SAN FRANCISCO
PLANNING DEPARTMENT

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DATE: September 24, 2014

TO: Chris Haegglund, BAR Architects

FROM: Joshua Switzky, Planning Department

RE: PPA Case No. 2014.1105U for 3140-50 16th Street

Please find the attached Preliminary Project Assessment (PPA) for the address listed above. You may contact the staff contact, Audrey Desmuke, at (415) 575-9136 or audrey.desmuke@sfgov.org, to answer any questions you may have, or to schedule a follow-up meeting.

Joshua Switzky, Senior Planner

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Preliminary Project Assessment

Date:	September 24, 2014
Case No.:	**2014.1105U**
Project Address:	3140-50 16th Street
Block/Lot:	3555/018
Zoning:	Valencia St NCT (Neighborhood Commercial Transit) Zoning District 55-X Height and Bulk District Mission Alcoholic Beverage Special Use Subdistrict
Area Plan:	Mission Area Plan
Project Sponsor:	Chris Haegglund, BAR Architects 415-293-7160
Staff Contact:	Audrey Desmuke – 415-575-9136 audrey.desmuke@sfgov.org

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 includes demolition of the existing 20,428 square foot concrete automotive garage and construction of a 5-story, 55-foot tall mixed-use building with 51,935 gross square feet. Constructed in 1926, the existing building is located on a 10,200 square foot corner lot at the northeast intersection of 16th and Albion Streets. The proposed new building would include 28 dwelling units, 17 below-grade parking spaces (including 1 accessible space), and 7,284 square feet of ground floor commercial space along 16th Street. The residential lobby and underground parking entrances would be located along Albion Street.

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:

Section 15183 of the California Environmental Quality Act (CEQA) Guidelines states that projects that are consistent with the development density established by a community plan for which an environmental impact report (EIR) was certified do not require additional environmental review, except as necessary to determine the presence of project-specific significant effects not identified in the programmatic plan area EIR.

The proposed project is located within the Eastern Neighborhoods Area Plan, which was evaluated in Eastern Neighborhoods Rezoning and Area Plans Programmatic Final Environmental Impact Report EIR (Eastern Neighborhoods Plan EIR), which was certified in 2008. Because the proposed project is consistent with the development density identified in the area plan, it is eligible for community plan exemption (CPE). Potentially significant project environmental impacts that were identified in and pertinent mitigation measures and CEQA findings from the underlying area plan final EIR may be applicable to the proposed project.

Environmental evaluation is required for the full scope of the project. Pursuant to the California Environmental Quality Act (CEQA), this project is likely to qualify for a community plan exemption (CPE) under the Eastern Neighborhoods Plan EIR. Within the CPE process, there can be three different outcomes as follows:

- **CPE Only**. In this case, all potentially significant project-specific and cumulatively considerable environmental impacts are fully consistent with significant impacts identified in the underlying Eastern Neighborhoods Rezoning and Area Plans Final Environmental Impact Report (Eastern Neighborhoods FEIR), meaning 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, based on the current fee schedule , are as follows: (a) $13,004 Environmental Document Determination fee; (b) $7,216 CPE certificate fee; and (c) $10,000 proportionate share fee for recovery of costs incurred by the Planning Department for preparation of the Eastern Neighborhoods FEIR.

- **CPE and Focused Initial Study/Mitigated Negative Declaration.** In this case, one or more new significant impacts of the proposed project specific to the site or the project proposal are identified that were not identified in the Eastern Neighborhoods FEIR. If any new significant impacts of the proposed project can be mitigated, then a focused Mitigated Negative Declaration to address these impacts is prepared 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, based on the current fee schedule, are as follows: (a) $13,004 Environmental Document Determination fee; (b) the standard environmental evaluation (EE) fee based on the cost of construction; and (c) $10,000 proportionate share fee for recovery of costs incurred by the Planning Department for preparation of the Eastern Neighborhoods FEIR.

