



SAN FRANCISCO PLANNING DEPARTMENT

MEMO

DATE: May 29, 2014
TO: Toby Morris, Kerman/MorrisArchitects LLP
FROM: Viktorya Wise, Planning Department
RE: PPA Case No. 2014.0503U for 2600 Harrison Street

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

Reception:
415.558.6378

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415.558.6377

Please find the attached Preliminary Project Assessment (PPA) for the address listed above. You may contact the staff contact, Monica Pereira, at (415) 575-9107 or monica.pereira@sfgov.org, to answer any questions you may have, or to schedule a follow-up meeting.

A handwritten signature in cursive script that reads "Viktorya Wise".

Viktorya Wise, AICP, LEED AP
Deputy ERO/Deputy Director of Environmental Planning



SAN FRANCISCO PLANNING DEPARTMENT

Preliminary Project Assessment

Date: May 30, 2014
Case No.: **2014.0503U**
Project Address: 2600 Harrison Street
Block/Lot: 3639/001
Zoning: UMU – Urban Mixed Use
40-X Height and Bulk Districts
Area Plan: Eastern Neighborhoods Mission Area Plan
Project Sponsor: Toby Morris
Kerman/Morris Architects, LLP
69-A Water Street
San Francisco, CA 94133
415-749-0302
Staff Contact: Monica Pereira– 415-575-9107
monica.pereira@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 San Francisco Public Utilities Commission, Department of Building Inspection, Department of Public Works, Department of Public Health, and others. The information included herein is based on plans and information provided for this assessment and the Planning Code, General Plan, Planning Department policies, and local/state/federal regulations as of the date of this document, all of which are subject to change.

PROJECT DESCRIPTION:

This project description is based on the Preliminary Project Assessment (PPA) Application submitted on April 3, 2014. It is also based on the project description provided by the project sponsor's representative on May 5, 2014. If any of the underlying project description details change, then the information in this PPA would need to be re-evaluated.

The project site consists of an approximately 7,405-square-foot (sf), triangular-shaped parcel located on the southwest corner of 22nd Street and Harrison Street, at 2600 Harrison Street (Assessor's Block 3639, Lot 001), in the City's Mission District. The site is occupied by a one-story industrial building that is approximately 7,506-sf. The building is currently vacant but it was previously occupied by a lumber company. The existing building was constructed in 1924.

The proposal is to demolish the existing building on the site and construct a new 40-foot-high, four story plus penthouse, 27,553-sf residential building with 3,854-sf of dedicated private and common use open space. The new building would contain a total of 20 dwelling units and 15 off-street ground-floor parking spaces. The dwelling mix would be comprised of three one-bedroom and 17 two-bedroom rental units. Parking spaces would be provided in the form of mechanical stackers and vehicle access would be from Harrison Street. Open space would be provided in the form of a common use roof deck and of six private decks for units 201 and 401 through 406 on the second and fourth floors, respectively. The project construction would require excavation depths of approximately 12 feet below ground surface to accommodate the car stacker pits, and approximately 650 cubic yards of soil removal. Project construction is expected to last 12 months.

ENVIRONMENTAL REVIEW:

The project initially requires the environmental review described herein. This review may be done in conjunction with the required approvals listed below, but must be completed before any project approval may be granted.

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 (Eastern Neighborhoods FEIR)*, which was certified in 2008.¹ The proposed project is eligible for a community plan exemption (CPE) because it is consistent with the development density identified in the area plan. 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 FEIR*, and there would be no new significant impacts "peculiar" 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 \$13,339); (b) the CPE certificate fee (currently \$7,402); and (c) a proportionate share fee for recovery of costs incurred by the Planning Department for preparation of the *Eastern Neighborhoods FEIR* (currently \$10,000).
2. **CPE + Focused Initial Study/Mitigated Negative Declaration.** If new site- or project-specific significant impacts are identified for the proposed project that were not identified in the *Eastern*

