



# SAN FRANCISCO PLANNING DEPARTMENT

**MEMO**

**DATE:** June 10, 2014  
**TO:** Sean Sullivan, JS Sullivan Development, LLC  
**FROM:** Joy Navarrete, Planning Department  
**RE:** PPA Case No. 2014.0562U for 469 Eddy Street

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

Reception:  
**415.558.6378**

Fax:  
**415.558.6409**

Planning  
Information:  
**415.558.6377**

Please find the attached Preliminary Project Assessment (PPA) for the address listed above. You may contact the staff contact, Kansai Uchida, at (415) 575-9048 or [kansai.uchida@sfgov.org](mailto:kansai.uchida@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 "Joy Navarrete".

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Joy Navarrete, Senior Planner



# SAN FRANCISCO PLANNING DEPARTMENT

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## Preliminary Project Assessment

*Date:* June 10, 2014  
*Case No.:* 2014.0562U  
*Project Address:* 469 Eddy Street  
*Block/Lot:* 0337/014A  
*Zoning:* RC-4 (Residential – Commercial, High Density) Use District  
North of Market Residential Special Use District  
80-T Height and Bulk District  
*Area Plan:* None  
*Project Sponsor:* Sean Sullivan, JS Sullivan Development, LLC  
415-206-1758  
*Staff Contact:* Kansai Uchida – 415-575-9048  
[kansai.uchida@sfgov.org](mailto:kansai.uchida@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 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 in San Francisco's Downtown/Civic Center neighborhood on the south side of Eddy Street, on the block bounded by Eddy Street to the north, Leavenworth Street to the east, Turk Street to the south, and Hyde Street to the west. The lot currently contains a privately-owned two-story-over-basement parking garage, which is open to the public on a 24-hour basis. The proposal includes demolition of the existing 20,685 square-foot (sf), 80-space parking garage and construction of a new eight-story-over-basement, 29,419 sf mixed-use building. The building would contain 34 residential units (20 one-bedroom units and 14 two-bedroom units) totaling 27,000 sf, ground floor retail space totaling 2,149 sf, 15 basement parking spaces, and a rear yard. The front façade of the existing garage building would be retained and incorporated into the design of the proposed new building.

**ENVIRONMENTAL REVIEW:**

The project initially requires the following environmental review. This review may be done in conjunction with the required approvals listed below, but must be completed before any project approval may be granted. In order to begin formal environmental review, please submit an *Environmental Evaluation Application (EEA)*<sup>1</sup> for the full scope of the project (demolition and construction). EEA forms 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 <http://www.sf-planning.org/index.aspx?page=1570>. See page 2 of the current *Fee Schedule* for calculation of environmental application fees. Note that until an entitlement 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 preliminary review of the project as it is proposed in the Preliminary Project Assessment (PPA) application received on April 15, 2014.

1. **Archeological Resources.** The PPA Application and submitted plans do not indicate the depth of below-ground excavation or the type of foundation proposed, though the application does indicate that no excavation or soil disturbance/modification more than 10 feet below grade (shown on the plans as the depth of the existing basement) or ground disturbance of 5,000 square feet or more would be required. As part of the EEA, please provide more information about the area and depth of excavation required so that Planning Department staff can determine the appropriate level of archeological review, in conjunction with any geotechnical studies provided per the "Geology" discussion below. If excavation is needed, the proposed project may require a Preliminary Archeological Review (PAR) which would be conducted in-house by Planning Department archeologist. During the PAR it will be determined what type of soils disturbance/modification will result from the project, such as, excavation, installation of foundations, soils improvement, site remediation, etc. If there is a potential impact to archeological resources, an additional study may need to be prepared by an archeological consultant listed in the Planning Department's archeological consultant pool in accordance with the Planning Department's consultant selection procedures.
2. **Historic Resources.** The subject property is a contributing resource within the Uptown Tenderloin Historic District, which is listed on the National Register of Historic Places. Because it is a contributor to a designated Historic District, the subject property is considered a "Category A" property (Known Historic Resource) for the purposes of the Planning Department's CEQA review procedures. As part of this evaluation of historic resources, staff will evaluate potential project effects on the building and District, if any. To assist in analysis of the proposed project, the Department requires a Historic Resource Evaluation (HRE), focused on evaluating impacts of the proposed project on identified historical resource(s), to be prepared by a qualified professional who meets the Secretary of the Interior's Professional Qualification Standards in Historic Architecture or Architectural History. The HRE should assess potential impacts on the