- **CPE and Focused Environmental Impact Report (EIR).** In this case, one or more new significant impacts of the proposed project specific to the site or the project proposal are identified that was not

identified in the Eastern Neighborhoods FEIR. If any new significant impacts of the proposed project cannot be mitigated, then a focused EIR to address these impacts is prepared 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, based on the current fee schedule, are as follows: (a) $13,004 Environmental Document Determination fee; (b) the standard environmental evaluation (EE) fee based on the cost of construction ; (c) one-half of the standard EIR fee ; and (d) $10,000 proportionate share fee for recovery of costs incurred by the Planning Department for preparation of the Eastern Neighborhoods FEIR.

Environmental review must be completed before any project approval may be granted. An Environmental Evaluation Application must be submitted. Environmental Evaluation 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.

A preliminary review of the proposal indicates that following studies and/or additional information would be required to conduct environmental review of the proposed project:

Transportation. Based on the Planning Department's transportation impact analysis guidelines, the project would potentially add at least 142 PM peak hour person trips and thus could require additional transportation analysis. A determination of whether a transportation impact analysis would be required would be rendered after submittal of an Environmental Evaluation Application. If required, the scope of work and the transportation report would need to be prepared by a qualified consultant working at the direction of the Planning Department staff. The Planning Department's list of approved transportation consultants is available at:
http://www.sf-planning.org/ftp/files/MEA/Transportation_consultant_pool.pdf

Noise. 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 project site is located in an area where traffic-related noise exceeds 65 Ldn (a day-night averaged sound level). Noise **Mitigation Measures F-1** and **F-2** (Construction Noise) would reduce construction-related noise impacts. **Mitigation Measure F-1** applies to pile driving activities and would require that piles be pre-drilled. **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 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-4: Siting of Noise-Sensitive Uses** would apply, as the project sponsor is proposing to site residential uses in an area that exceeds 65 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 also apply in order to protect the project's common open space from existing ambient noise levels. Compliance with this mitigation measure requires that site design consider elements that would shield on-site open space from the greatest noise sources and/or construction of noise barriers between noise sources and open space. Application of these noise mitigation measures from the Eastern Neighborhoods FEIR would reduce the project's noise impacts to less-than-significant levels.

Archeology. The project includes demolition, excavation, grading, and foundation work to a depth of at least 12 feet below grade. The project site lies within the **Archeological Mitigation Zone J-3**, as identified in the Eastern Neighborhoods FEIR. The project site lies within the Mission Dolores Archeological District. This mitigation measure requires, at a minimum, that an archeological testing program be undertaken under the guidance of Department's archeologist. The project sponsor would be required to retain the services of a qualified archeological consultant from the Planning Department's rotational Qualified Archeological Consultants List (QACL) to conduct the archeological testing. At the direction of the Environmental Review Officer (ERO), the archeological consultant may be required to have acceptable documented expertise in California Hispanic Period archeology. Based on the Sensitivity Study, the Environmental Review Officer (ERO) would determine if an Archeological Research Design/Treatment Plan (ARD/TP) would be required to more definitively identify the potential for archeological resources to be present within the project site and determine the appropriate action necessary to reduce the potential effect of the project on archeological resources to a less than significant level. If an ARD/TP is required, it must be prepared by an archeological consultant with expertise in California prehistoric and urban historical archeology. The qualified consultant must be selected from one of three archeology consultants assigned to this project by the Department during the environmental review process.

Historic Resources. The project site contains an existing auto repair building fronting both 16th Street and Albion Street that was constructed in 1926. The project site has been included in the Inner Mission Commercial Corridor Historic District. The existing building was given a California Historic Resource Status Code of "3B," which defines the existing building as "appears eligible for National Register both individually and as a contributor to a NR eligible district through survey evaluation." Based upon the findings of the Inner Mission North Historic Resource Survey, 3140-50 16th Street is individually eligible for listing in the National Register, and would be a contributing resource to the 16th and Valencia Streets Post-Fire Historic District. As such, the subject property listed above would be considered an historic resource pursuant to California Environmental Quality Act (CEQA).

