



# SAN FRANCISCO PLANNING DEPARTMENT

**MEMO**

**DATE:** May 27, 2016  
**TO:** Gary Gee  
**FROM:** Chris Kern, Planning Department  
**RE:** PPA Case No. 2015-009973PPA for 1001 Quintara Street

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

Reception:  
**415.558.6378**

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Please find the attached Preliminary Project Assessment (PPA) for the address listed above. You may contact the staff contact, Debra Dwyer, at (415) 575-9031 or [debra.dwyer@sfgov.org](mailto:debra.dwyer@sfgov.org), to answer any questions you may have, or to schedule a follow-up meeting.

A handwritten signature in black ink, appearing to be "Chris Kern", written over a horizontal line.

Chris Kern, Senior Planner



# SAN FRANCISCO PLANNING DEPARTMENT

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## Preliminary Project Assessment

*Date:* May 27, 2016  
*Case No.:* 2015.009973PPA  
*Project Address:* 1001 Quintara Street and 2195 and 2121 19<sup>th</sup> Avenue  
*Block/Lots:* 2198/001, 031, 033, 034, and 037  
*Zoning:* RH-1 (Residential-House, One Family) and  
RH-2 (Residential-House, Two Family)  
Scenic Streets Special Sign District (SSD)  
40-X  
*Area Plan:* n/a  
*Project Sponsor:* Gary Gee, Gary Gee Architects, Inc.  
415-863-8881  
*Staff Contact:* Debra Dwyer – 415-575-9031  
Debra.Dwyer@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 with plans dated December 9, 2014, as summarized below ("Proposed Project"). In addition, since the proposed project seeks to utilize the California State Housing Density Bonus Program as described in Government Code Sections 65915 through 65918, the project sponsor has submitted the required base design scheme in a project description and plans dated February 26, 2016 ("Base Design Scheme"). This PPA letter identifies Planning Department Environmental Planning Division review requirements for the Proposed Project. The PPA letter also identifies Planning Department review requirements for the Proposed Project, related to approvals, neighborhood notification and public outreach, the Planning Code, project design, and other general issues of concern for the project. In addition, the Base Design Scheme is described and information regarding the Department's understanding with respect to applicability of the State Housing Density Bonus Program is provided. 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.

The PPA application indicates that the project sponsor intends to seek an affordable housing density bonus. Unless otherwise stated, the comments in this PPA letter address the higher density Proposed Project, which seeks a Planned Unit Development (PUD). Please see the information in the Preliminary Project Comments section of this letter regarding the applicability of the state housing density bonus program. Higher density on the project site than that allowed under the current zoning may be achieved through a PUD process subject to provisions in the Planning Code, including height and legislated setback requirements, and without application of the state housing density bonus program.

## **PROJECT DESCRIPTION:**

### **Proposed Project**

The project site consists of five lots, 001, 031, 033, 034, and 037, on Assessor's Block 2198 at the southwest corner of the intersection of Quintara Street and 19<sup>th</sup> Avenue. Lot 001 is a 6,000-square-foot (-sf) lot which is mostly vacant but contains a small flower stand at the northeast corner of the parcel. Lot 031 is a 5,998-sf vacant lot fronting on Quintara Street and is adjacent to and immediately west of Lot 001. Lots 033, 034, and 037 front on 19<sup>th</sup> Avenue. Lot 033 is a 13,438-sf lot with a two-story, 10,800-sf office building constructed in 1958, and Lot 034 is 13,207-sf lot with a two-story, 10,800-sf office building constructed in 1959. Both lots currently provide surface parking at the rear of the lots with a total of 62 parking spaces. Lot 037 is a 6,426-sf vacant lot that is currently used for parking located immediately north of lot 033.

