DATE: June 8, 2012
TO: Jesse Herzog, AGI Capital
FROM: Rick Cooper, Planning Department
RE: PPA Case No. 2012.0493U for 1201-1225 Tennessee Street

Please find the attached Preliminary Project Assessment (PPA) for the address listed above. You may contact the staff contact, Jessica Range, at (415) 575-9018 or Jessica.Range@sfgov.org, to answer any questions you may have, or to schedule a follow-up meeting.

Rick Cooper, Senior Planner
**Date:** June 8, 2012  
**Case No.:** 2012.0493U  
**Project Address:** 1201-1225 Tennessee Street  
**Block/Lot:** 4172/022  
**Zoning:** UMU, (Urban Mixed-Use) District  
68-X Height and Bulk District  
**Project Sponsor:** Jesse Herzog, AGI Capital  
415-775-7005  
**Staff Contact:** Jessica Range (415) 575-9018  
Jessica.Range@sfgov.org

**DISCLAIMERS:**

Please be advised that this determination does not constitute an application for development with the Planning Department. It also does not represent a complete review of the proposed project, a project approval of any kind, or 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, Department of Public Works, Department of Public Health, and others. The information included herein is based on plans and information provided for this assessment and 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 located at 1201-1225 Tennessee Street (and 2650-2690 Third Street) within the Central Waterfront neighborhood (Assessor’s Block 4172, Lot 022). The project site fronts along 23rd, Third, and Tennessee Streets. The approximately 64,600 square foot (sf) project site is currently developed with commercial and industrial uses, a natural fuel station on the corner of 23rd and Third Streets, and a surface parking lot. Existing commercial and industrial uses are provided within one, approximately 65,336 sf, building that is one to two stories tall to a maximum height of 35 feet. The existing project site includes
20 parking spaces (5,000 sf) and six loading spaces. The entire project site is covered with impermeable surfaces.

The proposal is to demolish the existing 65,336 sf structure, natural fuel station, and surface parking and construct one new approximately six-story mixed-use building with up to 5,500 sf of retail use and 300 dwelling units (300,000 sf). The proposal would also add approximately 235 parking spaces (95,000 sf), for a total of 255 parking spaces (100,000 sf) in one level of underground parking and additional at-grade surface parking. Retail uses and residential uses would be provided on the ground floor with additional residential uses on floors two through six. The proposal includes a mix of studio, one- and two-bedroom units, although the exact unit count and mix is uncertain. The proposal includes approximately 7,900 sf of publically accessible open space along the northern property boundary with an additional 1,900 sf of common open space and 8,400 sf of private open space throughout floors two through six.

ENVIRONMENTAL REVIEW:

Environmental evaluation is required for the full scope of the project. Pursuant to the California Environmental Quality Act (CEQA), this project is likely to qualify for a community plan exemption (CPE) under the Eastern Neighborhoods Rezoning and Area Plans (Eastern Neighborhoods). Within the CPE process, there can be three different outcomes as follows:

1. **CPE Only**

   In this case, all potentially significant project-specific and cumulatively considerable environmental impacts are fully consistent with significant impacts identified in the underlying Eastern Neighborhoods Rezoning and Area Plans Program Environmental Impact Report (Eastern Neighborhoods PEIR), meaning 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 underlying area plan PEIR are applied to the proposed project, and a CPE checklist and certificate is prepared. With this outcome, the applicable fees in addition to the Environmental Document Determination of $12,720 are: (a) the $7,061 CPE certificate fee; and (b) a proportionate share fee for recovery of costs incurred by the Planning Department for preparation of the Eastern Neighborhoods PEIR in the amount of $10,000.

2. **CPE and Focused Initial Study/Mitigated Negative Declaration**

   One or more new significant impacts of the proposed project specific to the site or the project proposal are identified that were not identified in the underlying plan area PEIR. If any new significant impacts of the proposed project can be mitigated, then a focused Mitigated Negative
Declaration to address these impacts is prepared and a supporting CPE certificate would be prepared to address all other impacts that were encompassed by the underlying plan area PEIR, with all pertinent mitigation measures and CEQA findings from the underlying area plan PEIR also applied to the proposed project. With this outcome, the applicable fees in addition to the Environmental Document Determination of $12,720 are: (a) the standard environmental evaluation (EE) fee based on the cost of construction; and (b) a proportionate share fee for recovery for costs incurred by the Planning Department for preparation of the Eastern Neighborhoods Rezoning PEIR in the amount of $10,000.