Therefore, the proposed project would be subject to additional historic resource review to assess whether the proposed demolition of the existing historic resource and new construction of a mixed-use building would have an impact on the historic resources on the project site and other nearby historic buildings. This review will require preparation of a Historic Resource Evaluation (HRE) by a qualified professional who meets the Secretary of the Interior's Professional Qualification Standards. Upon submittal of the EEA, the Department will provide a list of three historic resource consultants from the Historic Resource Consultant Pool. Once the EEA is submitted and an environmental case number is assigned, please contact Tina Tam, Senior Preservation Planner, via email (tina.tam@sfgov.org) for the list of three

consultants. Upon selection of the historic resource consultant, the scope of the HRE should be prepared in consultation with Department Preservation staff.

Hazardous Materials. The proposed project would include the construction of a new mixed-use building on a lot previously used for auto repair purposes. The existing structure on the project site would be demolished as part of the project. Therefore, the project is subject to Article 22A of the Health Code, also known as the Maher Ordinance. The Maher Ordinance, which is administered and overseen by the Department of Public Health (DPH), requires the project sponsor to retain the services of a qualified professional to prepare a Phase I Environmental Site Assessment (ESA) that meets the requirements of Health Code Section 22.A.6. The Phase I would determine the potential for site contamination and level of exposure risk associated with the project. Based on that information, soil and/or groundwater sampling and analysis, as well as remediation of any site contamination, may be required. These steps are required to be completed prior to the issuance of any building permit.

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

In addition, *Eastern Neighborhoods FEIR Hazardous Materials Mitigation Measure L-6: Hazardous Building Materials* would apply to the proposed project. Consistent with this mitigation measure, the project sponsor would be required to ensure that any equipment containing polychlorinated biphenyls or di-ethylhexyl phthalate, such as fluorescent light ballasts, be removed and properly disposed of according to applicable federal, state, and local laws prior to the start of demolition, and that any fluorescent light tubes, which could contain mercury, be similarly removed and properly disposed of. This measure also requires that any other hazardous building materials identified, either before or during work, be abated according to applicable federal, state, and local laws.

Air Quality. The project includes demolition of an existing 20,428-square-foot, industrial building and the construction of a 51,935-square-foot, five-story mixed-use building. Project-related demolition, excavation, grading, and other construction activities may cause wind-blown dust that could contribute particulate matter into the local atmosphere. To reduce construction dust impacts, the San Francisco Board of Supervisors approved a series of amendments to the San Francisco Building and Health Codes generally referred hereto as the Construction Dust Control Ordinance (Ordinance 176-08, effective July 30, 2008) with the intent of reducing the quantity of dust generated during site preparation, demolition, and construction work in order to protect the health of the general public and of onsite workers, minimize public nuisance complaints, and to avoid orders to stop work by the Department of Building Inspection (DBI). Pursuant to the Construction Dust Ordinance, the proposed project would be required to prepare a Construction Dust Control Plan for review and approval by the San Francisco Department of Public Health (DPH).

In addition, San Francisco has partnered with the BAAQMD to inventory and assess air pollution and exposures from mobile, stationary, and area sources within San Francisco. Areas with poor air quality,

termed the "Air Pollutant Exposure Zone," were identified. Land use projects within the Air 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., residences). Therefore, exhaust 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. Detailed information related to construction equipment, phasing and duration of each phase, and cubic yards of excavation shall be provided as part of the EEA.

Greenhouse Gas Emissions. *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.[1] 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.

Shadow. The proposed project would result in construction of a building approximately 55 feet in height. Planning Code Section 295 requires that a shadow analysis be performed to determine whether a project has the potential to cast shadow on properties under the jurisdiction of the San Francisco Recreation and Park Commission. Department staff has prepared a preliminary shadow fan that indicates the project would not cast new shadow on any properties under the jurisdiction of the Recreation and Park Department, nor would it cast shadows on any other parks or open spaces (see attached).

