



SAN FRANCISCO PLANNING DEPARTMENT

MEMO

DATE: May 4, 2015
TO: Jonathan Winslow, Veritas Investments
FROM: Devyani Jain, Planning Department
RE: PPA Case No. ^{2015 SA}~~2014~~-001435PPA for 1320-1360 Lombard Street

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

Reception:
415.558.6378

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415.558.6409

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Information:
415.558.6377

Please find the attached Preliminary Project Assessment (PPA) for the address listed above. You may contact the staff contact, Susan Mickelsen, at (415) 575-9039 or susan.mickelsen@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 "Devyani Jain", written over a horizontal line.

Devyani Jain, Senior Planner



SAN FRANCISCO PLANNING DEPARTMENT

Preliminary Project Assessment

Date: May 4, 2015
Case No.: 2015-001435PPA
Project Address: 1320-1360 Lombard Street
Block/Lot: 0499/002B and 002D
Zoning: RM-3, Residential Mixed, Medium Density
65-A
Project Sponsor: Jonathan Winslow, Veritas Investments
415-578-7610
Staff Contact: Susan Mickelsen – 415-575-9039
susan.mickelsen@sfgov.org

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DISCLAIMERS:

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

PROJECT DESCRIPTION:

The approximately 33,000 square foot proposed project site at 1320 -1360 Lombard Street, which includes two parcels, is located on the block bounded by Lombard Street to the south, Polk Street to the east, Chestnut Street to the north and Van Ness Avenue to the west. The three existing buildings on the project site were constructed in 1927, and together contain 106 existing dwelling units.

The proposal is to convert existing ground floor storage space within the three multi-family residential buildings into 16 new studios and 2 one-bedroom units (18 total residential units) at the ground level of the three existing seven-story residential buildings (Lombard Place). Four studios and 1 one-bedroom unit would be developed within the 1320 Lombard Street building; six studio units within 1340 Lombard Street; and seven studio units would be developed within

the 1360 Lombard Street building. One parking space within the existing garage (location unclear) would also be removed as part of the proposed project.

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. This review may be done in conjunction with the required approvals listed below. In order to begin formal environmental review, please submit an **Environmental Evaluation Application (EEA)** for the full scope of the project. 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 under the "Publications" tab. See "Environmental Applications" on page 2 of the current Fee Schedule for calculation of environmental application fees.¹ **Note that until an entitlement application is submitted to the Current Planning Division, only the proposed Project Description will be reviewed by the assigned environmental coordinator.**

Based on the preliminary review of the proposed project, the project may qualify for a categorical exemption from environmental review under CEQA. However, a formal determination would be made upon submittal of an EEA. Section 15332 of the CEQA Guidelines, or Class 32, provides a categorical exemption for projects, characterized as in-fill development.

The following issues would be investigated as part of the environmental review process:

1. **Historic Resource Evaluation (HRE).** The project site contains one or more structures considered to be a potential historic resource (building constructed 45 or more years ago); therefore, the proposed alteration or demolition is subject to review by the Department's Historic Preservation staff. To assist in this review, the project sponsor must hire a qualified professional to prepare a Historic Resource Evaluation (HRE) report. The professional must be selected from the Planning Department's Historic Resource Consultant Pool. Please contact Tina Tam, Senior Preservation Planner, via email (tina.tam@sfgov.org) for a list of three consultants from which to choose. Please contact the HRE scoping team at HRE@sfgov.org to arrange the HRE scoping. The historic resource consultant should submit the draft HRE report for review to Environmental Planning after the project sponsor has filed the EE Application and updated it as necessary to reflect feedback received in the PPA letter. Historic Preservation staff will not begin reviewing your project until a complete HRE is received.

¹ San Francisco Planning Department. *Schedule for Application Fees*. Available online at: <http://www.sf-planning.org/Modules/ShowDocument.aspx?documentid=513>

2. **Archeological Resources.** Based on the PPA application, the Project implementation would not entail soil-disturbing activities and would therefore not be subject to archeological review. If soil disturbance will be included, provide the amount of soil disturbance with the EEA.
3. **Transportation Study.** Based on the PPA submittal and the Planning Department's Transportation Study Guidelines, a transportation study is not likely required. However, an official determination will be made subsequent to submittal of the EEA. Based on preliminary review of the Plans, Planning Department transportation staff had the following comments:
 - a. Provide bicycle parking for added units in accordance with the Planning Code.
 - b. Provide adjacent sidewalk widths on plans as well as existing streetscape/landscape conditions on plans.
 - c. Coordinate with SFMTA on Van Ness BRT stop locations.
 - d. Provide additional information on where the one parking space would be removed (it is not clear on the plans).
4. **Air Quality (AQ) Analysis.** The proposed project's 18 dwelling units is below the Bay Area Air Quality Management District's (BAAQMD) construction and operation screening levels for criteria air pollutants.² Therefore, an analysis of the project's criteria air pollutant emissions is not likely to be required.

