



SAN FRANCISCO PLANNING DEPARTMENT

MEMO

DATE: September 23, 2014
TO: Sean Sullivan
FROM: Joy Navarrete, Planning Department
RE: PPA Case No. 2014.1183U for 2444 Lombard Street

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

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415.558.6378

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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, to answer any questions you may have, or to schedule a follow-up meeting.

A handwritten signature in black ink, appearing to read "Joy Navarrete".

Joy Navarrete, Senior Planner



SAN FRANCISCO PLANNING DEPARTMENT

Preliminary Project Assessment

Date: September 23, 2014
Case No.: **2014.1183U**
Project Address: 2444 Lombard Street
Block/Lot: 0936/014
Zoning: NC-3 (Neighborhood Commercial, Moderate Scale) District
40-X Height and Bulk District
Area Plan: None
Project Sponsor: Sean Sullivan
J.S. Sullivan Development
1699 Valencia Street
San Francisco, CA 94110
415-206-1578
Staff Contact: Elizabeth Purl- 415-575-9028
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 San Francisco Public Utilities Commission, Department of Building Inspection, Department of Public Works, Department of Public Health, and others. The information included herein is based on plans and information provided for this assessment and the Planning Code, General Plan, Planning Department policies, and local/state/federal regulations as of the date of this document, all of which are subject to change.

PROJECT DESCRIPTION:

This project description is based on the Preliminary Project Assessment (PPA) Application submitted on July 30, 2014. It is also based on the project description provided by the project sponsor's representative on August 26, 2014. If any of the underlying project description details change, then the information in this PPA would need to be re-evaluated.

The project site consists of an approximately 22,032-square-foot (sf) parcel located on the north side of Lombard Street between Divisadero and Scott streets, at 2444 Lombard Street (Assessor's Block 0936, Lot 014), in the City's Marina Neighborhood. The project site is irregularly shaped and has street frontage on both Lombard and Divisadero streets. The site is currently developed with a one-story commercial building of approximately 9,517 sf that is currently occupied by a retail use. The existing building was reportedly constructed in 1900.

The proposal is to demolish the existing building and construct a new mixed-use building consisting of 53 residential units, a basement-level residential parking garage, ground-floor retail space, and commercial parking. The building would be four stories and 40 feet high, with about 41,875 sf of residential space, 10,905 sf of retail space, and 22,032 sf of residential parking. The dwelling unit mix would consist of 18 studio units, 18 one-bedroom units, 15 two-bedroom units, and two three-story, three-bedroom townhouses. A total of 12,357 sf of open space would be provided through a mix of balconies, roof decks, and rear yards. The basement-level residential parking garage would include 53 vehicle spaces (two accessible) and 53 Class 1 bicycle spaces. Access would be via a driveway and ramp from Divisadero Street. Commercial parking on the ground level would include 20 vehicle spaces; access would be through a garage entrance on Lombard Street. The main pedestrian entrances for both residential and retail uses would be on Lombard Street. Project construction would require excavation depths up to approximately 18 feet below ground surface to accommodate the necessary foundation work, and approximately 11,500 cubic yards of soil removal. Project construction is expected to last 12 to 24 months.

ENVIRONMENTAL REVIEW:

In compliance with the California Environmental Quality Act (CEQA), the environmental review process must be completed before any project approval may be granted. In order to begin formal environmental review, please submit an **Environmental Evaluation Application (EE Application)**.¹ The following issues will be investigated as part of the environmental review process.

See page 2 of the current *Fee Schedule* for calculation of environmental application fees.²

Environmental Topics

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

1. **Transportation.** The proposed project would add approximately 223 PM peak hour person-trips. Based on the PPA submittal, a transportation study is not anticipated to be needed. However, an official determination will be made following submittal of the EE Application. Planning Department staff have reviewed the proposed development plan and made the following comments and suggestions:
 - a. Consider including residential transportation demand management measures in the project.
 - b. Please show the widths and dimensions of the existing and proposed curb cuts on future submittals.
 - c. Plan sheet A.3 shows a wide driveway entrance close to the pedestrian access points on Lombard Street. Staff recommends reducing the width of this driveway to allow ingress only

¹ Available at: <http://www.sf-planning.org/Modules/ShowDocument.aspx?documentid=8253>.