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

Neighborhoods FEIR, and if these new significant impacts can be mitigated to a less-than-significant level, then a focused mitigated negative declaration is prepared to address these impacts, and a supporting CPE certificate is prepared to address all other impacts that were encompassed by the *Eastern Neighborhoods FEIR*, with all pertinent mitigation measures and CEQA findings from the *Eastern Neighborhoods FEIR* also applied to the proposed project. With this outcome, the applicable fees are: (a) the CPE determination fee (currently \$13,339); (b) the standard environmental evaluation fee (which is based on the project's construction value); and (c) a proportionate share fee for recovery of costs incurred by the Planning Department for preparation of the *Eastern Neighborhoods FEIR* (currently \$10,000).

3. **CPE + Focused EIR.** If any new site- or project-specific significant impacts are identified 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 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 \$13,339); (b) the standard environmental evaluation fee (which is based on the project's construction value); (c) one-half of the standard EIR fee (which is also based on the project's construction value); and (d) a proportionate share fee for recovery of costs incurred by the Planning Department for preparation of the *Eastern Neighborhoods FEIR* (currently \$10,000).

In order to begin formal environmental review, please submit an **Environmental Evaluation Application (EE Application)**.² See page 2 of the current *Fee Schedule* for calculation of environmental application fees.³

Environmental Topics

Below is a discussion of the main topic areas that may be addressed in the environmental document, based on the preliminary review of the project as it is proposed in the PPA Application.

1. **Historic Architectural Resources.** The project sponsor proposes to demolish the existing building and construct a new residential building in its place. The Historic Preservation Commission, in November 2010, adopted the *South Mission Historic Resource Survey*. The building located at 2600 Harrison Street was evaluated as part of 2010 Survey and it was assigned a California Historic Resource Status Code (CHRSC) of "7R", which defines the subject property as "identified in reconnaissance level survey. Not evaluated." As such, additional information is required to determine whether the subject property is a historic resource under the California Environmental Quality Act (CEQA). In addition, the proposed project would include demolition of a building that is over 50 years old; thus the project is subject to the Department's Historic Preservation review, which would include preparation of a Historic Resource Evaluation (HRE). The HRE has to be prepared by a qualified professional who meets the Secretary of the Interior's Professional Qualification Standards. Per the Department's policy, project sponsors are required to utilize one

² Available at: <http://www.sf-planning.org/Modules/ShowDocument.aspx?documentid=8253>.

³ Available at: <http://www.sf-planning.org/Modules/ShowDocument.aspx?documentid=512>.

of three historic resource consultants from the Historic Resource Consultant Pool, which shall be known as the potential consultant list or PCL. If the subject property is found to be a historic resource, an additional analysis will be required to evaluate the impacts of demolition. Once the EE Application is submitted, please contact Tina Tam, Senior Preservation Planner, by email at tina.tam@sfgov.org or phone at (415) 558-6325, for a list of three historic resource consultants. Please ensure that the selected historic resource consultant receives approval from Planning Department Preservation staff regarding the scope and content of the consultant report prior to commencement of any work.

2. **Archeological Resources.** The project site lies within Archeological Mitigation Zone J-2: *Properties With No Previous Studies*. Project implementation would entail soil-disturbing activities associated with building construction, including excavation that would reach a depth of approximately 12 feet below grade. Since there is potential for soil disturbance at the site, Planning Department staff has preliminarily determined that *Archeological Mitigation Measure J-2: Property With No Previous Studies* would be applicable to the proposed project. This mitigation measure requires the project to complete either a Preliminary Archeological Review (PAR), conducted in-house by the Planning Department archeologist, or a Preliminary Archeological Sensitivity Assessment (PASS) prepared by a Department Qualified Archeological Consultant and subject to the review and approval by the Department Archeologist.