3. CPE and Focused EIR

One or more new significant impacts of the proposed project specific to the site or the project proposal are identified that was not identified in the underlying plan area PEIR. If any new significant impacts of the proposed project cannot be mitigated, then a focused EIR to address these impacts is prepared and a supporting CPE certificate is prepared to address all other impacts that were encompassed by the underlying plan area PEIR, with all pertinent mitigation measures and CEQA findings from the underlying area plan PEIR also applied to the proposed project. With this outcome, the applicable fees in addition to the Environmental Document Determination of $12,720 are: (a) the standard environmental evaluation (EE) fee based on the cost of construction; (b) one-half of the standard EIR fee; and (c) a proportionate share fee for recovery for costs incurred by the Planning Department for preparation of the Eastern Neighborhoods PEIR in the amount of $10,000.

The project initially requires the following environmental review. This review may be done in conjunction with the required approvals listed below, but must be completed before any project approval may be granted. The Environmental Evaluation Application should include the following additional information: 1) clear plans showing the existing and proposed means of ingress/egress, curb cuts, and street trees, 2) location of bicycle parking, 3) dimensions of curb cuts, parking, and loading spaces, 4) square footage of commercial and industrial uses to be demolished, whether the existing buildings are currently occupied, and the amount of their occupancy, and 5) additional information as requested in this letter.

An Environmental Evaluation Application is required for the full scope of the project. A preliminary review of the proposal indicates that following studies and/or additional information would be required:
1. **Archeology**

The project includes demolition, excavation, grading, and foundation work to a depth of 15 feet below grade, as well as removal of a natural fuel station, which may require excavation to a currently unknown depth. The project site lies within the *Archeological Mitigation Zone I-2: Properties with No Previous Studies*, as identified in the Eastern Neighborhoods PEIR. In compliance with this mitigation measure, a Preliminary Archeological Sensitivity Study must be prepared by an archeological consultant with expertise in California prehistoric and urban historical archeology. Based on the Sensitivity Study, the Environmental Review Officer (ERO) would determine if an Archeological Research Design/Treatment Plan (ARD/TP) would be required to more definitively identify the potential for archeological resources to be present within the project site and determine the appropriate action necessary to reduce the potential effect of the project on archeological resources to a less than significant level. The qualified consultant must be selected from one of three archeology consultants assigned to this project by the Planning Department during the environmental review process.

2. **Historic Architectural Resources**

According to the Planning Department’s records, the existing building on the project site was built in 1968, making it 44 years old at the time of this review. Therefore, the existing building is not considered an historic resource for purposes of CEQA. However, the project site is adjacent to the Dogpatch Historic District, which is a designated local Historic District pursuant to Article 10 of the Planning Code. Adjacent structures within the Dogpatch Historic District may themselves be historic resources or contributors to the historic district. The environmental analysis will require a *Historic Resource Evaluation* (HRE) to determine the compatibility of the proposed new design and façade with the adjacent Dogpatch Historic District and to assess potential impacts to the Historic District. In evaluating compatibility with the Dogpatch Historic District, the architecture, massing, height, materials, and articulation of the proposed building and its neighboring buildings should be considered. The HRE shall be prepared by a qualified professional who meets the Secretary of the Interior’s Professional Qualification Standards in Historic Architecture or Architectural History. The qualified professional must be selected from one of three historic resource consultants assigned by the Planning Department during the environmental review process. The Planning Department may require a scoping meeting with Preservation Staff prior to the consultant preparing a scope of work for the HRE. The consultant
shall contact the environmental review coordinator prior to submittal of an HRE scope of work to determine whether a scoping meeting is required.