Geology and Soils. The project sponsor is required to prepare a geotechnical investigation to identify the primary geotechnical concerns associated with the proposed project and the site. The geotechnical investigation would identify hazards and recommend minimization measures for potential issues regarding, but not limited to, soil preparation and foundation design. The geotechnical investigation should be submitted with the EE Application and will assist in the archaeological review of the project (see Archaeological Resources section above).

Stormwater Management. 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 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)

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

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.

Tree Disclosure Affidavit. The Department of Public Works Code Section 8.02-8.11 requires disclosure and protection of landmark, significant, and street trees located on private and public property. Any tree identified in the Affidavit for Tree Disclosure must be shown on the Site Plans with the size of trunk diameter, tree height, and accurate canopy drip line. Please submit an Affidavit along with the Environmental Evaluation Application and ensure that trees are appropriately shown on site plans.

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

Please see "Studies for Project inside of Adopted Plan Areas - Community Plan Fees" in the Planning Department's current *Fee Schedule for Applications.* Environmental evaluation applications are available at the Planning Information Center at 1660 Mission Street, and online at www.sfplanning.org.

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 would be required per Planning Code Section 121.1 for new construction on a lot larger than 10,000 sq ft and per Planning Code Section 121.2 for non-residential use size larger than 3,000 sq ft; and,

2. A **Rear Yard Modification** from the Zoning Administrator is required per Planning Code Section 134(e), since the proposal does not provide a rear yard equal to 25 percent of the total lot depth; and,

3. A **Variance** from Planning Code Sections 135 (open space) and 140 (dwelling unit exposure) is required from the Zoning Administrator, since the proposal provides common open space on the second-story, which does not appear to meet the dimensional requirements of the Planning Code and residential units, which do not face directly onto an open area or street that meets the dimensional requirements of the Planning Code;[2] and,

[2] Please note that new construction should strive to eliminate the need for variances from the Planning Code.

4. A **Building Permit Application** is required for the demolition of the existing building on the subject property; and,

5. A **Building Permit Application** is required for the proposed new construction on the subject property.

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

NEIGHBORHOOD NOTIFICATIONS AND PUBLIC OUTREACH:

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

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

PRELIMINARY PROJECT COMMENTS:

The following comments address specific Planning Code and other general issues that may significantly impact the proposed project. For the purpose of providing these comments, the ground floor units along Clara Street are considered non-residential. Designation of these units as residential may alter some of the comments below.

1. **Mission Area Plan.** The subject property falls within the area covered by the Mission Area Plan in the General Plan. As proposed, the project is generally consistent with the overarching objectives of the Plan, though the project and design comments below discuss any items where more information is needed to assess conformity with either specific policies or Code standards or where the project requires minor modification to achieve consistency. The project sponsor is encouraged to read the full plan, which can be viewed at [http://www.sf-planning.org/Modules/ShowDocument.aspx?documentid=2321]

2. **Density Maximization & Affordable Housing Provision.** It is the Department's priority to give precedence to the development of all new net housing, and to encourage the direct building of more affordable housing and the maximization of permitted density, while maintaining quality of life and adherence to Planning Code standards.

The Mission Area Plan includes the following policies promoting infill and affordable housing:

OBJECTIVE 2.3 ENSURE THAT NEW RESIDENTIAL DEVELOPMENTS SATISFY AN ARRAY OF HOUSING NEEDS WITH RESPECT TO TENURE, UNIT MIX AND COMMUNITY SERVICES

POLICY 2.3.1
Target the provision of affordable units for families.

POLICY 2.3.2
Prioritize the development of affordable family housing, both rental and ownership, particularly along transit corridors and adjacent to community amenities.

POLICY 2.3.2
Require that a significant number of units in new development have two or more bedrooms, except Senior Housing and SRO developments unless all Below Market Rate units are two or more bedrooms.

In addition, the General Plan has the following policies that encourage density in appropriate locations, such as near transit, and that promote the creation of new permanently affordable housing:

Housing Element

POLICY 4.5 Ensure that new permanently affordable housing is located in all of the City's neighborhoods, and encourage integrated neighborhoods, with a diversity of unit types provided at a range of income levels.