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<sup>1</sup> Documents in italics in this PPA are available in the Planning Department lobby at 1650 Mission Street, Suite 400, at the Planning Information Center (PIC) at 1660 Mission Street, and online on the Planning Department's website at: <http://www.sfplanning.org>.

existing building and adjacent historic resources and should focus on evaluation of the proposed project for conformance with the Secretary of the Interior's Standards for Rehabilitation (Secretary's Standards), including assessing compatibility of the new addition with the existing, and adjacent, buildings, which are contributing resources to the Uptown Tenderloin Historic District, and with the surrounding Historic District. In evaluating the proposed project, the architecture, massing, height, materials, and articulation of the proposed construction should be considered. As noted in the Secretary's Standards, design for the new work may be contemporary or may reference design motifs from the historic district. In either case, the new construction should not physically harm any historic fabric or features of contributing resources. Additional design comments will be provided upon submittal of the EEA and HRE.

As the proposed project will add 10,000 square feet or more, use of the Historic Resource Consultant Pool for identification of a preservation consultant to prepare the HRE is required. Once the EEA is submitted, the Department will provide the project sponsor with a list of three consultants from the Historic Preservation Consultant Pool. Please contact Tina Tam, Senior Preservation Planner, at (415) 558-6325 to coordinate the selection of a consultant. A general scope of work for the Historic Resource Evaluation report is included on page 35 of *San Francisco Preservation Bulletin No. 16*, and it is strongly recommended that the consultant submit a scope of work to the Planning Department's Preservation Division for review prior to drafting the report. *San Francisco Preservation Bulletin No. 16* is available at [www.sfplanning.org](http://www.sfplanning.org) under "Historic Preservation."

3. **Hazardous Materials.** The volume of soil excavation required for the proposed project is not shown in the PPA Application or the submitted plans. Given the current automotive garage use of the site, the project would be subject to Article 22A of the Health Code, also known as the Maher Ordinance, if more than 50 cubic yards of soil would be excavated. If such excavation would be necessary, the Maher Ordinance, which is administered and overseen by the Department of Public Health (DPH), would require 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 would need to be completed prior to the issuance of any building permit. Please indicate the anticipated amount of excavation in the EEA so that the assigned environmental planner can determine the applicability of the Maher Ordinance to the proposed project. 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>.
4. **Geology.** The PPA Application and submitted plans do not indicate the depth of below-ground excavation or the type of foundation proposed, though the application does indicate that no excavation or soil disturbance/modification more than 10 feet below grade (shown on the plans as the depth of the existing basement) or ground disturbance of 5,000 square feet or more would

be required. As part of the EEA, please provide more information about the area and depth of excavation required so that Planning Department staff can evaluate the potential for impacts related to geological conditions. This information is also needed to confirm whether a Geotechnical Report will be required, though it appears likely that one would be needed given the project site's proximity to a liquefaction seismic hazard zone (approximately 50 feet to the south). If a Geotechnical Report is required, it would need to be prepared by a qualified professional and should include recommendations for mitigating any identified potential impacts.

5. **Transportation.** The PPA application indicates that the proposed project would include 20 one-bedroom units, 14 two-bedroom units, and a total of 13 parking spaces. Revised plans submitted by the Project Sponsor on May 21, 2014 show 15 parking spaces. Based on the Planning Department's Transportation Impact Analysis Guidelines, the project would potentially add approximately 79 PM peak-hour person trips.<sup>2</sup> As such, a Transportation Impact Study (TIS) will not likely be required. A formal determination as to whether a TIS is required will be made after submittal of the EEA.

