



SAN FRANCISCO PLANNING DEPARTMENT

MEMO

DATE: July 14, 2015
TO: My My Ly, Gabriel Ng + Architects
FROM: Julian Banales, Planning Department
RE: PPA Case No. 2015-005864PPA for 550 Indiana Street


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

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Please find the attached Preliminary Project Assessment (PPA) for the address listed above. You may contact the staff contact, Kimberly Durandet, at (415) 575-6816 or kimberly.durandet@sfgov.org, to answer any questions you may have, or to schedule a follow-up meeting.



Julian Banales, Senior Planner



SAN FRANCISCO PLANNING DEPARTMENT

Preliminary Project Assessment

Date: July 14, 2015
Case No.: 2015-005864PPA
Project Address: 550 Indiana Street
Block/Lot: 3998/021
Zoning: UMU (Urban Mixed Use) District
Life Science and Medical SUD
58-X Height and Bulk District
Area Plan: Central Waterfront
Project Sponsor: My My Ly
Gabriel Ng + Architects
415-682-8060
Staff Contact: Kimberly Durandet– 415-575-6816
kimberly.durandet@sfgov.org

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DISCLAIMERS:

This Preliminary Project Assessment (PPA) letter provides feedback to the project sponsor from the Planning Department regarding the proposed project described in the PPA application submitted on April 16, 2015, as summarized below. This PPA letter identifies Planning Department review requirements for the proposed project, including those related to environmental review, approvals, neighborhood notification and public outreach, the Planning Code, project design, and other general issues of concern for the project. Please be advised that the PPA application does not constitute an application for development with the Planning Department. The PPA letter also does not represent a complete review of the proposed project, does not grant a project approval of any kind, and does not 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, Public Works, the Municipal Transportation Agency, Department of Public Health, San Francisco Public Utilities Commission, and others. The information included herein is based on the PPA application and plans, 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 proposes to expand 4th Floor envelope and add a 5th Floor to existing 4-story over basement self-storage building. The addition will create a total of 17 residential units (one 3-bedroom unit, seven 2

bedroom units, four 1-bedroom units, and five studios). Seventeen new bike parking spaces will be provided for the residential units.

BACKGROUND:

The project site is within the Central Waterfront Area Plan. The Eastern Neighborhoods Area Plans cover the Mission, East South of Market (SoMa), Showplace Square/Potrero Hill, and Central Waterfront neighborhoods. On August 7, 2008, the Planning Commission certified the *Eastern Neighborhoods Programmatic Final Environmental Impact Report (Eastern Neighborhoods PEIR)* by Motion 17659 and adopted the Preferred Project for final recommendation to the Board of Supervisors.^{1,2} The Eastern Neighborhoods Area Plans and its associated rezoning became effective December 19, 2008.

ENVIRONMENTAL REVIEW:

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

The proposed project is located within the Eastern Neighborhoods Area Plan, which was evaluated in *Eastern Neighborhoods Rezoning and Area Plans Programmatic Final Environmental Impact Report EIR (FEIR)*, certified in 2008.³ If the proposed project is consistent with the development density identified in the area plan, it is eligible for a community plan exemption (CPE). In order for the project to qualify for a CPE, the proposed project would need to meet density requirements established in the UMU Zoning District. 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. 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 *Eastern Neighborhoods Rezoning and Area Plans Final EIR ("Eastern Neighborhoods 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 *Eastern Neighborhoods FEIR* are applied to the proposed project, and a CPE checklist and certificate is prepared. With this

¹ San Francisco Planning Department. Eastern Neighborhoods Rezoning and Area Plans Final Environmental Impact Report (FEIR), Planning Department Case No. 2004.0160E, certified August 7, 2008. Available online at: <http://www.sf-planning.org/index.aspx?page=1893>, accessed August 17, 2012.

² San Francisco Planning Department. San Francisco Planning Commission Motion 17659, August 7, 2008. Available online at: <http://www.sf-planning.org/Modules/ShowDocument.aspx?documentid=1268>, accessed August 17, 2012.

