



SAN FRANCISCO PLANNING DEPARTMENT

MEMO

DATE: November 26th, 2014

TO: Edmonds + Lee Architects – (415) 285-1300
2601 Mission Street, Ste 503, SF 94110

FROM: Joshua Switzky Planning Department

RE: PPA Case No. 2014.1509U for Octavia Boulevard Parcel T

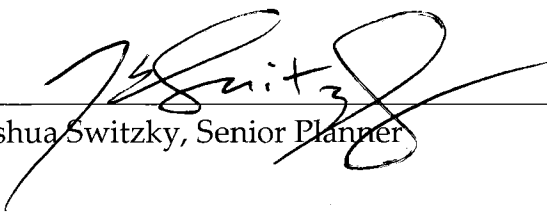
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Please find the attached Preliminary Project Assessment (PPA) for the address listed above. You may contact the staff contact, Robin Abad, at (415) 575-9123 or robin.abad@sfgov.org, to answer any questions you may have, or to schedule a follow-up meeting.



Joshua Switzky, Senior Planner



SAN FRANCISCO PLANNING DEPARTMENT

Preliminary Project Assessment

Date: November 26, 2017
Case No.: **2014.1509U**
Project Address: Octavia Boulevard Parcel T
(Central Freeway Parcel T)
Block/Lot: 0853/022
Zoning: Hayes-Gough Neighborhood Commercial Transit District
50-X Height and Bulk District
Area Plan: Market Octavia Plan Area
Project Sponsor: Edmonds + Lee Architects – (415) 285-1300
2601 Mission Street, Ste 503, SF 94110
Staff Contact: Robin Abad – (415) 575-9123
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DISCLAIMERS:

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

PROJECT DESCRIPTION:

The project site consists of one lot on Octavia Boulevard; bounded by Page Street to the North and Rose Street to the South; parcel 0853/015 bounds the parcel to the west. The existing lot is unoccupied. The proposed project involves new construction of a 5-story, mixed use building at 55 feet high. In addition to ground-floor commercial, the project will include 26 units of residential housing. The proposal includes 13 residential parking spaces and 22 bicycle parking spaces; a common roof deck is also proposed.

BACKGROUND:

The project site is within the Market & Octavia Area Plan (adopted April 2008). The Plan considers the general area within a short walking distance of Market Street between the Van Ness Avenue and Church Street Muni stations along Octavia Boulevard.

The project site also sits within the Hays-Gough Neighborhood Commercial Transit District. The Hays-Gough District controls are designed to allow for growth and expansion that is compatible with the existing building and use scales. Building standards protect the moderate building and use size and require rear yards at residential levels. To maintain the mixed-use character of the district, most commercial uses are permitted at the first and second stories and housing is strongly encouraged at the third story and above. In order to encourage lively pedestrian-oriented commercial activity, but restrict certain sensitive and problematic uses, eating and drinking, and entertainment uses are directed to the ground story. Retail sales activity, especially neighborhood-serving businesses, is further promoted by restricting new ground-story medical, business and professional offices. To protect continuous frontage, drive-up and most automobile uses are prohibited, above-ground parking is required to be setback or below ground, and active, pedestrian-oriented ground floor uses are required on Hayes Street and portions of Octavia Boulevard.

Housing development in new buildings is encouraged above the second story, and is controlled not by lot area but by physical envelope controls. Existing residential units are protected by limitations on demolitions, mergers, subdivisions, and upper-story conversions. Given the area's central location and accessibility to the downtown and to the City's transit network, accessory parking for residential uses is not required. The code controls for this district are supported and augmented by design guidelines and policies in the Market and Octavia Area Plan of the General Plan.

ENVIRONMENTAL REVIEW:

The project site is located within the Market and Octavia Area Plan, which was evaluated in the *Market and Octavia Neighborhood Plan Area Programmatic Final Environmental Impact Report EIR (Market and Octavia FEIR)*, and certified on April 5, 2007.¹ Sites occupied by the former Central Freeway ("freeway parcel") including the subject property, were analyzed in the *Market and Octavia FEIR* on a project level as feasible for use, height, massing, etc. The proposed project would be analyzed for conformance to the analysis conducted under the *Market and Octavia FEIR*. The Planning Department would determine if the analysis in the *Market and Octavia FEIR* sufficiently addresses all potential environmental impacts of the project as proposed. Any pertinent mitigation measures and CEQA findings from the *Market and Octavia FEIR* would remain applicable to the project and mitigation measures would be implemented as part of the project's approvals (entitlements).

