



# SAN FRANCISCO PLANNING DEPARTMENT

**MEMO**

**DATE:** June 18, 2014  
**TO:** Aaron Schlechter  
**FROM:** Rick Cooper, Planning Department  
**RE:** PPA Case No. 2014.0599U for 540-552 De Haro Street

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

Reception:  
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Please find the attached Preliminary Project Assessment (PPA) for the address listed above. You may contact the staff contact, Elizabeth Purl, at (415) 575-9028 or [elizabeth.purl@sfgov.org](mailto:elizabeth.purl@sfgov.org), to answer any questions you may have, or to schedule a follow-up meeting.

A handwritten signature in cursive script that reads "Rick Cooper".

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Rick Cooper, Senior Planner



# SAN FRANCISCO PLANNING DEPARTMENT

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## Preliminary Project Assessment

*Date:* June 20, 2014  
*Case No.:* 2014.0599U  
*Project Address:* 540-552 De Haro Street  
*Block/Lot:* 4008/002  
*Zoning:* UMU/40-X  
*Area Plan:* Eastern Neighborhoods, Showplace Square/Potrero Hill Area Plan  
*Project Sponsor:* Aaron Schlechter  
415-988-1080  
*Staff Contact:* Elizabeth Purl – 415-575-9028  
[elizabeth.purl@sfgov.org](mailto:elizabeth.purl@sfgov.org)

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### DISCLAIMERS:

Please be advised that this determination does not constitute an application for development with the Planning Department. It also does not represent a complete review of the proposed project, a project approval of any kind, or in any way supersede any required Planning Department approvals listed below. The Planning Department may provide additional comments regarding the proposed project once the required applications listed below are submitted. While some approvals are granted by the Planning Department, some are at the discretion of other bodies, such as the Planning Commission or Historic Preservation Commission. Additionally, it is likely that the project will require approvals from other City agencies such as the Department of Building Inspection, Department of Public Works, Department of Public Health, San Francisco Public Utilities Commission, and others. The information included herein is based on plans and information provided for this assessment and the Planning Code, General Plan, Planning Department policies, and local/state/federal regulations as of the date of this document, all of which are subject to change.

### PROJECT DESCRIPTION:

The project site consists of one 10,000-square-foot (sf), steeply sloped lot located on De Haro Street within the block bounded by Mariposa Street to the north, De Haro Street to the east, 18th Street to the south, and Rhode Island Street to the west. The lot is occupied by a two-story, 7,147-sf industrial building, built in 1975, and seven surface parking spaces. The proposal is to demolish the existing building and construct a four-story, 40-foot-tall residential building with an area of 33,750 sf, with 17 dwelling units, 16 vehicle parking spaces on the ground level, and 17 bicycle parking spaces. A combination of private terraces, balconies, and a common roof deck would provide open space. The project would also include landscaping and streetscape improvements along De Haro Street.

**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 Showplace Square/Potrero Hill subarea of the Eastern Neighborhoods Area Plan, which was evaluated in *Eastern Neighborhoods Rezoning and Area Plans Programmatic Final Environmental Impact Report EIR* ("*Eastern Neighborhoods FEIR*"), certified in 2008.<sup>1</sup> Since 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 *Eastern Neighborhoods FEIR*, and there would be no new "peculiar" significant impacts unique to the proposed project. In these situations, all pertinent mitigation measures and CEQA findings from *the Eastern Neighborhoods FEIR* are applied to the proposed project, and a CPE checklist and certificate is prepared. With this outcome, the applicable fees are: (a) the CPE determination fee (currently \$13,339); (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 Eastern Neighborhoods FEIR*.
- 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 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 construction value); and (c) a proportionate share fee for recovery for costs incurred by the Planning Department for preparation of *the Eastern Neighborhoods 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 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

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

(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 Eastern Neighborhoods FEIR*.

In order to begin formal environmental review, please submit an Environmental Evaluation Application. See Page 2 of the Fee Schedule for calculation of environmental application fees.