² Available at: <http://www.sf-planning.org/Modules/ShowDocument.aspx?documentid=512>.

or egress only, or consolidating vehicle access on Divisadero Street. In general, the recommended curb cut width is 12 feet maximum.

- d. Although off-street loading is not required under the Planning Code, please provide information on where residential and retail loading would occur. Double-parking by loading vehicles is discouraged.
 - e. Please show the configuration of Class 1 bicycle parking on plans, as well as the location of Class 2 bicycle parking.
 - f. Please show sidewalk widths and any streetscape improvements.
2. **Air Quality.** According to the PPA Application, the proposed project includes demolition of the existing structure and construction of 53 dwelling units and approximately 11,000 sf of retail space, which is below the Bay Area Air Quality Management District's (BAAQMD) construction and operational screening levels for criteria air pollutants.³ Therefore an analysis of the project's criteria air pollutant emissions is not likely to be required. However, detailed information related to the amount (in cubic yards) of excavation must be provided as part of the Environmental Evaluation Application (EEA).

Project-related demolition, excavation, grading and other construction activities may cause wind-blown dust that could contribute particulate matter into the local atmosphere. To reduce construction dust impacts, the San Francisco Board of Supervisors approved the Construction Dust Control Ordinance (Ordinance 176-08, effective July 30, 2008) with the intent of reducing the quantity of dust generated during site preparation, demolition, and construction work in order to protect the health of the general public and of onsite workers, minimize public nuisance complaints, and to avoid orders to stop work by the Department of Building Inspection (DBI). Pursuant to the Construction Dust Ordinance, the proposed project would be required to comply with applicable dust control requirements outlined in the ordinance.

In addition, San Francisco has partnered with the BAAQMD to inventory and assess air pollution and exposures from mobile, stationary, and area sources within San Francisco. Areas with poor air quality, termed the "Air Pollutant Exposure Zone," were identified. Land use projects within the Air Pollutant Exposure Zone require special consideration to determine whether the project's activities would expose sensitive receptors to substantial air pollutant concentrations. The proposed project is within an Air Pollutant Exposure Zone and includes sensitive land uses (i.e., dwelling units). Therefore, construction equipment exhaust reduction measures 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, that are also subject to Article 38 of the Health Code.⁴

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

³ BAAQMD, *CEQA Air Quality Guidelines*, May 2011, Chapter 3.

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

project's height of 40 feet, it would likely not require a backup diesel generator. However, if a diesel generator is proposed as part of the project, additional measures would likely be necessary to reduce its emissions. Detailed information related to any proposed stationary sources must be provided with the EEA. During the environmental review process, the project will be screened for potential air quality impacts.

3. **Greenhouse Gases.** Potential environmental effects related to greenhouse gas (GHG) emissions from the proposed project need to be addressed in a project's environmental evaluation. The project sponsor would be required to submit a completed *GHG Compliance Checklist Cover Sheet* and *Table 1 for Private Development Projects*⁵ demonstrating that the project is in compliance with the identified regulations. Please be specific and provide detailed information in the discussion column to clarify how the proposed project would comply with each item. This information will be reviewed by the Environmental Planner during the environmental review process to determine if the project would comply with San Francisco's Greenhouse Gas Reduction Strategy.⁶ Projects that do not comply with a GHG-related regulation may be determined to be inconsistent with San Francisco's Greenhouse Gas Reduction Strategy.
4. **Noise.** Based on the City's GIS-based traffic noise model map, the project site is located along a segment of Lombard Street with noise levels above 75 dBA Ldn (a day-night averaged sound level). The Land Use Compatibility Chart for Community Noise in the San Francisco General Plan, Environmental Protection Element states that construction of new dwelling units should generally be discouraged in an area with noise levels above 65 dBA Ldn and that a detailed analysis of the noise reduction requirements must be made and needed noise insulation features included in the design of the building.

