



# SAN FRANCISCO PLANNING DEPARTMENT

**MEMO**

**DATE:** December 2, 2015  
**TO:** Philip Lesser, TNN Properties  
**FROM:** Lisa Gibson, Planning Department  
**RE:** PPA Case No. 2015-011215PPA for 340 Division Street

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

Reception:  
**415.558.6378**

Fax:  
**415.558.6409**

Planning  
Information:  
**415.558.6377**

Please find the attached Preliminary Project Assessment (PPA) for the address listed above. You may contact the staff contact, Chris Thomas, at (415) 575-9036 or [christopher.thomas@sfgov.org](mailto:christopher.thomas@sfgov.org), to answer any questions you may have, or to schedule a follow-up meeting.

A handwritten signature in blue ink that reads "Lisa Gibson".

\_\_\_\_\_  
Lisa Gibson, Senior Planner



# SAN FRANCISCO PLANNING DEPARTMENT

---

## Preliminary Project Assessment

*Date:* December 4, 2015  
*Case No.:* 2015-011215PPA  
*Project Address:* 340 Division Street  
*Block/Lot:* 3528/007  
*Zoning:* SALI (Service/Arts/Light Industrial) District  
40-X Height and Bulk District  
*Area Plan:* Western SoMa  
*Project Sponsor:* Philip Lesser  
650-347-6014  
*Staff Contact:* Chris Thomas – 415-575-9036  
[christopher.thomas@sfgov.org](mailto:christopher.thomas@sfgov.org)

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

Reception:  
**415.558.6378**

Fax:  
**415.558.6409**

Planning  
Information:  
**415.558.6377**

### 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 August 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 proposed project would entail demolition of an existing 1,394-square-foot (sf) office building built in 1952 and construction of a four-story, approximately 40-foot-high (48-foot-high with elevator penthouse), 16,550-gross-square-foot (gsf) building. The ground floor would contain 2,797-sf of retail space, the second and third floors would contain about 3,256-sf each for trade shop use, and the fourth floor would contain about 3,256-sf of administrative space accessory to the trade shop use, for a total of about 12,565

sf. The August 10, 2015 Letter of Determination from the San Francisco Planning Department to Philipp Lesser notes that “[t]he proposed four-story structure would include offices over a ground floor space to be used for parking, storage, and temporary staging of materials to be used at job sites throughout San Francisco.” No off-street parking or loading would be provided. Four Class II bicycle parking spaces would be provided on Division Street at the entrance to the Sales & Services area.

## BACKGROUND:

The project site is within the Western SoMa Community Plan area. The Western SoMa Community Plan covers two connected areas: one (“north of Harrison Street”) roughly bounded by 13th, Bryant, Seventh and Minna Streets; and the second (“south of Harrison Street”) roughly bounded by Townsend, Fourth, Harrison and Seventh Streets. The Western SoMa Community Plan and its associated rezoning became effective April 27, 2013. A programmatic environmental impact report for the Western SoMa Community Plan (*Western SoMa PEIR*), including mitigation measures, was certified by the Planning Commission on December 6, 2012.<sup>1</sup>

## ENVIRONMENTAL REVIEW:

### *Community Plan Exemption*

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.

As discussed above, the proposed project is located within the Western SoMa Community Plan area, which was evaluated in the *Western SoMa PEIR*. If the proposed project is consistent with the development density identified in the area plan, it would be eligible for a community plan exemption (CPE). Please note that a CPE is a type of exemption from environmental review, and cannot be modified to reflect changes to a project after approval. Proposed increases beyond the CPE project description in project size or intensity after project approval will require reconsideration of environmental impacts and issuance of a new CEQA determination.

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 *Western SoMa PEIR*, 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 *Western SoMa PEIR* are applied to the proposed project, and a CPE checklist and certificate is prepared. With this outcome, the applicable fees are: (a) the CPE determination fee (currently \$13,659) and (b) the CPE certificate fee (currently \$7,580).

---

<sup>1</sup> San Francisco Planning Department, Western SoMa Community Plan, Rezoning of Adjacent Parcels and 350 Eighth Street Project Environmental Impact Report, Planning Department Case Nos. 2008.0877E and 2007.1035E. Refer to <http://www.sfplanning.org/index.aspx?page=1828> under the above title.