3. Transportation

A Transportation Impact Study is likely to be required. The purpose of the transportation study is to provide comprehensive information necessary to identify transportation issues and impacts of the project, to provide potential solutions or mitigations to problems, and to identify significant impacts of the proposed project, in the context of the overall policies and objectives of the City. Plans submitted for environmental evaluation should provide additional detail as requested in this letter. A formal determination of whether a Transportation Impact Study is required will be made after submittal of the Environmental Evaluation Application. If such a study is required, the consultant must be selected from one of three transportation consultants assigned to this project by the Planning Department during the environmental review process.

4. Noise

The Eastern Neighborhoods PEIR identified a number of noise mitigation measures applicable to construction as well as siting noise sensitive land uses (such as residential uses) in areas that are substantially effected by existing noise levels. The project site is located in an area where traffic-related noise exceeds 60 Ldn (a day-night averaged sound level). Application of Noise Mitigation Measures F-1 and F-2 (Construction Noise) are intended to reduce construction-related noise impacts. Mitigation Measure F-1 applies to pile driving activities and would require that piles be pre-drilled. Mitigation Measure F-2 would require construction projects near noise sensitive land uses implement noise attenuation measures. Project sponsors would be required to submit a plan that outlines the noise attenuation measures to be implemented during the construction phase. The plan must be submitted to the Department of Building Inspection (DBI), for review and approval, prior to the issuance of any construction or demolition permit. Mitigation Measure F-4: Siting of Noise-Sensitive Uses would apply as the project sponsor is proposing to site residential uses within the UMU Use District in an area that exceeds 60 Ldn. Mitigation Measure F-4: Siting of Noise-Sensitive Uses would require the sponsor to prepare an acoustical study that identifies potential noise-generating uses within 900 feet of, and have direct line-of-sight to, the project site and include at least one 24-hour noise measurement with maximum noise level readings taken at least every 15 minutes. The study should include any recommendations regarding building design to ensure that the interior noise environment meets Title 24 Building Code acoustical requirements. Mitigation Measure F-6: Open Space in Noisy Environments would also apply in order
to protect the project’s common open space from existing ambient noise levels. Compliance with this mitigation measure requires that site design consider elements that would shield on-site open space from the greatest noise sources and/or construction of noise barriers between noise sources and open space.

5. Air Quality

The project proposes demolition of existing structures and construction of a new six story mixed-use building. Project-related demolition, excavation, grading and other construction activities may cause wind-blown dust that could contribute particulate matter into the local atmosphere. The Eastern Neighborhoods PEIR identified a significant impact related to construction air quality and included Mitigation Measure G-1: Construction Air Quality. Subsequently, the San Francisco Board of Supervisors approved a series of amendments to the San Francisco Building and Health Codes generally referred to as the Construction Dust Control Ordinance (Ordinance 176-08, effective July 30, 2008) with the intent of reducing the quantity of dust generated during site preparation, demolition, and construction work in order to protect the health of the general public and of onsite workers, minimize public nuisance complaints, and to avoid orders to stop work by the Department of Building Inspection (DBI). Pursuant to the Construction Dust Ordinance, the proposed project would be required to prepare a Construction Dust Control Plan for review and approval by the San Francisco Department of Public Health (DPH).

In addition to construction dust, demolition and construction activities would require the use of heavy-duty diesel equipment which emit diesel particulate matter (DPM). DPM is a designated toxic air contaminant, which may affect sensitive receptors located up to 1,000 feet from the project site. Additional measures may be required to reduce DPM emissions from construction vehicles and equipment.