In addition, *Mitigation Measure M-NO-1: Interior and Exterior Noise* in the San Francisco 2004 and 2009 Housing Element EIR requires that the Planning Department require the preparation of a noise analysis for new residential development located along streets with noise levels above 75 dBA Ldn. The noise analysis shall include, at a minimum: 1) a site survey to identify potential noise-generating uses within two blocks of the project site; and 2) at least one 24-hour noise measurement (with maximum noise level readings taken at least every 15 minutes) prior to completion of the environmental review. The analysis shall demonstrate with reasonable certainty that Title 24 standards, where applicable, can be met and there are no particular circumstances about the proposed project site that appear to warrant heightened concern about noise levels in the vicinity. Should such concerns be present, the department may require the completion of a detailed noise assessment by person(s) qualified in acoustical analysis and/or engineering prior to the first project approval action, in order to demonstrate that acceptable interior noise levels consistent with those in the Title 24 standards can be attained.

To minimize effects on development in noisy areas, *Mitigation Measure M-NO-1* also requires that the Planning Department require that open space required under the Planning Code for new residential uses be protected, in conjunction with noise analysis required by *Mitigation Measure M-NO-1*, to the

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

⁶ City and County of San Francisco. *Strategies to Address Greenhouse Gas Emissions*. Available online at: http://sfmea.sfplanning.org/GHG_Reduction_Strategy.pdf.

maximum feasible extent, from existing ambient noise levels that could prove annoying or disruptive to users of the open space. 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. Implementation of this measure should be undertaken consistent with other principles of urban design.

Based on this, a noise analysis prepared by a qualified acoustic consultant may be required for the project. A formal determination as to whether a Noise Study is required and as to the scope of the Noise Study will be made after submittal of the Environmental Evaluation Application.

Construction noise would be subject to the San Francisco Noise Ordinance (Article 29 of the San Francisco Police Code), which includes restrictions on noise levels of construction equipment and hours of construction. If pile driving is to be used during the construction, measures to reduce construction noise may be required as part of the proposed project.

5. **Geology.** Any new construction on the project site is subject to a mandatory Interdepartmental Project Review because it is located within a Seismic Hazard Zone (a Liquefaction Hazard Zone likely underlain by artificial fill).⁷ A geotechnical study prepared by a qualified consultant must be submitted with the EEA. The study should address whether the site is subject to liquefaction, and should provide recommendations for any geotechnical concerns identified in the study. In general, compliance with the building codes would avoid the potential for significant impacts related to structural damage, ground subsidence, liquefaction, landslides, and surface settlement. To assist Planning Department staff in determining whether the project would result in environmental impacts related to geology, it is recommended that you provide a copy of the geotechnical information with boring logs for the proposed project. This study will also help inform the Planning Department Archeologist of the project site's subsurface geological conditions.
6. **Archeology.** Project implementation would entail soil-disturbing activities associated with building construction, including excavation in the area of the proposed private garage that could reach a depth of approximately 18 feet below grade. Depending on the depth of excavation, the proposed project may require Preliminary Archeological Review, which would be conducted in-house by Planning Department's staff. This review requires documentation of potential project soils disturbance and the range of appropriate foundation types for the proposed structure. Such information is typically contained within the project's geotechnical study, and should be submitted with the Environmental Evaluation Application. The Preliminary Archeological Review will determine whether or not additional archeological studies will be required as part of the environmental evaluation.
7. **Historic Resources.** The existing building on the project site was reportedly constructed in 1900 and thus is more than 50 years old, although it has been extensively altered since that time. The proposed project would include demolition of the building; therefore, the Planning Department requires that the project sponsor submit a Historic Resource Evaluation (HRE). The HRE must be prepared by one of three historic resource consultants provided to them by the Planning

⁷ San Francisco Planning Department. *Interdepartmental Project Review*. Available online at: <http://www.sf-planning.org/Modules/ShowDocument.aspx?documentid=522>.

