD to inventory and assess air pollution and exposures from mobile, stationary, and area sources within San Francisco. Areas with poor air quality, termed the "Air Pollutant Exposure Zone," were identified. Land use projects within

¹ BAAQMD, *CEQA Air Quality Guidelines*, May 2011, Chapter 3.

the Air Pollutant Exposure Zone require special consideration to determine whether the project's activities would expose sensitive receptors to substantial air pollutant concentrations. Although the proposed project is not within an Air Pollutant Exposure Zone, improvement measures may be recommended for consideration by City decision makers such as exhaust measures during construction and enhanced ventilation measures as part of building design. Enhanced ventilation measures will be the same as those required for projects, such as this project, subject to Article 38 of the Health Code.²

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. Given the proposed project's height of 85 feet, the proposed project would likely require a backup diesel generator and additional measures may be necessary to reduce its emissions. Detailed information related to any proposed stationary sources shall be provided with the EEA.

- **Greenhouse Gases.** The 2010 CEQA Air Quality Guidelines provide CEQA thresholds of significance for greenhouse gas (GHG) emissions. On August 12, 2010, the San Francisco Planning Department submitted to the BAAQMD a draft of the City and County of San Francisco's Strategies to Address Greenhouse Gas Emissions. This document presents a comprehensive assessment of policies, programs and ordinances that collectively represent San Francisco's Qualified Greenhouse Gas Reduction Strategy. The BAAQMD reviewed San Francisco's GHG reduction strategy and concluded that the strategy meets the criteria for a Qualified GHG Reduction Strategy as outlined in BAAQMD's CEQA Guidelines (2010).³ Therefore, projects that are consistent with San Francisco's GHG reduction strategy would result in less-than-significant GHG emissions. In order to facilitate a determination of compliance with San Francisco's GHG reduction strategy, the Planning Department has prepared a Greenhouse Gas Analysis Compliance Checklist. The project sponsor will be required to submit a completed checklist as part of the environmental review process.
- **Noise.** Based on the Market and Octavia FEIR, the project site is located in an area where traffic-related noise is between 65-70 dBA Ldn (a day-night averaged sound level). Thus, a noise analysis is likely not required. A formal determination as to whether a Noise Study is required and as to the scope of the Noise Study will be made after submittal of the EEA.
- **Shadow Study.** The proposed project would result in construction of a building greater than 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. A preliminary shadow fan analysis has been prepared by Planning Department staff, and indicates that the proposed project could cast shadows on properties under the jurisdiction of the San Francisco Recreation and Park

² Refer to <http://www.sfdph.org/dph/eh/Air/default.asp> for more information.

³ 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>.

Commission. Additionally, Planning Code Section 147 requires that buildings exceeding 50 feet in height be designed to reduce substantial shadow impacts on public plazas and other publicly accessible spaces other than those protected under Section 295 of the Planning Code. The project therefore requires a shadow study, and you are required to submit a separate Shadow Analysis Application and hire a qualified consultant to prepare a detailed shadow study. The Shadow Analysis Application can be found on the Planning Department's website. A separate fee is required. The qualified consultant must prepare a proposed scope of work for review and approval by the environmental coordinator prior to preparing the analysis.

- **Wind Study.** The proposed project would involve construction of a building over 80 feet in height. The project therefore would require an initial review by a wind consultant, including a recommendation as to whether a wind tunnel analysis is needed. The consultant would be required to prepare a proposed scope of work for review and approval by the Environmental Planning case manager prior to preparing the analysis.
- **Stormwater.** If the project results in a ground surface disturbance of 5,000 ft² 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 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, the Stormwater Design Guidelines, or download instructions for the Stormwater Control Plan, go to <http://sfwater.org/sdg>.

If any of the additional analyses determine that mitigation measures not identified in the Market and Octavia FEIR are required to address impacts peculiar to the project, the environmental document will be a community plan exemption plus a focused initial study/mitigated negative declaration. If the additional analyses identify impacts that cannot be mitigated, the environmental document will be a community plan exemption with a focused 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).