**\*\*Note: 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 could require additional study based on our preliminary review of the project as it is proposed in the Preliminary Project Assessment (PPA) Submittal:

1. **Transportation/ Circulation.** Based on the Planning Department's transportation impact analysis guidelines, the project as proposed would potentially add approximately 29 PM peak hour person trips. A transportation study is not anticipated. However, an official determination regarding the need for a transportation study will be made subsequent to submittal of the Environmental Evaluation Application. The Planning Department's Transportation subgroup has reviewed the proposed development plan and made the following comments and suggestions:
  - a. Please clarify the existing and proposed curb cuts and widths and show these clearly on plans. Planning recommends a 12-foot width for the driveway.
  - b. Consider relocating the bicycle parking closer to De Haro Street (e.g., exchange the locations of the bicycle parking and trash room).
2. **Air Quality.** The project includes demolition of an existing 7,147-sf, two-story commercial building and the construction of a 33,750-sf, six-story residential building. The proposed project's 17 dwelling units are below the Bay Area Air Quality Management District's (BAAQMD) construction screening levels for criteria air pollutants.<sup>2</sup> However, detailed information related to the amount (in cubic yards) of excavation must be provided as part of the Environmental Evaluation Application.

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

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

Pollutant Exposure Zone require special consideration to determine whether the project's activities would expose sensitive receptors to substantial air pollutant concentrations. The proposed project is within an Air Pollutant Exposure Zone and includes sensitive land uses (i.e., dwelling units). Therefore, exhaust reduction measures during construction and enhanced ventilation measures as part of building design will likely be required. Enhanced ventilation measures will be the same as those required for projects, such as this project, subject to Article 38 of the Health Code.<sup>3</sup>

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 40 feet, the proposed project probably would not require a backup diesel generator; however, if one is included, additional measures would likely be necessary to reduce its emissions. Detailed information related to any proposed stationary sources must be provided with the Environmental Evaluation Application. During the environmental review process, the project will be screened for potential air quality impacts to identify applicable mitigation measures from the Eastern Neighborhoods FEIR.

- 3. 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).<sup>4</sup> 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. A copy of the checklist can be downloaded at:

<http://sfmea.sfplanning.org/Table%20Private%20Development%20projects%20Revised%2009042013.doc>

- 4. Noise.** The project site is located in an area where traffic-related noise exceeds 60 dBA Ldn (a day-night averaged sound level). The *Eastern Neighborhoods FEIR* identified a number of noise mitigation measures applicable to construction as well as siting noise-sensitive (e.g., residential) land uses in areas that are substantially affected by existing noise levels. The following measures would apply to the proposed project.

*Mitigation Measure F-2* would require construction projects near noise sensitive land uses to implement noise attenuation measures. The project sponsor would be required to submit a plan that outlines the noise attenuation measures to be implemented during the construction phase. The plan

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

<sup>4</sup> San Francisco's Strategies to Address Greenhouse Gas Emissions and BAAQMD's letter are available online at: <http://www.sfplanning.org/index.aspx?page=1570>. Accessed February 5, 2014.

must be submitted to the Department of Building Inspection (DBI) for review and approval prior to the issuance of any construction or demolition permit.

*Mitigation Measure F-3: Interior Noise Levels* requires that the project sponsor conduct a detailed analysis of noise reduction requirements for new development that includes noise-sensitive uses located along streets with noise levels above 60 dBA (Ldn). *Mitigation Measure F-3* would apply to the proposed project, as the project site is located in an area where ambient noise levels exceed 60 dBA. Noise insulation features identified and recommended in the analysis must be included in project design to reduce potential interior noise locations to the extent feasible.

*Mitigation Measure F-4: Siting of Noise-Sensitive Uses* would apply, as the project sponsor is proposing to site residential uses in an area that exceeds 60 Ldn noise levels. *Mitigation Measure F-4: Siting of Noise-Sensitive Uses* would require the sponsor to prepare an acoustical study that identifies potential noise-generating uses within 900 feet of, and having a direct line-of-sight to, the project site and include at least one 24-hour noise measurement with maximum noise level readings taken at least every 15 minutes. The study should include any recommendations regarding building design to ensure that the interior noise environment meets Title 24 Building Code acoustical requirements. This study must be completed during the environmental review process for inclusion in the environmental document.

*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.

5. **Geology.** A preliminary geotechnical study prepared by the project sponsor's consultant was submitted with the PPA application. The study addressed whether the site is subject to liquefaction and landslides and provided recommendations for addressing geotechnical concerns identified in the study. To assist Department staff in their evaluation, it is recommended that the project sponsor include the geotechnical investigation with the EEA. Please note that the Department of Building Inspection will ultimately determine whether the geotechnical report is adequate to meet its requirements prior to approval of building permits.
6. **Archeological Resources.** Project implementation would entail soil-disturbing activities associated with building construction, including excavation in the area of the proposed garage that could reach a depth of 10 feet or more below grade. The project site is located within an area where no previous archeological survey has been prepared. The *Eastern Neighborhoods FEIR* noted that CRHR-eligible archeological resources are expected to be present within existing sub-grade soils of the Plan Area and the proposed land use policies and controls within the Plan Area could adversely affect significant archeological resources.