If the Planning Department determines that the impacts of the projects as proposed were not adequately addressed in the *Market and Octavia FEIR*, then the project would require the environmental review

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

outlined below. 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.

Because the proposed project is consistent with the development density identified in the area plan, it is eligible for community plan exemption (CPE). Please note that a CPE is a type of exemption from environmental review, and cannot be modified to reflect changes to a project after approval. Proposed increases beyond the CPE project description in project size or intensity after project approval will require reconsideration of environmental impacts and issuance of a new CEQA determination. 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. Within the CPE process, there can be three different outcomes as follows:

1. **CPE Only.** All potentially significant project-specific and cumulatively considerable environmental impacts are fully consistent with significant impacts identified in the *Market and Octavia FEIR*, and there would be no new "peculiar" significant impacts unique to the proposed project. In these situations, all pertinent mitigation measures and CEQA findings from the *Market and Octavia FEIR* are applied to the proposed project, and a CPE checklist and certificate is prepared. With this outcome, the applicable fees are: (a) the CPE determination fee (currently \$13,659); (b) the CPE certificate fee (currently \$7,580); and (c) a proportionate share fee for recovery of costs incurred by the Planning Department for preparation of the *Market and Octavia FEIR*.
2. **CPE + Mitigated Negative Declaration.** If new site- or project-specific significant impacts are identified for the proposed project that were not identified in the *Market and Octavia FEIR*, and if these new significant impacts can be mitigated to a less-than-significant level, then a focused initial study/mitigated negative declaration (IS/MND) is prepared to address these impacts, and a supporting CPE certificate is prepared to address all other impacts that were encompassed by the *Market and Octavia FEIR*, with all pertinent mitigation measures and CEQA findings from the *Market and Octavia FEIR* also applied to the proposed project. With this outcome, the applicable fees are: (a) the CPE determination fee (currently \$13,659); (b) the standard environmental evaluation fee (which is based on construction value); and (c) a proportionate share fee for recovery of costs incurred by the Planning Department for preparation of the *Market and Octavia FEIR*.
3. **CPE + Focused EIR.** If any new site- or project-specific significant impacts cannot be mitigated to a less-than-significant level, then a focused EIR is prepared to address these impacts, and a supporting CPE certificate is prepared to address all other impacts that were encompassed by the *Market and Octavia FEIR*, with all pertinent mitigation measures and CEQA findings from the *Market and Octavia FEIR* also applied to the proposed project. With this outcome, the applicable fees are: (a) the CPE determination fee (currently \$13,659); (b) the standard environmental evaluation fee (which is based

on construction value); (c) one-half of the standard EIR fee (which is also based on construction value); and (d) a proportionate share fee for recovery of costs incurred by the Planning Department for preparation of the *Market and Octavia FEIR*.

In order to begin formal environmental review, please submit an **Environmental Evaluation Application** (EEA). 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.** 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 dated September 25, 2014.

- **Historic Resources.** The project site contains a vacant surface lot. Based upon preliminary research, the project site is not located within eligible or identified historic district and historic resource review would not be required for the proposed project. However, an official determination will be made subsequent to the submittal of the EEA.
- **Archeological Resources.** Project implementation would entail soil-disturbing activities associated with building construction, including excavation that would reach a depth of approximately 15 feet below grade. The proposed project would be subject to the *Market and Octavia FEIR* Mitigation Measure 5.6.A1 - Soils Disturbing Activities in Archaeological Documented Properties, which applies to properties within the Market and Octavia Area Plan for which a final Archaeological Research Design/Treatment Plan (ARD/TP) is on file with the Northwest Information Center and the Planning Department.

