



SAN FRANCISCO PLANNING DEPARTMENT

MEMO

DATE: 27 October 2015

TO: Gary Gee, Architect
98 Brady Street
SF CA 94103
415-863-8881 / ggee@garygee.com

FROM: Joshua Switzky, Planning Department

RE: PPA Case No. 2015-00996PPA for 3584 California Street

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

Reception:
415.558.6378

Fax:
415.558.6409

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415.558.6377

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: October 29, 2015
Case No.: **2015-009966PPA**
Project Address: 3584 California Street
Block/Lot: 1018/005A, 019
Zoning: NC-S - Neighborhood Commercial, Shopping Center
40-X
Area Plan: N/A
Project Sponsor: Gary Gee – 415-863-8881
ggee@garygee.com
Staff Contact: Robin.Abad@sfgov.org
robin.abad@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 July 31, 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 proposal is to merge lot 005 and a portion of lot 019 of Assessor's Block 1018 to construct a new 30,881 square-foot mixed use building with ground floor commercial and residential above the ground floor. Both lots are currently used as a surface parking lot and the new merged lot would be 9,282 square feet in area. The proposed new building would include 12 dwelling units (22,996 sf) with 11,475 sf of common space, reduce the existing parking spaces from 26 (9,281.50 sf) to 20 (4,200 sf), and add 3,690 sf

of retail space at the corner of California and Spruce streets. . The proposed new building will open space at the second floor podium and at the roof. The proposed project will also add a new curb cut off of Spruce Street.

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. EEAs 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.**

If the additional analysis outlined below indicates that the project would not have a significant effect on the environment, the project could be eligible for a Class 32 infill development categorical exemption under CEQA Guidelines Section 15332. If a Class 32 exemption is appropriate, Environmental Planning staff will prepare a Certificate of Exemption.

If it is determined that the project could result in a significant impact, an initial study would be prepared. The initial study may be prepared either by an environmental consultant from the Department's environmental consultant pool or by Department staff. Should you choose to have the initial study prepared by an environmental consultant, contact Devyani Jain at (415) 575-9051 for a list of three eligible consultants. If the initial study finds that the project would have a significant impact that could 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 (PMND). The PMND would be circulated for public review, during which time concerned parties may comment on and/or appeal the determination. If no appeal is filed, the Planning Department would issue a final mitigated negative declaration (FMND). Additional information regarding the environmental review process can be found at: <http://www.sf-planning.org/modules/showdocument.aspx?documentid=8631>.

If the initial study indicates that the project would result in a significant impact that cannot be mitigated to below a significant level, an EIR will be required. An EIR must be prepared by an environmental consultant from the Planning Department's environmental consultant pool (http://www.sfplanning.org/ftp/files/MEA/Environmental_consultant_pool.pdf). The Planning Department will provide more detail to the project sponsor regarding the EIR process should this level of environmental review be required.

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.

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

1. **Historic Resources.** The project site is a vacant lot in an area that has not been previously surveyed and is considered to be a potential historic resource; therefore, the proposed new construction is subject to review by the Department's Historic Preservation staff. The Department's Historic Preservation staff will review the proposed project and an Historic Resource Evaluation (HRE) report is not required.
2. **Archeological Resources.** The proposed project would require Preliminary Archeological Review (PAR) by a Planning Department archeologist. The Department archeologist will determine on the basis of the archeological sensitivity of the project site based on in-house source material and of potential soils disturbance/modification that may result from the project, such as, excavation, installation of foundations, soils improvement, site remediation, etc. the potential for the proposed project to affect archeological deposits. The Department archeologist will need to review any available geotechnical/soils or phase II hazardous materials report prepared for the project. In those instances where the Department archeologist determines that the project has a potential to affect an archeological resource, the PAR will state what additional measures are needed to address the potential to affect. These measures may include preparation of an archeological research design and treatment plan or implementation of one of the Planning Department three standard archeological mitigation measures (archeological testing, monitoring, accidental discovery) or other measure as deemed warranted.
3. **Tribal Cultural Resources.** Tribal cultural resources (TCRs) are a class of resource established under the California Environmental Quality Act (CEQA) in 2015. TCRs are defined as a site, feature, place, cultural landscape, sacred place or object with cultural value to a California Native American tribe, that is either included on or eligible for inclusion in the California Register of Historical Resources or a local historic register, or is a resource that the lead agency, at its discretion and supported by substantial evidence, determines is a TCR. Planning Department staff will review the proposed project to determine if it may cause an adverse effect to a TCR; this will occur in tandem with preliminary archeological review. No additional information is needed from the project sponsor at this time. Consultation with California Native American tribes regarding TCRs may be required at the request of the tribes. If staff determines that the proposed project may have a potential significant adverse impact on a TCR, mitigation measures will be identified and required. Mitigation measures may include avoidance, protection, or preservation of the TCR and development of interpretation and public education and artistic programs.
4. **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. In order to facilitate that determination, Planning staff propose the following recommendations:
 - Required bicycle parking is not shown on plans. These would need to be shown on plans upon submittal of EEA.
5. **Noise.** Based on the General Plan's Background Noise Levels map, the project site is located along a segment of California Street with noise levels above 75 dBA Ldn (a day-night averaged sound level). Therefore, an acoustical analysis is required for the proposed new mixed-use development. The acoustical analysis must demonstrate with reasonable certainty that the California Noise Insulation

