



# SAN FRANCISCO PLANNING DEPARTMENT

MEMO

DATE: September 2, 2014  
TO: Victor Quan  
FROM: Joshua Switzky, Planning Department  
RE: PPA Case No. 2014.1058U for 6424 3<sup>rd</sup> Street/188 Key Avenue

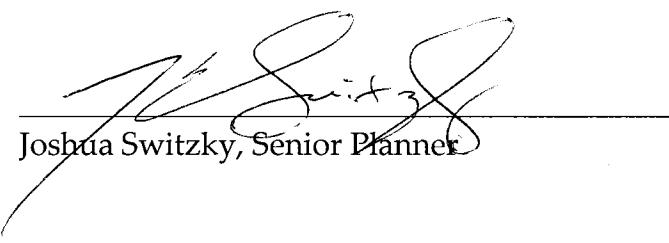
1650 Mission St.  
Suite 400  
San Francisco,  
CA 94103-2479

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, Paul Chasan, at (415) 575-9065 or [paul.chasan@sfgov.org](mailto:paul.chasan@sfgov.org), to answer any questions you may have, or to schedule a follow-up meeting.

  
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Joshua Switzky, Senior Planner



# SAN FRANCISCO PLANNING DEPARTMENT

## Preliminary Project Assessment

Date:	September, 2 <sup>nd</sup> , 2014	1650 Mission St. Suite 400 San Francisco, CA 94103-2479
Case No.:	<b>2014.1058U</b>	Reception: <b>415.558.6378</b>
Project Address:	6424 3 <sup>rd</sup> Street / 188 Key Ave	Fax: <b>415.558.6409</b>
Block/Lot:	5470/002	Planning Information: <b>415.558.6377</b>
Zoning:	NC3 40-X Height/Bulk District	
Area Plan:	Bayview/Hunters Point Area Plan	
Project Sponsor:	Victor Quan – 415-531-8311 <a href="mailto:vquan@gmail.com">vquan@gmail.com</a>	
Staff Contact:	Paul Chasan – 415-575-9065 <a href="mailto:paul.chasan@sfgov.org">paul.chasan@sfgov.org</a>	

### 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, and others. The information included herein is based on plans and information provided for this assessment and the Planning Code, General Plan, Planning Department policies, and local/state/federal regulations as of the date of this document, all of which are subject to change.

### PROJECT DESCRIPTION:

The proposal is to demolish the existing 6300 square foot commercial mortuary building and construct an 4-story, 40-foot tall mixed use building. The existing building on the 10,206 square foot subject lot was constructed in 1976. The proposed new building would include 17 dwelling units, 17 parking spaces, and 2,121 square feet of commercial space (primarily along 3<sup>rd</sup> Street).

### ENVIRONMENTAL REVIEW:

In order to begin formal environmental review, please submit an **Environmental Evaluation (EE) Application**. The application is 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). This review may be done in conjunction with the required approvals listed below, but must be completed before any project approval may be granted. See page 2 of the current *Fee Schedule* for calculation of environmental application fees. **Note that until an approval application is submitted to the Current**

**Planning Division, only the proposed Project Description will be reviewed by the assigned environmental Coordinator.**

If the additional analysis outlined below indicates that the project would not have a significant effect on the environment, the project may qualify for a Class 32 categorical exemption, and the Planning Department would issue a Certificate of Determination of Exemption from Environmental Review. Section 15332 of the CEQA Guidelines, or Class 32, provides a categorical exemption for projects characterized as infill development.

If the additional analysis performed after submittal of the EE Application indicates that the project may have a significant effect on the environment, Planning Department staff would prepare an Initial Study to determine whether a Mitigated Negative Declaration (MND) or Environmental Impact Report (EIR) is needed.

If the Department finds that the project would have significant impacts that can be reduced to a less-than-significant level by mitigation measures agreed to by the project sponsor, then the Department would issue a Preliminary Mitigated Negative Declaration. If the Initial Study process indicates that the project would result in a significant impact that cannot be mitigated to below a significant level, an EIR will be required to be prepared by an environmental consultant from the Planning Department's environmental consultant pool.<sup>1</sup> The Planning Department would provide more detail to the project sponsor regarding the EIR process should this level of environmental review be required.