The proposed project would be reviewed by the Planning Department's staff archaeologist following the submittal of the EEA. Generally, any soil-disturbing activities proposed within the project site shall be required to submit an addendum to the respective ARD/TP prepared by a qualified archaeological consultant with expertise in California prehistoric and urban historical archaeology to the Environmental Review Officer (ERO) for review and approval. The addendum to the ARD/TP shall evaluate the potential effects of the project on legally-significant archaeological resources with respect to the project site-and project-specific information absent in the ARD/TP. The addendum report to the ARD/TP shall have the following content:

1. Summary – Description of subsurface effect on the proposed project and of previous soil-disturbing activities.
2. Historical Development – If demographic data for the project site is absent in the discussion in the ARD/TP, the addendum shall include new demographic data regarding the former site occupants.
3. Identification of potential archaeological resources – Discussion of any identified potential prehistoric or historic archaeological resources.
4. Integrity and Significance – Eligibility of identified expected resources for listing to the California Register of historic resources (CRHR) and identification of Applicable Research

- Themes/Questions (in the ARD/TP) that would be addressed by the expected archaeological resources that are identified.
5. Impacts of the proposed project.
 6. Archaeological Testing Plan (ATP) (if archaeological testing is determined warranted shall include:
 - Proposed archaeological testing strategies and their justification
 - Expected archaeological resources
 - For historic archaeological resources:
 - Historic address or other location identification
 - Archaeological property type
 - For all archaeological resources:
 - Estimate depth below the surface, expected integrity, and preliminary assessment of eligibility to the CRHR
 - ATP Map to include: location of expected archaeological resources, location of expected project sub-grade impacts, areas of prior soil disturbance, archaeological testing locations by type of testing, and base map (1886/1887 Sanborn Fire Insurance Company map).
- **Transportation Study.** The PPA application indicates that the proposed project would include 26 dwelling units (10 studio units, six one-bedroom units, and 10 two-bedroom units), approximately 5,320 sf of retail space, 13 vehicle parking spaces, and 27 bicycle parking spaces. Based on preliminary analysis by the Planning Department's Transportation subgroup, a transportation study is not anticipated. However, an official determination will be made subsequent to submittal of the EEA. At the time of the filing of the EEA, please address all of the following:
 - Show existing and proposed curb cuts with dimensions on plans.
 - Include parking stacker specifications.
 - Consider residential transportation demand management (TDM) measures to reduce vehicle use.
 - Show trash rooms on plans.
 - **Air Quality.** The PPA application indicates that the proposed project would include 26 dwelling units and approximately 5,320-sf of retail space. The proposed project would be below the Bay Area Air Quality Management District's (BAAQMD) construction screening levels for criteria air pollutants. Therefore, an analysis of the project's criteria air pollutant emissions is not likely to be required. However, an official determination will be made subsequent to the submittal of the 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. 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.

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., residential uses). 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.²

If the proposed project would generate new sources of toxic air contaminants including, but not limited to, diesel generators or boilers, or any other stationary sources, the proposed project would result in toxic air contaminants that may affect both on-site and off-site sensitive receptors. Detailed information related to any proposed stationary sources shall be provided with the EEA.

- **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 GHG Analysis Compliance Checklist.³ The project sponsor is required to submit the completed checklist 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 GHG Reduction Strategy. Projects that do not comply with an ordinance or regulation may be determined to be inconsistent with the GHG Reduction Strategy.
- **Noise.** Based on the *Market and Octavia FEIR*, the project site is located in an area where traffic related noise exceeds 75 dBA (a day-night averaged sound level). The proposed project involves the siting of new sensitive uses (i.e., residential uses) at the project site and, therefore, would need an acoustical analysis demonstrating how the building would meet Title 24 insulation standards. This analysis should include at least one 24-hour noise measurement (with maximum noise level readings taken at least every 15 minutes). The analysis must be prepared by persons qualified in acoustical analysis and/or engineering and shall demonstrate with reasonable certainty that Title 24 noise insulation standards, where applicable, can be met and that there are no particular circumstances about the project site that warrant heightened concern about noise levels in the vicinity. All required common open space should be designed in a manner that minimizes noise annoyance for users of the open

² Refer to <http://www.sfdph.org/dph/eh/Air/default.asp> for more information.