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. **Planned Unit Development (PUD).** Planning Code (PC) Section 304 allows PUDs as conditional uses, in accordance with the provisions of Section 303 and subject to the further requirements and procedures. After review of any proposed development, the Planning Commission may authorize such development as submitted or may modify, alter, adjust or amend the plan before authorization, and in authorizing it may prescribe other conditions as provided in Section 303(d). It must constitute all or part of a Redevelopment Project Area, or if not must include an area of not less than ½ acre, exclusive of streets, alleys and other public property that will remain undeveloped. The subject lot has an area of 25,900 square feet, exceeding ½ acre, or 21,780 square feet. Therefore, a PUD or C case is required.
2. **Conditional Use Authorization (CU).**
 - a. PC Section 121.1 requires a CU for new construction or significant enlargement of existing buildings on lots of the same size or larger than 10,000 square feet. The subject lot is 25,900 square feet in area.
 - b. PC Section 151.1 requires a CU for a proposed parking ratio of 0.75 cars for each dwelling unit subject to the conditions and criteria of PC Section 151.1(g). The proposed ratio for the 120 parking spaces for the dwelling units is 0.75.
 - c. PC Section 303(i) requires a CU for Formula Retail uses defined as a type of retail sales activity or retail sales establishment, which has eleven or more other retail sales establishments located in the United States. In addition to the eleven establishments, the business maintains two or more of the following features: a standardized array of merchandise, a standardized facade, a standardized decor and color scheme, uniform apparel, standardized signage, a trademark or a servicemark. A CU is required for any newly proposed or future tenant of the retail space(s) meeting the definition of formula retail.
3. A **Shadow Analysis Application** is required under Planning Code Section 295 as the project proposes a building height in excess of 40 feet, as measured by the Planning Code.
4. **Building Permit Applications** are required for the demolition of the existing improvements, preparation of the site, and for the proposed new construction. Building permit applications are available at the Department of Building Inspection at 1660 Mission Street.

Conditional Use Authorization applications are available in the Planning Department lobby at 1650 Mission Street Suite 400, at the Planning Information Center at 1660 Mission Street, and online at www.sfplanning.org. Building Permit applications are available at the Department of Building Inspection at 1660 Mission Street.

NEIGHBORHOOD NOTIFICATIONS AND PUBLIC OUTREACH:

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

1. **Pre-Application.** 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.
2. **Neighborhood Notification.** Since the project proposes new construction, owners and occupants within 150 feet of the project site must also be notified, in accordance with Planning Code Section 312.

PRELIMINARY PROJECT COMMENTS:

The following comments address specific Planning Code and other general issues that may significantly impact the proposed project.

1. **Interdepartmental Project Review.** Interdepartmental Project Reviews are mandatory for new construction projects that propose buildings eight stories or more or new construction on parcels identified by the State of California Department of Conservation, Division of Mines and Geology as Seismic Hazard Zones in the City and County of San Francisco. Project Sponsors may elect to request an interdepartmental review for any project at any time; however, it is strongly recommended that the request is made prior to Planning Department approval of the first construction permit. The Planning Department acts as the lead agency in collaboration with the Department of Building Inspection (DBI); the Department of Public Works (DPW); and the San Francisco Fire Department (SFFD). Staff from each of these disciplines will attend your meeting.
2. **Rear Yard.** PC Section 134 requires the project to provide a rear yard of at least 25 percent of the lot depth and area at every story that contains a dwelling unit. The project does not propose the standard 25 percent rear yard at the rear of the lot, and the proposed north and south courtyards at floors two through nine are approximately 5,500 square feet each, or 21 percent of the lot area. In addition, the first floor completely lacks any rear yard despite proposing two dwelling units. The proposed courtyards as a substitute for the standard rear yard is not permitted in the NCT-3 District, except as an approved exception through the PUD process. However, a formal submittal should explore providing additional open area that would be comparable to the 25 percent rear yard.
3. **Open Space.** PC Section 135 requires that usable open space be located on the same lot as the dwelling unit it serves. At least 80 square feet of usable private open space per dwelling unit, or 106.4 square feet of usable common open space per dwelling unit is required. The Project proposes private

balconies that are at least 80 square feet in size for 101 units, but detailed dimensions were not provided to verify that the balconies are at least 6 feet in each horizontal dimension, per PC Section 135(f). The common open space requirement for the remaining 59 units is approximately 6,278 square feet, which is 28 square feet more than the proposed 6,250 square feet. The proposed 2,400 square feet of project outdoor space is within the public right-of-way and cannot be counted towards the open space requirement for this Project. Therefore, this deficit requires an exception through the PUD process. However, for a project on a sizeable lot, sufficient open space should be accommodated. A formal submittal should provide detailed dimensions for confirmation of the open space requirement and should strive to achieve compliance by providing an equitable amount of open space.