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

**1. Historic Architectural Resources.** The project site contains a 20-foot-tall commercial building constructed in 1976. The building is less than 45 years old and the project site is neither located in or near any historic districts nor adjacent to any historic resources. Thus the property is designated as Category C and is not considered a historic resource for purposes of CEQA. No additional historic resource studies would be required.

**2. Geology.** A portion of the project site is located on a slope greater than 20%. 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 and recommend minimization measures for potential issues including 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.

**3. Transportation.** Based on a review of the PPA Application, the Department has determined that a transportation study is not likely to be required. However, a formal determination will be made

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<sup>1</sup> A list of prequalified Environmental Consultants in the Pool can be found at: <http://www.sf-planning.org/index.aspx?page=3458>.

subsequent to submittal of the EE Application. In order to facilitate that determination, Planning staff propose the following recommendations:

- Show number of Class 1 and Class 2 bicycle parking spaces on plans;
- Reduce amount of car parking spaces due to proximity to public transportation.

**4. Air Quality.** The proposed project's 17 residential dwelling units and 2,121 square feet of retail space are below the Bay Area Air Quality Management District's (BAAQMD) construction and operational screening levels for criteria air pollutants.<sup>2</sup> 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 Control 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. 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 project site is not within an Air Pollutant Exposure Zone, improvement measures may be recommended for consideration by City decision makers such as exhaust measures during construction and enhanced ventilation measures as part of building design. Enhanced ventilation measures will be the same as those required for projects, such as this project, subject to Article 38 of the Health Code.

**5. Hazardous Materials.** Based upon mapping conducted by the U.S. Geological Survey (USGS) the project site may be 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

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

construction activities, in addition to the requirements of the Construction Dust Control Ordinance discussed above.

The proposed project would construct a four-story mixed-use building in an area identified on the Maher Map. Therefore, the project may be subject to Article 22A of the Health Code, also known as the Maher Ordinance. The Maher Ordinance, which is administered and overseen by the Department of Public Health (DPH), requires the project sponsor to retain the services of a qualified professional to prepare a Phase I Environmental Site Assessment (ESA) that meets the requirements of Health Code Section 22.A.6. The Phase I would determine the potential for site contamination and level of exposure risk associated with the project. Based on that information, soil and/or groundwater sampling and analysis, as well as remediation of any site contamination, may be required. These steps are required to be completed prior to the issuance of any building permit.

DPH requires that projects subject to the Maher Ordinance complete a Maher Application, available at: <http://www.sfdph.org/dph/EH/HazWaste/hazWasteSiteMitigation.asp>. Fees for DPH review and oversight of projects subject to the ordinance would apply. Please refer to DPH's fee schedule, available at: <http://www.sfdph.org/dph/EH/Fees.asp#haz>. Please provide a copy of the submitted Maher Application and Phase I ESA with the EE Application.

**6. Greenhouse Gases.** *The City and County of San Francisco's Strategies to Address Greenhouse Gas Emissions* presents a comprehensive assessment of policies, programs, and ordinances that represents San Francisco's Qualified Greenhouse Gas (GHG) Reduction Strategy. Projects that are consistent with San Francisco's Qualified GHG Reduction Strategy would result in less-than-significant impacts from GHG emissions. In order to facilitate a determination of compliance with San Francisco's Qualified GHG Reduction Strategy, the Planning Department has prepared a Greenhouse Gas Analysis Compliance Checklist.<sup>3</sup> The project sponsor is required to submit the completed table regarding project compliance with the identified regulations and provide project-level details in the discussion column. This information will be reviewed by the environmental planner during the environmental review process to determine if the project would comply with San Francisco's Greenhouse Gas Reduction Strategy. Projects that do not comply with an ordinance or regulation may be determined to be inconsistent with the Greenhouse Gas Reduction Strategy.

**7. Hydrology and Water Quality.** The project would disturb more than 5,000 square feet of ground surface, and is therefore subject to San Francisco's stormwater management requirements as outlined in the Stormwater Management Ordinance and the corresponding San Francisco Public Utilities Commission (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

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<sup>3</sup> Refer to <http://sfplanning.org/index.aspx?page=1886> for latest "Greenhouse Gas Compliance Checklist for Private Development Projects."

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>.

**8. Tree Planting and 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 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*<sup>4</sup> with the EE Application and ensure that trees are appropriately shown on site plans.