The proposed project would change the use of the existing building from industrial and commercial to residential. Residential uses are considered a sensitive land use for purposes of air quality evaluation. The proposed project would introduce a new sensitive land use in proximity to high volume roadways and potentially other sources of toxic air contaminants. Public health research consistently demonstrates that children and other sensitive receptors (daycare, schools, senior care facilities, hospitals, and dwelling units) within 100 to 200 meters of freeways or busy roadways have poor lung function and more respiratory disease; both chronic and acute health effects may result from exposure to roadway-related toxic air contaminants. The Eastern Neighborhoods PEIR identified a significant impact related to air quality for sensitive land uses
and included Mitigation Measure G-2: Air Quality for Sensitive Land Uses. Subsequently, San Francisco passed Article 38 of the San Francisco Health Code. Health Code Article 38 requires that new residential development greater than 10 units located within the Potential Roadway Exposure Zone perform an Air Quality Assessment to determine whether PM$_{2.5}$ concentrations from roadway sources exceed 0.2 micrograms per cubic meter (0.2 µg/m$^3$). Sponsors of projects on sites exceeding this level are required to install ventilation systems or otherwise redesign the project to reduce the outdoor PM$_{2.5}$ exposure indoors. The proposed project is located within the Potential Roadway Exposure Zone, therefore an analysis of annual exposure to roadway-related particulate matter would be required. In addition, during the environmental review process, the project site will be assessed to determine whether other sources of toxic air contaminants may substantially affect new sensitive receptors on the project site. If existing air pollution at the project site is determined to result in potentially significant impacts to on-site residents, it is likely that, in compliance with Mitigation Measure G-2: Air Quality for Sensitive Land Uses, the proposed project would be required to install a mechanical ventilation and air filtration system that removes 80 percent of outdoor particulate matter indoors.

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. The Eastern Neighborhoods PEIR identified a significant impact related to uses that emit DPM and included Mitigation Measure G-3: Siting of Uses that Emit DPM and Mitigation Measure G-4: Siting of Uses that Emit other TACs (Toxic Air Contaminants).

During the environmental review process the project will be screened for potential air quality impacts to identify applicable mitigation measures from the Eastern Neighborhoods PEIR and determine whether an Air Quality Technical Report is required for additional air pollutant modeling. If an Air Quality Technical Report is required, the project sponsor must retain a consultant with experience in air quality modeling to prepare a scope of work that must be approved by Environmental Planning prior to the commencement of any required analysis and/or modeling determined necessary.


Potential environmental effects related to greenhouse gas emissions from the proposed project need to be addressed in a project’s environmental evaluation. An electronic version of the Greenhouse Gas Compliance Checklist Table 1 for Private Development Projects is available on
the Planning Department’s website at http://www.sfplanning.org/index.aspx?page=1886. The project sponsor would 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 San Francisco’s GHG Reduction Strategy.

7. Shadow

Planning Code Section 295 generally prohibits new buildings above 40 feet that would cast new shadow on open space that is under the jurisdiction of the San Francisco Recreation and Park Commission between one hour after sunrise and one hour before sunset, at any time of the year, unless that shadow would not result in a significant adverse effect on the use of the open space. The shadow fan analysis would be used to determine if the project could create new shadow in a manner that substantially affects outdoor recreation facilities or other public areas pursuant to CEQA. (See item three, Planning Department Approvals, page 11.)

8. Geotechnical

The project site is located in a liquefaction hazard zone, as identified in the San Francisco General Plan. An investigation of geotechnical and soil conditions is required to make a determination as to whether the project would result in any environmental impacts related to structural damage, ground subsidence, liquefaction, landslides, and surface settlement. To assist our staff in their determination, it is recommended that you provide a copy of a geotechnical investigation with boring logs for the proposed project. This study will also help inform the archaeological review.

9. Hazardous Materials

Existing environmental hazards in the vicinity of the project site and the potential for hazards and hazardous materials contamination from past historic uses on the site need to be reviewed. The project includes removal of a natural fuel station, which would include removal of any underground storage tanks and cleanup of any below-grade contaminated soils. DPH’s Local Oversight Program provides regulatory oversight regarding underground storage tanks. It is therefore likely that the project will require both a Phase I and Phase II Environmental Site Assessment, and other studies as determined necessary by DPH.
Additionally, the project site is located within The Maher Area. The City adopted Ordinance 253-86 (signed by the Mayor on June 27, 1986), known as the Maher Ordinance. The Maher Ordinance applies to that portion of the City bayward of the original high tide line, where past industrial uses and fill associated with the 1906 earthquake and bay reclamation often left hazardous waste residue in soils and groundwater. The ordinance requires that soils be analyzed for hazardous wastes if more than 50 cubic yards of soil are to be disturbed.

Copies of Phase I and Phase II Environmental Site Assessments should be included with the Environmental Evaluation Application package, if available at the time of submittal. These studies will be required prior to completion of environmental review. Phase I and Phase II Environmental Site Assessments will be forwarded to DPH for their review.