Additionally, an initial review of the proposed project was conducted by Planning Department staff transportation planners. The following recommendations and questions should be addressed before the submittal of the EEA:

- Show curb cut dimensions and sidewalk width on the plans.
  - The project should include reduction of driveway width, which should be shown on the plans.
  - Show the number of Class 2 bicycle parking required by code.
  - Consider moving all bike parking to ground level.
6. **Shadow Study.** The proposed project would result in construction of a building 40 feet or greater in height. Staff has prepared a preliminary shadow fan analysis that indicates potential shadow impacts from the project to the northern portion of the Turk and Hyde Mini Park (see the enclosed PPA Shadow Analysis). The project therefore would require a shadow study. The project sponsor would be required to hire a qualified consultant to prepare a detailed shadow study. 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.
  7. **Air Quality.** The proposed project at 34 dwelling units and 2,149 sf of retail space is below the Bay Area Air Quality Management District's (BAAQMD) construction and operational screening levels for criteria air pollutants.<sup>3</sup> Therefore an analysis of the project's criteria air pollutant emissions is not likely to be required. However, detailed information related to cubic yards of excavation shall be provided as part of the EEA.

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<sup>2</sup> San Francisco Planning Department. *Transportation Calculations*, May 5, 2014. These calculations are available for review as part of Case File No. 2014.0562U at the San Francisco Planning Department, 1650 Mission Street, Suite 400, San Francisco, California 94103.

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

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 comply with applicable dust control requirements outlined in the ordinance.

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 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 other projects subject to Article 38 of the Health Code<sup>4</sup> and located within Air Pollutant Exposure Zones.

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 80 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.

8. **Greenhouse Gases.** Potential environmental effects related to greenhouse gas (GHG) emissions from the proposed project need to be addressed in a project's environmental evaluation. The project sponsor would be required to submit a completed *GHG Compliance Checklist Cover Sheet* and *Table 1 for Private Development Projects*<sup>5</sup> demonstrating that the project is in compliance with the identified regulations. Please be specific and provide detailed information in the discussion column to clarify how the proposed project would comply with each item. This information will be reviewed by the Environmental Planner during the environmental review process to

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<sup>4</sup> Refer to <http://www.sfdph.org/dph/eh/Air/default.asp> for more information.

<sup>5</sup> San Francisco Planning Department. *Consultant Resources, GHG Compliance Checklist Table 1 for Private Development Projects*. Available online at: <http://www.sf-planning.org/index.aspx?page=1886>.

determine if the project would comply with San Francisco's Greenhouse Gas Reduction Strategy.<sup>6</sup> Projects that do not comply with a GHG-related regulation may be determined to be inconsistent with San Francisco's Greenhouse Gas Reduction Strategy.

9. **Stormwater.** If the project results in a ground surface disturbance of 5,000 sf 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>.
10. **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 owners of properties within 300 feet of the project site. Please provide two sets of these mailing labels at the time of application submittal.

If the environmental analysis outlined above indicates that the project would not have a significant effect on the environment, the project may qualify for a Class 32 Categorical Exemption, in which case the Planning Department would issue a Certificate of Determination of Exemption from Environmental Review.

If the environmental analysis indicates that the project may have a significant impact on the environment, Planning Department staff would prepare an Initial Study to determine the type of environmental document needed. If the Department finds that the project would have significant environmental impacts that can be reduced to a less-than-significant level by incorporation of mitigation measures agreed to by the project sponsor, then the Department would issue a Mitigated Negative Declaration (MND). If the Department finds that the project would have significant environmental impacts that cannot be reduced to a less-than-significant level, an Environmental Impact Report (EIR) would be required. The Department would require that the EIR be prepared by an environmental consultant from the Department's qualified environmental consultant pool. The Environmental Planner would provide more detail to the project sponsor regarding the EIR process should this level of environmental review be required.