**9. Notification of a Project Receiving Environmental Review.** Notice is required to be sent to occupants of the project site and properties adjacent to the project site, as well as to owners and to the extent feasible occupants of properties within 300 feet of the project site at the initiation of the environmental review. Please be prepared to provide mailing addresses on a CD upon request following submittal of the EE Application.

**10. Disclosure Report for Developers of Major City Projects.** The San Francisco Ethics Commission S.F. Camp. & Govt. Conduct Code § 3.520 et seq. requires developers to provide the public with information about donations that developers make to nonprofit organizations that may communicate with the City and County regarding major development projects. This report must be completed and filed by the developer of any "major project." A major project is a real estate development project located in the City and County of San Francisco with estimated construction costs exceeding \$1,000,000 where either: (1) The Planning Commission or any other local lead agency certifies an EIR for the project; or (2) The project relies on a program EIR and the Planning Department, Planning Commission, or any other local lead agency adopts any final environmental determination under CEQA. A final environmental determination includes: the issuance of a Community Plan Exemption (CPE); certification of a CPE/EIR; adoption of a CPE/Final Mitigated Negative Declaration; or a project approval by the Planning Commission that adopts CEQA Findings. (In instances where more than one of the preceding determinations occur, the filing requirement shall be triggered by the earliest such determination.) A major project does not include a residential development project with four or fewer dwelling units. The first (or initial) report must be filed within 30 days of the date the Planning Commission (or any other local lead agency) certifies the EIR for that project or, for a major project relying on a program EIR, within 30 days of the date that the Planning Department, Planning Commission, or any other local lead agency adopts a final environmental determination under CEQA. Please submit a Disclosure Report for Developers of Major City Projects to the San Francisco Ethics Commission. This form can be found at the Planning Department or online at <http://www.sfethics.org>.

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<sup>4</sup> The Tree Planting and Protection Checklist can be found at: <http://sfplanning.org/modules/showdocument.aspx?documentid=8321>.

## 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 per Planning Code Section 121.1 for the new construction of a building on a lot greater than 10,000 square-feet.
2. A **Rear Yard Modification** is required per Planning Code Section 134(e) as discussed under 'Preliminary Project Comments' below.
3. As currently proposed, and as discussed under 'Preliminary Project Comments' below, this project requires a **Variance** from Planning Code Section 145.1.
4. A **Building Permit Application** is required for the demolition of the existing building on the subject property.
5. A **Building Permit Application** is required for the proposed new construction on the subject property.

Conditional Use Authorization applications are available in the Planning Department lobby at 1650 Mission Street Suite 400, at the Planning Information Center at 1660 Mission Street, and online at [www.sfplanning.org](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.

## PLANNING CONTEXT:

The [San Francisco General Plan](#) is the City's guiding policy document. The [Bayview Hunter's Point Area Plan](#), a sub-component of the General Plan, further articulates the City's vision for growth in the Bayview Hunter's Point area. Together, these documents constitute a policy framework to inform any development at 6424 3<sup>rd</sup> Street. Below is a summary of policy issues raised by the project along with related goals and policies from these two planning documents.

Many of the comments in this section are further addressed in the Preliminary Design Comments section below.

*Neighborhood Character, Building design, active retail uses, massing*

Several sections of the General Plan, including the Bayview Hunter's Point Area Plan, the Urban Design Element, and the Commerce & Industry Element, include policies reflecting the City's desire to maintain strong neighborhoods and ensure that new development integrates harmoniously into the existing neighborhood context. 6424 3<sup>rd</sup> Street is in the Bayview, a largely residential neighborhood. The project is sited adjacent to an important transit corridor and acts as a southern gateway to the Third Street commercial corridor.

The buildings massing, articulation, façade program and streetscape should all reflect these contextual features.

Please refer to the Preliminary Design Comments below.

**Relevant Goals and Policies:**

**BAYVIEW HUNTER'S POINT AREA PLAN**

**OBJECTIVE 2** – Improve use of land on Third Street by creating compact commercial areas, establishing nodes for complementary uses, and restricting unhealthy uses.

**POLICY 2.1** – Improve the physical and social character of Third Street to make it a more livable environment.

**POLICY 2.4** – Encourage new mixed-use projects in defined nodes along Third Street to strengthen the corridor as the commercial spine of the neighborhood.