Lastly, the Eastern Neighborhoods PEIR identified Mitigation Measure L-1 Hazardous Building Materials, which requires subsequent projects to properly dispose of any polycholorinated biphyenols (PCB) such as florescent light ballasts or any other hazardous building materials in accordance with applicable local, state and federal laws.

10. Tree Disclosure Affidavit

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 tree identified in this Disclosure Statement must be shown on the Site Plans with size of the trunk diameter, tree height, and accurate canopy drip line. Please submit an Affidavit with the Environmental Evaluation Application and ensure trees are appropriately shown on site plans.

11. Stormwater Management

Prior to issuance of a building permit, the project sponsor is required to prepare and submit a Stormwater Control Plan (SCP) to the San Francisco Public Utilities Commission Wastewater Enterprise, Urban Watershed Management Program. The SCP shall demonstrate compliance with the City’s Stormwater Design Guidelines. The project’s environmental evaluation would generally evaluate how and where the implementation of required stormwater management and low-impact design approaches would reduce potential negative effects of stormwater runoff. This may include environmental factors such as the natural hydrologic system, city sewer collection system, and receiving body water quality. For more information on the SFPUC’s stormwater management requirements, see http://stormwater.sfwater.org.
12. Notification of a Project Receiving Environmental Review

Notice is required to be sent to occupants of properties adjacent to the project site and owners of properties within 300 feet of the project site at the initiation of the Community Plan Exemption process. Please provide these mailing labels at the time of submittal.

Please submit an Environmental Evaluation Application. Environmental Evaluation applications are available in the Planning Department lobby at 1650 Mission Street Suite 400, at the Planning Information Center at 1660 Mission Street, and at the Planning Department’s website: www.sfplanning.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. Large Project Authorization

A Large Project Authorization from the Planning Commission is required per Planning Code Section 329 when a project proposes a net addition or new construction of more than 25,000 gross square feet. The Planning Commission shall review and evaluate all physical aspects of a proposed project at a public hearing. At such hearing, the Director of Planning shall present any recommended project modifications or conditions to the Planning Commission, including those which may be in response to any unique or unusual locational, environmental, topographical or other relevant factors. The Planning Commission may subsequently require these or other modifications or conditions, or disapprove a project, in order to achieve the objectives and policies of the General Plan or for the purposes of consistency with the Planning Code. Please reference Planning Code Section 329(c) and 329(d) regarding the Planning Commission design review and the exceptions allowed under this section.

2. Conditional Use Authorization

A Conditional Use authorization from the Planning Commission or a Conversion Determination from the Zoning Administrator is required per Planning Code Sections 228 to 228.5 to convert an existing service station to another use. The request for Conditional Use authorization is subject to a public hearing before the Planning Commission and must meet the criteria under Planning
Code Section 228.3. The Conversion Determination is subject to the criteria set forth in subsection 228.4(a).

3. **Shadow Analysis**

As per Planning Code Section 295, shadow analyses are required for proposed building heights in excess of 40 feet. The Planning Department has prepared a shadow analysis in connection with this Preliminary Project Assessment, attached. The analysis indicates that no public space under the jurisdiction of the Recreation and Park Department will be shadowed by the proposal. Therefore, a shadow application is not required. Should the proposal represented in the plan set submitted with this Preliminary Project Assessment be modified, a subsequent shadow analysis may be required.

4. **Building Permit Application**

A building permit application is required for the demolition of the existing buildings on the project site.

5. **Building Permit Application**

A building permit application is required for the construction of the proposed mixed-use development and the site improvements.

Large Project authorization and Conditional Use authorization 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](http://www.sfplanning.org). Building Permit applications are available at the Department of Building Inspections at 1660 Mission Street.

**NEIGHBORHOOD NOTIFICATIONS AND PUBLIC OUTREACH:**

Project Sponsors are encouraged to conduct public outreach with the surrounding community and neighborhood groups early in the development process. Additionally, many approvals require a public hearing with an associated neighborhood notification. Differing levels of neighborhood notification are mandatory for some or all of the reviews and approvals listed above.