2. **Mitigated Negative Declaration.** If new site- or project-specific significant impacts are identified for the proposed project that were not identified in the *Western SoMa PEIR*, 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 *Western SoMa PEIR*, with all pertinent mitigation measures and CEQA findings from the *Western SoMa PEIR* 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 *Western SoMa PEIR*, with all pertinent mitigation measures and CEQA findings from the *Western SoMa PEIR* 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). 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.

In order to begin formal environmental review, please submit an **Environmental Evaluation Application (EEA)**. 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 entitlement application is submitted to the Current Planning Division, only the proposed Project Description will be reviewed by the assigned Environmental Coordinator.** 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 a calculation of environmental application fees.<sup>2</sup>

A detailed and accurate project description is essential for adequate environmental review. Please ensure that the EEA includes a description of the anticipated activities that would occur on each of the four floors (in particular, and if known, retail on the ground floor), and confirm the number of expected employees. Transportation planning staff have also requested clarification on what the actual "service area" use would be. Please also include in the EEA additional information as requested below under topics such as archeological resources, transportation and air quality.

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.

---

<sup>2</sup> 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 existing building on the project site was previously evaluated in the Western SOMA and Showplace Square Historic Resources Surveys 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.
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. The PPA application states that the depth of excavation would be about six feet with less than 50 cubic yards excavated. However, the PPA application also indicates that pile and pile caps will be part of the proposed structure's foundation. 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 PPA submittal, a transportation impact study is not anticipated to be required; however, an official determination will be made subsequent to submittal of the EEA. The project site is located on a high injury corridor as mapped by Vision Zero.<sup>3</sup> In consideration of the safety of persons walking and cycling to and from project site and vicinity, please revise the site plans to show dimensions of existing curb cuts and highlight curb cut removal as part of project.

---

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

5. **Noise.** The project site is located in an area where traffic-related noise exceeds 60 dBA Ldn; however, the proposed project would not include sensitive receptors (residences, schools, child care, religious and convalescent facilities, etc.) and would therefore not be subject to *Western SoMa PEIR* noise Mitigation Measures M-NO-1a (Interior Noise Levels for Residential Uses), M-NO-1b (Siting of Noise-Sensitive Uses) or M-NO-1d (Open Space in Noisy Environments). Given the project description provided to date, it does not appear that the proposed project involves noise-generating uses and, therefore, would not be subject to Mitigation Measure M-NO-1c (Siting of Noise-Generating Uses). The proposed project would be subject to Mitigation Measure M-NO-2a (General Construction Noise Control Measures). If pile driving would be involved, the proposed project would also be subject to Mitigation Measure M-NO-2b (Noise Control Measures During Pile Driving). The EEA application should indicate the estimated duration of construction and whether pile driving or other particularly noisy construction methods are required.
6. **Air Quality.** The proposed project's size at 16,550-gsf is below the Bay Area Air Quality Management District's (BAAQMD) construction screening levels for criteria air pollutants.<sup>4</sup> Therefore, an analysis of the project's criteria air pollutant emissions is not likely to be required.

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 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 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 on modeling of air pollution, exposures, and health vulnerability from mobile, stationary, and area source emissions within San Francisco. However, because the project does not propose to construct new sensitive land use (e.g., residential), it would not be subject to enhanced ventilation measures pursuant to Health Code Article 38 and submission of an Article 38 application to DPH prior to the issuance of any environmental determination would not be necessary.

Equipment exhaust control measures during construction will likely be required. Please provide detailed information related to construction equipment, phasing and duration of each phase, and the volume of excavation as part of the EEA.

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

---

<sup>4</sup> BAAQMD, *CEQA Air Quality Guidelines*, May 2011, Chapter 3.

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>5</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 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 construction of a building over 80 feet in height. Therefore, a wind analysis would not be required.
9. **Shadow.** The proposed project would result in construction of a building 40 feet in height. A preliminary shadow fan analysis prepared by Planning Department staff indicates that the proposed project would not cast shadows on any Department of Recreation and Parks property or any other open space. Therefore, a detailed shadow study would not be required.
10. **Geology.** The project site is located within a Seismic Hazard Zone (a Liquefaction Hazard Zone likely underlain by artificial fill). Any new construction on the site is therefore subject to a mandatory Interdepartmental Project Review.<sup>6</sup> 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, 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 site is located in an area with potentially contaminated soils as indicated by the Department of Public Health's Maher Map.<sup>7</sup> According to the PPA Application, less than 50 cubic yards of excavation would be required. Please confirm the volume and depth of excavation necessary for construction of the proposed project in the EEA. If the amount of excavation is greater than 50 cubic yards, or if otherwise determined by the Department of Public Health, the proposed 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

---

<sup>5</sup> Refer to <http://sf-planning.org/index.aspx?page=1886> for latest "Greenhouse Gas Compliance Checklist for Private Development Projects."