³ Available for review on the Planning Department's Area Plan EIRs web page: <http://www.sf-planning.org/index.aspx?page=1893>.

outcome, the applicable fees are: (a) the CPE determination fee (currently \$13,659) and (b) the CPE certificate fee (currently \$7,580).

2. **Mitigated Negative Declaration.** If new site- or project-specific significant impacts are identified for the proposed project that were not identified in *the Eastern Neighborhoods FEIR*, and if these new significant impacts can be mitigated to a less-than-significant level, then a focused mitigated negative declaration is prepared to address these impacts, and a supporting CPE checklist is prepared to address all other impacts that were encompassed by *the Eastern Neighborhoods FEIR*, with all pertinent mitigation measures and CEQA findings from *the Eastern Neighborhoods FEIR* also applied to the proposed project. With this outcome, the applicable fees are: (a) the CPE determination fee (currently \$13,659) and (b) the standard environmental evaluation fee (which is based on construction value).
3. **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 checklist is prepared to address all other impacts that were encompassed by *the Eastern Neighborhoods FEIR*, with all pertinent mitigation measures and CEQA findings from *the Eastern Neighborhoods FEIR* also applied to the proposed project. With this outcome, the applicable fees are: (a) the CPE determination fee (currently \$13,659); (b) the standard environmental evaluation fee (which is based on construction value); and (c) one-half of the standard EIR fee (which is also based on construction value).

In order to begin formal environmental review, please submit an **Environmental Evaluation Application**. The Environmental Evaluation Application can be submitted at the same time as the Preliminary Project Assessment Application. The environmental review may be done in conjunction with the required approvals listed below, but must be completed before any project approval may be granted. **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.** See page 2 of the current *Fee Schedule* for calculation of environmental application fees.

Below is a list of topic areas addressed through the environmental review process. Some of these would require additional study based on the preliminary review of the project as it is proposed in the PPA application.

- **Historic Resources.** The existing building on the project site is less than 45 years of age and/or was previously evaluated in a historical resources survey and found ineligible for national, state, or local listing. Thus, the proposed project is not subject to review by the Department's Historic Preservation staff; no additional analysis of historic architectural resources is required.
- **Archeological Resources.** Given that the project does not involve ground disturbance, it would not require a Preliminary Archeological Review (PAR) by a Planning Department archeologist.
- **Transportation.** Based on the PPA submittal, a transportation impact study is not anticipated; an official determination will be made subsequent to submittal of the EEA.

- **Noise.** *Eastern Neighborhoods PEIR Noise Mitigation Measure F-2: Construction Noise* requires that the project sponsor develop a set of site-specific noise attenuation measures under the supervision of a qualified acoustical consultant when the environmental review of a development project determines that construction noise controls are necessary due to the nature of planned construction practices and sensitivity of proximate uses. This mitigation measure requires that a plan for such measures be submitted to DBI prior to commencing construction to ensure that maximum feasible noise attenuation will be achieved.

Eastern Neighborhoods PEIR Noise Mitigation Measure F-4: Siting of Noise-Sensitive Uses is intended to reduce potential conflicts between existing noise-generating uses and new sensitive receptors. This measure would apply to the proposed project because the project includes a noise-sensitive use. *Noise Mitigation Measure F-4* requires that the project sponsor conduct a detailed analysis of noise reduction requirements for new development including noise-sensitive uses located along streets with noise levels above 60 dBA (Ldn). The analysis must demonstrate with reasonable certainty that the California Noise Insulation Standards in Title 24 of the California Code of Regulations can be met.

Eastern Neighborhoods PEIR Noise Mitigation Measure F-5: Siting of Noise-Generating Uses would not apply to the proposed project because the project would not include commercial, industrial, or other uses that would be expected to generate noise levels in excess of ambient noise, either short term, at nighttime, or as a 24-hour average, in the project site vicinity.

Finally, *Eastern Neighborhoods PEIR Noise Mitigation Measure F-6: Open Space in Noisy Environments* would apply to the proposed project because it includes new development of a noise-sensitive use. This mitigation measure requires that open space required under the Planning Code be protected from existing ambient noise levels. 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, and implementation would also be undertaken consistent with other principles or urban design.