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<sup>6</sup> City and County of San Francisco. *Strategies to Address Greenhouse Gas Emissions*. Available online at: [http://sfmea.sfplanning.org/GHG\\_Reduction\\_Strategy.pdf](http://sfmea.sfplanning.org/GHG_Reduction_Strategy.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. **Conditional Use Authorization** from the Planning Commission is required for the proposed project per the following Planning Code Sections:
  - a. **New Construction over 50 feet in height (Section 253).** Conditional Use Authorization is required for new construction of a building greater than 50 feet in height in a RC District. In reviewing any such proposal, the Planning Commission shall consider the expressed purposes of the RC Districts, and of the height and bulk districts, as well as the criteria stated in Section 303(c) of this Code and the objectives, policies and principles of the Master Plan, and may permit a height of such building or structure up to but not exceeding the height limit prescribed by the height and bulk district in which the property is located. For properties within the North of Market Residential Special Use District, pursuant to Planning Code Section 132.2, a setback requirement above a certain base height may be imposed as a condition of approval of the Conditional Use Authorization under this section. If the applicant can demonstrate that the prevailing streetwall height on the block on which the proposed project is located, as established by existing cornice lines, is in excess of 50 feet, then the Commission may impose a maximum setback of up to 20 feet applicable to the portion of the building which exceeds the established prevailing streetwall height; provided, however, that if the applicant demonstrates that the prevailing streetwall height is in excess of 68 feet, the maximum setback requirement which may be imposed is 16 feet. If the applicant can demonstrate that a building without a setback would not disrupt the continuity of the prevailing streetwall along the street, then the Planning Commission may grant approval of the conditional use authorization without imposing a setback requirement as a condition thereof.
  - b. **Bulk (Section 270).** The project site is located in the 80-T Height and Bulk district. Based on this designation, the bulk of the building above the setback height established by Planning Code Section 132.2 (but no more than 80 feet) must be sculpted as prescribed by the Code. Above the base height, buildings with a "T" bulk designation shall have a maximum length of 110 feet and maximum diagonal dimension of 125 feet. Although no specific bulk dimensions are provided on the project application plans, the size of the building relative to the parcel suggests that the proposed building will meet the bulk limits outlined in this Code section. Deviations from bulk limits shall require Conditional Use Authorization by the Planning Commission.
2. **Variances.** As proposed, the project will require variances from the following Planning Code Sections. Please note that there are five variance criteria outlined in Planning Code Section 305, that must be met for each requested variance:
  - a. **Rear Yard (Section 134).** The project requires a rear yard of at least 25 percent of the lot depth beginning at the lowest story containing a dwelling unit. The plans submitted indicate



that the proposed rear yard is approximately 24 feet deep. As the proposed depth is less than 25 percent of the lot depth (34.4 feet), the proposal does not meet the Code requirement.

Please note that pursuant to the North of Market Residential Special Use District (Section 249.5), the rear yard requirement may be substituted with an equivalent amount of open space situated anywhere on the site, provided that the Zoning Administrator determines that all of the following criteria are met:

- The substituted open space will improve the access of light and air to and views from existing abutting properties; and
  - The proposed new or expanding structure will not adversely affect the interior block open space formed by the rear yards of existing abutting properties.
- b. **Usable Open Space (Section 135).** Planning Code Section 135 requires 36 square feet of private open space, or 48 square feet of common usable open space, per dwelling unit. In addition to the square footage requirements, open spaces must meet the dimensional requirements of Subsections (f) and (g). The project application information and plans indicate the provision of a rear yard and private balconies and/or patios. The lightwell patio for unit 203 does not appear to meet the sun access dimensions outlined in Section 135(g)(2) for an inner courtyard and it is not clear whether the rear yard provides adequate common open space once the private patio for unit 103 is excluded from the calculation. Therefore, it is unclear whether the proposed project complies with open space requirements. If it does not provide required open space that meets the dimensional and exposure requirements for such open space, then a variance is required. Given that this project is new construction it may be difficult to justify a hardship from these requirements.
- c. **Bay windows (Obstructions – Section 136).** Planning Code Section 136 allows for certain obstructions to be permitted within required open areas such as yards, open space, streets and alleys, and setbacks. As proposed, the bay windows on the front and rear elevations, which project out over required open space and the rear yard, do not appear to conform to the requirements of Section 136(c)(3). Pursuant to this Section, such bays may have a maximum length of 10 feet, must be separated by at least five feet, and the aggregate length of all bay windows and balconies projecting into the required open area shall be no more than 2/3 the buildable width of the lot along a rear building wall. Please revise the project to meet these requirements or seek and justify a variance. Given that this project is new construction it may be difficult to justify a hardship from these requirements.
- d. **Exposure (Section 140).** Planning Code Section 140 requires that all dwelling-units face directly onto an open area. The open area must face either a public street, alley, or side yard measuring at least 25 feet in width; a Code-complying rear yard; or an open area that is no less than 25 feet in every horizontal dimension for the floor of the dwelling unit and the floor above it, with an increase of five feet in every horizontal dimension at each subsequent floor. It appears that the 22 units that face into the rear yard and lightwell will not meet this requirement. Please revise the project or seek and justify a variance. The Department

generally encourages projects to minimize the number of units needing an exposure variance.