**POLICY 7.3** – Develop secondary nodes of commercial activity.

**POLICY 10.2** – Improve the visual quality and strengthen the pedestrian orientation of the Third Street core area.

**URBAN DESIGN ELEMENT**

**POLICY 1.2** – Recognize, protect and reinforce the existing street pattern, especially as it is related to topography.

**POLICY 1.7** – Recognize the natural boundaries of districts, and promote connections between districts.

**OBJECTIVE 3** – Moderate of major new development to complement the city pattern, the resources to be conserved, and the neighborhood environment.

**POLICY 3.6** – Relate the bulk of buildings to the prevailing scale of development to avoid an overwhelming or dominating appearance in new construction.

**OBJECTIVE 4** – Improvement of the neighborhood environment to increase personal safety, comfort, pride and opportunity

*See: Fundamental Principles for Neighborhood Environment numbers within this policy. Especially*

- Principle 1 – street trees
- Principle 6 – wide sidewalks
- Principle 8 – excessively wide streets
- Principle 10 – blank walls
- Principle 16 – visual interest in commercial facades

#### COMMERCE AND INDUSTRY ELEMENT

**OBJECTIVE 6** – MAINTAIN AND STRENGTHEN VIABLE NEIGHBORHOOD COMMERCIAL AREAS EASILY ACCESSIBLE TO CITY RESIDENTS.

**POLICY 6.7** – Promote high quality urban design on commercial streets.

*See: Urban Design Guidelines within this policy: Especially those on Scale, Height and Bulk and Frontage and Scale*

#### HOUSING ELEMENT

**OBJECTIVE 11** – Support and respect the diverse and distinct character of San Francisco's neighborhoods.

**POLICY 11.1** – Promote the construction and rehabilitation of well-designed housing that emphasizes beauty, flexibility, and innovative design, and respects existing neighborhood character.

**POLICY 11.3** – Ensure growth is accommodated without substantially and adversely impacting existing residential neighborhood character.

**POLICY 11.6** – Foster a sense of community through architectural design, using features that promote community interaction.

#### *Encouraging Active Transportation and Mitigating Negative Impacts from Off-street Parking*

San Francisco has adopted numerous policies that reflect the City's commitment to supporting transit-oriented development (TOD). Encouraging housing, retail and jobs near transit supports enables people to choose car-free lifestyles, and lower their carbon footprint. 6424 3rd Street is well served by transit and retail. The project is sited a block from a Muni station serving the K and T Light Rail lines, as well as several local bus lines. It also includes a retail component and is on the Third Street retail corridor.

The City's General Plan also speaks to the relationship between parking supply and travel patterns and the merits of reducing off-street parking in areas well-served by transit. The Plan also cautions against off-street park structures' deadening effect on building facades. The Planning Department encourages the project sponsor to reduce off-street parking spaces in the project to allow for a more active building façade and bring the project closer to the goals and policies articulated in the General Plan.

Please refer to the Preliminary Design comments below.

**Relevant Goals and Policies:**

**BAYVIEW HUNTER'S POINT AREA PLAN**

**POLICY 4.3** – Recognize the Third Street Light Rail as the nucleus for public transit improvements and socio-economic revitalization efforts in the corridor, and prioritize the efficient movement of the light rail by reducing conflicts with automobile and truck traffic.

**TRANSPORTATION ELEMENT**

**OBJECTIVE 11** – Establish public transit as the primary mode of transportation in San Francisco and as a means through which to guide future development and improve regional mobility and air quality.

**POLICY 11.3** – Encourage development that efficiently coordinates land use with transit service, requiring that developers address transit concerns as well as mitigate traffic problems.

**POLICY 12.1** – Develop and implement strategies which provide incentives for individuals to use public transit, ridesharing, bicycling and walking to the best advantage, thereby reducing the number of single occupant auto trips.

**OBJECTIVE 16** – Develop and implement programs that will efficiently manage the supply of parking at employment centers throughout the city so as to discourage single-occupant ridership and encourage ridesharing, transit and other alternatives to the single-occupant automobile.

**OBJECTIVE 21** – Develop transit as the primary mode of travel to and from downtown and all major activity centers within the region.

**OBJECTIVE 23** – Improve the city's pedestrian circulation system to provide for efficient, pleasant, and safe movement.