- **Air Quality.** The proposed project's 17 dwelling units fall below the Bay Area Air Quality Management District's (BAAQMD) construction screening levels for criteria air pollutants.⁴ Therefore, an analysis of the project's criteria air pollutant emissions is not likely to be required.

Regardless, project-related construction activities may cause wind-blown dust that could contribute particulate matter into the local atmosphere. To reduce construction dust impacts, the proposed project will be required to adhere to the dust control requirements set forth in the Construction Dust Ordinance contained in San Francisco Health Code Article 22B and San Francisco Building Code Section 106.A.3.2.6. The proposed project may also be required to prepare a Construction Dust Control Plan for review and approval by DPH, given that the lot size is greater than ½ acre.

The project site is also 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

⁴ BAAQMD, *CEQA Air Quality Guidelines*, May 2011, Chapter 3.

on modeling of air pollution, exposures, and health vulnerability from mobile, stationary, and area source emissions within San Francisco. The project proposes to construct new sensitive land uses (i.e., residential), which are subject to enhanced ventilation measures pursuant to Health Code Article 38. The project sponsor will be required to submit an Article 38 application to DPH prior to the issuance of any environmental determination. Please provide a copy of the Article 38 application with the EEA.⁵ In addition, equipment exhaust measures during construction, such as those listed in *Eastern Neighborhoods PEIR Air Quality Mitigation Measure M-AQ-G1: Construction Air Quality* will likely be required.

Equipment exhaust measures during construction will likely also be required. Please provide detailed information related to construction equipment, phasing and duration of each phase as part of 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 Greenhouse Gas Analysis Compliance Checklist.⁶ The project sponsor may be required to submit the completed table regarding project compliance with the identified regulations and provide project-level details in the discussion column. This information will be reviewed by the environmental planner during the environmental review process to determine if the project would comply with San Francisco's Greenhouse Gas Reduction Strategy. Projects that do not comply with an ordinance or regulation may be determined to be inconsistent with the Greenhouse Gas Reduction Strategy.
- **Wind.** Given that the proposed project would be less than 80 feet tall, no significant wind impacts are anticipated.
- **Shadow.** The proposed project would result in construction of a building greater than 40 feet in height. A preliminary shadow fan analysis prepared by Planning Department staff indicates that the proposed project could cast shadows on Mariposa Park. The project sponsor is therefore required to hire a qualified consultant to prepare a detailed shadow study. The consultant must submit a Shadow Study Application, which can be found on the Planning Department's website (<http://www.sf-planning.org/Modules/ShowDocument.aspx?documentid=539>). A separate fee is required. The consultant must also prepare a proposed scope of work for review and approval by Environmental Planning staff prior to preparing the analysis.
- **Geology.** Given that the project does not involve ground disturbance, no additional study of subsurface geologic conditions is required.

⁵ Refer to <http://www.sfdph.org/dph/eh/Air/default.asp> for more information.

⁶ Refer to <http://sf-planning.org/index.aspx?page=1886> for latest "Greenhouse Gas Compliance Checklist for Private Development Projects."

- **Hazardous Materials.** Given that the project does not involve ground disturbance, it would not be subject to Article 22A of the Health Code, also known as the Maher Ordinance. The Maher Ordinance, which is administered and overseen by the Department of Public Health (DPH), requires the project sponsor to retain the services of a qualified professional to prepare a Phase I Environmental Site Assessment (ESA) that meets the requirements of Health Code Section 22.A.6, which would not be required for the proposed project.

Eastern Neighborhoods EIR Hazardous Materials Mitigation Measure L-1: Hazardous Building Materials could be applicable to the proposed project. The mitigation measure requires that the project sponsor ensure that any equipment containing polychlorinated biphenyls (PCBs) or di(2-ethylhexyl) phthalate (DEPH), such as fluorescent light ballasts and any fluorescent light tubes containing mercury be removed and properly disposed of in accordance with applicable federal, state, and local laws. In addition, any other hazardous materials identified, either before or during work, must be abated according to applicable federal, state, and local laws. However, given that the existing building was constructed in 1999, materials containing asbestos or lead paint are not likely to be present.