The PAR will: (1) determine what type of soils disturbance/modifications would result from the proposed project, such as excavation, installation of foundations, soils improvements, site remediation, etc.; (2) determine whether or not the project site is located in an area of archeological sensitivity; and (3) determine 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 along with the proposed foundation type and maximum depth of excavation.

Alternatively, preparation of a PASS requires 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 QACL is available at:

http://www.sf-planning.org/ftp/files/MEA/Archeological_Review_consultant_pool.pdf.

Based on the results of either the PAR or the PASS, the Environmental Review Officer (ERO) would determine if an Archeological Research Design /Treatment Plan (ARD/TP) shall be required to more definitively identify the potential for CRHR-eligible archeological resources to be present within the project site and determine the appropriate action necessary to reduce the potential effect of the project on archeological resources to a less-than-significant level.

3. **Transportation.** Based on the Planning Department's transportation impact analysis guidelines, the proposed 20 new residential units would result in approximately 33 p.m. peak hour person trips; thus, a transportation study is not likely to be required for the proposed project. This

determination is preliminary in nature and will be revisited upon submittal of the EE Application. As part of the EE Application, Department staff recommends that all existing curb cuts are shown on the project plans. If curb cuts are proposed for removal, the removal should be included as part of the project description and also shown on the plans. The Department also requests that the project plans show the number of bicycle parking spaces and trash storage location. The Department recommends that the sponsor consider providing no parking due to the project site's proximity to two bike routes and local and regional transit, or consider requesting red curb around the proposed driveway to increase visibility of existing bike lane.

4. **Air Quality (AQ) Analysis.** The proposed project, which includes the demolition of an existing one-story building and the construction of a new four-story building of approximately 27,553 sf (comprised of 20 dwelling units and 15 off street parking spaces), does not exceed the Bay Area Air Quality Management District's (BAAQMD) construction and/or operational screening levels for criteria air pollutants. Therefore an analysis of the project's criteria air pollutant emissions is not likely to be required.

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 a series of amendments to the San Francisco Building and Health Codes generally referred hereto as the Construction Dust Control Ordinance (Ordinance 176-08, effective July 30, 2008) with the intent of reducing the quantity of dust generated during site preparation, demolition, and construction work in order to protect the health of the general public and of onsite workers, minimize public nuisance complaints, and to avoid orders to stop work by the Department of Building Inspection (DBI). Pursuant to the Construction Dust Ordinance, the proposed project would be required to comply with applicable dust control requirements outlined in the ordinance.

In addition, if the project would generate new sources of toxic air contaminants (TACs) including, but not limited to: diesel generators or boilers, or any other stationary sources, the project would result in TAC emissions that may affect both on-site and off-site sensitive receptors. Given the project's height of 40 feet, the proposed project would not likely require a backup generator; however, please provide additional information for the environmental review regarding whether or not a generator, boiler, or other source of TAC emissions would be included as part of the proposed project. If so, the EE Application should include the specifications for any proposed new source of TACs. Should the project require more construction activity than indicated in the PPA, the Planning Department would minimally require a list of all construction equipment, horsepower, operating hours per day, number of days of operation for each piece of equipment and engine tier level.

5. **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.⁴ 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 comply with an ordinance or regulation may be determined to be inconsistent with the Greenhouse Gas Reduction Strategy.

6. **Geology.** The project sponsor is required to prepare a geotechnical investigation report to identify the primary geotechnical concerns associated with the proposed project and the site. The geotechnical report 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. This report will also help inform the Planning Department Archeologist of the project site's subsurface geological conditions. The geotechnical report should be prepared by a qualified consultant and submitted with the EE Application.

4. **Noise.** The *Eastern Neighborhoods FEIR* identified a number of noise mitigation measures 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 Harrison Street where traffic-related noise exceeds 60 dBA L_{dn} (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, hours of construction, 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-

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

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, to be incorporated into the environmental review document. This mitigation measure requires that such analysis be prepared by person(s) qualified in acoustical analysis and/or engineering. It shall include, at a minimum, a site survey to identify potential noise-generating uses within 900 feet of, and 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 include any recommendations regarding building design to ensure that the interior noise environment does not exceed 45 dBA L_{dn} per San Francisco acoustical requirements. This analysis must be completed during the environmental review process for inclusion in the environmental document.