4. **Tree Planting and Protection Checklist.** A Tree Planting and Protection Checklist must be filled out and submitted with the Building Permit Application for the nine proposed trees.
5. **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 treatment(s) to comply with the requirements where applicable.
6. **Ground Floor Uses.** To support active, pedestrian-oriented commercial uses on important commercial streets, PC Section 145.1(c)(4) requires a ground floor height of at least 14 feet measured from grade. A formal submittal should provide detailed dimensions for this minimum required height. Furthermore, Section 145.4(d) requires "active commercial uses" which are permitted by the specific district in which they are located on the ground floor of all street frontages. The proposed residential lobby along Market Street does not meet the definition of "active commercial use" pursuant to Table 145.4, and will require an exception through the PUD process.
7. **Off-Street Parking.** PC Section 151.1(g)(B)(i) requires all residential accessory parking in excess of 0.5 spaces per unit to be stored and accessed by mechanical stackers, or lifts, valet, or other space-efficient means that reduce space used for parking and maneuvering. Please provide detailed information in your formal application to describe how the 40 required parking spaces meet this requirement. The proposed project would need to obtain a conditional use permit to allow for the proposed 0.75 spaces per unit; however, the Planning Department encourages the provision of the permitted allowance of 0.5 spaces per unit due to the project being located on Market Street which is a "Transit Preferential Street."
8. **Parking Arrangement.** PC Section 155(i) requires one parking space designed and designated for persons with disabilities for each 25 off-street spaces provided. Please provide detailed information in your formal application to describe how this requirement of five spaces is met.
9. **Curb Cuts.** Pursuant to PC Section 155(l), driveways crossing sidewalks shall be no wider than necessary for ingress and egress, and shall be arranged to minimize the width of curb cuts and

maximize the number of on-street parking spaces available to the public, and to minimize conflicts with pedestrians and transit movements.

As a part of the Better Streets Policy (Section 5.1.2), the design of the right-of-way and adjacent development, including the maintenance and removal of street trees and other landscaping, allowance of *curb cuts*, and placement of utilities, have significant impact on the street environment. Decisions regarding street design must consider and prioritize pedestrian safety, enjoyment, and comfort.

Per the Market-Octavia Area Plan, all garage access, including loading, should be through only one entrance on all projects. Please choose between the McCoppin Street and Stevenson Street garage access to be the only garage access. The Planning Department encourages using the Stevenson Street garage access so that the garage can be accessed by an alley and because McCoppin Street has a dedicated bike lane and would pose as a vehicular area of conflict. No façade may feature garage entries that together total more than 20 feet in width. If McCoppin Street is chosen to be used to access the garage, please minimize the width of the proposed curb cuts along McCoppin Street to meet this requirement. For more guidelines, please refer to the Market-Octavia Area Plan section titled, "Fundamental Design Principles for the Ground Floor."

10. **Bicycle Parking.** In addition to one Class 1 bicycle space per dwelling unit, the project will require a minimum of eight to fourteen Class 2 spaces depending on the commercial use, pursuant to PC Section 155.2.15. Please provide detailed information in your formal application to describe how this requirement is met.
11. **Car Share Requirements.** PC Section 166 requires one additional space that is dedicated to a car-share vehicle for a project that proposes between 50 and 200 new dwelling units. Please provide detailed information in your formal application to describe how this requirement is met.
12. **Building Height.** Section 102.12(b) defines how building height shall be measured when a lot slopes downward from the street frontage and/or is more than 100 feet in lot depth, including the subject property. Using this required method of measurement, the proposed building is approximately 95 feet in height along McCoppin Street and exceeds the 85-foot height limit. Please revise your formal application to comply with this requirement.
13. **Height Exemptions.** PC Section 260(b) limits the height of elevators, stairs, and mechanical penthouses to 16 feet in height. Please provide detailed dimensions in your formal application to indicate this requirement is met.
14. **Shadow Analysis.** Planning Code Section 295 limits the construction of any structure that would cast any new shade or shadow upon any property under the jurisdiction of, or designated for acquisition by, the Recreation and Park Commission. Since the project may have the potential to cast new shadow on property under the jurisdiction of the Recreation and Park Commission, a formal Shadow Analysis Application must be submitted.