The proposed project would merge the five lots into one approximately 45,250-sf lot. The two office buildings and rear parking lots would remain in their current uses. Access for these buildings and parking would remain the same as under existing conditions. However, fifteen of the existing surface parking spaces would be removed. The proposed project consists of the new construction of a mixed-use building on lots 001, 031 and 037. The new four-story residential building would be approximately 40 feet and 8.5 inches tall and contain 42 dwelling units, 42 bicycle parking spaces, and a 615-sf ground floor retail space for the existing flower stand to remain. There is a discrepancy between the number of parking spaces to be retained as stated on the PPA application (96) and what is shown on the project plans, which indicate 56 parking spaces. Residential access for the new building would be from Quintara Street. In addition, the ground floor parking garage would be accessed from a new 11-foot wide curb cut on Quintara Street. Common open space for the residents would be provided in a 1,720-sf courtyard at the second floor as well as in a 3,559-sf roof deck. The dwelling units would be rental units. The excavation required for the new construction would be less than 10 feet in depth. It is unclear how much soil in cubic yards would be excavated.

The project sponsor would request that the SFMTA relocate the existing bus shelter on the west side of 19<sup>th</sup> Avenue at Quintara Street to a location further north on 19<sup>th</sup> Avenue from its existing location.

### **Base Design Scheme**

The project site consists of three lots (Lots 001, 031, and 037) located at the corner of Quintara Street and 19<sup>th</sup> Avenue on Assessor's Block 2198. Lot 001 is a 6,000-square-foot (-sf) lot which is mostly vacant but contains a small flower stand at the northeast corner of the site at the intersection of Quintara Street and 19<sup>th</sup> Avenue. Lot 037 is a 6,426-sf vacant lot that fronts on 19<sup>th</sup> Avenue and is currently used for parking. Lot 031 is a 5,998-sf vacant lot fronting on Quintara Street and is west of Lot 037.

The base design scheme would subdivide each lot into two lots as described in Table 1 below. It would result in the new construction of four two-unit buildings and two single family homes for a total of 10 dwelling units. The two single-family homes would front on Quintara Street. Each of these homes would be 21 feet tall, would include four bedrooms, and would have a ground floor garage with two parking spaces. All of the garages would be accessed from new 10-foot wide curb cuts; four curb cuts would be located on Quintara Street and two would be located on 19<sup>th</sup> Avenue. The two single-family homes would be within the RH-1 District and would include a 25-foot rear yard. One of the single-family homes would include a 4.5 foot front setback and the other would include a 2.25-foot front setback.

**Table 1. Description of Lot Subdivision under the Base Design Scheme**

Original lot and size	New lot size	Zoning	Dwelling Units	Height (Stories)	Vehicle Parking	Address	Setback
Lot 001 60' x 100'	25' x 100' lot	RH-2	2	40 feet (4)	2	1005 – 1007 Quintara Street	
	35' x 100' lot	RH-2	2	40 feet (4)	2	1001 – 1003 Quintara Street	10-foot setback along 19 <sup>th</sup> Avenue property line (side)
Lot 031 60' x 100'	30' x 100' lot	RH-1	1	21 feet (2)	2	1009 Quintara Street	
	30' x 100' lot	RH-1	1	21 feet (2)	2	1015 Quintara Street	
Lot 027 55' x 120'	27.5' x 120' lot	RH-2	2	40 feet (4)	2	2101 – 2103 19 <sup>th</sup> Avenue	10-foot front setback from 19 <sup>th</sup> Avenue
	27.5' x 120' lot	RH-2	2	40 feet (4)	2	2105 - 2107 19 <sup>th</sup> Avenue	10-foot front setback from 19 <sup>th</sup> Avenue

Each of the four two-unit buildings would be 40 feet tall. Two of these buildings would front on 19<sup>th</sup> Avenue and include 10-foot front setbacks, and two would front on Quintara Street with front setbacks of 1.875 feet and 7 inches, respectively. Each two-unit building would have a ground floor garage with two parking spaces, and each unit would include four bedrooms. The four two-unit buildings would be within the RH-2 district. The two two-unit buildings fronting on 19<sup>th</sup> Avenue would each provide 1,485-sf rear yards with dimensions of 27.5 feet by 54 feet. The two two-unit buildings fronting on Quintara Street would provide rear yards with the following dimensions, 35 feet by 40.125 feet and 25 feet by 35 feet, respectively.

