



SAN FRANCISCO PLANNING DEPARTMENT

Preliminary Project Assessment

Date: February 26, 2016
Case No.: **2015-016243PPA**
Project Address: 611 Jones Street
Block/Lot: 0304 / 003
Zoning: RC-4
North of Market Residential Special Use District
80-T – 130-T
Area Plan: N/A
Project Sponsor: Anthony Pantaleoni; Kotas/Pantaleoni Architects
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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 December 7, 2015, as summarized below. This PPA letter identifies Planning Department review requirements for the proposed project, including those related to environmental review, approvals, neighborhood notification and public outreach, the Planning Code, project design, and other general issues of concern for the project. Please be advised that the PPA application does not constitute an application for development with the Planning Department. The PPA letter also does not represent a complete review of the proposed project, does not grant a project approval of any kind, and does not in any way supersede any required Planning Department approvals listed below.

The Planning Department may provide additional comments regarding the proposed project once the required applications listed below are submitted. While some approvals are granted by the Planning Department, some are at the discretion of other bodies, such as the Planning Commission or Historic Preservation Commission. Additionally, it is likely that the project will require approvals from other City agencies such as the Department of Building Inspection, Public Works, the Municipal Transportation Agency, Department of Public Health, San Francisco Public Utilities Commission, and others. The information included herein is based on the PPA application and plans, the Planning Code, General Plan, Planning Department policies, and local/state/federal regulations as of the date of this document, all of which are subject to change.

PROJECT DESCRIPTION:

The project site is a parcel measuring 2,187-square-feet fronting on Jones Street. The proposal is to demolish the existing 1,900-square-foot (sf), two-story, 20-foot-tall single-family house and construct a 13-story, 130-foot-tall residential building. The existing single-family house was constructed in 1908 and is considered a potential historic resource (constructed 45 or more years ago). The proposed new building

would include 17 dwelling units with an entry lobby and gym on the ground floor. The project would require excavation of up to two to three feet below grade. No parking is proposed.

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 not have any significant impacts, then the Department would issue a preliminary negative declaration (PND). 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 PND or 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 negative declaration (FND) or 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.

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

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. Historic Resources.** The project site contains one or more buildings or structures considered to be a potential historic resource (constructed 45 or more years ago); therefore, the proposed alteration is subject to review by the Department's Historic Preservation staff. To assist in this review, the project sponsor must hire a qualified professional to prepare a Historic Resource Evaluation (HRE) report. The professional must be selected from the Planning Department's Historic Resource Consultant Pool. Please contact Tina Tam, Senior Preservation Planner, via email (tina.tam@sfgov.org) for a list of three consultants from which to choose. Please contact the HRE scoping team at HRE@sfgov.org to arrange the HRE scoping. Following an approved scope, the historic resource consultant should submit the draft HRE report for review to Environmental Planning after the project sponsor has filed the EE Application and updated it as necessary to reflect feedback received in the PPA letter. The HRE should be submitted directly to the Department and copied to the project sponsor. The 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.
- 2. Archeological Resources.** As described in the PPA application, the proposed project would require two to three feet of excavation, and thus would not require Preliminary Archeological Review (PAR) by a Planning Department archeologist. However, should the depth of soil disturbance increase it may require a PAR. If 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. 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; an official determination will be made subsequent to submittal of the EEA. However, the project site is located on a high injury corridor as mapped by Vision Zero.² To help Planning staff assess the safety of persons walking and cycling to and from the project site and vicinity, Planning staff propose the following recommendations:
- The assigned Environmental Coordinator should conduct a site visit to assess potential safety issues. The Environmental Coordinator should also take the project to the Street Design Advisory Team (SDAT) for review.
 - On the plans, the project sponsor should include an existing site plan that shows existing sidewalk dimensions and the location and dimension of any existing curb cuts.
 - On the proposed site plan, the project sponsor should include the proposed sidewalk dimensions and any changes to existing curb cuts.
 - On the plans, the project sponsor should include the number of bicycle parking spaces.
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. **Air Quality.** The proposed project at 17 units is below the Bay Area Air Quality Management District's (BAAQMD) construction and operational screening levels for criteria air pollutants.³ Therefore, it is unlikely that an analysis of the project's criteria air pollutant emissions would 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 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 modeling 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 off-site sensitive receptors. Please provide detailed information related to any proposed stationary sources with the EEA.

² This document is available at: <http://www.sfmta.com/sites/default/files/projects/2015/vision-zero-san-francisco.pdf>.