The project site lies within Archeological Mitigation Zone J-2: Properties with No Previous Studies of the *Eastern Neighborhoods FEIR. Mitigation Measure J-2: Properties With No Previous Studies* requires either Preliminary Archeological Review (PAR) conducted in-house by the Planning Department archeologist or the preparation of a Preliminary Archeological Sensitivity Assessment (PASS) for the proposed project by a Department Qualified Archeological Consultant, subject to review and approval by the Department archeologist. In almost all cases, the project sponsor would choose the PAR process. The PAR will determine (1) what type of soils disturbance/modifications would result from the proposed project, such as excavation, installation of foundations, soil improvements, site remediation, etc.; (2) whether or not the project site is located in an area of archeological sensitivity; and (3) 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 complete QACL is available at:

[http://www.sf-planning.org/ftp/files/MEA/Archeological\\_Review\\_consultant\\_pool.pdf](http://www.sf-planning.org/ftp/files/MEA/Archeological_Review_consultant_pool.pdf).

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

- a. Describe the historical uses of the project site based on any previous archeological documentation and Sanborn maps;
- b. Determine types of archeological resources/properties that may have been located within the project site and whether the archeological resources/property types would potentially be eligible for listing in the CRHR;
- c. Determine if 19th or 20th century soils-disturbing activities may have adversely affected the identified the potential archeological resources;
- d. Assess potential project effects in relation to the depth of any identified potential archeological resources; and
- e. Conclude with an assessment of whether any CRHP-eligible archeological resources could be adversely affected by the proposed project and recommendation as to appropriate further 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.

7. **Historic Resources.** The commercial building at 540-552 De Haro Mission Street was constructed in 1975. It was included in the *Showplace Square/Northeast Mission Historic Resource Survey* and was given a rating of 6Z, indicating that the property is ineligible for National Register, California Register of Historical Resources (CRHR), or local designation through survey evaluation. Therefore, the building would not be considered a historic resource pursuant to CEQA, and this topic will not require further evaluation as part of the proposed project's environmental review.
8. **Hazardous Materials.** Based upon mapping conducted by the U.S. Geological Survey (USGS), the project site is underlain by serpentine rock. Project construction activities could release serpentinite into the atmosphere. Serpentinite commonly contains naturally occurring chrysotile asbestos (NOA) or tremolite-actinolite, a fibrous mineral that can be hazardous to human health if airborne emissions are inhaled. In the absence of proper controls, NOA could become airborne during excavation and handling of excavated materials. On-site workers and the public could be exposed to airborne asbestos unless appropriate control measures are implemented. To address health concerns from exposure to NOA, ARB enacted an Asbestos Airborne Toxic Control Measure (ATCM) for Construction, Grading, Quarrying, and Surface Mining Operations in July 2001. The requirements established by the Asbestos ATCM are contained in California Code of Regulations (CCR) Title 17, Section 93105, and are enforced by the Bay Area Air Quality Management District (BAAQMD). The proposed project would be required to comply with the requirements of the Asbestos ATCM, which include measures to control fugitive dust from construction activities, in addition to the requirements of the Construction Dust Control Ordinance discussed above.

The proposed project could include over 50 cubic yards of excavation for construction of the proposed garage. The project site is within the City's mapped Maher Ordinance area (Article 22A of the San Francisco Health Code). Therefore, the proposed project is subject to the requirements of the Maher Ordinance. This ordinance, which is administered and overseen by the San Francisco 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 is intended 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 sponsors of projects subject to the Maher Ordinance complete a Maher application, available at: <http://www.sfdph.org/dph/EH/HazWaste/hazWasteSiteMitigation.asp>. DPH fees for their 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>.

A Phase 1 ESA and soil sampling analysis results were submitted with the PPA application. The soil sampling results indicate that elevated concentrations of certain metals, including cadmium and nickel, are present in site soils. The sampling report included recommendations for additional soil testing to determine if excavated soils can be accepted at a landfill and for a foundation barrier to encapsulate metals in soil. The soil sampling results should be submitted to DPH with the Maher



application and Phase I ESA. Based on the soil sampling results, a Phase 2 ESA may be determined necessary by DPH.

Please provide a copy of the submitted Maher application with the Environmental Evaluation Application.