The project sponsor would request that the SFMTA relocate the existing bus shelter on the west side of 19<sup>th</sup> Avenue to a location further north on 19<sup>th</sup> Avenue from its existing location.

**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](http://www.sfplanning.org) under the "Publications" tab. See "Environmental Applications" on page 2 of the current Fee Schedule for calculation of environmental application fees.<sup>1</sup> **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 Proposed 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 environmental 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](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 Proposed Project as it is proposed in the PPA application.

1. **Historic Resources.** 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](mailto:tina.tam@sfgov.org)) for a list of three consultants from which to choose. Please contact the HRE scoping team at [HRE@sfgov.org](mailto:HRE@sfgov.org) to arrange the HRE scoping. Following an approved scope, the

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

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. The HRE should be submitted directly to the Department and copied to the project sponsor. Project sponsors should not receive and/or review advance drafts of consultant reports per the Environmental Review Guidelines. Historic Preservation staff will not begin reviewing your project until a complete draft HRE is received.

The project description does not clarify if the office buildings on the project site would be altered as part of the Proposed Project. If these buildings are not altered and the construction is limited to the adjacent vacant lot, then preservation review will be limited as follows. 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 a Historic Resource Evaluation (HRE) report would not be required.

2. **Archeological Resources.** The Proposed Project will require Preliminary Archeological Review (PAR) by a Planning Department archeologist. To aid this review the Department archeologist may request a Preliminary Archeological Sensitivity Assessment (PASS) by a Department Qualified Archeological Consultant, subject to the review and approval by the Department archeologist. The Department archeologist will provide three names from the Qualified Archeological Consultant list if the PASS is required. The PAR will assess the archeological sensitivity of the project site based on in-house source material and will consider the potential for archeological impacts resulting from proposed soils disturbance. Please provide detailed information, including sections, proposed soils-disturbing activities, such as grading, excavation, installation of foundations, soils improvement, and site remediation in the EEA, and submit any available geotechnical/soils or phase II hazardous materials reports prepared for the project to assist in this review. If the Department archeologist determines that the project has a potential to adversely affect archeological resources, the PAR will identify additional measures needed to address the potential effect. These measures may include preparation of an archeological research design and treatment plan, implementation of one of the Planning Department's three standard archeological mitigation measures (archeological testing, monitoring, or accidental discovery), or other appropriate measures.
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 Planning Department's Transportation Impact Analysis Guidelines for Environmental Review,<sup>2</sup> the Proposed Project would require additional transportation analysis to determine whether the project may result in a significant impact. Therefore, the Planning Department requires that a consultant listed in the Planning Department's Transportation Consultant Pool prepare a Transportation Technical Memorandum (Transportation Memorandum) focusing on site access and safety due to the Proposed Project's location along 19<sup>th</sup> Avenue. You will be required to pay Planning Department staff time and materials fees for review of the Transportation Memorandum; please contact Virnaliza Byrd at (415) 575-9025 to arrange payment. Once you pay the fees, contact Manoj Madhavan at (415) 575-9095 or [manoj.madhavan@sfgov.org](mailto:manoj.madhavan@sfgov.org) so that he can provide you with a list of three consultants from the pre-qualified Transportation Consultant Pool. Upon selection of a transportation consultant, the Department will assign a transportation planner who will direct the scope of the consultant-prepared memorandum.

The plans submitted for environmental review and entitlements should provide the following information. A site plan that better shows existing conditions is needed. In particular, please indicate existing sidewalk widths as well as existing uses. Please describe existing and proposed ingress and egress for the existing parking on the five parcels. The plans should also indicate proposed sidewalk widths. Lots 031 and 037 with the existing office buildings and surface parking should be shown on the site plan since they are part of the Proposed Project.