The project site is not located within an Air Pollutant Exposure Zone, as mapped and defined by Health Code, Article 38. The Air Pollutant Exposure Zone identifies areas with poor air quality based on an inventory and modeling assessment of air pollution, exposures, and health vulnerability from mobile, stationary, and area source emissions within San Francisco. Given the project site is not within an Air Pollutant Exposure Zone, additional measures or analysis related to local health risks would not be required. However, if the project would include new sources of toxic air contaminants including, but not limited to emissions from: 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 and would likely require additional analysis. Detailed information related to any proposed stationary sources shall be provided with the EEA.

In addition, any 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

² BAAQMD, *CEQA Air Quality Guidelines*, May 2011, Chapter 3.

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.

5. **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 GHG reduction strategy, the Planning Department has prepared a Greenhouse Gas Analysis Compliance Checklist. The project sponsor may be required to submit a completed checklist, which can be found at this link <http://www.sf-planning.org/index.aspx?page=1886>, as part of the environmental review process. Projects that do not comply with an ordinance or regulation may be determined to be inconsistent with the Greenhouse Gas Reduction Strategy.

6. **Hazardous Materials.** According to the PPA application, the proposed project would not include soil disturbance activity. If soil disturbance would occur, please provide the amount of soil disturbance activity (cubic yards) with the EE Application. A portion of the project site has suspected soil and/or groundwater contamination. Therefore, if the project includes soil disturbance, it may be subject to Article 22A of the Health Code, also known as the Maher Ordinance. The Maher Ordinance, which is administered and overseen by the Department of Public Health (DPH), would require 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, if applicable, would be 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 additional information regarding the proposed excavation as well as a copy of the Phase I ESA with the Environmental Evaluation Application.

7. **Noise.** The Planning Department's noise maps indicate that the proposed project is not located on a site where existing ambient noise levels on surrounding streets are at, or exceed 75 decibels. Therefore, additional noise analysis would not be required. Any proposed residential use would be subject to Title 24 noise insulation standards.

8. **Shadow and Wind Study.** The proposed project would not include a change to the existing multi-family building envelope footprints or height and bulk. Therefore additional wind or shadow analysis would not be required.
9. **Stormwater.** The proposed project would not result in a ground surface disturbance of over 5,000 square feet (sf) in area and would therefore not 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.
10. **Tree Planting and Removal.** 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 size of the trunk diameter, tree height, and accurate canopy drip line. Please submit the *Tree Planting and Protection Checklist* with the EEA and ensure trees are appropriately shown on site plans.³
11. **Geology.** Based on the PPA application, the Proposed Project would not include soil disturbance and would therefore not be required to prepare a geotechnical investigation or report. Although a portion of the site is included in the City GIS layer of potential parcels with greater than 20 percent slope, a measurement of all three parcels indicates an average 14 percent slope.
12. **Notification of a Project Receiving Environmental Review.** Notice may be required to be sent to occupants of the project site and properties adjacent to the project site, as well as owners and to the extent feasible occupants, of properties within 300 feet of the project site at the initiation of the environmental review process. Please be prepared to provide these mailing labels on a CD upon request following the submittal of the EE Application.
13. **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

³ Available online at <http://www.sf-planning.org/modules/showdocument.aspx?documentid=8321>.

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 occurs, 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 the additional analysis outlined above indicates that the project would not have a significant effect on the environment, the project may qualify for a Class 32 Categorical Exemption, in which case the Planning Department would issue a Certificate of Determination of Exemption from Environmental Review.

If the additional analysis performed after submittal of the EEA indicates that the project may have a significant effect on the environment, Planning Department staff would prepare an Initial Study to determine whether an Environmental Impact Report (EIR) is needed. If the Department determines that the project would not have a significant effect on the environment, the Department would issue a Preliminary Negative Declaration. If the Department finds that the project would have significant impacts that can be reduced to a less-than-significant level by mitigation measures agreed to by the project sponsor, then the Department would issue a Preliminary Mitigated Negative Declaration.

If the Initial Study process indicates that the project would result in a significant impact that cannot be mitigated to a less than significant level, an EIR will be required to be prepared by an environmental consultant from the Planning Department's environmental consultant pool. The Planning Department would provide more detail to the project sponsor regarding the EIR process should this level of environmental review be required. 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.