³ San Francisco Planning Department. *Greenhouse Gas Compliance Checklist for Private Development Projects*. Available online at <http://sf-planning.org/index.aspx?page=1886>.

space. As the proposed project includes ground-floor retail space, the analysis should also demonstrate with reasonable certainty that the proposed project would comply with Section 2909 of the San Francisco Police Code and the land use compatibility requirements of the General Plan.

- **Shadow Study.** A preliminary shadow fan analysis has been prepared by Planning Department staff, and indicates that the proposed project would not cast shadows on recreational resources subject to Planning Code Section 295 and other parks and open spaces not subject to Planning Code Section 295.⁴ No further analysis of shadow-related impacts would be required. However, should changes in the form, scale, or mass of the proposed building be required, the proposed project may require additional analysis of potential shadow impacts.

In addition, *Market and Octavia FEIR Mitigation Measure 5.5.A2 Shadow - Parks and Open Space not Subject to Section 295* would apply to the proposed project. This measure applies to new buildings and additions to existing buildings in the Project Area where the building height exceeds 50 feet shall be shaped, consistent with the dictates of good design and without unduly restricting the development potential of the site in question, to reduce substantial shadow impacts on public plazas and other publicly accessible spaces other than those protected under Section 295 of the Planning Code.

- **Hazardous Materials.** The proposed project is located on a former Central Freeway parcel. The Market and Octavia PEIR found a pattern of potential contaminants that may exceed residential or construction-based screening levels throughout the Plan Area. Soil investigations and site assessments conducted as part of the Central Freeway land transfer project recommended the preparation of a site mitigation plan for future excavation projects in the vicinity of the parcels. A Phase I Environmental Site Assessment must be submitted with the EEA. Planning staff will share the report with the Department of Public Health, Environmental Health Section, Local Oversight Program, with whom the project sponsor is required to coordinate directly in the preparation of a site mitigation plan.

Furthermore, *Market and Octavia FEIR Mitigation Measure 5.10.A Hazardous Materials – Construction Activities*, which includes construction measures required to be implemented in order to protect the community from exposure to hazardous materials during construction, would be applicable to the project. This mitigation would be included and discussed in the CPE, if one is required. Environmental impacts concerning hazardous materials would not require additional analysis in a focused initial study.

- **Geology.** The project site is located in a liquefaction hazard zone. Any construction on the project site would be subject to a mandatory Interdepartmental Project Review.⁵ A geotechnical study prepared by a qualified consultant must be submitted with the EEA. The study should provide recommendations addressing the liquefaction hazard and any other geotechnical concerns identified in the study. In general, compliance with the San Francisco Building Code and geotechnical report

⁴ SOURCE – Current Planner to provide reference

⁵ San Francisco Planning Department. Permit Forms. *Interdepartmental Project Review Meeting Application*. Available online at: <http://www.sf-planning.org/index.aspx?page=2611>.

recommendations would avoid the potential for significant impacts related to structural damage, ground subsidence, liquefaction, landslides, and surface settlement. This study will also help inform the Planning Department's staff archaeologist of the project site's subsurface geological conditions.

The *Market and Octavia Neighborhood FEIR* identified a potentially significant impact related to soil erosion during construction. Therefore, *Market and Octavia Neighborhood FEIR mitigation measure 5.11.A Construction Related Soils* would be applicable to the proposed project. This mitigation measure consists of construction best management practices to prevent erosion and discharge of soil sediments to the storm drain system, which would reduce any potential impacts related to geology soils to less than significant levels. This mitigation measure would be included in the CPE, if one is required, and would not require additional analysis in a focused IS or EIR.

- **Stormwater.** The project would likely result in a ground surface disturbance of 5,000 ft or greater and be 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 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 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.
- **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 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 EEA.
- **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>.

If any of the additional analyses determine that mitigation measures not identified in the area plan EIR are required to address peculiar impacts, the environmental document will be a focused initial study/mitigated negative declaration with a supporting CPE checklist. If the additional analyses identify impacts that cannot be mitigated, the environmental document will be a focused EIR with a supporting CPE checklist. A community plan exemption and a focused initial study/mitigated negative declaration can be prepared by Planning Department staff, but focused EIR with supporting CPE checklist would need to be prepared by a consultant on the Planning Department’s environmental consultant pool (http://www.sf-planning.org/ftp/files/MEA/Environmental_consultant_pool.pdf).