<sup>6</sup> San Francisco Planning Department. *Interdepartmental Project Review*. Available online at: <http://www.sf-planning.org/Modules/ShowDocument.aspx?documentid=522>.

<sup>7</sup> San Francisco Department of Public Health Maher Map. Available online at: [http://www.sf-planning.org/ftp/files/publications\\_reports/library\\_of\\_cartography/Maher%20Map.pdf](http://www.sf-planning.org/ftp/files/publications_reports/library_of_cartography/Maher%20Map.pdf).

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. If these steps are required, they must 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.

Western SoMa PEIR Mitigation Measure M-HZ-2 (Hazardous Building Materials Abatement) would be applicable to the proposed project because it involves demolition of a building constructed in 1952 in which hazardous building materials may be present. 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.

Because the existing building was constructed prior to 1980, asbestos-containing materials, such as floor and wall coverings, may be found in the building. The Bay Area Air Quality Management District (BAAQMD) is responsible for regulating airborne pollutants including asbestos. Please contact BAAQMD for the requirements related to demolition of buildings with asbestos-containing materials. In addition, because of its age (constructed prior to 1978), lead paint may be found in the existing building. Please contact the San Francisco Department of Building Inspection (DBI) for requirements related to the demolition of buildings that may contain lead paint.

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. Pursuant to Planning Code Section 305, and as discussed under "Preliminary Project Comments" below, a **Variance** from the Zoning Administrator is required if the project does not comply with any of the specified Code sections.
  - o A Variance is required to allow the proposed mix of commercial uses to not satisfy the minimum square footage of required usable open space.
  - o A Variance is required to allow commercial frontage which does not comply with the requirements of Planning Code Section 145.1.
2. A **Building Permit Application** is required for the demolition of the existing building on the subject property.
3. A **Building Permit Application** is required for the proposed new construction on the subject property.

Building Permit applications are available at the Department of Building Inspection at 1660 Mission Street.

### 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](http://www.sfplanning.org) under the "Permits & Zoning" tab. All registered neighborhood group mailing lists are available online at [www.sfplanning.org](http://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. Upon request, please be prepared to provide mailing addresses on a CD 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.

**Western SoMa Community Plan.** The subject property falls within the area covered by the Western SoMa Community Plan, a part of the Eastern Neighborhoods 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/Western SoMa Area Plan.pdf](http://www.sf-planning.org/ftp/General%20Plan/Western%20SoMa%20Area%20Plan.pdf)

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

1. **Interdepartmental Project Review.** This review is required for all proposed new construction in seismic hazard zones, in which the subject property falls. An application is enclosed.
2. **Neighborhood Notification.** This project is subject to neighborhood notification as required by Planning Code Section 312.
3. **Architectural Drawings.** The submittal did not include architectural sections, detailed elevations or separated floor plans of each floors. The proposed drawings should comply with the Department's Plan Submittal Guidelines, which are available for download from the Department's website.
4. **Uses.** Please indicate the total floor area occupied by each proposed use on the floor plans.
5. **Open Space – Non-Residential.** Section 135.3 requires this project to provide Usable Open Space. Additional details regarding the proposed open space will be required to ensure that the dimensional requirements are met. Additionally, Planning Code Section 823(c)(2)(B) (Western SoMa SUD-Controls-Open Space-Roof Decks) does not allow roof decks to qualify as required private or common usable open space. Alternatively, per Section 426, an in-lieu fee may be paid instead of providing the open space on site and pursuant to administrative review by the Zoning Administrator per Section 307(h)(1)A.