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

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.⁴ If an Initial Study is required, the project sponsor will 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 involve construction of a building over 80 feet in height. The project will therefore require a consultant-prepared wind analysis, which may include wind tunnel analysis if needed. The consultant will be required to prepare a proposed scope of work for review and approval by the Environmental Coordinator prior to proceeding with the analysis.
9. **Shadow.** The proposed project would result in construction of a building greater than 40 feet in height. A preliminary shadow fan analysis prepared by Planning Department staff indicates that the proposed project would not cast shadows on any San Francisco Recreation and Parks Department properties subject to Section 295 of the Planning Code, other non-rec park properties, or open space. Therefore, the Planning Department will not require an additional shadow study.
10. **Geology.** 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.** Because construction of the proposed project would require excavation of more than 50 cubic yards, the project sponsor must retain the services of a qualified professional to prepare a Phase I Environmental Site Assessment (ESA) that meets the requirements Section 22.A.6 of the San Francisco Health Code. The Phase I ESA would determine the potential for site contamination and level of exposure risk associated with the project. Based on that information, the assigned Environmental Coordinator will determine whether further consultation with the San Francisco Department of Public Health (DPH) is necessary. Based on the results of the Phase 1 ESA, the

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

proposed project may be required to enroll in the Maher Ordinance, which is administered and overseen by DPH. More information regarding the Maher Ordinance is available at: <https://www.sfdph.org/dph/EH/HazWaste/hazWasteSiteMitigation.asp>

Additionally, 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. 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. Conditional Use Authorization** from the Planning Commission is required per Planning Code Section ("Section") 253 for the new construction of a building greater than 50 feet in height in an RC District.

2. **Conditional Use Authorization** from the Planning Commission may be required per Section 249.5 (c)(10) for the demolition of the single-family house containing a residential unit located within the North of Market Residential Special Use District.
3. **Variance** from the Zoning Administrator is required per Section 134(g) for the reduction of the rear yard requirement, and per Section 140 for dwelling unit exposure. Please see discussion under "Preliminary Project Comments" below.
4. **A Building Permit Application** is required for the demolition of the existing building on the subject property.
5. **A Building Permit Application** is required for the proposed new construction on the subject property.

Conditional Use Authorization and Variance applications are available in the Planning Department lobby at 1650 Mission Street, Suite 400, at the Planning Information Center at 1660 Mission Street, and online at www.sfplanning.org. Building Permit applications are available at the Department of Building 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.

1. **Pre-Application Meeting.** 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.
2. **Neighborhood Outreach.** This project is required to undertake additional public outreach in advance of the Planning Commission hearing on the Conditional Use Authorization and Variance. The developer is required to conduct an additional outreach meeting, notifying owners and tenants who live within 300' of the project as well as all registered neighborhood organizations for the Downtown/Civic Center neighborhood, after initial design comments have been provided from the Planning Department and prior to the scheduling of the aforementioned Planning Commission hearing. The purpose of this meeting is to keep the community abreast of the project's evolution, presenting the latest design of the project – including the Department's requested changes – to the community in advance of the Commission taking action on the hearing.
3. **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. **North of Market Residential Special Use District (“NOMRSUD”) - Demolition of Dwelling (Section 249.5(c)(10)).** In considering the request for Conditional Use Authorization to demolish the single-family house containing a residential unit, the Planning Commission would consider the standard Conditional Use criteria under Section 303(c), as well as the following criteria specific to the NOMRSUD:
 - Protect and enhance important housing resources in an area near downtown, conserve and upgrade existing low and moderate income housing stock, preserve buildings of architectural and historic importance and preserve the existing scale of development, maintain sunlight in public spaces, and encourage new infill housing at a compatible density.
 - Consider the adverse impact on the public health, safety and general welfare due to the loss of existing housing stock in the district and to any unreasonable hardship to the applicant if the permit is denied.
2. **Review of Buildings More Than 50 Feet in RC District.** In considering the request for Conditional Use Authorization for a building exceeding 50 feet in height in a RC District, the Planning Commission would consider the standard Conditional Use criteria under Section 303(c), as well as the criteria set forth in Sections 251 and 253 that includes the purposes of the particular R District. Future submittals should include how the project meets the criteria.
3. **Front Setback.** Per Section 132.2, in order to maintain the continuity of a predominant street wall along the street, setbacks of the upper portion of a building which abuts a public sidewalk may be required of buildings located within the NOMRSUD, as a condition of approval of Conditional Use Authorization otherwise required by Section 253 for buildings in RC Districts which exceed 50 feet in height. Future submittals should include the prevailing streetwall height on the block on which the proposed project is located, in excess of 50 feet to determine whether a setback is appropriate. See also Preliminary Design comments below.
4. **Rear Yard.** Section 134 requires the project to provide a rear yard of at least 25 percent of the lot depth, but in no case less than 15 feet. Based on the lot depth, a rear yard of 22 feet is required (25% of 87.50 feet). The application indicates a rear yard of eight feet. Although within the North of Market Residential SUD, Section 134(g) allows the rear yard requirement to be substituted for an equivalent amount of open space if the Zoning Administrator determines certain criteria are met, the Department encourages providing a Code-compliant rear yard.