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, and implementation would also be undertaken consistent with other principles or urban design.

- 7. Hazardous Materials.** The existing industrial structure on the project site may contain hazardous building materials. In order to eliminate the potential for adverse impacts resulting from the handling of hazardous building materials, the *Eastern Neighborhoods FEIR* included *Mitigation Measure L-1: Hazardous Building Materials*, which would apply to the proposed project. This mitigation measure requires that the project sponsor ensure that any equipment containing Polychlorinated Biphenyls (PCBs), such as fluorescent light ballasts and any fluorescent light tubes containing mercury be removed and properly disposed of in accordance with applicable federal, state, and local laws. Any other hazardous materials identified at the site, either before or during work, shall also be abated according to applicable federal, state, and local laws.

Because the existing building was constructed prior to 1980, asbestos-containing materials, such as floor and wall coverings, may be found in the building. The BAAQMD is responsible for regulating airborne pollutants including asbestos. Please contact the BAAQMD for the requirements related to demolition of buildings that may contain asbestos-containing materials.

Additionally, the proposed project would disturb more than 50 cubic yards of soil on a site previously used for industrial purposes (most recently as a lumber yard). 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 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 project sponsors, for 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 EE Application.

8. **Cumulative Conditions.** As stated above, the project site is located within the Eastern Neighborhoods Area Plan. The *Eastern Neighborhoods FEIR* considered the cumulative impacts of various changes proposed in the Plan Area. The CPE would determine if cumulative impacts were adequately discussed in the FEIR or if there would be any potential new significant cumulative impacts to which the proposed project's contribution would be considerable. The proposed project's impacts in combination with the adjacent project's impacts would be analyzed under the cumulative analysis, which would consider all CEQA resource topics analyzed for the proposed project.
9. **Tree Planting Protection Checklist.** The Department of Public Works Code Section 8.02-8.11 requires disclosure and protection of landmark, significant, and street trees located on private and public property. Any tree identified in the *Tree Planting and Protection Checklist* must be shown on site plans with size of the trunk diameter, tree height, and accurate canopy drip line. The project sponsor is required to submit a completed *Tree Planting and Protection Checklist*⁵ with the EEA.
10. **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 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. 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>.

⁵ San Francisco Planning Department Required Checklist for Tree Planting and Protection. Available online at: <http://www.sf-planning.org>.

11. **Notification of a Project Receiving Environmental Review.** Notice is required to be sent to occupants of properties adjacent to the project site and owners of properties within 300 feet of the project site at the initiation of the Community Plan Exemption process. Please provide these mailing labels.

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).

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 **Building Permit Application** is required for the demolition of the existing building on the subject property.
2. A **Building Permit Application** is required for the proposed new construction on the subject property.
3. As proposed, a **Large Project Authorization** is required for the project under Planning Code Section 329.

Building Permit applications are available at the Department of Building Inspections at 1660 Mission Street.

NEIGHBORHOOD NOTIFICATIONS AND PUBLIC OUTREACH:

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

This project is required to conduct a **Pre-application** meeting with surrounding neighbors and registered neighborhood groups before a development application may be filed with the Planning Department. The Pre-application packet, which includes instructions and template forms, is available at www.sfplanning.org under the "Permits & Zoning" tab. All registered neighborhood group mailing lists are available online at www.sfplanning.org under the "Resource Center" tab.

PRELIMINARY PROJECT COMMENTS:

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

1. **Eastern Neighborhoods Mission Area Plan:** The proposed project is located within the Eastern Neighborhoods Mission Area Plan (Plan). The Plan contains a number of objectives and policies outlining a vision for the neighborhood. The Plan encourages transit and pedestrian-friendly mixed use development that is sensitive to the surrounding area. New housing should provide a range of unit types for a spectrum of income levels. The Plan also strives to protect core PDR (Production, Distribution and Repair) use while at the same time transitioning some PDR land to promote a more mixed use character (Urban Mixed Use Zoning or UMU).