PLANNING DEPARTMENT APPROVALS:

The proposed 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.** As currently proposed, the Dwelling Unit Mix does not comply with the requirements of the Planning Code. The project sponsor may choose to seek Conditional Use Authorization pursuant to Sections 207.6 and 303 which would waive the Dwelling Unit Mix requirement.
2. **Variance.** As currently proposed, and as discussed under 'Preliminary Project Comments' below, the proposed windows do not comply with the requirements of the Planning Code. Therefore, the project must be revised to comply with the Planning Code, or a Variance from Section 136 must be sought and justified for those aspects of the project.
3. **Building Permit Application.** A building permit application is required for the proposed new construction on the subject property.

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.

1. **Pre-Application Meeting.** A pre-application meeting is required for new construction within the Hayes NCT Zoning District.
2. **Neighborhood Notification.** The project proposes new construction; therefore, owners and occupants within 150 feet of the site must also be notified in accordance with Planning Code Section 312.
1. *Notification of 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. The environmental planner assigned will request these mailing labels after assignment. Other notices may be required depending on the level of environmental review necessary.

PRELIMINARY PROJECT COMMENTS:

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

4. **Dwelling Unit Mix.** To ensure an adequate supply of family-sized units in existing and new housing stock, new residential construction must include a minimum percentage of units of at least 2 bedrooms in the Hayes-Gough NCT. No less than 40% of the total number of dwelling units on site shall contain at least two bedrooms per Planning Code 207.6. According to the plans provided in the PPA application, ten of the proposed 26 units contain two or more bedrooms, which is equivalent to 38.4% of the dwelling unit mix. In order to achieve the required dwelling unit mix of 40%, 11 of the proposed 26 units must contain two or more bedrooms.

The Dwelling Unit Mix requirements may be waived or modified with Conditional Use Authorization. In addition to the conditions set forth in Section 303, the Planning Commission would consider the following criteria:

- a. The project demonstrates a need or mission to serve unique populations, or
 - b. The project site features physical constraints that make it unreasonable to fulfill these requirements.
5. **Height Exemptions.** Per Planning Code Section 260(b), certain rooftop features are exempt from height restrictions without regard to their horizontal area, including railings and landscaping with a maximum height of four foot. Other features are exempt from height limits provided that the horizontal areas of such features does not exceed 20% of the total area of the roof, including elevator,

stair, and mechanical penthouses that are limited to 10 feet in height. Future submittals should include the height of these exempted features as measured from the flat roof.

6. **Permitted Obstructions.** Planning Code Section 136(c)(2) outlines requirements for permitted obstructions over streets and alleys, or in this case, the proposed bay windows. Several of these bay windows seem to exceed the maximum permitted width of 15 feet, as well as the maximum horizontal separation of two feet between each bay at the property line. Future submittals should include dimensions that show the length and depth of each of the bay windows, the separation between each bay, and their relationship to the property line. If these windows do not meet the standards for Permitted Obstructions over Streets and Alleys pursuant to Planning Code Section 136, then a Variance is required. Please see the attached Variance application for more information.
7. **Streetscape and Pedestrian Improvements.** Per Planning Code Section 138.1, streetscape and pedestrian elements that are in conformance with the Better Streets Plan shall be required if the proposed project is new construction and the frontage encompasses the entire block face between the nearest two intersections with any other publicly accessible rights-of-way. A streetscape plan will be required that shows the location, design, and dimensions of all existing and proposed streetscape elements in the public right-of-way. The required plan shall be submitted to the Planning Department no later than 60 days prior to any Department or Planning Commission approval action, and shall be considered for approval at the time of other approval actions. The streetscape plan is subject to review by the internal Street Design Advisory Team, and Planning Department may require any or all standard streetscape elements for the appropriate street type per Table 1 in Section 138.1 or the Better Streets Plan.
8. **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 for projects involving construction of new buildings. 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. As the project falls within an NC zoning district, the trees must also have a minimum 2-inch caliper (at breast height), branch a minimum of 80 inches above sidewalk grade, and be planted in a sidewalk opening of at least 16 square feet with a decorative edging treatment and a minimum 3'6" soil depth. Existing trees on the project site, if preserved, would apply towards the street tree requirement.