- **Naturally Occurring Asbestos.** Given that the project does not involve ground disturbance, there is no concern about impacts that can sometimes result from disturbing soils with naturally occurring asbestos.
- **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 the *Tree Planting and Protection Checklist* with the EEA and ensure that trees are appropriately shown on site plans. Also see the comments below under "Street Trees."
- **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>.

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. A **Building Permit Application** is required for the proposed new construction on the subject property.
2. A **Variance** from Planning Code requirements for dwelling unit exposure must be sought and justified.

NEIGHBORHOOD NOTIFICATIONS AND PUBLIC OUTREACH:

Project Sponsors are encouraged, and in some cases required, 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.

Neighborhood Notification. Because the project proposes alterations which expand the exterior dimensions of a building, owners and occupants within 150 feet of the project site must be notified, in accordance with Planning Code Section 312 for building permits. Furthermore, owners within 300 feet of the proposed project must be notified of the Variance Hearing. The mailings are conducted separately, but can be done concurrently if a building permit and variance application are filed concurrently.

Noise Regulations Relating to Residential Uses Near Places of Entertainment (POE). New residential development within 300 feet of a Place of Entertainment shall go through the Entertainment Commission outreach process (Ordinance No. 070-15). In addition, new residential development will also be required to record a Notice of Special Restrictions (NSR) on the site. The subject site is located within 300 feet of an existing POE, see enclosed map. Please note that the Planning Department will not consider an application complete until the following are completed:

- (A) The Entertainment Commission has provided written notification to the Planning Department either indicating that the Entertainment Commission did not wish to hold a hearing, or that it held a hearing and the Project sponsor attended the hearing and Entertainment Commission comments are provided; and

- (B) A Project Sponsor with a residential project subject to the new Entertainment Commission outreach process has shown compliance with that process by including a copy of any comments and/or recommendations provided by the Entertainment Commission regarding the proposed Project as well as the date(s) when the those comments were provided. This shall be done as an additional sheet in any plan set submitted to the Planning Department and as an attachment in an entitlement application.

You may contact Entertainment Commission staff at (415) 554-6678 or visit their webpage at <http://www.sfgov2.org/index.aspx?page=338> for additional information regarding the outreach process.

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 to 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 mailing addresses on a CD upon request during the environmental review process.

PRELIMINARY PROJECT COMMENTS:

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

1. **Central Waterfront Plan Area.** The subject property falls within the area covered by the Central Waterfront Area Plan in the General Plan. As proposed, the project is generally consistent with the overarching objectives of the Plan, though the project and design comments below discuss any items where more information is needed to assess conformity with either specific policies or Code standards or where the project requires minor modification to achieve consistency. The project sponsor is encouraged to read the full plan, which can be viewed at:

<http://www.sf-planning.org/ftp/General Plan/Central Waterfront.htm>.
2. **Rear Yard.** Section 134 requires the project to provide a rear yard of at least 25 percent of the lot depth. The centerline lot depth is 122 feet, therefore 30.5 feet of rear yard is required. The project appears to meet the requirement.
3. **Open Space – Residential.** Planning Code Section 135 requires 80 square feet of open space (private) or 54 square feet of open space (publicly accessible) for each dwelling unit. Additionally, any such open spaces must meet the dimensional requirements of Subsections (f) and (g). A total of 1,360 or 952 square feet respectively is required for 17 dwelling units. The plans do not indicate specific dimensions for the total amount of open space provided.
4. **San Francisco Green Landscaping Ordinance.** The proposed project is subject to the San Francisco Green Landscaping Ordinance, which is described in Planning Code Section 138.1. This Planning Code section outlines a provision for adding new street trees as associated with the addition of new dwelling units. 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. Existing trees, if they were present on the project site, would apply towards the street tree requirement. A total of 22 street trees are required. No new street trees are shown on the plans.