6. **Street Frontages.** Planning Code Section 145 includes a number of Code requirements intended to preserve, enhance and promote attractive, pedestrian oriented street frontages. Based on the preliminary elevations and drawings, it appears that the project will not meet these Code requirements. Please provide detailed architectural plans that specify the materials, colors and finishes of the project in order to determine whether the project satisfies this Code section. Additionally, the proposed location of the trash enclosure would not be permitted along the subject frontage. Please relocate the trash enclosure to comply with Planning Code Section 145.1(b)2, or alternatively a Variance may be sought.
7. **Bird Safety.** Planning Code Section 139 (Standards for Bird-Safe Buildings) outlines bird-safe standards for new construction to reduce bird mortality from circumstances that are known to pose a high risk to birds and are considered to be "bird hazards." Feature-related hazards may create increased risk to birds and need to be mitigated. Any feature-related hazards, such as free-standing glass walls, wind barriers, or balconies must have broken glazed segments 24 square feet or larger in size. Please review the standards and indicate the method of window treatments to comply with the requirements where applicable.
8. **Vision Zero.** The project is located on Division Street, identified through the City's Vision Zero Program as a bicycle high-injury corridor. The sponsor is encouraged to incorporate bicycle safety streetscape measures into the project. Please see the San Francisco Municipal Transportation Authority's Vision Zero web site: <https://www.sfmta.com/projects-planning/projects/vision-zero>.
9. **Parking.** Under current zoning (SALI) no parking would be required. This zoning district would have parking maximums, which are listed in Planning Code Section 151.1 if any parking were to be proposed.
10. **Bicycle Parking.** Planning Code Section 155.5 requires this project to provide at least two Class One bicycle parking spaces and two Class Two bicycle parking spaces. Please specify the number and location of these bicycle parking spaces.
11. **Shower Facilities and Lockers.** Please note that Planning Code Section 155.4 requires one shower and six clothes lockers where the occupied floor area exceeds 10,000 square feet of new Trade Shop use space. Should this be the case, please specify the shower facility and lockers location on the plans.
12. **Flood Notification.** The project site is in a block that has the potential to flood during storms. The SFPUC will review the permit application to comment on the proposed application and the potential for flooding during wet weather. Applicants for building permits for either new construction, change of use, or change of occupancy, or for major alterations or enlargements must contact the SFPUC at the beginning of the process to determine whether the project would result in ground-level flooding during storms. Requirements may include provision of measures to ensure positive sewage flow, raised elevation of entryways, and/or special sidewalk construction and the provision of deep gutters. The side sewer connection permits for such projects need to be reviewed and approved by the SFPUC at the beginning of the review process for all permit applications submitted to the Planning Department, DBI, or the Successor Agency to the San Francisco Redevelopment Agency. For

information required for the review of projects in flood-prone areas, the permit applicant shall refer to Bulletin No. 4: [http://www.sf-planning.org/ftp/files/publications\\_reports/DB\\_04\\_Flood\\_Zones.pdf](http://www.sf-planning.org/ftp/files/publications_reports/DB_04_Flood_Zones.pdf).

13. **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 (Planning Code Section 411)
  - b. Eastern Neighborhoods Impact Fees (Planning Code Section 423)
14. **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 412.3(d) of the Planning Code.<sup>8</sup> Such in-kind agreements and fee waivers are subject to availability of funds, Eastern Neighborhoods Citizen Advisory Committee (EN CAC) recommendation of approval and Planning Commission approval. Early consultation with staff is strongly recommended if you are considering this option.

#### PRELIMINARY DESIGN COMMENTS:

The project is located in the Western SoMa Special Use District. The site is located between freeway overpasses in an area primarily filled with more warehouse and light industrial uses. Heights are between two- to five stories. The following comments address preliminary design issues that may significantly impact the proposed project:

1. **Site Design, Open Space and Massing.** The Department requests that the project provide useable open space as required. This could be located on the roof.
2. **Street Frontage.** The Department suggests increasing active uses at the street frontage by consolidating the bicycle parking and trash enclosure. Please clarify and clearly explain how vehicle loading and trash pickup for the building is proposed to work. No loading should compromise the safety and continuity of the protected bicycle lane fronting the property on Division Street, given its status as a Vision Zero high injury corridor for bicyclists.
3. **Architecture.** The Department supports the project as shown.

---

<sup>8</sup> Refer to <http://www.sf-planning.org/index.aspx?page=2611> for latest "In-Kind Agreement Application."