Department's Senior Preservation Planner, in accordance with the Planning Department's Environmental Planning Division's Environmental Review Guidelines. Once the Environmental Evaluation Application is submitted, 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 Historic Resource Evaluation shall be prepared in consultation with Department Preservation staff.

Under CEQA, evaluation of the potential for proposed projects to impact "historical resources" is a two-step process: the first is to determine whether the property is a "historical resource" as defined in Section 15064.5(a)(3) of CEQA; and, if it is found to be a "historical resource," the second is to evaluate whether the action or project proposed by the sponsor would cause a "substantial adverse change." CEQA defines a "substantial adverse change" as the physical demolition, destruction, relocation or alteration of the historical resource or its immediate surroundings such that the significance of an historical resource would be materially impaired. For example, if the structure proposed for demolition 2444 Lombard Street is identified as an historical resource, its demolition would be a substantial adverse change resulting in material impairment of the resource, thereby requiring preparation of an EIR.

For more information on the Planning Department's Historic Architectural Resource Evaluation, please see San Francisco Preservation Bulletin No. 16, which is available at www.sfplanning.org under "Historic Preservation."

8. **Hazardous Materials.** The proposed project would disturb in excess of 50 cubic yards of soil in an area with artificial fill and adjacent to a site known to have had leaking underground fuel tanks. Therefore, the project is subject to Article 22A of the Health Code, also known as the Maher Ordinance. The Maher Ordinance, which is administered and overseen by the Department of Public Health (DPH), requires the project sponsor to retain the services of a qualified professional to prepare a Phase I Environmental Site Assessment (ESA) that meets the requirements of Health Code Section 22.A.6. The Phase I ESA would determine the potential for site contamination and level of exposure risk associated with the project. Based on that information, soil and/or groundwater sampling and analysis, as well as remediation of any site contamination, may be required. These steps are required to be completed prior to the issuance of any building permit.

DPH requires 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>.

Please provide a copy of the submitted Maher Application and Phase I ESA with the EEA.

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 the demolition of buildings that may contain lead paint.

9. **Wind.** The proposed project would include not construction of a building that is over 80 feet in height and would not require review by a wind consultant, nor would a wind tunnel analysis be required.
10. **Shadow.** The proposed project would not include construction of a building that is over 40 feet in height, and therefore would not require a shadow analysis. However, a shadow fan has been prepared to account for a 5-foot height increase based on pending legislation that would permit the building to rise to a height of 45 feet.
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 EEA 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 a mailing list upon request during the environmental review process.

EE Application forms are available in the Planning Department lobby at 1650 Mission Street Suite 400, at the Planning Information Center at 1660 Mission Street, and online at www.sfplanning.org. The San Francisco Preservation Bulletin No. 16 is available at www.sfplanning.org under "Historic Preservation".

All privately-sponsored projects with EE Applications submitted on or after August 1, 2008, will be required to use environmental, transportation, and historic preservation consultants from the Planning Department's consultant pools. Private projects sponsors will have the opportunity to select a consultant from a subset of three consultants chosen by the Department

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. **Demolition Permit Application.** The project requires a demolition permit in order to demolish the existing building on the site.
2. **New Construction Building Permit Application.** The project requires a new construction building permit in order to construct the proposed building.
3. **Conditional Use Authorization.** The project requires Conditional Use Authorization pursuant to Planning Code Sections 121.1 for Lot Size, 121.2 for a non-residential use size in excess of 4,000 sf.
4. **Conditional Use for a Planned Unit Development.** Per Section 304 the project requires Conditional Use Authorization for a Planned Unit Development (PUD) for a lot in excess of half an acre, which would address the following Code Requirements - 134 for the Rear Yard requirement, 136(c)(2) for Obstructions, 140 for Dwelling Unit Exposure, 145.1 for Street Frontages and 152 for Off-street Loading,
5. **Shadow Analysis.** A shadow analysis is not required pursuant to Planning Code Section 295 as the project does not propose a building that exceeds 40 feet in height, as measured by the Planning Code. However, to account for pending legislation that would permit a 45-foot tall building with ground-floor commercial space, the Department conducted a preliminary shadow analysis for a 45-foot tall building, measured as described by the Planning Code. The attached shadow analysis indicates that no public space under the jurisdiction of the Recreation and Parks Department will be shadowed by the proposal, should the height be increased to 45 feet. Therefore, a shadow analysis application **would not** be required for either building height.