Based on the street frontage dimensions, it appears that the project requires two trees on Page Street and two trees on Rose Street, which are not reflected in your preliminary plans.

9. **Active Frontages.** Section 145.1 states that any street-fronting non-residential uses shall be as close as possible to the adjacent sidewalk at the principal entrance to these spaces. However the Planning Department appreciates the inventive attempts at creating ground-level pedestrian spaces here, and will engage the applicants further regarding the ground floor frontages as part of the application and review process proper (whereas comments in this document are preliminary).

Section 145.1 also requires that no more than one-third of the width or 20 feet, whichever is less, of any given street frontage of a new structure shall be devoted to parking ingress or egress. The proposed Rose Street frontage is 46'4", and therefore the proposed parking entry is limited to 15'5" wide. Future submittals should include the dimensions of this opening, as well of the curb cut.

10. **Use Size Limits.** Nonresidential uses that or 3,000 square feet or more require Conditional Use Authorization. Currently, there are three separate retail spaces proposed that do not exceed the 3,000 square foot threshold. Planning Staff will examine future proposals from potential tenants to ensure that the maximum use size is not exceeded without Conditional Approval from the Planning Commission.
11. **Residential Open Space.** Per Section 135, within the Hayes-Gough NCT Zoning District, a minimum of 60 square feet of private open space must be provided per dwelling unit, or 79.8 square feet of common open space must be provided per dwelling unit. Both private and common open space must meet standards for location, dimensions, usability, and access to sunlight. With 26 dwelling units, the project would require 2,074.8 square feet of common open space. Approximately 2,080 square feet of common open space is proposed on the roof of the building, which would comply with the requirements. However, as the design of the building and rooftop features evolves, staff will continue to evaluate that a sufficient area of open space is provided.
12. **Standards for Bird Safe Buildings.** 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 need to be mitigated. Any feature-related hazards, such as free-standing glass walls, wind barriers, or balconies must have broken glazed segments 24 square feet or smaller in size. Future submittals should reflect the standards and indicate the method of window treatments to comply with the requirements where applicable.
13. **Unbundled Parking.** Planning Code Section 167 requires that all off-street parking spaces accessory to residential uses in new structures of 10 dwelling units or more shall be leased or sold separately from the rental or purchase fees for dwelling units for the life of the dwelling units. In cases where there are fewer parking spaces than dwelling units, the parking spaces shall be offered first to the potential owners or renters of three-bedroom or more units, second to the owners or renters of two-bedroom units, and then to the owners or renters of other units. Renters or buyers of on-site inclusionary affordable units provided pursuant to Section 415 shall have an equal opportunity to rent or buy a parking space on the same terms and conditions as offered to the renters or buyers of other dwelling units at a price determined by the Mayor's Office of Housing.
14. **Transit Impact Development Fee.** Per Section 411, the retail uses in the project will be subject to the Transit Impact Development Fee.
15. **Inclusionary Affordable Housing.** Per Section 415, the project must satisfy the requirements of the Inclusionary Affordable Housing Program through the payment of an Affordable Housing Fee that is equivalent to the applicable percentage of the number of units in the principal project, which is 20 percent of the total number of units proposed. As an alternative, the project may be eligible to satisfy the requirements of Section 415 through the provision of on-site or off-site affordable units. In order

to qualify for this alternative, the sponsor must demonstrate that the units would not be subject to the Costa Hawkins Rental Housing Act.

For further information, please refer to the publication "Affidavit for Compliance with the Inclusionary Affordable Housing Program", which is available from 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.