The project generally appears to support many goals of the Plan by creating new residential development close to transit. Further review of the Plan's policy language may be helpful for the project sponsor to ensure the project complies with the Plan's vision. For specific policy language and background, please see the Mission Area Plan:

<http://sfplanning.org/Modules/ShowDocument.aspx?documentid=2321>.

2. **Street Trees.** Planning Code Section 138.1 requires 1 24 inch-box tree per 20 feet of street frontage. The proposed Project requires 9 street-trees. As submitted, it appears this requirement is met.
3. **Standards for Bird Safe Buildings.** Planning Code Section 139 outlines bird-safe standards for new construction to reduce bird mortality from circumstances that are known to pose a high risk to birds and are considered to be "bird hazards." Feature-related hazards may create increased risk to birds and need to be mitigated. Please refer to the published document "*Standards for Bird-Safe Building*," available online at www.sfplanning.org, under the "Resource Center/Department Publications" tab.
4. **Unbundled Parking.** Please be advised that per Planning Code Section 167 all off-street parking spaces accessory to residential uses in new structures of 10 dwelling units, or more, must be leased or sold separately from the rental or purchase fees for dwelling units for the life of the dwelling units. In cases, such as the proposed project, where there are fewer parking spaces than dwelling units, the parking spaces shall be offered first to the potential owners or renters of three-bedroom or more units, second to the owners or renters of two bedroom units, and then to the owners or renters of other units. Renters or buyers of on-site inclusionary affordable units provided pursuant to Section 315 shall have an equal opportunity to rent or buy a parking space on the same terms and conditions as offered to renters or buyers of other dwelling units, and a price determined by the Mayor's Office of Housing.
5. **Bicycle Parking.** Per Planning Code Section 155.2 one Class 1 bicycle parking space is required for each dwelling unit, and one Class 2 bicycle parking space is required for each 20 dwelling units. The proposed project requires 20 Class 1 bicycle parking spaces and one Class 2 bicycle parking space.
6. **Neighborhood Notification.** Per Planning Code Section 312, the proposed project requires a neighborhood notification. Please submit the required materials with the Large Project Authorization application. Instructions are available on our website at:

<http://sfplanning.org/modules/showdocument.aspx?documentid=8675>

7. **Large Project Authorization.** The project as proposed requires a large project authorization under Planning Code Section 329. As a component of the review process under this Section, projects may seek specific exceptions to the provisions of the Planning Code. For this proposal, an exception to rear yard would need to be considered by the Planning Commission.
8. **Inclusionary Housing.** Affordable housing is required for a project proposing ten or more dwelling units. The Project Sponsor must submit an 'Affidavit of Compliance with the Inclusionary Affordable Housing Program,' to the Planning Department identifying the method of compliance, on-site, off-site, or in-lieu fee. Any on-site affordable dwelling-units proposed as part of the project must be designated as owner-occupied units, not rental units. Affordable units designated as on-site units shall be sold as ownership units and will remain as ownership units for the life of the project. This project is subject to the affordable housing requirements per Planning Code Section 419 et seq. as a Tier A site, which requires 3 on-site units (14.4%) or 5 off-site units (23%) or payment of an in-lieu fee.