5. **Standards for Bird Safety.** Adopted on July 14, 2011, the Standards for Bird Safe Buildings, Section 139, specify requirements for a bird safe building. Please review the standards and indicate the method of glazing treatment where applicable.
6. **Exposure.** Section 140 requires that each dwelling unit have at least one room that meets the 120-square-foot minimum superficial floor area requirement of Section 503 of the Housing Code face directly on a street right-of-way, code-complying rear yard, or an appropriately sized courtyard, generally, 25 feet by 25 feet in this case. Unit numbers 2, 3 and 4 do not face an appropriately sized courtyard as the glass enclosure reduces the open space. Therefore, the proposed project requires revision to meet the minimum exposure requirement, or you may request and justify an exposure variance through the Variance process pursuant to Planning Code Section 305. The Department generally encourages projects to minimize the number of units needing an exposure exception.
7. **Shadow Analysis.** Section 147 requires that new buildings and additions to existing buildings in C-3, South of Market Mixed Use, and Eastern Neighborhoods Mixed Use Districts that exceed 50 feet shall be shaped to reduce substantial shadow impacts on public plazas and other publicly accessible spaces other than those protected under Section 295. A preliminary shadow study was conducted by Staff in conjunction with this PPA Application, and it indicated that although the project will not cast a shadow on any park or open space protected under Planning Code Section 295, the project may cast new shadow on Mariposa Park. Therefore, a detailed shadow analysis would need to be prepared to determine if the project would create new shadow that results in an adverse impact to Mariposa Park pursuant to Section 147. If this detailed shadow analysis finds that the project would cast shadow on Mariposa Park, the sponsor should explore sculpting of portions of the project to avoid casting new shadows on the open space. See the Environmental Review section of this document.
8. **Bicycle Parking.** Planning Code Section 155.5 requires this project to provide at least 17 bicycle parking spaces. The proposed project appears to meet bicycle parking. Refer to Zoning Administrator Bulletin No. 9 for guidance on bicycle parking design and layout.
9. **Dwelling Unit Mix:** Planning Code Section 207.6 outlines the requirements for minimum dwelling unit mix for new residential properties within the UMU Zoning District. The project must provide either: no less than 40 percent of the total number of proposed dwelling units as at least two bedroom units; or no less than 30 percent of the total number of proposed dwelling units as at least three bedroom units. Currently, the project appears to meet this requirement, since it provides seven two-bedroom and one three-bedroom dwelling units, which is more than 40 percent of the total number of proposed dwelling units.
10. **Height and Height Exemptions.** The project is located in a 55-X Height District. The development as proposed appears to meet that height limit. However, pursuant to Planning Code Section 260 certain

building features are allowed above the height limit. Elevator, stair and mechanical penthouses, fire towers, skylights and dormer windows are limited to the top 10 feet of such features where the height limit is 65 feet or less. However, elevator penthouses shall be limited to the top 16 feet and limited to the footprint of the elevator shaft, regardless of the height limit of the building. These features are further limited to a total horizontal area of 20% or less. The elevations are unclear if all features meet this requirement. Please review this section and limit all features except the elevator penthouse to 10 feet. The stair and elevator penthouses are not shown on the plans.

11. Affordable Housing Requirements. This project is subject to the Affordable Housing requirements outlined in Planning Code Section 415 and 419. Please provide information, including the Department's *Inclusionary Housing Program: Affidavit for Compliance*, about how the project will meet the requirements of this program. For your information, if a project proposes rental units, it may be eligible for an On-site Alternative to the Affordable Housing Fee if it has demonstrated to the Planning Department that the affordable units are either: 1) ownership only or 2) not subject to the Costa Hawkins Rental Housing Act (a Costa Hawkins exception). Affordable units are not subject to the Costa Hawkins Rental Housing Act under the exception provided in Civil Code Sections 1954.50 through one of the following methods:

- direct financial construction from a public entity
- development bonus or other form of public assistance

A Costa Hawkins exception agreement is drafted by the City Attorney. You must state in your submittal how the project qualifies for a Costa Hawkins exception. The request should be addressed to the Director of Current Planning. If the project is deemed eligible, we may start working with the City Attorney on the agreement.