**POLICY 23.2** – Widen sidewalks where intensive commercial, recreational, or institutional activity is present, sidewalks are congested, where sidewalks are less than adequately wide to provide appropriate pedestrian amenities, or where residential densities are high.

**POLICY 23.6** – Ensure convenient and safe pedestrian crossings by minimizing the distance pedestrians must walk to cross a street.

**OBJECTIVE 28** – Provide secure and convenient parking facilities for bicycles

**POLICY 28.1** – Provide secure bicycle parking in new governmental, commercial, and residential developments.

**HOUSING ELEMENT**

**POLICY 12.1** – Encourage new housing that relies on transit use and environmentally sustainable patterns of movement.

**POLICY 12.2** – Consider the proximity of quality of life elements, such as open space, child care, and neighborhood services, when developing new housing units.

**POLICY 12.3** – Ensure new housing is sustainably supported by the City's public infrastructure systems.

**POLICY 13.1** – Support “smart” regional growth that locates new housing close to jobs and transit.

**POLICY 13.3** – Promote sustainable land use patterns that integrate housing with transportation in order to increase transit, pedestrian, and bicycle mode share.

**POLICY 30.8** – Consider lowering the number of automobile parking spaces required in buildings where Class I bicycle parking is provided.

#### URBAN DESIGN ELEMENT

##### *Encourage Families*

The City's General Plan contains policies reflecting to the city's desire to attract and retain families with children. In light of these goals, the Planning Department applauds 6424 3<sup>rd</sup> Street's proposed mix of family-friendly 2 and 3 bedroom units.

##### Relevant goals and polices:

#### BAYVIEW HUNTER'S POINT AREA PLAN

**OBJECTIVE 6** – Encourage the construction of new affordable and market rate housing at locations and density levels that enhance the overall residential quality of Bayview Hunters Point.

**POLICY 6.2** – Develop new multi-family housing in identified mixed use nodes along Third Street concurrent with the economic stabilization of surrounding existing residential neighborhoods.

#### HOUSING ELEMENT

**OBJECTIVE 4** – Foster a housing stock that meets the needs of all residents across lifecycles.

**POLICY 4.1** – Develop new housing, and encourage the remodeling of existing housing, for families with children.

#### PRELIMINARY PROJECT COMMENTS:

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

1. **Development of a Large Lot.** Pursuant to Planning Code Section 121.1, a new construction project on a lot greater than 10,000 square-feet and located within an NC-3 (Moderate Scale Neighborhood Commercial) District must request Conditional Use Authorization by the Planning Commission. The subject property is approximately 10,203 square-feet. Therefore, the Planning Commission must make the following findings when authorizing a new construction project:
  - a. The mass and façade of the proposed structure are compatible with the existing scale of the district.
  - b. The façade of the proposed structure is compatible with design features of adjacent facades that contribute to the positive visual quality of the district.
2. **Density.** The density of dwelling units permitted in the NC-3 Zoning District is one unit for every 600 square feet. Please be advised that per Planning Code Section 207.1 when calculating the density, only that portion of a lot with a width of five feet or more may be counted towards the lot area.
3. **Rear Yard.** Section 134 requires the project to provide a rear yard of at least 25 percent of the lot depth. The “interior corner” configuration proposed for the rear yard is not permitted in Neighborhood Commercial Districts, except as an approved rear yard modification that complies with Planning Code Section 134(e)(1). Requests for rear yard modifications are reviewed by the Zoning Administrator and must meet the following criteria:
  - a. Residential uses are included in the new or expanding development and a comparable amount of usable open space is provided elsewhere on the lot or within the development where it is more accessible to the residents of the development; and
  - b. The proposed new or expanding structure will not significantly impede the access of light and air to and views from adjacent properties; and
  - c. The proposed new or expanding structure will not adversely affect the interior block open space formed by the rear yards of adjacent properties.
4. **Open Space – Residential.** Section 135 requires 80 square feet of open space for each dwelling unit, multiplied by a factor of 1.33 when commonly accessible. The submitted drawings indicate that three dwelling units have private open space, and 14 dwelling units share a common open space. The required amount of common open space for 14 dwelling units is 1,489.6 square feet. Additionally, any such open spaces must meet the dimensional requirements of Subsection (g) and be at least 15 feet in every horizontal dimension and have a minimum area of 300 square feet.