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

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

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

9. **Eastern Neighborhoods Impact Fees.** This project is subject to the Eastern Neighborhoods Impact Fee as a Tier 1 project. The tiers for specific lots are based on height increases or decreases received as part of the Eastern Neighborhoods Plan. Please note that project sponsors may propose to directly provide community improvements to the City by entering into an In-Kind Improvements Agreement subject to the requirements of Planning Code Section 423.3(d). The Eastern Neighborhoods Impact Fee shall be paid before the City issues a first construction document, with an option for the project sponsor to defer payment to prior to issuance of the first certificate of occupancy upon agreeing to pay a deferral surcharge in accordance with Section 107A.13.3 of the San Francisco Building Code. Please refer to the current Department of Building Inspection registry for rates, which are subject to change. <http://www.sfdbi.org/modules/showdocument.aspx?documentid=3467>
10. **Option for In-Kind Provision of Community Improvements and Fee Credits.** Project sponsors may propose to directly provide community improvements to the City. In such a case, the City may enter into an In-Kind Improvements Agreement with the sponsor and issue a fee waiver for the Eastern Neighborhoods Impact Fee from the Planning Commission, for an equivalent amount to the value of

the improvements. This process is further explained in Section 412.3(d) of the Planning Code. More information on in-kind agreements can be found in the Application Packet for In-Kind Agreement on the Planning Department website.

<http://sfplanning.org/Modules/ShowDocument.aspx?documentid=8601>.

11. **First Source Hiring Agreement.** A First Source Hiring Agreement is required for any project proposing the creation of 10 or more new residential units or to construct 25,000 gross square feet or more of new or additional gross floor area. This project is subject to the requirement. For further information or to receive a sample First Source Hiring Agreement, please contact:

Ken Nim, Workforce Compliance Officer
CityBuild, Office of Economic and Workforce Development
City and County of San Francisco
1 South Van Ness, San Francisco, CA 94102
Direct: 415.701.4853, Email: ken.nim@sfgov.org
Website: <http://Uoewd.org/Workforce-Development.aspx>

12. **Tree Disclosure Affidavit.** A Tree Disclosure Affidavit must be filled out and submitted with the Building Permit Application for New Construction. This form is available online at www.sfplanning.org, under the "Resource Center/Department Publications" tab.

Please be advised that additional comments may result pending a formal submittal.

PRELIMINARY DESIGN COMMENTS:

The project is located in the Mission District adjacent to primarily two and three-story buildings. The area is mixed in character and era with low industrial and higher multi-unit residential buildings. Some of the residential buildings have bay windows and stucco or siding finishes and the more historic ones include raised entries. The ground floor use is mostly residential.

1. **Site Design, Open Space, and Massing.** The rear yard area does not comply with the intent of the minimum required area. The Planning Department recommends providing a code complying rear yard or, in consideration of the unique lot shape, provide a rear yard area with the equivalent of 25 percent of the lot area distributed to create usable open space, enhanced ground floor residential setbacks, and to create greater modulation of the building.
2. **Parking and Access.** The Planning Department has no comments on the parking or access.
3. **Street Frontage.** The Planning Department recommends that the ground floor units be setback 6'-8' from the sidewalk with direct entries that act as a transition zone from the public realm and the residential entries. This could be done by grouping the ground floor entries into forecourts. The setback areas should be viewed as an opportunity to provide at grade usable open space.

The corner has an inherent dynamic quality and, if properly designed, an identity to it. The Planning Department would like to see more made of this as a focus with respect to the formal and functional parts of the building, especially at the ground floor. The Planning Department suggests exploring how the corner may be more suited to locating the common lobby entry in the most visible and dramatic geometry of the site.

In general, the Planning Department suggests exploring means of making the ground floor more transparent.

4. **Architecture.** The Planning Department recommends that the façade exhibit volumetric modulation rather than just a superficial change of materials.
The Planning Department suggests a design strategy that augments the apparent or actual height of the ground floor.

PRELIMINARY PROJECT ASSESSMENT EXPIRATION:

This Preliminary Project Assessment is valid for a period of **18 months**, and Environmental Evaluation, Lager Project Authorization, or Building Permit Application, as listed above, must be submitted no later than **December 2, 2015**. 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 the Preliminary Project Assessment.

- cc: Toby Morris, Kerman/Morris Architects LLP
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