15. **Transit Impact Development Fee (TIDF).** PC Section 411 requires the payment of a Transit Impact Development Fee for new development in San Francisco to offset its impacts on the transit system. The fee is not required for residential uses, but a fee of \$13.30/square foot is required for the proposed ground-floor non-residential use(s). Please be advised that the proposed project will trigger the payment of TIDF prior to issuance of the first construction document.
16. **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 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, as proposed, the project would have a minimum requirement of 19 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.

17. **Impact Fees.** The Market and Octavia Community Improvements Fund is implemented in part through the Market and Octavia Impact Fee that is applicable to the proposed project, pursuant to Planning Code Section 421. Fees shall be charged to any development project in the Program Area which results in at least one net new residential unit, additional space in an existing residential unit of more than 800 gross square feet, at least one net new group housing facility or residential care facility, additional space in an existing group housing or residential care facility of more than 800 gross square feet, new construction of a non-residential use, or additional non-residential space in excess of 800 gross square feet in an existing structure. The fee schedule requires \$9.00/gross square foot of residential space and \$3.40/gross square foot of net new non-residential space.

The Market and Octavia Impact Fee is due and payable to the Development Fee Collection Unit at DBI prior to issuance of the first construction document, with an option for the project sponsor to defer payment prior to issuance of the first certificate of occupancy pursuant to Section 107A.13.3.1 of the San Francisco Building Code.

18. **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
50 Van Ness, San Francisco, CA 94102
Direct: 415.581.2303
Fax: 415.581.2368

19. **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.
20. **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. Please see the attached SFPUC document for more information.

PRELIMINARY DESIGN COMMENTS:

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

1. **General.** The project is located in the Market Octavia Plan Area. The design for this development should conform to the Market and Octavia Area Plan – Fundamental Design Principles. The Planning Department will conduct its review subject to these guidelines.

2. **Site Design, Open Space, and Massing.** The Planning Department supports the organization of the plan around courtyards that meet the Planning Code's open space requirements (see Item #3 under Preliminary Project Comments) and its orientation in relation to proposed building and adjacent conditions. The courtyards also anticipate a likely possibility of future open space on the adjacent site if it were to be developed.

The building adjacent to the project site on the east (1695 Market Street) is a historic resource, which presents an obligation and an opportunity to mass the building in a manner which references the scale and proportion of that building, to modulate the building, and identify the lobby function. The Planning Department suggests designing the Market Street building with greater deference to the adjacent historical building, by sculpting the height and using similar scaled elements. The Planning Department recommends reducing the massing of the upper floor to transition down to the adjacent building. While there is a repeating rhythm of façade elements that include balconies and fenestration patterns, the Planning Department recommends stronger modulation of the façade with significant form and depth, rather than superficial patterning of windows.

The building height at McCoppin Street should relate to the existing and future scale of that street. The Planning Department recommends the sponsor provide a rationale for the taller height which would need to meet the Planning Code (See Item #12 Preliminary Project Comments) or reduce the massing to conform to the intent of the height limit and immediate context.

In accordance with the *Market and Octavia Area Plan – Fundamental Design Principles for Massing and Articulation #10: Special building elements and architectural features such as towers and special entries should be used strategically at street intersections and near important public spaces*, the Planning Department recommends the consideration of the corner of Market and Valencia streets as an important corner worthy of special treatment with architectural massing, roof treatment, and façade articulation.

3. **Vehicle Circulation and Parking.** Because of this project's location on Market Street, a major transit corridor, and Valencia Street, a major bicycle corridor, the Planning Department strongly urges the sponsor to consider reducing the parking provided. The high quantity of parking currently proposed limits the possibility for the building to provide more housing or commercial space on the site. The project design would be greatly improved by reducing the parking ratio and/or the parking footprint. The Planning Department encourages the project sponsor to consider providing parking below the maximum allowed.

The proposed garage entrance on McCoppin Street occupies the majority of the frontage. Two frontages are allocated to parking access. Ground floor frontages should be designed to maximize active uses. No more than 30% of the width of the ground floor may be devoted to garage entries. The maximum width of garage door should not exceed 10 feet. The Planning Department recommends internalizing the circulation between parking levels and eliminating the garage entry/exit on McCoppin Street. The loading area should be internalized within the garage. Both parking and loading areas should be accessed by a single garage door.