Based upon the submitted information it is unclear which program the project sponsor will elect to address this requirement. Please clarify how the proposed project would meet this requirement and submit "Inclusionary Affordable Housing Program: Affidavit of Compliance," which may be downloaded from the Planning Department's website under "Permits & Zoning" "Permit Forms."

Planning Code Section 419.3 outlines the requirement for inclusionary affordable housing as part of any housing project constructing five or more dwelling units within the UMU Zoning District. Under Planning Code Section 419.2, the project site is designated as a Tier A for the purposes of evaluating inclusionary affordable housing. Please review Section 419 regarding the various alternatives to comply with this requirement including the provision of on-site affordable housing, the provision of offsite affordable housing, or the payment of an Affordable Housing Fee.

12. Eastern Neighborhoods Impact Fees. This project is subject to the applicable fees outlined in Section 423 et seq. These fees shall be charged on applicability per the Central Waterfront Area Plan. Fees shall be assessed per net new gross square footage on residential and non-residential uses within the Plan Area. Fees shall be assessed on mixed use projects according to the gross square feet of each use in the project at the Tier 1 rate. For the most up-to-date schedule, please refer to the Department of Building Inspection (DBI) fee register: <http://sfdbi.org/index.aspx?page=617>.

The Eastern Neighborhoods Impact Fee shall be paid before the City issues a first construction document.

- 13. Option for In-Kind Provision of Community Improvements and Fee Credits.** Project sponsors may propose to directly provide community improvements to the City. In such a case, the City may enter into an In-Kind Improvements Agreement with the sponsor and issue a fee waiver for the Eastern Neighborhoods Impact Fee from the Planning Commission, for an equivalent amount to the value of the improvements. This process is further explained in Section 423.3(d) of the Planning Code.

More information on in-kind agreements can be found in the Application Packet for In-Kind Agreement on the Planning Department website. See Public Realm Improvements, below.

- 14. Wireless Telecommunication Services.** The Subject Building features an existing AT&T Mobility macro Wireless Telecommunication Services (WTS) facility. Provide an updated radio-frequency emissions report, for review by the Department of Public Health (send to Patrick.Fosdahl@sfdph.org). Ensure the RF report shows the location of antennas as well as public exclusion areas and any barricades or barriers. Also, ensure the height, location, and type of barricades or barriers are clearly shown on plans and elevations. The site is also subject to a recently issued building permit (2015.04.14.3565) to relocate some of the smaller equipment enclosures (radio relay units) to areas within an existing screen wall system. Ensure the site plans take those new locations into account. Ensure the radio-frequency emission exclusion areas are not counted toward required usable open space area requirements.

PRELIMINARY DESIGN COMMENTS:

The project is located in the Potrero Hill Neighborhood adjacent to and connected with the Dogpatch and Mission Bay Neighborhoods. The immediate area contains a more industrial use with larger institutional facilities across Mariposa. Farther to the south, across the 18th Street overpass, significant new housing development is anticipated with greater residential units and retail at the ground floor. The predominant material in the area is masonry with industrial-type windows. The following comments address preliminary design issues that may significantly impact the proposed project:

- 1. Site Design, Open Space, and Massing.** The Planning Department generally supports the project design as shown.
- 2. Street Frontage and Parking.** The Planning Department recommends that the project significantly improve the quality of the ground floor and pedestrian experience through linking the residential units to a lobby and providing streetscape improvements.
- 3. Architecture.** The Planning Department encourages the project to express its residential character through the use of materials, fine-grained texture, and residential-scaled fenestration.

PRELIMINARY PROJECT ASSESSMENT EXPIRATION:

This Preliminary Project Assessment is valid for a period of **18 months**. An Environmental, Variance or Building Permit Application, as listed above, must be submitted no later than **January 14, 2017**.