It is unclear if the proposed common open space satisfies the requirements of Section 135(g). The Department generally would recommend providing code-complying open space. Alternatively, you will need to seek and justify a Variance.

5. **Obstructions over Streets.** Planning Code Section 136(c)(2) establishes the maximum envelope for bay windows at the front property line, the minimum horizontal separation between bay windows and the required amount of glazing. A scaled set of plans will be required to confirm conformance with the requirements under Planning Code Section 136; however, as proposed, the front bay windows do not comply with the glazing requirements and would not be permitted.
6. **Street Trees.** Planning Code Section 138.1(c)(1) requires new construction projects to provide one street tree for every 20 feet of frontage. The proposal has 151.35 feet of frontage on Key Street and 103.91 feet of frontage on Third Street. Accordingly, the project must include eight street trees on Key Street and 5 street trees on Third Street. Please note on the submitted plans that the project will comply with the following standards:
  - a. Comply with Public Works Code Article 16 and any other applicable ordinances;
  - b. Be suitable for the site;
  - c. Be a minimum of one tree of 24-inch box size for each 20 feet of frontage of the property along each street or alley, with any remaining fraction of 10 feet or more of frontage requiring an additional tree. Such trees shall be 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 square feet, and have a minimum soil depth of three-feet six-inches;
  - i. Include street tree basins edged with decorative treatment, such as pavers or cobbles. Edging features may be counted toward the minimum sidewalk opening per (cc) if they are permeable surfaces per Planning Code Section 102.33.
7. **Streetscape Plan.** In addition to the street trees required above, the project must provide streetscape improvements consistent with Planning Code Section 138.1(c)(2).

**Required Streetscape and Pedestrian Improvements.** Per Planning Code Section 138.1, the project sponsor will be required to submit a Streetscape Plan illustrating the location and design of streetscape improvements appropriate to the street type, including street trees, site furnishings, landscaping, corner curb extensions, and sidewalk widening as appropriate. The Planning Department may require these elements as part of conditions of approval.

The proposed development fronts Key Ave which is classified as a Neighborhood Commercial street, and 3<sup>rd</sup> Street which is classified as a Commercial Throughway under the Better Streets Plan. See <http://www.sfbetterstreets.org/design-guidelines/street-types/> to identify relevant street types for the project frontage.

Key Avenue is a wide street which is largely residential. The right-of-way is 80-feet across and the existing sidewalks on both sides of the street appear to be narrower than the recommended sidewalk widths in the Better Streets Plan. Because the street is a dead end, much of the right-of-way may be reclaimed as public spaces without negatively impacting vehicular traffic movements.

If street improvements are being considered, project sponsors should contact DPW as early as possible to understand the process and requirements for permitting street improvements.

For more information on process, guidelines, and requirements for street improvements, refer to [www.sfbetterstreets.org](http://www.sfbetterstreets.org).

Please see the 'Preliminary Design Comments' for suggestions on how to meet this requirement.

8. **Above Grade Parking Setback.** Planning Code Section 145.1 requires that off-street parking at street grade be set back at least 25 feet on the ground floor from any façade facing a street at least 30 feet in width. The proposed parking layout does not comply with this Section as there is no setback provided from the Key Street façade. Therefore, as proposed, the project requires a Variance from Section 145.1. Additionally, active uses are required within the first 25 feet of both the Key and Third Street facades. It is unclear if this requirement is met. Finally, this Section requires that no less than sixty percent of the façade be fenestrated with transparent windows and doorways at the ground level and allow visibility to the inside of the building.
9. **Parking Dimensions.** Please note that pursuant to Planning Code Section 154(a) the minimum size of a required parking space is 144 square feet for a standard space and 112.5 square feet for a compact space. Any ratio of standard spaces to compact spaces may be permitted, so long as compact car spaces are specifically marked and identified as a compact space. At this time it is unclear if the proposed parking meets this requirement.
10. **Unbundled Parking.** Please be advised that per Planning Code Section 167 all off-street parking spaces accessory to residential uses in new structures of ten 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.
11. **Height.** At this time, it is unclear whether the proposal complies with the height requirements of Article 2.5. As illustrated, the project does not appear to meet the requirements of Table 260 of the Planning Code, which limits the maximum width for a portion of the building that may be measured from a single point, depending on the lateral slope of the lot. Please review the requirements of the table and revise the project accordingly. Also, be advised that to verify compliance with the height limit, a longitudinal section must also be provided at the center point of each massing, depending on the chosen frontage. Please note that the definition of "height" in Planning Code Section 102.12 would also apply.