POLICY 13.1
Support "smart" regional growth that locates new housing close to jobs and transit.

The project proposes to add 28 units and triggers Section 415 of the Planning Code, which requires 12% of units (about 3 units) be Below Market Rate (BMR) units. (See 20. Inclusionary Affordable Housing below)

The Department strongly encourages increased density on the site, while maintaining the required bedroom mix and livability of the units. Per the Director's Bulletin No. 2, if the project were to maximize density and include 20% on-site BMRs, it would qualify for priority processing: http://www.sf-planning.org/Modules/ShowDocument.aspx?documentid=8460

3. **Development of Large Lots in Neighborhood Commercial Districts.** Planning Code Section 121.1 outlines the requirements for new construction on large lots within Neighborhood Commercial Zoning Districts. Within the Valencia St NCT Zoning District, new construction on lots larger than 10,000 sq ft is required to obtain Conditional Use Authorization from the Planning Commission.

4. **Non-Residential Use Size.** Planning Code Section 121.2 outlines the requirements for non-residential use size within Neighborhood Commercial Districts. Within the Valencia St NCT Zoning District, non-residential uses greater than 3,000 sq ft are required to obtain Conditional Use Authorization from the Planning Commission.

5. **Rear Yard Modification:** Planning Code Section 134 outlines the rear yard requirements within the Valencia St NCT District. The minimum rear yard depth shall be equal to 25 percent of the total depth of the lot and in no case less than 15 ft. The rear yard shall be provided at the second story or the lowest story containing a residential dwelling unit. To qualify for a rear yard modification, the proposal 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.

    Currently, the proposed project does not meet this requirement and would require a rear yard modification as outlined within Planning Code Section 134(e). Please demonstrate how the amount of provided open space would be equivalent to the square footage within the required rear yard.

6. **Variance - Open Space:** Planning Code Sections 135 and 726.93 outline the requirements for usable open space per residential unit. Generally, at least 80 square feet of private open space or 106.4 square feet of common open space (per dwelling unit) is required for each residential unit. For the twenty-eight dwelling units, the project is required to provide 2,979 sq ft of common open space. The project appears to meet this requirement, since it provides a second-story deck (1,687 sq ft) and two new roof decks (cumulatively 1,461 sq ft). However, the dimensions of the second-story deck do not appear to meet the requirements of the Planning Code. Per Planning Code Section 135, an inner court must be no less than 20-ft in every horizontal dimension and 400 sq ft in area, and if the height of the walls and projections above the court on at least three sides (or 75 percent of the perimeter, whichever is greater) is such that no point on any such wall or projection is higher than one foot for each foot that such point is horizontally distant from the opposite side of the clear space in the court. The second-story deck does not appear to meet these dimensional requirements; therefore, a variance for open space is required from the Zoning Administrator.

7. **Variance-Exposure:** Planning Code Section 140 outlines requirements for all dwelling units to face an open area or street. All dwelling units shall feature a window that directly faces a street or open area that is a minimum of 25 ft in width. Currently, the proposed project does not meet the exposure requirements, since the proposed court is only 15-ft in width and Albion Street is only 40-ft in width. Therefore, the project is required to obtain a variance from Planning Code Section 140. Generally, the Department recommends revising the proposed court, by increasing the width, to meet exposure requirements.

8. **Permitted Obstructions:** Planning Code Section 136 outlines the requirements for permitted obstructions over streets, setbacks, rear yards, and useable open space. Currently, the project appears to propose balconies over the street. These elements must meet the dimensional requirements specified in Planning Code Section 136. Please provide additional information, including dimensions, to determine whether these elements meet the requirements of the Planning Code.

9. **Street Trees/San Francisco Green Landscaping Ordinance**: The proposed project is subject to the San Francisco Green Landscaping Ordinance, which assists in articulating Planning Code Section 138.1.