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
Place of Entertainment Proximity Map

cc: Blue Stone Investments, LLC, Property Owner
Kimberly Durandet, Current Planning
Tim Johnston, Environmental Planning
Paul Chasen, Citywide Planning and Analysis
Maia Small, Design Review
Jonas Ionin, Planning Commission Secretary
Charles Rivasplata, SFMTA
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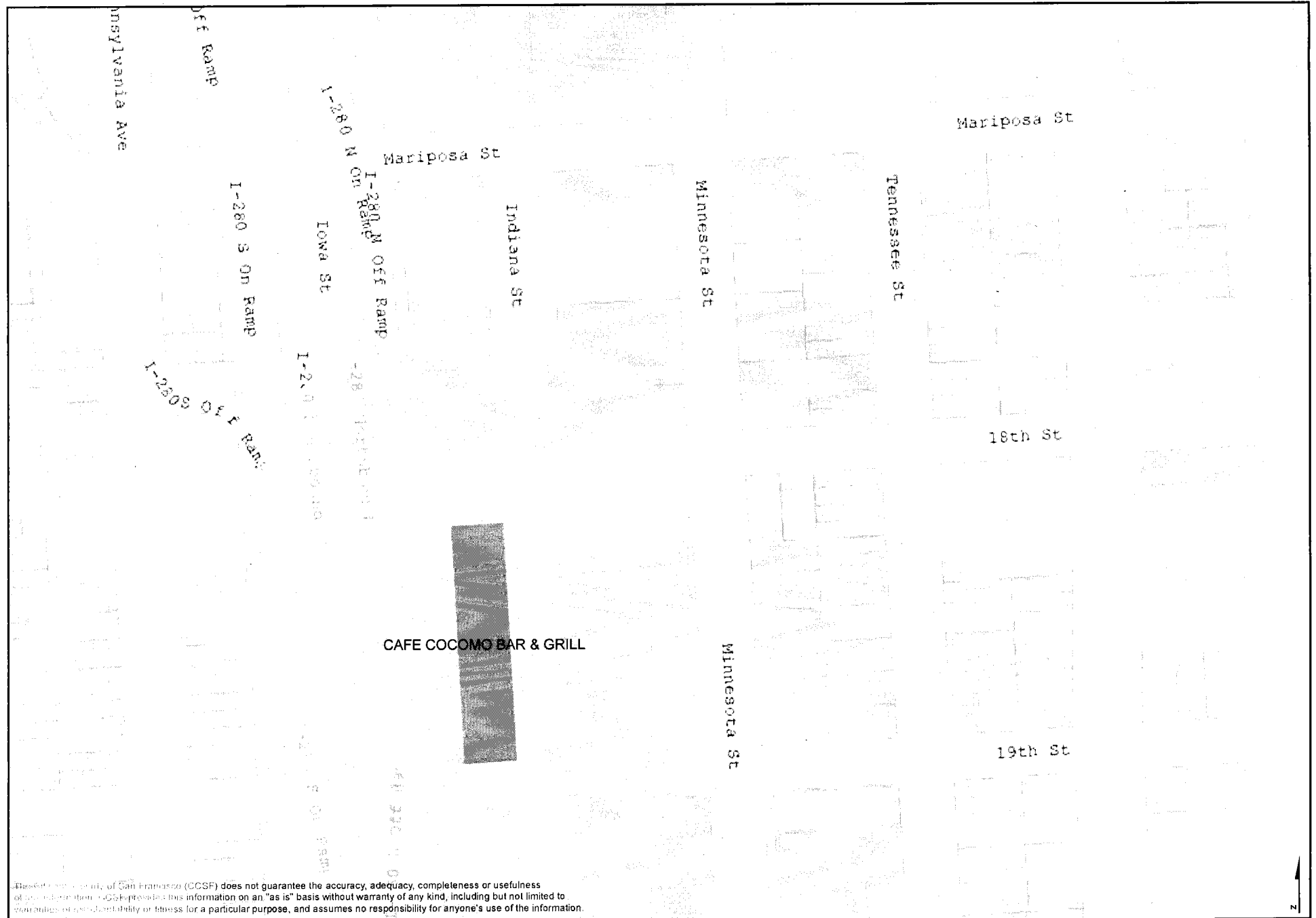
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Location within 300 feet of a Place of Entertainment.



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