Building Permit applications are available at the Department of Building Inspections at 1660 Mission Street. The Conditional Use application is available at sf.planning.org – Permits & Zoning – Permit Forms.

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.

This project requires neighborhood notification pursuant to Planning Code Section 312 for construction of a new building with residential and commercial uses. This notice would be incorporated into the Conditional Use notice to prevent duplicate notice.

PRELIMINARY PROJECT COMMENTS:

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

1. **Development of Large Lots.** Planning Code Section 121.1 requires Conditional Use authorization for lots in excess of 10,000 sf. Please note the additional findings for this consideration in Planning Code Section 121.1(1)&(2).
2. **Non-residential Use Size.** Planning Code Section 121.2 requires Conditional Use authorization for uses size in excess of 4,000 sf in the NC-3 Zoning District.
3. **Rear Yard Requirement.** Planning Code Section 134(a)(1)(C), requires a 25 percent or 15-foot-deep (whichever is greater) rear yard at all residential levels measured from the rear property line. The dog-leg portion of the lot fronting Divisadero Street is also subject to this requirement, and the rear yard of this portion of the lot is parallel to Lombard Street. Any development at residential levels projecting into the required rear yard would be subject to a modification pursuant to Planning Code Section 304 for a PUD. Please note that the rear yard requirement is different from the open space requirement, although, in many instances the required rear yard meets the dimensional requirements of the open space requirement.
4. **Usable Open Space.** Planning Code Section 135 requires 106 sf of common open space per unit or 80 sf of private open space per unit. Based on the plans, it appears that the approximately 4,300-sf roof deck provides common open space for approximately 41 units. However, it is unclear if the 4,300 sf reported includes the light well and penthouse areas or any area that does not meet the minimum dimensional requirement of 15 feet in each horizontal direction. The plans also indicate that the private open space requirement for an additional six units facing Divisadero Street and at the rear of the project would be provided. Please note that not all undeveloped area can be counted towards the open space requirement. Please only include in the open space calculation those areas that meet the minimum area and location standards per Planning Code Section 135(a), (b), (c), (d), (f) & (g). Include on future plans all dimensions of the common and private open spaces to determine if the minimum dimensions are met. If the Code requirement cannot be met, a modification per Section 304 must be requested.
5. **Obstructions.** Planning Code Section 136 (c)(2) limits obstructions into the required rear yard to a width of nine feet for a square bay window. Based on the proposal, the project requires a modification per Section 304 as the bay windows, stairwell, and balconies do not appear to be within

the buildable area. Note that CalTrans does not generally permit any obstructions past the property line at Lombard Street/Hwy 101.