This project is required to conduct a pre-application meeting with surrounding neighbors and registered neighborhood groups before a development application may be filed with the Planning Department. The
Pre-application packet, which includes instructions and template forms, is available at www.sfplanning.org under the “Permits & Zoning” tab. All registered neighborhood group mailing lists are available online at www.sfplanning.org under the “Resource Center” tab.

PRELIMINARY PROJECT COMMENTS:

The following comments address specific Planning Code and other general issues that may significantly influence the proposed project:

1. **Rear Yard**

   Planning Code Section 134 requires that the minimum rear yard depth shall be equal to 25 percent of the total depth of the lot on which the building is situated. Section 134(f) allows this requirement to be modified or waived by the Planning Commission pursuant to Section 329.

2. **Useable Open Space for Dwelling Units**

   Planning Code Section 135 requires a minimum of 80 sf of usable open space per dwelling unit, if not publicly accessible or 54 sf of usable open space per dwelling unit, if publicly accessible. Subsequent plans should provide sections and additional details regarding the provision of usable open space for dwelling units to confirm that the additional standards for private, common and publically accessible open space are being met. Should the proposal not provide the minimum usable open space, relief from this requirement may be sought pursuant to Planning Code Section 329.

3. **Useable Open Space for uses other than Dwelling Units, Group Housing, and Live/Work Units within the Eastern Neighborhoods Mixed-Use Districts**

   Planning Code Section 135.3 requires all newly constructed structures to provide a minimum of one sf of open space per 250 sf of occupied floor area of new retail, eating and/or drinking establishments, personal service, wholesale, home and business service, arts activities, institutional and like uses. Subsequent plans should indicate where the usable open space for the proposed retail use will be located.
4. Streetscape and Pedestrian Improvements

Planning Code Section 138.1 requires new street trees to be provided for the construction of a new building. Planning Code Section 138.1(c)(1) outlines the number of trees required and specifies minimum standards for installation. According to the plans submitted, a total of 44 trees are required. Further Planning Code Section 138.1(c)(2), the Better Streets Plan, requires other streetscape and pedestrian elements for larger projects. Please incorporate these elements into subsequent site plans.

5. Standards for Bird-Safe Buildings

Planning Code Section 139 establishes Bird-Safe Standards for new building construction to reduce bird mortality from circumstances that are known to pose a high risk to birds and are considered to be "bird hazards." Please see the Planning Department’s Standards for Bird Safe Buildings (available online at: http://www.sfplanning.org/index.aspx?page=2506). Hazardous conditions for birds can be either location-related or feature-related. (Pages 28-38 of the Planning Department’s Standards for Bird Safe Buildings describe these hazard conditions in detail.) Subsequent plans should provide sufficient detail to determine whether the proposal meets the Bird-Safe Standards under Section 139.

6. All Dwelling Units in all Use Districts to Face an Open Area

Planning Code Section 140 requires that for each dwelling unit in any use district, the required windows (as defined by Section 504 of the San Francisco Housing Code) of at least one room that meets the 120 sf minimum superficial floor area requirement of Section 503 of the Housing Code, shall face directly on an open area such as a public street, public alley at least 25 feet in width, side yard at least 25 feet in width, or rear yard meeting the requirements of the Planning Code or an open area (whether an inner court or a space between separate buildings on the same lot) which is unobstructed (except for those obstructions permitted in Sections 136(c)(14), (15), (16), (19), (20) and (29) of the Planning Code) and is no less than 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 of five feet in every horizontal dimension at each subsequent floor. Subsequent plans should provide sections to confirm whether the interior courtyard meets the dimensional requirements under Section 140 for those units facing the interior courtyard. In addition, the units along the north property line, as currently proposed, do not meet the exposure
requirements and require an exception from this requirement pursuant to Planning Code Section 329 unless they are designed to meet the exposure requirement.