Additionally, the Proposed Project is located on a high injury corridor as mapped by Vision Zero.<sup>3</sup> Planning staff have reviewed the proposed site plan and offer the following recommendations, some of which address the safety of persons walking and bicycling to and from the project site and vicinity:

- Consider reducing the parking supply.
- Consider trash pick-up on Quintara Street instead of 19<sup>th</sup> Avenue.
- Coordinate with Gail Stein at the SFMTA regarding the proposed bus shelter relocation on 19<sup>th</sup> Avenue. Her contact information is (415) 701-4327 or [Gail.Stein@sfmta.com](mailto:Gail.Stein@sfmta.com).

#### Transportation Demand Management Program

On April 28, 2016, the Planning Commission adopted a resolution to initiate Planning Code amendments that would require development projects to comply with a proposed Travel Demand Management (TDM) Program. The intent of the proposed TDM Program is to reduce vehicle miles traveled (VMT) and to make it easier for people to get around by sustainable travel modes such as transit, walking, and biking.

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<sup>2</sup> This document is available at: <http://www.sf-planning.org/index.aspx?page=1886>.

<sup>3</sup> This document is available at: <http://www.sfmta.com/sites/default/files/projects/2015/vision-zero-san-francisco.pdf>.

Under the proposed TDM Program, land uses are grouped into four categories, A through D. For each land use category that is subject to the TDM Program, the City would set a target based on the number of accessory vehicle parking spaces that the project intends to provide for that land use category. To meet each target, the project sponsor must select TDM measures—each worth a specified number of points—from a menu of options. In general, if a project sponsor proposes more parking, the target for that land use category—and thus, the number of TDM measures that the sponsor must implement to meet it—would increase. Some of the TDM measures included in the menu are already required by the Planning Code. Points earned from implementing these measures would be applied towards achieving a project's target(s). Project sponsors would be required to implement and maintain TDM measures for the life of the project.

The Proposed Project includes more than 10 dwelling units and would thus be subject to the proposed TDM Program. The Proposed Project would include parking for the proposed residential use would therefore be required to meet or exceed the base target of 17 points for land use Category C, residential. In addition, the project may be subject to an additional target for the accessory parking to serve the existing office use.

The Planning Code would currently require the project, as described in the PPA, to provide the following TDM measures:

- Bicycle Parking (Planning Code Section 155.2; TDM Menu ACTIVE-2 – option a)
- Parking unbundling (Planning Code Section 167; TDM Menu PKG-1)

You may be required to select additional TDM measures to meet the target listed above. A full list of the TDM measures included in the menu of options is available on this [website](#). When an environmental planner is assigned, he or she will update you regarding the proposed TDM Program and next steps.

5. **Noise.** 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. **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.<sup>4</sup> 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

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<sup>4</sup> Refer to <http://sf-planning.org/index.aspx?page=1886> for latest "Greenhouse Gas Compliance Checklist for Private Development Projects."



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.

7. **Geology.** Portions of the project site have a slope greater than 20 percent. A geotechnical study prepared by a qualified consultant must be submitted with the EEA. The study 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 Proposed 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 project. This study will also help inform the Planning Department Archeologist of the project site's subsurface geological conditions.
8. **Hazardous Materials.** The proposed project would introduce a residential use to a site where the use history is unknown, and which is located across the street from an auto service center. 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 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 Proposed 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: [https://www.sfdph.org/dph/files/EHSdocs/ehsForms/FormsChemHz/Maher\\_app.pdf](https://www.sfdph.org/dph/files/EHSdocs/ehsForms/FormsChemHz/Maher_app.pdf). Fees for DPH review and oversight of projects subject to the ordinance would apply. Please refer to DPH's fee schedule, available at: <https://www.sfdph.org/dph/EH/Fees.asp>. Please provide a copy of the submitted Maher Application and Phase I ESA with the EEA.