   Planning Code Section 138.1 outlines a provision for adding street trees when adding gross floor area equal to 20 percent or more of the gross floor area of an existing building. A 24-inch box size street tree would be required 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. Based on the street frontage, it appears that five street trees would be required along Albion Street and five street trees would be required along 16th Street. Existing trees, if they were present on the project site, would apply towards the street tree requirement.

   Currently, the project does not specify number of street trees. Please include a site plan to comply with this requirement. In addition, please review the site plan with the Department of Public Works (DPW) and obtain an "Interdepartmental Referral for Feasibility of Tree Planting or Removal" prior to submittal of the first entitlement.

10. **Street Frontage:** Planning Code Section 145.1 outlines requirements for street frontages to ensure that they are pedestrian-oriented, fine-grained, and are appropriate and compatible with the buildings in Valencia St NCT District. Please ensure that the ground floor street frontage meets the requirements as related to use, height, transparency, fenestration, gates, railings and grillwork. Currently, the project appears to meet these requirements. Please specify the width of the garage door along Albion Street. Please include a section to demonstrate the ground floor ceiling height, which must be at least 14-ft tall.

11. **Ground Floor Commercial Use:** Planning Code Section 145.4 outlines the requirements for required ground floor commercial use for 16th Street between Guerrero and Capp Streets. The project includes retail space along the entirety of 16th Street. The proposal appears to meet these requirements; however, please ensure that an individual ground floor non-residential use does not occupy more than 75 contiguous linear feet for the first 25-ft of depth along 16th Street.

12. **Parking Code Requirements:** Planning Code Section 151.1 outlines requirements for permitted off-street parking. As a project located within the Valencia St NCT Zoning District, there are no minimum parking requirements; rather, the project is subject to a maximum allowance of parking spaces, which is defined as one parking spaces per two dwelling units (see Planning Code Section 151.1, Table 151.1). For retail uses, the proposed project may provide a maximum of one space per 1,500 sf (see Planning Code Section 151.1, Table 151.1).

The proposed project would construct 28 new residential units; therefore, 14 off-street residential parking spaces are allowed for the residential units. The proposed project would construct 7,284 sq ft of new retail space; therefore, 4 off-street retail parking spaces would be allowed.

The project includes 17 off-street parking spaces, which includes one handicap accessible parking space. Please update the basement plan to specify the parking spaces intended for the residential use versus the retail use.

13. **Bicycle Parking**. Planning Code Section 155.2 outlines requirements for Class 1 and Class 2 bicycle parking spaces for residential developments. The proposed project is required to provide one Class 1 bicycle parking space for every dwelling unit, and at least one Class 2 bicycle parking space for every twenty dwelling units. In addition, the ground floor commercial space will also be required to provide at least two Class 2 bicycle parking spaces. Therefore, the project is required to provide 28 Class 1 bicycle parking spaces and three Class 2 bicycle parking spaces. Please identify the location and number of bicycle parking spaces, and confirm compliance with this requirement.

14. **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.

15. **Dwelling Unit Mix:** Planning Code Section 207.6 outlines the requirements for minimum dwelling unit mix for new residential properties within the Valencia St NCT Zoning District. The project must provide either: no less than 40 percent of the total number of proposed dwelling units as at least two bedroom units; or no less than 30 percent of the total number of proposed dwelling units as at least three bedroom units. Currently, the project appears to meet this requirement, since it provides twelve two-bedroom dwelling units, which is more than 40 percent of the total number of proposed dwelling units.

16. **Height-Exempted Features:** Planning Code Section 260(b) outlines features, which are exempted from the height limited established by the Planning Code. As noted in Planning Code Section 260(b)(1)(B), elevator, stair and mechanical penthouses, fire towers, skylights and dormer windows are considered exempted features. This exemption is limited to the top 10-ft of such feature where the height limit is 65-ft or less. Please provide additional information, including dimensions, on the new elevator penthouse and enclosure. This elevator penthouse is limited to 10-ft in height, and must not include any habitable area.