6. **Street Trees.** Planning Code Section 138.1(c)(1) requires 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. Based on a frontage of 171 feet on Lombard and Divisadero streets, nine street trees are required for the project. Please incorporate this requirement into the proposal. A *Tree Planting and Protection Checklist* must be filled out and submitted with the Building Permit Application for New Construction. This form is available online at www.sfplanning.org, under the "Resource Center/Department Publications" tab.
7. **Standards for Bird Safe Buildings.** Planning Code Section 139 outlines bird-safe standards for new construction to reduce bird mortality from circumstances that are known to pose a high risk to birds and are considered to be "bird hazards." Feature-related hazards may create increased risk to birds and may need to be mitigated. Please refer to the published document *Standards for Bird-Safe Building*, available online at www.sfplanning.org, under the "Resource Center/Department Publications" tab.
8. **Dwelling-unit Exposure.** Planning Code Section 140(a) requires that each dwelling unit face directly onto a public street or alley of at least 25 feet in width, side yard at least 25 feet in width, or rear yard meeting the requirements of this Code; provided, that if such windows are on an outer court whose width is less than 25 feet, the depth of such court shall be no greater than its width, or an open area (whether an inner court or a space between separate buildings on the same lot) which is unobstructed (except for fire escapes not projecting more than necessary for safety and in no case more than four feet six inches, chimneys, and those obstructions permitted in Sections 136(c)(14), (15), (16), (19), (20) and (29) of this Code) and is no less than 25 feet in every horizontal dimension for the floor at which the dwelling unit in question is located and the floor immediately above it, with an increase of five feet in every horizontal dimension at each subsequent floor. Based on the plans, it appears that the only units meeting this requirement face Lombard and Divisadero Streets. For those units not meeting this requirement, a modification per Section 304 must be sought. While exposure modifications are common due to San Francisco's densely developed context, the subject proposal appears to contain a higher percentage of units needing exception than is typical.
9. **Rooftop Screening.** Planning Code Section 141 requires that rooftop mechanical equipment and appurtenances to be used in the operation or maintenance of a building shall be arranged so as not to be visible from any point at or below the roof level of the subject building. The plans are unclear about how much rooftop mechanical equipment would be necessary and how it would be screened. Please incorporate this consideration into the plans when submitted.
10. **Street Frontages.** Planning Code Section 145.1 provides specific direction on the design of building frontages to prioritize active uses and reduce blank walls at the pedestrian level. Based on the plans provided the proposal would need to be modified in the following manners to be considered Code-compliant.

- a. Eliminate all off-street parking, mechanical, and storage areas within the front 25 feet of the development at the Lombard Street frontage.
 - b. Propose a garage entrance of no more than one-third of the width or 20 feet, whichever is less, of any given street frontage of a new structure parallel to and facing a street.
11. **Off-street Parking.** Planning Code Section 151(b) requires a minimum of one off-street parking space for each dwelling unit and 500 sf of retail space. The project appears to provide all required parking. Planning Code Section 161(j) allows for a parking reduction pursuant to Planning Code Section 307(g); however, the Zoning Administrator cannot reduce the parking to less than one parking space for every four units. While approval is not guaranteed, it is not uncommon for reductions to be granted in transit-rich areas such as the project site. Note that Planning Code Sections 154, 155, and 155(l) provide standards for parking space size, arrangement, and curb cuts. Please include all information pertaining to the dimensional requirements of the parking on any future plans. Number all parking spaces and differentiate between residential and retail spaces.
12. **Off-street Loading.** Planning Code Section 152 requires one off-street loading space, as the proposed retail space exceeds 10,000 sf. As the proposal does not include a loading space, this requirement must be modified per Section 304.
13. **Bicycle Parking.** Planning Code Section 155 requires one Class 1 bicycle parking space for each dwelling unit, one Class 1 space for occupied space over 7,500 sf, and one Class 2 space for every 2,500 sf of occupied floor area. While the plans show bicycle parking, it is unclear if the requirements of Class 1 and 2 spaces are met. Please review the Department's handout *Bicycle Parking Requirements: Design and Layout* at sfplanning.org and incorporate the necessary information and requirements into the proposal.
14. **Diaper Changing Stations.** Per Planning Code Section 168, all Public Serving Establishments (grocery store) over 5,000 sf must provide a safe, sanitary, and convenient baby diaper-changing station, deck table, or similar amenity which is installed or placed in a separate, designated location in a Public-Serving Establishment subject to the provisions of this Section. Such accommodations may include, but are not limited to, stations, decks, and tables in women's and men's restrooms or unisex/family restrooms. Please incorporate this requirement into the proposal.
15. **Shadow Analysis.** While the current proposal does not include a building that exceeds 40 feet in height, the Department conducted a preliminary shadow study to account for pending legislation that would permit a 5-foot height increase to accommodate ground-floor commercial uses. As discussed above, a building of 45 feet in height would not cast shadow on a property subject to Planning Code Section 295.
16. **Dwelling Unit Density.** Planning Code Section 304 for Planned Unit Developments permits a dwelling unit density of one dwelling unit per 400 sf, minus one. As the subject lot area is 22,032 sf, up to 53 dwelling units may be permitted on the site.
17. **Building Height.** The Zoning Map limits the proposed building height to 40 feet from grade, which the proposal meets. Note that the volume of penthouse projections is regulated the *Residential Design Guidelines*, which stipulate that these projections can only contain the stair/elevator area and