12. **Bayview Hunters Point Citizen Advisory Committee.** The proposed project is subject to review by the Bayview Hunters Point Citizen Advisory Committee (CAC). Project applicants are strongly encouraged to contact the CAC early in the application process in order to allow the CAC to become familiar with the project.
13. **Third Street Alcoholic Restricted Use District.** The subject property is located within the Third Street Alcoholic Restricted Use District, which places specific limitations on the establishment of on- or off-sale liquor establishments. Please consider such limitations when leasing the ground floor commercial space.
14. **Transit Impact Development Fee (TIDF).** Pursuant to Planning Code Section 411 et seq., the Transit Impact Development Fee will apply to the non-residential uses of this project. Please be aware that an ongoing process, the Transportation Sustainability Program, may eventually replace the Transit Impact Development Fee. You can find more information about this program at: <http://www.sf-planning.org/index.aspx?page=3035>
15. **Inclusionary Housing.** Affordable housing is required for a project proposing ten or more dwelling units. The Project Sponsor must submit an 'Affidavit of Compliance with the Inclusionary Affordable Housing Program: Planning Code Section 415,' to the Planning Department identifying the method of compliance, on-site, off-site, or in-lieu fee.
16. **First Source Hiring Agreement.** A First Source Hiring Agreement is required for any project proposing to construct 25,000 gross square feet or more. 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

17. **Stormwater.** Projects that disturb 5,000 square feet or more of the ground surface must comply with the Stormwater Design Guidelines and submit a Stormwater Control Plan to the SFPUC for review. To view the Guidelines and download instructions for preparing a Stormwater Control Plan, go to <http://stormwater.sfwater.org/>. Applicants may contact [stormwaterreview@sfwater.org](mailto:stormwaterreview@sfwater.org) for assistance.

#### PRELIMINARY DESIGN COMMENTS:

The project is located in the Bayview neighborhood along the Third Street transit and commercial corridor. It has the opportunity to provide a more pedestrian-oriented gateway into the existing commercial area. The area is primarily residential with one to four story buildings. 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 developing a massing break or stepping the massing down along the Key Avenue façade to better align with the natural topography and reduce the length of the continuous façade.
2. **Street Frontage.** As the project requires Planning Code Section 138.1 compliance, the Planning Department recommends a streetscape plan that includes significant pedestrian improvements along the Key Avenue frontage to offer more greenery and pedestrian public realm adjacent to the property. The perpendicular parking should be replaced with parallel parking which would allow the sidewalks to be increased in width. The project is strongly encouraged to make public realm improvements like adding a bulb-out at the corner of Key Avenue and Third Street and significantly widening the sidewalk on the north side of Key Avenue. A widened sidewalk could be programmed with seating, landscaping, community gardens or similar amenities. This environment should be connected around the building that faces the U.S. Route 101 on-ramp to make it a more fully three-dimensional public space.

The parking area on the western side of Key does not conform to active use requirement within the first 25' of the face of the building. The parking should be set back and lined with either retail or residential use (in the form of walk-up townhouse units with individual sidewalk access) at the ground level. If the latter, refer to the Planning Department Ground Floor Residential Guidelines for how to incorporate either a raised or buffered landscape entry.

3. **Parking.** The Planning Department has no comments other than moving the parking as indicated under "Street Frontage."
4. **Architecture.** The Planning Department recommends that the project be designed more three-dimensionally to create more interesting facades and volumetric reading along the on-ramp side of the site. The retail portion of the ground floor should include more commercial or storefront-type glazing and fenestration to differentiate it from the residential-type above.

#### 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 **March, 2<sup>nd</sup>, 2016**. 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  
Bayview Hunters Point Citizen Advisory Committee (CAC) Review

cc: Victor Quan, Property Owner  
Brittany Bendix, Current Planning  
Erik Jaszewski, Environmental Planning  
Paul Chasan, Citywide Planning and Analysis  
Maia Small, Design Review  
Jonas Ionin, Planning Commission Secretary  
Jerry Robbins, MTA  
Jerry Sanguinetti, DPW