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. **Planned Unit Development.** Pursuant to Planning Code Sections 303 and 304, a development lot area which exceeds one-half acre may seek certain modifications from the base zoning requirements of the RM-3 Zoning District as a Planned Unit Development (PUD) through the Conditional Use process. As proposed, the Project may require the following exceptions through the PUD review process:
 - a. **Rear Yard.** Planning Code Section 134.
 - b. **Useable Open Space.** Planning Code Section 135.
 - c. **Exposure.** Planning Code Section 140.
 - d. **Off-Street Parking.** Planning Code Section 151.
2. A **Building Permit Application** is required for the demolition of the existing buildings on the subject property.
3. A **Building Permit Application** is required for the proposed new construction on the subject property.

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

1. **Rear Yard Requirement (Section 134).** Within RM-3 districts, the minimum rear yard depth shall be equal to 25 percent of the total depth of the lot on which the building is situated, but in no case less than 15 feet. As depicted in the submitted plans, neither lot (002B or 002D) meets the rear yard requirement (25 feet, and 41 feet, respectively). However, so long as the Project does not expand beyond the building envelope, the rear yard requirement would not apply as the existing buildings are “noncomplying structures” per Section 180. Any expansion of the building envelope beyond what is currently proposed through the Project would require a variance for the rear yard requirement.
2. **Useable Open Space (Section 135).** Usable open space shall be provided for each dwelling in R Districts and shall be composed of an outdoor area or areas designed for outdoor living, recreation or landscaping, including such areas on the ground and on decks, balconies, porches and roofs, which are safe and suitably surfaced and screened, and which conform to the other requirements of this section of the Planning Code. Open space shall be provided within RM-3 districts at the following amounts: at least 60 square feet per dwelling unit if all private and 80 square feet per dwelling unit if common. Additional documentation would be required to demonstrate the useable open space requirement (approximately 1,080 SF if all private; or 1,440 SF if all common) is satisfied. 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. Otherwise, a variance would be required.
3. **Street Trees (Section 138.1).** Street trees shall be required with the addition of dwelling units. With a total of 235 feet of street frontage for the (combined) subject lots, the street tree requirement would be twelve (12) street trees. Existing street trees may count towards this requirement, however, a tree planting and protection checklist must be completed, and any proposed trees must also comply with the following standards:
 - a. Comply with Public Works Code Article 16 and any other applicable ordinances;
 - b. Be suitable for the site;
 - c. Be a minimum of one tree of 24-inch box size for each 20 feet of frontage of the property along each street or alley, with any remaining fraction of 10 feet or more of frontage requiring an additional tree. Such trees shall be located either within a setback area on the lot or within the public right-of-way along such lot;
 - d. Provide a below-grade environment with nutrient-rich soils, free from overly-compacted soils, and generally conducive to tree root development; and
 - e. Be watered, maintained and replaced if necessary by the property owner, in accordance with Sec. 174 and Article 16 of the Public Works Code and compliant

with applicable water use requirements of Chapter 63 of the Administrative Code.

4. **Tree Planting and Protection Checklist.** Completion of this checklist is required. No permit will be approved by the Planning Department before satisfying all applicable tree-related requirements. Before any application is made to the Planning Department, you may choose to go directly to San Francisco Public Works (SFPW) to determine whether or not the required trees mentioned above can feasibly be planted. In order to do this, you should bring to SFPW: (1) a completed Tree Planting and Protection Checklist [this need NOT be signed by Planning Dept. staff]; (2) project plans [11"x17" is acceptable]; and (3) a SFPW tree planting application. Submittals can be made to SFPW's offices at 1155 Market Street or electronically at www.sfdpw.org -> "Services A-Z" -> "Trees". After SFPW does their analysis and fieldwork, SFPW will provide you with a signed referral form with their determination which should then be provided to the Planning Department.
5. **Exposure (Section 140).** For each dwelling unit in any use district, the required windows (as defined by Section 504 of the San Francisco Housing Code) of at least one room that meets the 120-square-foot minimum superficial floor area requirement of Section 503 of the Housing Code shall face directly on an open area. As depicted in the submitted plans, the proposed dwelling units that directly face either of the inner courtyards would meet the exposure requirement; however, units which do not directly face either of the inner courtyards would not meet the exposure requirement. Documentation would be required to demonstrate that all dwelling units meet the exposure requirement. If it is deemed that the existing structures are eligible for designation as landmark buildings or contributory buildings, an administrative exemption (or reduction) of the requirement may be permitted under Section 307(h)(1)(B). Otherwise, a variance would be required.
6. **Off-Street Parking (Section 151).** The RM-3 district requires one (1) off-street vehicle parking space per dwelling unit. The Project proposes eighteen (18) dwelling units, which would require eighteen (18) off-street parking spaces. The Project does not propose any off-street parking spaces. A reduction or modification of the off-street parking requirement may be addressed through: 1) an administrative determination by the Zoning Administrator through Section 307; or 2) a reduction and replacement by bicycle parking spaces at a ratio of one (1) off-street vehicle parking space to one (1) Class I bicycle parking space per Section 150(e). Otherwise, a variance is required for the elimination or reduction of required off-street parking spaces. Note that Sections 154, 155, and 155(1) 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.