Standards in Title 24 of the California Code of Regulations can be met. Should such concerns be present, the department may require the completion of a detailed noise assessment by person(s) qualified in acoustical analysis and/or engineering prior to the first project approval action, in order to demonstrate that acceptable interior noise levels consistent with those in the Title 24 standards can be attained.

Additionally, the Planning Department requires that residential open space required under the Planning Code be protected, to the maximum feasible extent, from existing ambient noise levels that could prove annoying or disruptive to users of the open space. Measures to protect required open space from noise include 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.

Construction noise would be subject to the San Francisco Noise Ordinance (Article 29 of the San Francisco Police Code), which includes restrictions on noise levels of construction equipment and hours of construction. If pile driving is to be used during the construction, measures to reduce construction noise may be required as part of the proposed project. The EEA application should indicate whether pile driving or other particularly noisy construction methods are required.

6. **Air Quality.** The proposed project at **12 dwelling units is below** the Bay Area Air Quality Management District's (BAAQMD) **construction and operational** screening levels for criteria air pollutants.² Therefore, an analysis of the project's criteria air pollutant emissions is not likely to be required. However, detailed information related to cubic yards of excavation must be provided as part of the EEA.

In addition, 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). The intent of the Ordinance is to reduce 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 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.

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 that the project site is not within an Air Pollutant Exposure Zone, additional measures or analysis related to local health risks are not likely to 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

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

off-site sensitive receptors. Detailed information related to any proposed stationary sources must be provided with the EEA.

7. **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.³ The project sponsor would not be 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.
8. **Wind.** The proposed project would not involve the construction of a building over 80 feet in height. Therefore, a consultant-prepared wind analysis, which may include wind tunnel analysis, would not be required. An official determination would be made subsequent to the submittal of the EEA.
9. **Shadow.** The proposed project would not 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 not cast shadows on any nearby properties under the jurisdiction of the San Francisco Recreation and Park Department or any property subject to Section 295 of the Planning Code. No further analysis of impacts related to shadow would be required. However, an official determination would be made subsequent to the submittal of the EEA.
10. **Geology.** The proposed project would excavation of less than 10 feet below ground surface for a sublevel stacker parking system and installation of appropriate foundations. A geotechnical study prepared by a qualified consultant must be submitted with the EEA. The study should address whether the site is subject to liquefaction, and should provide recommendations for any geotechnical concerns identified in the study. In general, compliance with the building codes would avoid the potential for significant impacts related to structural damage, ground subsidence, liquefaction, landslides, and surface settlement. To assist Planning Department staff in determining whether the project would result in environmental impacts related to geological hazards, it is recommended that you provide a copy of the geotechnical information with boring logs for the proposed project. This study will also help inform the Planning Department Archeologist of the project site's subsurface geological conditions.
11. **Hazardous Materials.** The proposed project would construct a 40-foot-tall building on an existing vacant lot, used for surface parking. Therefore, the project may be subject to Article 22A of the Health Code, also known as the Maher Ordinance. The Maher Ordinance, which is administered and

³ Refer to <http://sf-planning.org/index.aspx?page=1886> for latest "Greenhouse Gas Compliance Checklist for Private Development Projects."

overseen by the Department of Public Health (DPH), requires the project sponsor to retain the services of a qualified professional to prepare a Phase I Environmental Site Assessment (ESA) that meets the requirements of Health Code Section 22.A.6. The Phase I ESA would determine the potential for site contamination and level of exposure risk associated with the project. Based on that information, soil and/or groundwater sampling and analysis, as well as remediation of any site contamination, may be required. These steps are required to be completed prior to the issuance of any building permit.

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

12. **Tree Planting and Protection.** The Department of Public Works Code Section 8.02-8.11 requires disclosure and protection of landmark, significant, and street trees located on private and public property. Any such trees must be shown on the site plans with the size of the trunk diameter, tree height, and accurate canopy drip line. Please submit 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."
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 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 **Lot Line Adjustment** approval from the Department of Public Works (DPW) is required for the proposed lot reconfiguration.
3. **Variance** requests from Planning Code Sections 145.1 (street frontage) and 155.1 (bicycle parking) are required for the proposed project.
4. **Conditional Use Authorization** from the Planning Commission is required per Planning Code Section 713.95 for Community Residential Parking exceeding the maximum permitted accessory parking.