3. A **Shadow Study Application** per Planning Code Section 295 is required for the project, as the proposed building exceeds 40 feet in height. Staff has prepared a preliminary shadow fan analysis that indicates potential shadow impacts from the project to the northern portion of the Turk and Hyde Mini Park (see the enclosed PPA Shadow Analysis). However, this shadow fan does not account for the presence of intervening buildings. The location of the project in relation to intervening buildings would suggest that any potential shadow on the Turk and Hyde Mini Park would be blocked by intervening buildings, or subsumed by shadows cast by other buildings in the area. To determine the extent of potential shadow impacts, a detailed shadow analysis would need to be prepared to determine if the project would create new shadow that results in an adverse impact to the Turk and Hyde Mini Park, pursuant to Section 295. If the project would create new shadow in a manner that substantially affects property under the jurisdiction of the Recreation and Parks Commission, a joint hearing between the Recreation and Parks Commission and Planning Commission would be required.
4. A **Building Permit Application** is required for the proposed new construction on the subject property.

Conditional Use Authorization, Variance, and Shadow Study applications are available in the Planning Department lobby at 1650 Mission Street Suite 400, at the Planning Information Center at 1660 Mission Street, and online at [www.sfplanning.org](http://www.sfplanning.org). 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](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. **Street Trees.** Planning Code Section 138.1 requires one street tree for every 20 feet of frontage where dwelling units are being added or where the addition of gross floor area equal to 20 percent or more

of the gross floor area of an existing building is proposed. One existing street tree is shown on the plans but the project will require the addition of one additional street tree. The new tree would have to meet the requirements set forth in Planning Code Section 138.1. In DTR, RC, C, NC and Mixed-Use Districts, and Planned Unit Developments, all street trees shall: have a minimum 2 inch caliper, measured at breast height; branch a minimum of 80 inches above sidewalk grade; be planted in a sidewalk opening at least 16 square feet, and have a minimum soil depth of 3 feet 6 inches; and include street tree basins edged with decorative treatment, such as pavers or cobbles. Edging features may be counted toward the minimum sidewalk opening if they are permeable surfaces per Section 102.33.

2. **Tree Planting and Protection Checklist.** Completion of this checklist is required for this project. No permit will be approved by the Planning Department before satisfying all applicable tree-related requirements; including receiving clearance from the Department of Public Works (DPW) to plant required street trees and/or remove any Protected Trees. Please fill out a checklist for the property.
3. **Bird Safe Glazing.** New construction is subject to the Bird Safe Glazing Standards outlined in Planning Code Section 139. Although details are not provided, the project may include “feature-related hazards”, such as free-standing glass walls, wind barriers, and greenhouses on rooftops that have unbroken glazed segments that are 24 square feet and larger in size. If any such feature is proposed, the entire feature must be treated with bird-safe glazing.
4. **Street Frontages (Section 145.1).** Per Planning Code Section 145.1(c)(4) and 145.1(c)(6), ground floor non-residential uses in all RC districts shall have a minimum floor-to-floor height of 14 feet, as measured from grade and 60% transparency into the interior of the ground floor spaces. It appears that the proposed ground floor height is less than the minimum 14 feet (10 feet). As such, the floor-to-floor height will need to be revised, and additional information on the transparency should be provided on the elevations.
5. **Bicycle Parking.** Planning Code Section 155.3 requires this project to provide at least 34 Class One and 2 Class Two bicycle parking spaces. The proposed project information indicates that the project will meet these requirements but plans do not provide detailed information about the bicycle spaces. Future submittals should depict proposed bicycle spaces as outlined in the *Zoning Administrator Bulletin No. 9: Bicycle Parking Standards: Design and Layout*.
6. **North of Market Residential Special Use District (Section 249.5).** In order to protect and enhance important housing resources in an area near downtown, conserve and upgrade existing low and moderate income housing stock, preserve buildings of architectural and historic importance and preserve the existing scale of development, maintain sunlight in public spaces, encourage new infill housing at a compatible density, limit the development of tourist hotels and other commercial uses that could adversely impact the residential nature of the area, and limit the number of commercial establishments which are not intended primarily for customers who are residents of the area, the following controls are imposed in the North of Market Residential Special Use District (SUD).