*Eastern Neighborhoods FEIR Hazardous Materials Mitigation Measure L-1: Hazardous Building Materials* would be applicable to the proposed project. The 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. In addition, any other hazardous materials identified, either before or during work, must 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 Bay Area Air Quality Management District (BAAQMD) is responsible for regulating airborne pollutants including asbestos. Please contact BAAQMD for the requirements related to demolition of buildings that may contain asbestos-containing materials. In addition, because of its age, lead paint may be found in the existing building. Please contact the San Francisco Department of Building Inspection (DBI) for requirements related to demolition of buildings that may contain lead paint.

9. **Shadow Study.** The proposed project would not include the construction of a building greater than 40 feet in height. Therefore, no shadow study is required.
10. **Wind Study.** The proposed project would not involve construction of a building over 80 feet in height. Therefore, a wind study is not required to be prepared for the project.
11. **Stormwater.** Because the proposed project would result in a ground surface disturbance of 5,000 sf or more, 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 or the Stormwater Design Guidelines, or to download instructions for the Stormwater Control Plan, go to <http://sfwater.org/sdg>.
12. **Tree Planting and Protection.** The Department of Public Works Code Section 8.02-8.11 requires disclosure and protection of landmark, significant, and street trees located on private and public

property. Any such trees must be shown on the Site Plans with the size of the trunk diameter, tree height, and accurate canopy drip line. Please submit a *Tree Planting and Protection Checklist* with the Environmental Evaluation Application and ensure that trees are appropriately shown on site plans.

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

If the additional analyses identify impacts that cannot be mitigated, the environmental document will be a CPE with a Focused Initial Study/EIR. A CPE and a CPE plus a Focused Initial Study/Mitigated Negative Declaration can be prepared by Planning Department staff if no Focused Initial Study or EIR is required, but a CPE with a Focused Initial Study/EIR would need to be prepared by a consultant on the Planning Department's environmental consultant pool list:

[http://www.sf-planning.org/ftp/files/MEA/Environmental\\_consultant\\_pool.pdf](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. Large Project Authorization** from the Planning Commission is required per Planning Code Section 329 for the new construction of a building greater than 25,000 gross sf.
- 2. A Building Permit Application** is required for the demolition of the existing building on the subject property.
- 3. A Building Permit Application** is required for the proposed new construction on the subject property.

All Planning Department applications are available in the Planning Department lobby at 1650 Mission Street, Suite 400, at the Planning Information Center at 1660 Mission Street, or 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 Meeting 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. **Rear Yard Modification.** Planning Code Section 134 requires that the proposed project provide a rear yard, equal to 25 percent of the lot depth, at the lowest level containing a dwelling. The project as proposed does not provide a code-complying rear yard at the ground floor, which contains dwelling units, and will therefore require a rear yard modification from the Planning Commission through the Large Project Authorization process outlined in Planning Code Section 329.
2. **Open Space – Residential.** Planning Code Section 135 requires 80 sf of open space (private or common) for each dwelling unit. Additionally, any such open space must meet the dimensional requirements of subsections (f) and (g). Because the submitted plans are not to scale, it is unclear if the common open space adequately meets the requirement. If not, an exception from the open space requirement could be sought through the Large Project Authorization process. The Department recommends that the proposal provide Code-complying open space.
3. **Awnings.** The submitted plans do not illustrate the awning projections. Please be sure to include these projections in future plan sets. Pursuant to Planning Code Section 136.1, if the width of an awning is 10 feet or less, the horizontal projection of such awnings shall not exceed six feet from the face of the building. Additionally, when the width of all awnings exceeds 10 feet measured along the direction of the street, the horizontal projection of such awnings must not exceed four feet from the face of the supporting building.
4. **Standards for Bird Safe Buildings.** The proposal will be subject to Planning Code Section 139, Standards for Bird Safe Buildings. Please note the Feature Related requirements under subsection (c)(2) that apply to certain unbroken glazed segments 24 sf or larger in area.
5. **Street Trees.** For new construction projects, Planning Code Section 138.1 requires one street tree for every 20 feet of frontage, and an additional tree for any remainder of frontage greater than 10 feet. The subject property has 100 feet of frontage on De Haro Street, requiring installation of five trees. Please also note that such trees must comply with the following requirements of Planning Code Section 138.1 or seek a waiver from the Zoning Administrator:
  - a. Comply with Public Works Code Article 16, and any other applicable ordinances;
  - b. Be suitable for the site;