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.

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. **Affordable Housing Bonus Program.** The City of San Francisco is in the process of developing a program that would offer a local mechanism to implement the State Density Bonus law (Government Code Section No. 65915) and is currently considering additional program options, including a component which offers density and development incentives for provision of middle income housing. This parcel is located within the proposed program study area, and the proposed project could receive density and other development incentives commensurate with provision of on-site affordable housing if consistent with the rules of the proposed program. Please refer to the Affordable Housing Bonus Program website (www.sf-planning.org/AHBP) for the latest information on the program, draft legislation, proposed schedule, and related.
2. **Plan Information.** Please be sure to include plans for each level of development, including a roof plan.
3. **Open Space.** The proposed project is required to provide 100 square feet of private useable open space for each unit, for a total of 1,200 square feet, or 1,596 square feet of common useable open space per Planning Code Sections 135 and 713.93. Please note that all qualified common useable open space shall be at least 15 feet in every horizontal direction.
4. **Permitted Obstructions.** Planning Code Section 136 permits certain features to project over the street and required yards and setback areas. Some of the proposed projections do not appear to qualify as a permitted obstruction.
 - a. The proposed bay windows must comply with Section 136(c)(2) in its entirety, including:
 - i. Providing a minimum vertical clearance from the sidewalk of 7 ½ feet.
 - ii. The glass areas of each bay window shall be not less than 50 percent of the sum of the areas of the vertical surfaces of such bay window above the required open area. At least 1/3 of such required glass area of such bay window shall be on one or more vertical surfaces situated at an angle of not less than 30 degrees to the line establishing the required open area. In addition, at least 1/3 of such required glass area or open portions shall be on the vertical surface parallel to, or most nearly parallel to, the line establishing each open area over which the bay window or balcony projects.
 - iii. The maximum length of each bay window shall be 15 feet at the line establishing the required open area, and shall be reduced in proportion to the distance from such line by means of 45 degree angles drawn inward from the ends of such 15-foot dimension, reaching a maximum of nine feet along a line parallel to and at a distance of three feet from the line establishing the required open area.
 - b. The aggregate width of the bay windows exceeds 2/3 of the total width of the lot on both the California and Spruce Street facades. Per Section 136(c)(3)(D), the aggregate length of all bay windows and balconies projecting into required open areas shall be no more than 2/3 the buildable length of a street side building wall. Please revise to comply.
5. **Active Street Frontage.** Planning Code Section 145.1 requires the ground floor to be developed to encourage an active street frontage. The proposed Spruce Street frontage does not comply as

proposed and would require a variance. Alternatively, please revise the project to comply as referenced below:

- a. Please set back the above-grade parking a minimum of 25 feet from the property line.
 - b. Please provide an active use along the Spruce Street frontage within the first 25 feet of the ground floor.
6. **Street Trees.** Planning Code Section 138.1(c)(1) requires one street tree for every 20 feet of frontage for new construction, for a total of 10 required trees. As of August 14, 2015, the Department of Public Works (DPW) is now the lead agency for street tree requirements and will oversee the review of street tree applications.
 7. **Parking.** Per Section 151(c) of the Planning Code, the maximum parking permitted as accessory for this site is 150% of the required 12 spaces (1 space per unit), for a total of 18 spaces. The project proposes a total of 20 spaces for 12 units, exceeding the permissible limit by 2 spaces. Please revise to comply or, alternatively, apply for a Conditional Use Authorization to permit the two additional parking spaces as Community Residential Parking per Sections 790.10 and 713.95 of the Planning Code. The Department encourages reduction of parking.
 8. **Bicycle Parking.** Planning Code Section 155.5 requires this project to provide at least 12 Class 1 bicycle parking spaces and 3 Class 2 Bicycle parking spaces. The proposed project contains no bicycle parking. Please revise to comply or, alternatively, submit and justify for a bicycle parking variance.
 9. **Unbundle Parking.** Please note that Planning Code Section 167 requires the cost of parking be separated from the cost of housing in new residential buildings with 10 or more dwelling units.
 10. **Building Height.** Planning Code Sections 260 and 713.10 allows the subject property to be developed to 40 feet in height. The proposed project appears to exceed the building height limit at the California Street facade. Please revise to comply.
 11. **First Source Hiring Agreement.** A First Source Hiring Agreement is required for any project proposing to construct 25,000 gross square feet or more. For more information, please contact:

Ken Nim, Workforce Compliance Officer
CityBuild, Office of Economic and Workforce Development
City and County of San Francisco
50 Van Ness Avenue, San Francisco, CA 94102
(415) 581-2303