- a. **Density.** In the North of Market Residential Special Use District #2, the density ratio shall be one dwelling unit for each 200 square feet of lot area. The current proposal appears to meet density limitations of the Code.
  - b. **Parking.** There are no minimum off-street parking requirements in the North of Market Residential Special Use District (SUD) for any use. Further, per Section 161(e), no off-street parking shall be required for any principal use in an RC-4 District for which the form of measurement is occupied floor area, where the occupied floor area of such use does not exceed 10,000 square feet. The project proposes 15 parking spaces. Although the SUD provides relief from parking requirements of Section 151, Section 204.5 allow accessory parking of up to 15 spaces or seven percent of the total gross floor area of the structure or development, whichever is greater, where no off-street parking spaces are required. Therefore, up to 15 parking spaces may be provided as accessory parking. Any parking above this amount would have to be considered as a Parking Garage use, which requires Conditional Use Authorization in the RC-4 Zoning District. Given the provisions of the SUD, there does not appear to be a strong justification that parking in amounts greater than accessory amounts would be necessary and desirable in this district.
7. **Unbundled Parking (Section 167).** All off-street parking spaces accessory to residential uses in new structures of 10 dwelling units or more shall be leased or sold separately from the rental or purchase fees for dwelling units for the life of the dwelling units.
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: Planning Code Section 419*, to the Planning Department identifying the method of compliance, on-site, off-site, or in-lieu fee. Any on-site affordable dwelling-units proposed as part of the project must be designated as owner-occupied units, not rental units. Affordable units designated as on-site units shall be sold as ownership units and will remain as ownership units for the life of the project.

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.

9. **First Source Hiring Agreement.** A First Source Hiring Agreement is required for any project proposing to construct 10 or more dwelling-units. For more information, please contact:

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

10. **Impact Fees.** This project will be subject to various impact fees. An initial review indicates the following impact fees, which are assessed by the Planning Department, will be required :
  - a. **Transit Impact Development Fee.** Any new construction that cumulatively results in at least 800 gsf or more of a use covered by the TIDF chart in Section 411.3 is required to pay TIDF impact fees. Residential is excluded, and there is a credit for the gross square feet of uses being eliminated, but retail/entertainment are currently charged at a rate of \$13.30/gsf.

#### PRELIMINARY DESIGN COMMENTS:

The project site, which currently contains an existing category A historic resource, is located in the Uptown Tenderloin Historic District adjacent to a large non-contributing structure. The neighborhood pattern consists primarily of one to six story residential uses with some retail at the ground level. The facades are mostly masonry with vertical bays and are comprised of an articulated top and a fine-grain of architectural detail. The following comments address preliminary design issues that may significantly impact the proposed project:

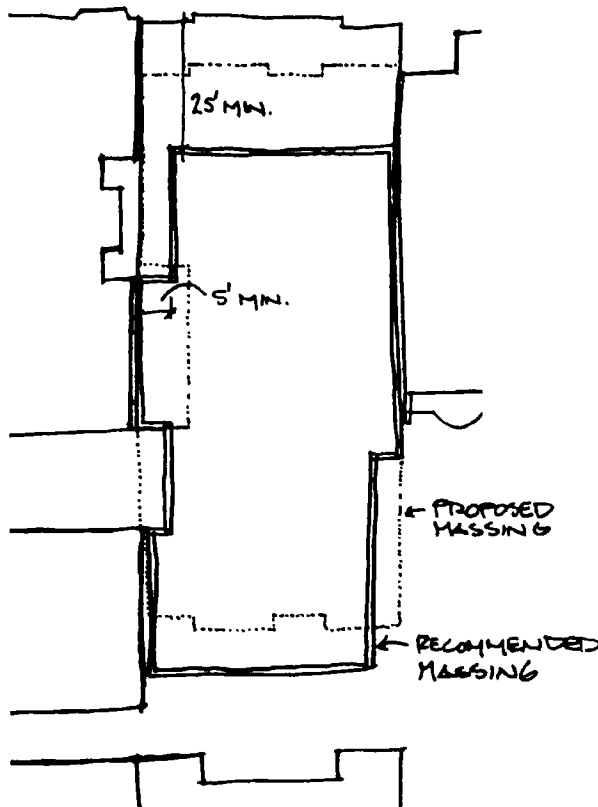
1. **Site Design, Open Space, and Massing.** The Planning Department recommends adjusting the massing of the project 1) to create a better relationship between it and the existing building as well as other buildings on the street frontage, and 2) to better respond to and accommodate the relationships between the building massing and open spaces at the rear, light well, and setbacks

The Planning Department recommends better integrating and preserving the existing historic resource to be more fundamentally a part of the project by setting the addition back a minimum 25'. The interior of the new structure should appropriately reuse or relate to the retained portion of the existing resource.