7. **Bicycle Parking (Section 155.1).** Bicycle parking shall be provided at the following amounts: one (1) Class I space for every dwelling unit, and one (1) Class II space for every twenty (20) dwelling units. The Project proposes eighteen (18) dwelling units, which would require eighteen (18) Class I bicycle parking spaces. Please review Zoning Administrator Bulletin #9 "Bicycle Parking Standards: Design and Layout" and include all information pertaining to the dimensional requirements of the bicycle parking on any future plans.

8. **Density (Section 207).** The density of dwelling units permitted in the RM-3 district is one (1) unit for every 400 square feet of lot area. For both of the subject lots (002B and 002D), the combined dwelling unit density permitted under the Planning Code is 83 units. With 108 dwelling units, the current dwelling unit density is not in compliance with the Planning Code.

9. **Planned Unit Development (Section 304).** The Planning Commission may authorize as conditional uses, in accordance with the provisions of Section 303, Planned Unit Developments. Seeking Planning Commission approval for a Planned Unit Development is necessary to achieve the desired dwelling unit density for the Project and may allow for exceptions for other aspects of the Project that are otherwise non-compliant with the Planning Code.
 - a. **Density.** Per Section 304(d)(4), the approval of a Planned Unit Development would allow for an increased dwelling unit density for the subject lots. The dwelling unit density for the current zoning (RM-3) would be increased to one (1) unit less than is permitted density in the next zoning district (RM-4). RM-3 zoning districts permit one (1) unit for every 400 square feet of lot area, while RM-4 zoning districts permit one (1) unit for every 200 square feet of lot area. Therefore, the combined maximum allowable density for the two subject lots would be 166 dwelling units.

	1320 Lombard (Lot 002B)	1340-60 Lombard (Lot 002D)	Combined
Lot Area	6,000 SF	27,363 SF	33,363SF
Dwelling Units	32	76 (38 per building)	108
Density Limit*	15	68	83
PUD Density Limit**	30	137	(167) - 1 = 166

*Density Limit (RM-3) = 1/400 SF/Lot Area

**PUD Density Limit (RM-4) = 1/200 SF/Lot Area

10. **Affordable Housing (Section 415).** The Project must satisfy the requirements of the Inclusionary Affordable Housing program by providing on- or off-site affordable housing units or paying an in-lieu fee. If providing on-site affordable housing units, 12 percent, or two (2) of the 18 proposed dwelling units should be below market rate. Alternatively, 20 percent, or four (4) below market rate dwelling units may be provided off-site or a 20 percent in-lieu fee can be paid. 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 below market rate units provided to satisfy this requirement must demonstrate eligibility that they would not be subject to the Costa Hawkins Rental Housing Act. In order for the Project to be eligible for the on-site affordable housing alternative, the Project Sponsor must submit an "Affidavit of Compliance with the Inclusionary Affordable Housing Program: Planning Code Section 415, to the Planning Department.

PRELIMINARY DESIGN COMMENTS:

The proposed Project was reviewed by design staff, who did note any preliminary design issues.⁴

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 **November 6, 2016**. Otherwise, this determination is considered expired and a new Preliminary Project Assessment is required. Such applications and plans must be generally consistent with those found in this Preliminary Project Assessment.

Enclosure: Neighborhood Group Mailing List

cc: J. Winslow, Veritas Investments, Property Owner/Contact (500 Washington St., Suite 488, SF, CA, 94111)
Nicholas Foster, Current Planning
Amnon Ben-Pazi, Citywide Planning and Analysis
Jonas Ionin, Planning Commission Secretary
Charles Rivasplata, MTA
Jerry Sanguinetti, DPW
Planning Department Webmaster (webmaster.planning@sfgov.org)

⁴ Winslow, D. Email relaying no preliminary design comments on the 1320-1360 Lombard Street project. Dated February 23, 2015.