16. **Market and Octavia Affordable Housing Fee.** Per Planning Code Section 416, the project will be subject to the Market and Octavia Affordable Housing Fee.
17. **Market and Octavia Community Improvement Fund.** Per Planning Code Section 421, the project will be subject to the Market and Octavia Community Improvement Impact Fee. A project sponsor may also propose to directly provide community improvements to the city that are consistent with the Market and Octavia Area Plan. In this case, the City may enter into an In-Kind agreement with the Project Sponsor, subject to the rules and requirements outlined in Planning Code Section 421.3(d).
18. **Interdepartmental Project Review.** Interdepartmental Project Reviews are mandatory for new construction projects that propose buildings eight stories or more and new construction on parcels identified by the State of California Department of Conservation, Division of Mines and Geology as Seismic Hazard Zones in the City and County of San Francisco. Project sponsors may elect to request an interdepartmental review for any project at any time; however, it is strongly recommended that the request is made prior to Planning Department approval of the first construction building permit. The Planning Department acts as the lead agency in collaboration with the Department of Building Inspection (DBI); the Department of Public Works (DPW); and the San Francisco Fire Department (SFFD). Department staff from each of these agencies would attend the Interdepartmental Project Review meeting.
19. **First Source Hiring.** Chapter 83 of the San Francisco Administrative Code, passed in 1998, established the First Source Hiring Program to identify available entry-level jobs in San Francisco and match them with unemployed and underemployed job-seekers. The intent is to provide a resource for local employers seeking qualified, job ready applicants for vacant positions while helping economically disadvantaged residents who have successfully completed training programs and job-readiness classes.

The ordinance applies to: (1) any permit application for commercial development exceeding 25,000 square feet in floor area involving new construction, an addition or a substantial alteration which results in the addition of entry level positions for a commercial activity; or (2) any application which requires discretionary action by the Planning Commission relating to a commercial activity over 25,000 square feet, but not limited to conditional use; or (3) any permit application for a residential development of ten units or more involving new construction, an addition, a conversion or substantial rehabilitation.

The project proposes more than ten dwelling units and commercial development exceeding 25,000 square feet and is therefore subject to the requirement. For further information or to receive a sample First Source Hiring Agreement, please see contact:

Ken Nim, Workforce Compliance Officer
CityBuild, Office of Economic and Workforce Development
City and County of San Francisco
1 South Van Ness, San Francisco, CA 94102
Direct: 415.701.4853, Email: ken.nim@sfgov.org
Fax: 415.701.4897
Website: <http://oewd.org/Workforce-Development.aspx>

1. *Recycled Water.* The City requires property owners to install dual-plumbing systems for recycled water use in accordance with Ordinances 390-91, 391-91, and 393-94, within the designated recycled water use areas for new construction projects larger than 40,000 square feet.⁶

PRELIMINARY DESIGN COMMENTS:

The project is located in the Market Octavia Area Plan in newly formed parcels made available by the removal of a portion of the Central Freeway. These are thin parcels on the ends of residential blocks that transition the fine-grained neighborhood to the more monumental boulevard environment of Octavia. The following comments address preliminary design issues that may significantly impact the proposed project:

1. **Site Design, Open Space, and Massing.** The Planning Department supports the project as proposed.
2. **Street Frontage.** The Planning Department supports the intentions of the ground floor, in particular the porosity of the roll up doors at grade.

The Planning Department also recommends coordination with adjacent properties in streetscape design to encourage legibility across blocks as we have some concern about the full appropriation of the on-street parking to extend the sidewalk. An alternative design would be elegant paved areas that can be used flexibly both for parking and pedestrians. The Planning Department encourages the project sponsor and designers to review the SF Better Streets Plan for types and patterns of encouraged streetscape. In a future application process, this can be discussed in more detail with the Planning Department SDAT (Streetscape Design Assessment Team). The curb cut along Rose Street should be 10' maximum in width.

3. **Architecture.** The Planning Department is generally supportive of the proposed project architectural idea and expression but recommends further explorations of the mid-block shift of pattern, the use of the projections as balconies, and the compliance of the projections as bay windows. The Planning

⁶ Refer to <http://www.sfwater.org/modules/showdocument.aspx?documentid=1292>.

Department would like the sponsor to further explain or consider how the views to Patricia's Green and sunlight orientation can adjust the angles of both the glazing and wall portals.

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 **May 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 this Preliminary Project Assessment.

Enclosure: Shadow Fan

cc: Brian Kenny, Property Owner
Aidin Massoudi, Project Contact
Carly Grob, Current Planning
Sandy Ngan, Environmental Planning
Robin Abad, Citywide Planning and Analysis
Maia Small, Design Review