Re-configure the plan to minimize units that do not meet the exposure requirements.

Match the adjacent light well on the west side of the property to bring the west side of the property in a minimum of 5' to match the adjacent lightwell.

Additionally, the project should create a lightwell or notch at the back open notch of the westside property and could also create a reciprocal notch at the open space to the east. The Planning Department would support the rear wall moving back as long as exposure requirements are met either there or with the adjacent open space on the east side.



This plan diagram should help clarify the intent.

2. **Parking and Access.** The Planning Department suggests reducing the number of parking spaces.
3. **Street Frontage.** The Planning Department suggests that the egress, parking entry, and lobby be reconfigured if possible to increase the active uses at the ground floor level, as much of that frontage is currently taken up with interior circulation.
4. **Architecture.** The Planning Department recommends that the design better match the existing neighborhood pattern. The large amount and proportion of glass should be compatible with the more solid, masonry facades with vertical punched windows found in nearby buildings. While the Planning Department encourages a contemporary architectural system, it should foster a more compatible solid/void and material relationship with the historic context.

**PRESERVATION COMMENTS:**

1. **Uptown Tenderloin Historic District.** The Uptown Tenderloin Historic District is a largely intact, visually consistent, inner-city high-density residential area constructed during the years between the earthquake and fire of 1906 and the Great Depression. The District was listed on the National

Register of Historic Place in 2009 for its association with the development of hotel and apartment life in San Francisco during a critical period of change in San Francisco and for its distinctive mix of building types that served a new urban population of office and retail workers. Predominantly hotels and apartments, the district also includes non-residential building types associated with life in the neighborhood. As such, the design of the new building should be consistent in composition and style with the existing buildings in the District. Specifically:

- a. **Composition and Style:** Existing buildings share a common tripartite vertical composition with defining architectural elements. The proposed addition design should respect the solid-to-void ratios of buildings within the District and incorporate compositional elements to break up the façade, including punched openings and introducing a strong horizontal element defining the top of the addition.
- b. **Massing:** Currently, the proposed design shows the addition setback 10 feet from the face of the existing façade with five stories rising above the existing two-story building and the existing second floor of the façade acting as a screen for patios for new residential units. Although buildings within the District range in height, the proposed massing overwhelms the existing building and inappropriately reuses the existing building façade. The setback and massing of the addition should more appropriately address the size and scale of the existing building. The Planning Department recommends setting the addition back 25-35 feet and reducing the overall height of the addition. Further, the front portion of the existing building should be retained as usable interior space at both the first and second floors.
- c. **Materials:** It is unclear what all the proposed building materials are. Please call out all materials, texture, and color of finishes including window and storefront system finishes proposed for the addition and rehabilitation of the existing façade. The addition should draw from the masonry material and texture typical of the existing building and Uptown Tenderloin Historic District.
- d. **Bay Windows:** The proposed arrangement of balconies does not complement the existing building and surrounding buildings, which have some regularity in pattern and are mostly symmetrical in layout. The proposed balconies appear to lack regularity in that they are located in alternating bays. The balconies and bay windows, if proposed, should be better integrated with a more complementary composition that draws on the patterns of bays and fire escapes on adjacent buildings within the District and that does not overwhelm the existing building.