**PRELIMINARY PROJECT ASSESSMENT EXPIRATION:**

This Preliminary Project Assessment is valid for a period of **18 months**. An Environmental Evaluation, Conditional Use Authorization, or Building Permit Application, as listed above, must be submitted no later than **June 4, 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  
                         Interdepartmental Project Review Application  
                         Flood Notification: Planning Bulletin

cc:    TNN Properties, 340 Division St., San Francisco, CA, 94103, Property Owner  
       Jonathan De Salvo, Current Planning  
       Chris Thomas, Environmental Planning  
       Ben Caldwell, Citywide Planning and Analysis  
       Maia Small, Design Review  
       Jonas Ionin, Planning Commission Secretary  
       Charles Rivasplata, SFMTA  
       Jerry Sanguinetti, Public Works  
       Pauline Perkins, SFPUC  
       June Weintraub and Jonathan Piakis, DPH  
       Planning Department Webmaster (planning.webmaster@sfgov.org)

FIRST	LAST	ORGANIZATION	ADDRESS	CITY	STATE	ZIP
Antonio	Diaz	People Organizing to Demand Environmental and Economic Rights (PODER)	474 Valencia Street #125	San Francisco	CA	94103
Brent	Plater	Wild Equity Institute	474 Valencia Street Suite 295	San Francisco	CA	94103
Buddy	Choy	Coleridge St. Neighbors	157 Coleridge Street	San Francisco	CA	94110
David	Campos	Board of Supervisors	1 Dr. Carlton B Goodlett Place, Room #244	San Francisco	CA	94102-4689
Edward	Stiel	2887 Folsom Street Concerned Residents	2887 Folsom Street	San Francisco	CA	94110
Eric	Lopez	SoMaBend Neighborhood Association	P.O. Box 410805	San Francisco	CA	94141
Erick	Arguello	Calle 24 Merchants and Neighbors Association	1065 A Hampshire Street	San Francisco	CA	94110
Ian	Lewis	HERE Local 2	209 Golden Gate Avenue	San Francisco	CA	94102
Jason	Henderson	Market/Octavia Community Advisory Comm.	300 Buchanan Street, Apt. 503	San Francisco	CA	94102
Jeff	Parker	Friends of Upper Douglass Dog Park	750 27th Street	San Francisco	CA	94131
Jaime	Whitaker	SOMA Leadership Council	201 Harrison Street Apt. 229	San Francisco	CA	94105
John	Barbey	Liberty Hill Resident Association	50 Liberty Street	San Francisco	CA	94110
Judith	Berkowitz	East Mission Improvement Association (EMIA)	1322 Florida Street	San Francisco	CA	94110
Keith	Goldstein	Potrero-Dogpatch Merchants Association	800 Kansas Street	San Francisco	CA	94107
Lucia	Bogatay	Mission Dolores Neighborhood Association	3676 20th Street	San Francisco	CA	94110
Luis	Grandados	Mission Economic Development Association	2301 Mission Street #301	San Francisco	CA	94110
Marvis	Phillips	Alliance for a Better District 6	230 Eddy Street #1206	San Francisco	CA	94102-6526
Matthew	Rodgers	Alabama Street Pioneers	1014 Alabama Street	San Francisco	CA	94110
Planning and Land Use Committee		0 Dolores Heights Improvement Club-DRC	P.O. Box 14426	San Francisco	CA	94114
Peter	Heinecke	Liberty Hill Neighborhood Association	30 Hill Street	San Francisco	CA	94110
Peter	Cohen	Noe Street Neighbors	33 Noe Street	San Francisco	CA	94114
Philip	Lesser	Mission Merchants Association	555 Laurel Avenue #501	San Mateo	CA	94401
Podge	Thomas	Native American Health Center	333 Valencia Street, Suite 240	San Francisco	CA	94103