9. **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."
10. **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 Proposed Project requires the following Planning Department approvals. These approvals may be reviewed in conjunction with the required environmental review, but may not be granted until after the required environmental review is completed.

1. A **Building Permit Application** is required for the proposed new construction on the subject property.
2. A **Conditional Use Authorization** for a Planned Unit Development is required to proceed.

#### PRELIMINARY PROJECT COMMENTS:

1. **Legislative Setbacks.** Along 19<sup>th</sup> Avenue for the parcels referenced in the Planned Unit Development (PUD) in the Proposed Project, there is a legislated setback of nine (9) feet pursuant to Section 131. Section 136 outlines permitted obstructions within the legislated setback area. The proposed building footprint within the legislative setback is not Code-compliant. Requesting to build within the Legislated Setback area as in the proposal submitted with this PPA would require legislative action by the Board of Supervisors.
2. **State Density Bonus Law for Affordable Housing.** The proposed project seeks to take advantage of the State Density Bonus Law (Government Code Section No. 65915), under which project sponsors are entitled to increase the development capacity of a project by up to 35% in exchange for providing on-site affordable housing units. Under the law, the additional density provided is in addition to what would be allowed by an equivalent project that is Code-complying.

The City finds that the State Density Bonus Law cannot be applied to a Planned Unit Development (PUD) as requested in the Proposed Project, since a PUD is itself a discretionary increase in density granted by the Planning Commission above what is allowed as-of-right under current zoning. However, the state law may be applied on the Base Design Scheme, which reflects the allowable Code-complying density.

The Base Design Scheme consists of subdividing three lots into six lots and constructing four two-unit buildings and two single family homes on six lots, for a total of 10 units. No information is provided in the PPA application regarding the amount of affordable housing that would be provided. Assuming that the project applies for an affordable unit percentage in order to achieve the maximum 35% density bonus, this would allow for a maximum of 14 units on site, or four units more than the Code-compliant proposal.

3. **Planned Unit Development.** Development of lots that have an area of not less than ½ acre qualify for authorization as a Planned Unit Development (PUD) pursuant to Section 304 of the Planning Code. The subject property measures approximately 44,979-square-feet<sup>5</sup> which exceeds the minimum amount of area needed for these purposes. The objective of the PUD process is to allow well-reasoned modifications to certain Code provisions for sites of considerable size that are developed as integrated units and designed to produce a desirable development which will benefit the occupants, the neighborhood and the City as a whole. Therefore, if the project requires any modifications to Code provisions described below, these can be achieved through the PUD process where possible, pursuant to Section 304, as well as through a Conditional Use Authorization (Section 303).
- a) **Integration of Lots:** If a PUD is proposed, please provide information on how the office building component will be integrated into the project through architectural improvements, or other means.
  - b) **Rear Yard.** Pursuant to Section 134 of the Planning Code, for the parcel zoned RH-1 the minimum rear yard depth shall be equal to 25 percent of the total depth of the lot or 15 feet, whichever is greater, on which the building is situated at grade level and at each succeeding level or story of the building. Pursuant to Section 134 of the Planning Code, for the parcels zoned RH-2 the minimum rear yard depth shall be equal to 45 percent of the total depth of the lot. The location of the forward edge of the required rear yard line shall be expressed parallel to the rear property line. For the parcels zoned RH-2, this rear yard requirement can be reduced to a requirement of 25% of total depth based upon the adjacent parcel which is vacant and can be assumed to have 75% lot coverage. Development is permitted below grade within the required rear yard but not within the rear 15 feet of lot depth.
    - **PUD Exception:** As proposed, the project would require an exception from this section of the Planning Code, and an exception can be requested through the PUD process. The building footprint and massing, which includes the shape of the rear yard, should incorporate urban design comments included in this letter when seeking exceptions through the PUD process.
  - c) **Front Setback.** Pursuant to Section 132 of the Planning Code, a minimum front setback area shall apply at the designated front. The required front setback for the subject lot shall be equal to ½ the front setback of the adjacent building. Within Section 132 are requirements for minimum landscaping and permeability; plan submittals should indicate details about the Proposed Project's compliance with these requirements.
    - **PUD Exception:** Based on review of the drawings for height measurement, it appears that the Quintara Street elevation is the designated front of the Proposed Project. Upon submittal of a project, ensure that there is clarity about the front and front