- c. Be a minimum of 24-inch box size along each street or alley, and located either within a setback area on the lot or within the public right-of-way along such lot;
- d. Provide a below-grade environment with nutrient-rich soils, free from overly-compacted soils, and generally conducive to tree root development;
- e. Be watered, maintained, and replaced if necessary by the property owner, in accordance with Sec. 174 and Article 16 of the Public Works Code, and compliant with applicable water use requirements of Chapter 63 of the Administrative Code;
- f. Have a minimum 2 inch caliper, measured at breast height;
- g. Branch a minimum of 80 inches above sidewalk grade;
- h. Be planted in a sidewalk opening at least 16 sf and have a minimum soil depth of 3 feet 6 inches; and
- i. 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 as defined in Planning Code Section 102.33.

Currently, the proposed project only provides four street trees. Please revise the site plan to comply with this requirement and include the above specifications.

6. **Bicycle Parking.** Planning Code Section 155.2 outlines requirements for bicycle parking spaces for residential developments. The proposed project is required to provide one Class 1 bicycle parking space for every dwelling unit. In addition, bicycle parking must be as conveniently located as the most convenient nondisabled car parking provided for the subject use. Please revise the proposal to improve the location of the bicycle parking so that it is more conveniently located.
7. **Unbundled Parking.** Planning Code Section 167 outlines a requirement for unbundled parking spaces for newly constructed residential buildings of ten dwelling units or more. All off-street parking spaces accessory to residential uses shall be leased or sold separately from the rental or purchase fees for dwelling units for the life of the dwelling units, such that potential renters or buyers have the option of renting or buying a residential unit at a price lower than would be the case if there were a single price for both the residential unit and the parking space. The Planning Commission may grant an exception from this requirement for projects which include financing for affordable housing that requires that costs for parking and housing be bundled together.
8. **Height.** At this time, it is unclear whether the proposal complies with the height requirements of Article 2.5. As illustrated, the project is broken up into two building masses for the purpose of measuring height on a lateral slope as indicated in Table 260 of the Planning Code. Please be advised that to verify compliance with the height limit, a longitudinal section must also be provided at the center point of each massing.

9. **Height Exceptions.** Pursuant to Planning Code Section 260(b)(1)(B), where the height limit is 65 feet or less, an elevator penthouse is limited to extending 16 feet beyond the height limit. The elevations provided indicate that the proposed elevators will extend 18 feet beyond the height limit. Please modify the plans accordingly.
10. **Large Project Authorization.** As previously indicated, because the project is greater than 25,000 gross sf, the proposal requires Large Project Authorization by the Planning Commission pursuant to Planning Code Section 329. Review by the Planning Commission will address the following physical design issues:
- a. Overall building massing and scale;
  - b. Architectural treatments, façade design and building materials;
  - c. The design of lower floors, including building setback areas, entries, utilities, and the design and siting of rear yards, parking and loading access;
  - d. The provision of required open space, both on- and off-site;
  - e. Streetscape and other public improvements, including tree planting, street furniture, and lighting;
  - f. Circulation, including streets, alleys and mid-block pedestrian pathways;
  - g. Other changes necessary to bring a project into conformance with any relevant design guidelines, Area Plan or Element of the General Plan.

As a component of this design review the Commission will also review modifications or exceptions to requirements of the Planning Code, listed in Section 329(d).

11. **Neighborhood Notification.** Per Planning Code Section 312, neighborhood notification will be required, since the proposal involves new construction within the Urban Mixed Use Zoning District.
12. **Inclusionary Affordable Housing.** Planning Code Section 419.3 outlines the requirement for inclusionary affordable housing as part of any housing project constructing ten or more dwelling units within the Urban Mixed Use Zoning District. The project site is designated as Tier A for the purpose of evaluating inclusionary housing. All project sites designated as Tier A within the Urban Mixed Use Zoning District shall dedicate 14.4 percent of the total units as affordable. Therefore, based upon the current number of dwelling units, if the on-site affordable housing option is elected, the proposed project would be required to provide a total of two (2) on-site affordable housing units. Based upon the submitted information it is unclear which program the Project Sponsor will elect to address this requirement. Please clarify how the proposed project would meet this requirement and submit the "Inclusionary Affordable Housing Program: Affidavit of Compliance," which may be downloaded from the Planning Department's website under "Permits & Zoning" "Permit Forms."