12. **Inclusionary Affordable Housing.** Inclusionary Affordable Housing is required for a project proposing ten or more dwelling units. The Project Sponsor must submit an 'Affidavit of Compliance with the Inclusionary Affordable Housing Program: Planning Code Section 415,' to the Planning Department identifying the method of compliance, on-site, off-site, or affordable housing fee. Any on-site affordable dwelling-units proposed as part of the project must be designated as owner-occupied units, not rental units; unless a Costa Hawkins agreement is possible. Affordable units

designated as on-site units shall be sold as ownership units and will remain as ownership units for the life of the project. The minimum Affordable Housing Percentages are 20% affordable housing fee, 12% on-site, or 20% off-site. Therefore, as proposed, the project would have a minimum requirement of 1 unit if provided on-site, and 2 units if provided off-site.

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.

13. **Stormwater.** If the project results in a ground surface disturbance of 5,000 sf or greater, it is subject to San Francisco's stormwater management requirements as outlined in the Stormwater Management Ordinance and the corresponding SFPUC Stormwater Design Guidelines (Guidelines). Projects that trigger the stormwater management requirements must prepare a Stormwater Control Plan demonstrating project adherence to the performance measures outlined in the Guidelines including:
(a) reduction in *total volume* and *peak flow rate* of stormwater for areas in combined sewer systems OR
(b) *stormwater treatment* for areas in separate sewer systems. The SFPUC Wastewater Enterprise, Urban Watershed Management Program is responsible for review and approval of the Stormwater Control Plan. 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. To view the Stormwater Management Ordinance, the Stormwater Design Guidelines, or download instructions for the Stormwater Control Plan, go to <http://sfwater.org/sdg>. Applicants may contact stormwaterreview@sfwater.org for assistance.
14. **Recycled Water.** Projects located in San Francisco's designated recycled water use areas are required to install recycled water systems for irrigation, cooling, and/or toilet and urinal flushing in accordance with the Recycled (or Reclaimed) Water Use Ordinance, adopted as Article 22 of the San Francisco Public Works Code. New construction or major alterations with a total cumulative area of 40,000 square feet or more; any new, modified, or existing irrigated areas of 10,000 square feet or more; and all subdivisions are required to comply. To determine if the proposed project is in a designated recycled water use area, and for more information about the recycled water requirements, please visit sfwater.org/index.aspx?page=687.
15. **Impact Fees.** This project will be subject to various impact fees. Please refer to the Planning Director's Bulletin No. 1 for an overview of Development Impact Fees, and to the Department of Building Inspection's Development Impact Fee webpage for more information about current rates.

Based on an initial review of the proposed project, the following impact fees, which are assessed by the Planning Department, will be required:

- a. Transit Impact Development Fee (TIDF)
- b. Jobs-Housing Linkage (413)
- c. Affordable Housing Fee (415)
- d. Public Art (429)
- e. Bicycle Parking Fee (430)

PRELIMINARY DESIGN COMMENTS:

The following comments address preliminary design issues that may substantially affect the proposed project:

1. **Site Design, Open Space and Massing.** To augment building modulation to fit better with the context, the Planning Department suggests stepping the massing so that the ground floor is not buried into the hillside, and results in three distinct building modules along Spruce. These modules should also step with the topography.
2. **Street Frontage.** Parking within the first 25' depth of building is not permitted by the Planning Code. The Planning Department recommends residential units that conform to the Draft Ground Floor Residential Design Guidelines along Spruce to provide active ground floor use.
3. **Architecture.** The Planning Department would support the overall design direction if it is done with high-quality materials and detailing. The project should fully express elements characteristic of this vernacular style of architecture including railings, fixtures, molding and fenestration ornament, etc. More detailed review will follow upon revised and more appropriately detailed drawings.

PRELIMINARY PROJECT ASSESSMENT EXPIRATION:

This Preliminary Project Assessment is valid for a period of **18 months**. An **Environmental Evaluation Application (EEA)**, **Building Permit Application**, **A Lot Line Adjustment**, **Variance** requests from Planning Code Sections 145.1 (street frontage) and 155.1 (bicycle parking), and **Conditional Use Authorization**, as listed above, must be submitted no later than **October 29, 2015**. Otherwise, this determination is considered expired and a new Preliminary Project Assessment is required. Such applications and plans must be generally consistent with those found in this Preliminary Project Assessment.

cc: Steven & Pamela Pasquan, Joe & Beverly Giralido, Property Owners
Alexandra Kirby, Current Planning
Christopher Espiritu, Environmental Planning
Robin Abad, Citywide Planning and Analysis
Jonas Ionin, Planning Commission Secretary
Charles Rivasplata, SFMTA
Jerry Sanguinetti, Public Works
Pauline Perkins, SFPUC
Planning Department Webmaster (planning.webmaster@sfgov.org)