17. **Narrow Street Height Provisions:** For projects within the Valencia St NCT Zoning District along a Narrow Street (a public right of way less than or equal to 40 feet in width, or any mid-block passage or alley that is less than 40 feet in width), Planning Code Section 261.1 specifies that all subject

frontages shall have upper stories set back at least 10 feet at the property line above a height equivalent to 1.25 times the width of the abutting narrow street. No part or feature of a building may penetrate the required setback plane. Albion Street measures approx. 40-ft wide, and would be considered a "narrow street." Currently, the project appears to meet this requirements, since it provides a 10-ft setback above a height of 50-ft for the portion of the building, which is more than 60-ft from the corner.

18. **Shadow:** Planning Code Section 295 outlines requirements for projects with a height exceeding 40 ft that cast shadows on property under the jurisdiction of the Recreation and Parks Commission. Based upon an initial shadow study, the proposed project would not impact any properties subject to Planning Code Section 295.

19. **Neighborhood Notification.** Per Planning Code Section 312, neighborhood notification will be required, since the proposal involves new construction within the Valencia St NCT Zoning District.

20. **Inclusionary Affordable Housing:** Planning Code Section 415 outlines the requirement for inclusionary affordable housing as part of any housing project constructing ten or more dwelling units within the Valencia St NCT Zoning District. An applicant may also elect to pay a fee to satisfy this requirement. If provided on-site, twelve percent of the units would be required to be affordable housing. If the proposed units will be rental, the project will require preparation of a Costa-Hawkins agreement prior to the public hearing.

    Please specify how the project will meet the inclusionary affordable housing projects, and coordinate with the Mayor's Office of Housing (MOH). Please submit the "Inclusionary Affordable Housing Program: Affidavit of Compliance," which may be downloaded from the Planning Department's website under "Permits & Zoning" "Permit Forms."

21. **Transit Impact Development Fee.** Pursuant to Planning Code Section 411 et seq., the Transit Impact Development Fee (TIDF) will apply to this project for the new non-residential square footage.

22. **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, this parcel is classified as "Tier 2" (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

    Option for In-Kind Provision of Community Improvements and Fee Credits. Project sponsors may propose to directly provide community improvements to the City. In such a case, the City may enter into an In-Kind Improvements Agreement with the sponsor and issue a fee waiver for the Eastern Neighborhoods Impact Fee from the Planning Commission, for an equivalent amount to the value of

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

23. **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 Mission District neighborhood as part of the Valencia Street NCT. The immediate area is primarily mixed-use with commercial at the ground floor with buildings ranging from two to four stories in height. The residential buildings often include bay windows and have more solid or masonry materials with punched windows. Nearby historic industrial buildings demonstrate a more thick frame and smaller infill character. 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 re-proportioning the one-bedroom unit stack that defines the shape of the open space on the east side of the project to provide a bigger contribution to the midblock open space at the northeast corner.

2. **Street Frontage.** The Planning Department encourages the project's reflection of adjacent pedestrian-supportive storefront patterns in depth and variation. This should further include the contextual choice of materials.

3. **Parking.** The driveway entrance should be a maximum of 10-ft wide.

4. **Architecture.** The Planning Department recommends that project establish a greater architectural hierarchy and emphasis along the 16th Street façade and allow for a slightly more fine-grained or residential in scale and treatment on the Albion facade.

   Additionally, the project should better match neighborhood material and fenestration patterns. Specifically, the Planning Department recommends that the project reduce the amount of glazing and switch the thin frame and glass infill logic to a more solid surface with specific openings for windows or doors to balconies. Materials should also be light in color.

   The Planning Department recommends that the top of the building better reflect the horizontal proportions of the neighborhood buildings by breaking the continuous parapet. The building should terminate vertically in a more varied way.

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 22, 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
Interdepartmental Project Review Application
Flood Notification: Planning Bulletin
SFPUC Recycled Water Information Sheet

cc: Mx3 Ventures, LLC, Property Owner
Richard Sucre, Current Planning
Brett Bollinger, Environmental Planning
Audrey Desmuke, Citywide Planning and Analysis
Maia Small, Design Review
Jerry Robbins, MTA
Jerry Sanguinetti, DPW