13. **Priority Processing.** Please be advised that in response to the *Mayor's Executive Directive 13-01* the Planning Department now facilitates priority processing for market-rate projects that include at least 20 percent on-site below-market-rate units (three units for this proposal) or 30 percent off-site below-market-rate units. Priority processing for these housing projects will be the highest of the priority processed projects, excepting 100-percent affordable projects, and will have a target timeline of one week for application assignment and two weeks for application review. The project's obligations with respect to affordable housing shall be memorialized as Conditions of Approval and shall be recorded as a Notice of Special Restrictions with the County Recorder's Office in a form approved by the Zoning Administrator.

An application for Priority Application Processing must be filed prior to the submittal of the associated permit and/or entitlement applications. Please review Director's Bulletin No. 2 (Priority Processing Bulletin) to obtain an application and review the procedures.

14. **Eastern Neighborhood Area Plan Impact Fees.** Planning Code Section 423 outlines the requirements for development impact fees for projects located within the Eastern Neighborhoods Area Plan. For the purposes of impact fee calculation, all three parcels are classified as "Tier 1" (see San Francisco Planning Department's Property Information Map). These fee amounts are subject to annual review by the City Controller, and may be subject to change. The Eastern Neighborhood Area Plan Impact Fee shall be paid before the City issues a first construction document. The impact fee register is regularly updated and can be found on DBI's website at: <http://www.sfdbi.org/index.aspx?page=617>.
15. **First Source Hiring Agreement.** A First Source Hiring Agreement is required for any project proposing to construct more than ten 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

#### PRELIMINARY DESIGN COMMENTS:

The project is located in the Potrero Hill neighborhood in an area that contains two- to four-story industrial and residential buildings. While nearby blocks to the south and west contain primarily two-story residential buildings with garage at the ground level and some elevated entries, this specific block and site fronts a large public right of way and is adjacent to a church and across the street from a brewery. Blocks to the east and north are larger and more industrial in use and character. The following comments address preliminary design issues that may significantly affect the proposed project:

1. **Site Design, Open Space, and Massing.** The Planning Department recommends stepping the mass and roof lines of the building to reflect the topography and the slope of the street. Specifically, the massing on the southern portion of the building should carry more height.

2. **Parking and Access.** Consider moving the parking entrance away from the north property line to reduce potential conflict with the church entry forecourt.
3. **Street Frontage.** The Planning Department recommends the design conform to the Ground Floor Residential Design Guidelines which require raised and setback residential entries that provide direct entry from the street. Due to the slope of the site, these could be a combination of steps and flat entries, but overall the ground floor residential units should comply with the guideline's intent. The Planning Department suggests encroaching in the sidewalk to allow space for planting and entry stoops; this would also help in matching the right of way on the adjacent church property.
4. **Architecture.** The Planning Department recommends the façade be organized to augment more significant vertical modulation reflecting the typical development of San Francisco residential lot width (25 to 30 feet).

#### CITYWIDE POLICY ANALYSIS:

1. **Land Use - Eastern Neighborhoods, Showplace Square/Potrero Hill Area Plan.** The project is located within the boundary of the adopted Showplace Square/Potrero Hill Area Plan of the Eastern Neighborhoods. Showplace Square and Potrero Hill are diverse neighborhoods with a rich mixture of housing, commercial and Production, Distribution & Repair (PDR) uses. The project, as submitted, is generally consistent with the goals and vision of the plan, specifically with the following objectives:
  - Objective 1.1: Encourage the transition of portions of Showplace Square/Potrero Hill to a more mixed use and neighborhood serving character, while protecting the core of design-related PDR use.
  - Objective 1.2: In areas of Showplace Square/Potrero Hill where housing and mixed use is encouraged, maximize development potential in keeping with neighborhood character.

Further information about the Showplace Square/Potrero Hill Area Plan can be found here:

<http://www.sf-planning.org/index.aspx?page=1673>

2. **Option for In-Kind Provision of Community Improvements and Fee Credit.** Project sponsors may propose to directly provide community improvements to the City and satisfy relevant Area Plan Development Impact fees through such improvements. 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 Fees from the Planning Commission, for an equivalent amount to the value of the improvements. The project sponsor, City, and Area Plan Citizen Advisory Committee (CAC) coordinate the design, valuation, and terms of the agreements. This is not a required process; however an in-kind improvement must be determined to be eligible, be prioritized, and recommended by the Planning Department and (when applicable) the relevant CAC. This process is further explained in Section 423.3(d) of the Planning Code and in the following Department resource: <http://www.sf-planning.org/Modules/ShowDocument.aspx?documentid=860>