Robert	Hernandez	-	1333 Florida Street	San Francisco	CA	94110
Sean	Quigley	Valencia Corridor Merchant Association	1038 Valencia Street	San Francisco	CA	94110
Spike	Kahn	Pacific Felt Factory	2830 - 20th Street	San Francisco	CA	94110
Ted	Olsson	Market/Octavia Community Advisory Comm.	30 Sharon Street	San Francisco	CA	94114-1709
Tisha	Kenny	19th Street/Oakwood Neighborhood Association	3642 19th Street	San Francisco	CA	94110
J.R.	Eppler	Potrero Boosters Neighborhood Association	1459 - 18th Street, Suite 133	San Francisco	CA	94107
Zoe	Astrachen	Central 26th Street Neighborhood Coalition	3443 26th Street	San Francisco	CA	94114
York	Loo	York Realty	243A Shipley Street	San Francisco	CA	94107-1010
Gordon	Canepa	St. Francis Homes Association	101 Santa Clara Ave.	San Francisco	CA	94127
Tim	Hickey	North of Panhandle Neighborhood Association (NOPNA)	732 Lyon Street	San Francisco	CA	94115
Dan	Baroni	Planning Association for the Richmond (PAR)	2828 Fulton Street	San Francisco	CA	94118-3300
David	Bisho	Westwood Highlands Association	120 Brentwood Avenue	San Francisco	CA	94127
Eric	Lopez	SoMaBend Neighborhood Association	P.O. Box 410805	San Francisco	CA	94141
Andrew	Chandler	Lower Polk Neighbors	PO BOX 1642428	San Francisco	CA	94164-2428
Jason	Henderson	Market/Octavia Community Advisory Comm.	300 Buchanan Street, Apt. 503	San Francisco	CA	94102
Sarah	Jones	Edgewood Neighborhood Association	190 Edgewood Ave	San Francisco	CA	94117
Ian	Lewis	HERE Local 2	209 Golden Gate Avenue	San Francisco	CA	94102
Laurel	Muniz	North West Bernal Alliance	P.O. Box 40989	San Francisco	CA	94140
Jan	Bolaffi	Western Addition Neighborhood Association	2331 Bush Street	San Francisco	CA	94115
Brent	Plater	Wild Equity Institute	474 Valencia Street Suite 295	San Francisco	CA	94103
Adrienne	Shiozaki Woo	Nihonmachi Little Friends	2031 Bush Street	San Francisco	CA	94115
Gene	Morzenti	Telegraph Hill Survival Association	350 Green Street, Apt. 3	San Francisco	CA	94133
Marlayne	Morgan	Cathedral Hill Neighbors Association	1450 Sutter Street	San Francisco	CA	94109
Alan	Beach- Nelson	Castro/Eureka Valley Neighborhood Association	P.O. Box 14137	San Francisco	CA	94114-2827

Doris	Linnenbach	Twin Peaks Improvement Association	155 St. Germain Avenue	San Francisco	CA	94114
Alexandra	Goldman	Tenderloin Neighborhood Development Corporation - CO Department	215 Taylor Street	San Francisco	CA	94102
Nestor	Fernandez	Telegraph Hill Neighborhood Center	660 Lombard Street	San Francisco	CA	94133
Bill	Tannenbaum	Sharon Street Neighborhood Association	46 Sharon Street	San Francisco	CA	94114
Nancy	Shanahan	Telegraph Hill Dwellers - Planning & Zoning Committee	224 Filbert Street	San Francisco	CA	94133



**AUG 31 2015**

**CITY & COUNTY OF S.F.**  
PLANNING DEPARTMENT  
PIC

1. Owner/Applicant Information

PROPERTY OWNER'S NAME:

TNN Properties

ADDRESS:

340 Division Street

PROPERTY OWNER'S EMAIL:

reza@nabiconstruction.com / Amir@nabiconstruction.com

ZIP CODE:

94103

TELEPHONE:

(415 ) 552-2215

APPLICANT'S NAME:

Same as Above  Phillip Lesser

ADDRESS:

555 Laurel Avenue #501

APPLICANT'S EMAIL:

phnsan@msn.com

ZIP CODE:

94401

TELEPHONE:

(650 ) 346-2903

CONTACT FOR PROJECT INFORMATION:

Same as Above Owner  or Applicant

ADDRESS:

ZIP CODE:

TELEPHONE:

( )

CONTACT PERSON EMAIL:

Request a meeting with PPA planner(s)? YES  NO

2. Location and Classification

STREET ADDRESS OF PROJECT:

340 Division Street

ZIP CODE:

94103

CROSS STREETS:

10th Street and 9th Street

ASSESSORS BLOCK/LOT:

3525 / 007

LOT DIMENSIONS:

83X96X82

LOT AREA (SQ FT):

4,255.00

ZONING DISTRICT:

SALI

HEIGHT/BULK DISTRICT:

40-X

3. Project Description

Please Check

New Construction  Demolition  Alteration  Change of Use  Change of Hours  Other

Describe what is to be done:

Existing single story building to be demolished (1,394.0 Sq.Ft.). New construction constitutes a four story building; ground level will be retail and second to fourth floor will be used by current tenant (Nabi Construction). Per Letter of Determination one third of upper floors will be designated to Accessory use.