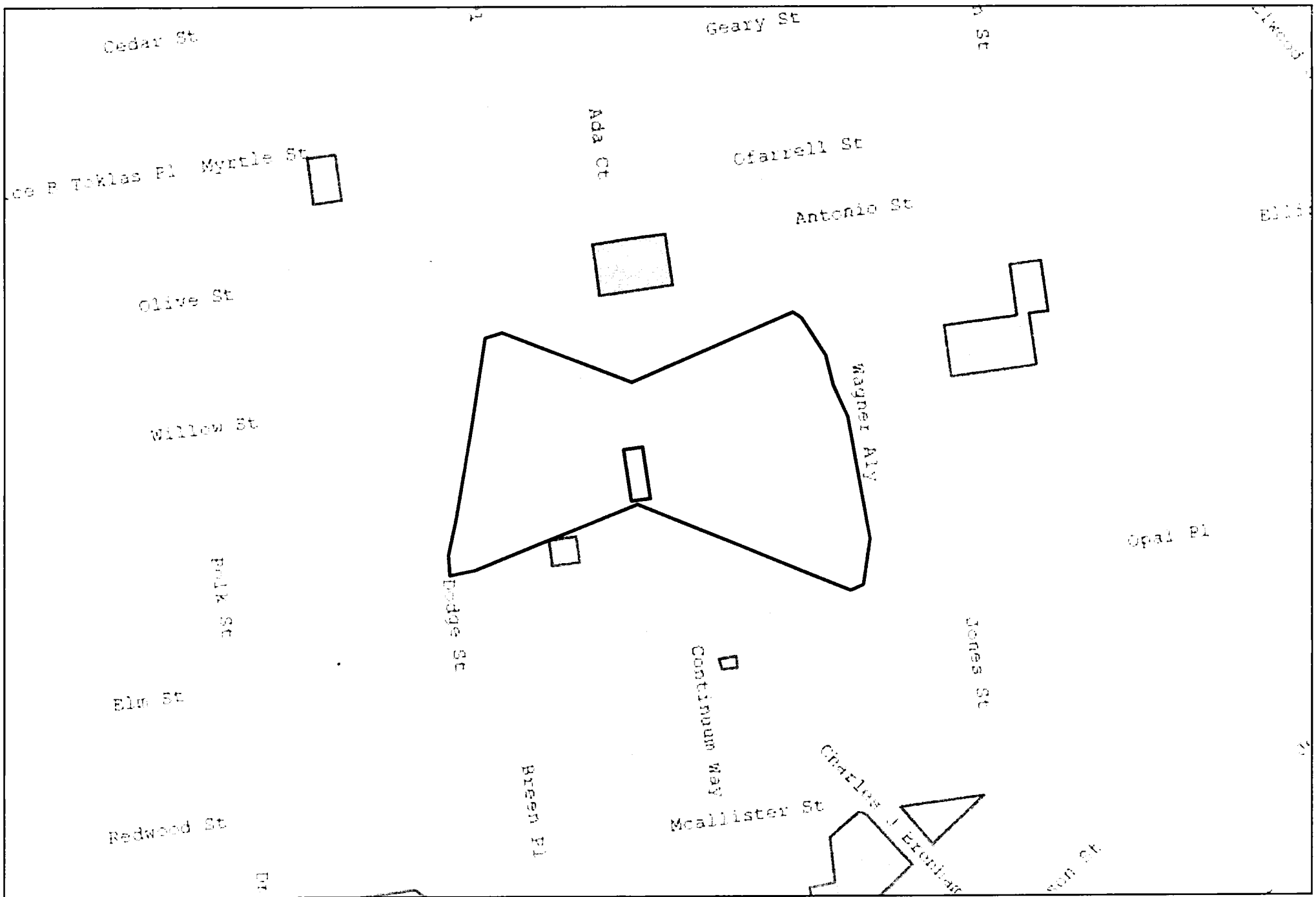
#### PRELIMINARY PROJECT ASSESSMENT EXPIRATION:

This Preliminary Project Assessment is valid for a period of **18 months**. An Environmental Evaluation, Conditional Use Authorization, or Building Permit Application, as listed above, must be submitted no later than **Thursday, December 10th, 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 this Preliminary Project Assessment.

Enclosure:      Neighborhood Group Mailing List  
                         PPA Shadow Fan Analysis

cc:    Borgfeldt Co., Inc., Property Owner  
         Pilar LaValley, Current Planning  
         Kansai Uchida, Environmental Planning  
         Claudia Flores, Citywide Planning and Analysis  
         David Winslow, Design Planning  
         Maia Small, Design Planning  
         Jonas Ionin, Planning Commission Secretary  
         Jerry Robbins, MTA  
         Jerry Sanguinetti, DPW





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