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<sup>5</sup> Per the Assessor's Parcel Map

setback area. It is unclear if the Proposed Project is in compliance with this requirement. You can seek an exception from this requirement through the PUD process.

d) **Dwelling Unit Density.**

- **PUD Exception:** The maximum permitted dwelling unit density ratio varies due to split zoning on the lots proposed for merger. A portion of the project site proposed for merger is zoned RH-1 (approximately 5,998-sf), which would permit three dwelling units under the PUD process. The remaining area is zoned RH-2 (approximately 6,000-sf), which would permit 38 dwelling units under the PUD process. The maximum permitted dwelling unit density with authorization as a PUD would be **41 dwelling units**.

e) **Open Space.** Section 135 of the Planning Code requires minimum amounts of private and/or common open space per number of dwelling units. In addition to the minimum area requirements, usable open space must 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 do not exceed a 5% slope. Any space credited as private usable open space shall have a minimum horizontal dimension of six feet and a minimum area of 36-sf if located on a deck, balcony, porch or roof, and shall have a minimum horizontal dimension of 10 feet and a minimum area of 100-sf if located on open ground, a terrace or the surface of an inner or outer court. Any space credited as common usable open space shall be at least 15 feet in every horizontal dimension and shall have a minimum area of 300-sf. Usable open space must also meet the exposure requirement. To meet the exposure requirement, usable open space must either face a street, or be within a rear yard, or face or be within some other space which at the level of the private usable open space meets the minimum dimension and area requirements for common usable open space. Open space located within a courtyard may be credited if it is not less than 20 feet in every horizontal dimension and 400-sf in area; and if the height of the walls and projections above the court on at least three sides (or 75 percent of the perimeter, whichever is greater) is such that no point on any such wall or projection is higher than one foot for each foot that such point is horizontally distant from the opposite side of the clear space in the court.

- **PUD Exception.** For units in RH-1 zoning, the requirements for private open space are 300-sf for each dwelling unit, or a ratio of 1.33 common usable open space may be substituted for private open space. For units in RH-2 zoning, the requirement for private open space are 125-sf for each dwelling unit, or a ratio of 1.33 common usable open space may be substituted for private open space. It is unclear if the Proposed Project is meeting the square footage and dimensional requirements regarding open space.

f) **Dwelling Unit Exposure.** Section 140 of the Planning Code requires that each dwelling unit have at least one room that meets the 120-sf minimum superficial floor area requirement of Section 503 of the Housing Code, and which faces directly on a street right-of-way, Code-complying rear yard, or an appropriately sized courtyard. Courtyards must be at least 25 feet in every horizontal dimension for the floor at which the dwelling unit in question is located

and the floor immediately above it, with an increase in five feet in every horizontal dimension at each subsequent floor.

- **PUD Exception:** It is unclear from the plans submitted whether some of the proposed dwelling units comply with this requirement. Some dwelling units appear to meet the requirement by facing directly onto a street, and some face onto an interior court. At the fourth level, it is unclear if the interior court meets the dimensional requirements of open space for dwelling unit exposure as outlined in Planning Code Section 140. Future submittals should ensure that dimensional requirements are further illustrated in plan and section, including Section 136 exemptions. You can seek an exception from this requirement through the PUD process; however, the Department encourages projects to reduce the number of units that require exceptions for dwelling unit exposure.
4. **Height (Section 260).** Modifications to Section 260 are not permitted through the PUD process. As noted above, it appears that height is being measured from Quintara Street. Height measurements for the RH-1 and RH-2 zoning districts vary with regards to maximum height measurement at the property line/required front setback. In the Proposed Project plans submitted, these height restrictions are exceeded. In subsequent submittals, please accurately indicate how the Proposed Project would meet the requirements of Section 260 in the Section drawings. Due to the split zoning in the project site, this project may require several Sections to illustrate compliance with Section 260.
5. **General Plan Compliance.** The proposed project is seeking the following exceptions from height and setback requirements, which would require legislative amendments: 1) the nine-foot setback on 19<sup>th</sup> Avenue, 2) the 40-foot height requirement; and, 3) the 10-foot setback required above 30 feet in height. These exceptions would be inconsistent with the following policies in the San Francisco General Plan as noted in the comments provided below:

#### TRANSPORTATION ELEMENT

##### OBJECTIVE 18

ESTABLISH A STREET HIERARCHY SYSTEM IN WHICH THE FUNCTION AND DESIGN OF EACH STREET ARE CONSISTENT WITH THE CHARACTER AND USE OF ADJACENT LAND.

##### *TABLE 3: GUIDE TO THE VEHICLE CIRCULATION PLAN: Nineteenth Avenue*

This heavily trafficked street should be landscaped as a parkway with the same capacity. Simultaneous measures should be taken to maintain the low levels of through traffic on parallel streets.

*Comment: The Proposed Project is inconsistent with the General Plan, as it would reduce landscaping on 19<sup>th</sup> Avenue by filling in the required setback. The legislated setback was established to maintain a consistent character on key city streets, as well as to improve pedestrian safety and provide a sense of relief from the heavy traffic on this state highway. Eliminating the setback would be inconsistent with the Better Streets Plan and would create unsafe conditions for pedestrians on 19<sup>th</sup> Avenue.*

OBJECTIVE 23

IMPROVE THE CITY'S PEDESTRIAN CIRCULATION SYSTEM TO PROVIDE FOR EFFICIENT, PLEASANT, AND SAFE MOVEMENT.

POLICY 23.1

Provide sufficient pedestrian movement space with a minimum of pedestrian congestion in accordance with a pedestrian street classification system.

POLICY 23.2

Widen sidewalks where intensive commercial, recreational, or institutional activity is present, sidewalks are congested, where sidewalks are less than adequately wide to provide appropriate pedestrian amenities, or where residential densities are high.

POLICY 23.3

Maintain a strong presumption against reducing sidewalk widths, eliminating crosswalks and forcing indirect crossings to accommodate automobile traffic.

*Comment: By eliminating the required setback on 19<sup>th</sup> Avenue, the Proposed Project would effectively reduce the sidewalk width on this busy traffic corridor in this predominately residential neighborhood, which would decrease safety and comfort for pedestrians.*

POLICY 24.4

Preserve pedestrian-oriented building frontages.

Building frontages that invite people to enter, that provide architectural interest and a sense of scale, and that are transparent enough to provide visual connections to and from the sidewalk help make the pedestrian environment more agreeable and safe.

*Comment: The Proposed Project's building frontages would not be pedestrian-oriented, as they largely feature blank facades along 19<sup>th</sup> Avenue with little architectural interest and sense of scale.*

URBAN DESIGN ELEMENT

OBJECTIVE 1

EMPHASIS OF THE CHARACTERISTIC PATTERN WHICH GIVES TO THE CITY AND ITS NEIGHBORHOODS AN IMAGE, A SENSE OF PURPOSE, AND A MEANS OF ORIENTATION.

POLICY 1.2

Recognize, protect and reinforce the existing street pattern, especially as it is related to topography.

Streets are a stable and unifying component of the city pattern. Changes in the street system that would significantly alter this pattern should be made only after due consideration for their effects upon the environment. Such changes should not counteract the established rhythm of the streets with respect to topography, or break the grid system without compensating advantages.

The width of streets should be considered in determining the type and size of building development, so as to provide enclosing street facades and complement the nature of the street. Streets and development bordering open spaces are especially important with respect to the strength and order in their design. Where setbacks establish facade lines that form an important