associated landing. While the plans show minimal area of the stair and elevator penthouses, the project renderings show more volume than may be permitted. Please clarify these projections on future plans. Height limits may not be varied. The Department is pursuing legislation that would permit the 5-foot height allowance for commercial ground floor spaces in neighborhood commercial districts on a city-wide basis. It is possible that this proposal could take advantage of this update. To date, a legislative schedule has not been determined.

18. **Grocery Store Use.** Should a grocery store be proposed in conjunction with the proposed development, or at a later date, additional findings per Planning Code Section 303(i) must be made as part of either the development's Conditional Use application or a separate Conditional Use application to address the grocery store.
19. **Transit Impact Development Fee.** Planning Code Section 411 requires payment of an impact fee for all developments which include a Retail use. The fee is based on the square footage of the applicable use and is updated periodically. Please refer to Section 411.
20. **Inclusionary Housing.** Planning Code Section 415 requires inclusionary housing for developments that propose ten or more dwelling units. The Project Sponsor must submit an *Affidavit of Compliance with the Inclusionary Affordable Housing Program* to the Planning Department identifying the method of compliance: on-site, off-site, or in-lieu fee. Any on-site affordable dwelling units proposed as part of the project must be designated as owner-occupied units, not rental units. Affordable units designated as on-site units shall be sold as ownership units and will remain as ownership units for the life of the project. Should the units be rental, a Costa-Hawkins Agreement must be entered into with the City.

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

PRELIMINARY DESIGN COMMENTS:

1. **Site Design, Open Space, and Massing.** The Planning Department recommends a code-complying rear yard. The size and location of the rear yard should better respond to the location and orientation of the midblock open space formed by the adjacent rear yards. If a rear yard modification is sought, qualitative superiority must be demonstrated and justified. Consider making the townhouses stand-alone buildings separate from the Lombard Street portion.

Bring the rear yard of the townhouses to grade.

2. **Vehicle Circulation, Access and Parking.** The Planning Department recommends all parking for the project be accessed by a single entrance off Lombard Street and located to allow a continuous commercial or residential use. The Planning Department recommends the garage opening be limited in width to 18 feet wide and recessed from the face of the building.
3. Parking is not allowed within the first 25 feet of building depth along its frontage. The project design would be greatly improved by reducing the parking ratio and/or the parking footprint. The Planning Department suggests that the project explore incorporating mechanical stackers or lifts.

The bike parking is located appropriately.

- 4. Street Frontage.** The frontage should provide a consistent and active relationship appropriate for the fronting streets. The Planning Department recommends that the townhouses along Divisadero Street be brought down to the ground floor with direct access from the street.

Refer to the draft *Ground Floor Residential Design Guidelines* for treatment of the building along the street of residential uses on the ground floor. The draft guidelines are located on the Department website under "Resource Center/Department Publications/Guidelines for Ground Floor Residential Design."

- 5. Architecture.** The architecture is well modulated and articulated at all scales. The Planning Department recommends enlarging the lobby and providing greater separation from garage entrance.

PRELIMINARY PROJECT ASSESSMENT EXPIRATION:

This Preliminary Project Assessment is valid for a period of **18 months**, and an Environmental Evaluation, Large Project Authorization, or Building Permit Application, as listed above, must be submitted no later than **February 26, 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 the Preliminary Project Assessment.

cc: Sara Velve, Current Planning
Kearstin Dischinger, Citywide Planning and Analysis
David Winslow, Design Review
Jerry Robbins, SFMTA
Jerry Sanguinetti, DPW