7. **Street Frontages in Mixed-Use Districts**

Planning Code Section 145.1 attempts to create street frontages that are pedestrian-oriented, fine-grained, and appropriate and compatible to uses within the UMU Use District. It requires, in part, the following:

- **Active Uses**, as defined in Planning Code Section 145.1(b)(2), be provided within the first 25 feet of building depth on the ground floor and 15 feet on floors above from any façade facing a street at least 30 feet in width;

- No more than one-third of the width or 20 feet, whichever is less, of any given street frontage of a new or altered structure parallel to, and facing, a street shall be devoted to parking and loading ingress or egress;

- Ground floor non-residential uses in UMU Districts shall have a minimum floor-to-floor height of 17 feet, as measured from grade; and

- Frontages with active uses that are not residential or production, distribution or repair (PDR) to be fenestrated with transparent windows and doorways for no less than 60 percent of the street frontage at the ground level and allow visibility to the inside of the building. The use of dark or mirrored glass shall not count towards the required transparent area.

Subsequent plans should provide sections, elevations and floor plans to confirm whether the proposal meets the requirements under Section 145.1.

8. **Off-Street Parking**

Planning Code Section 151.1 establishes off-street parking maximums within the UMU Use District. The proposed number and type of units, given the information provided in the plan set and the Preliminary Project Assessment application, is unclear and therefore the maximum number of off-street parking spaces as per Planning Code Section 151.1 cannot be determined. However, please be aware that Planning Code Section 151.1 allows up to 1 off-street parking space for each dwelling unit in UMU Use District with at least 2 bedrooms and at least 1,000 square feet of occupied floor area and up to 0.75 off-street parking spaces for smaller sized
dwelling units. Subsequent plans should confirm the number of units proposed. Should the proposal exceed the amounts allowed under Section 151.1, the parking would be considered a separate principle use. The Planning Department discourages additional parking above accessory amounts.

9. **Off-Street Freight Loading**

Planning Code Section 152.1 requires two off-street loading spaces for residential proposals between 200,001 and 500,000 square feet in size. Relief from this requirement may be sought pursuant to Planning Code Section 329. Please note that under Section 329, the Planning Commission may waive these requirements if it finds that the design of the project, particularly ground floor frontages, would be improved and that such loading could be sufficiently accommodated on adjacent streets and alleys.

10. **Bicycle Parking Requirements for Residential Uses**

Planning Code Section 155.5 requires bicycle parking for buildings of four dwelling units or more at a rate of 25 Class 1 spaces plus one Class 1 space for every four dwelling units over 50. Subsequent plans should indicate the location of the bicycle parking. Please note that required bicycle parking spaces shall not be provided within dwelling units, balconies, or required open space.

11. **Car Sharing**

Planning Code Section 166 requires newly constructed buildings containing residential uses to provide parking for car-share parking spaces in an amount commensurate to the number of residential units. Table 166 indicates that for proposals of 201 or more residential units, two plus one for every 200 dwelling units over 200 are to be provided. Subsequent plans should indicate the location and quantity of car share spaces.

12. **Parking Costs Separated from Housing Costs in New Residential Buildings**

Planning Code Section 167 requires that all off-street parking spaces accessory to residential uses in new structures of 10 dwelling units or more be leased or sold separately from the rental or purchase fees for dwelling units for the life of the dwelling units, such that potential renters or buyers have the option of renting or buying a residential unit at a price lower than would be the case if there were a single price for both the residential unit and the parking space. In cases where
there are fewer parking spaces than dwelling units, the parking spaces shall be offered first to the potential owners or renters of three-bedroom or more units, second to the owners or renters of two-bedroom units, and then to the owners or renters of other units.

13. Required Minimum Dwelling Unit Mix in Eastern Neighborhoods Mixed-Use Districts

Within the Eastern Neighborhoods Mixed Use Districts Planning Code Section 207.6 requires that either no less than 40 percent of the total number of proposed dwelling units shall contain at least two bedrooms or no less than 30 percent of the total number of proposed dwelling units shall contain at least three bedrooms. Please note that any fraction resulting from this calculation shall be rounded to the nearest whole number of dwelling units. Subsequent plans should indicate the total number of dwelling units and the type of units (studio, one-bedroom, two-bedroom or three-bedroom).

14. Service Station Conversion

Planning Code Sections 228 through 228.5 limit the conversion of service stations, requiring either Conditional Use authorization from the Planning Commission or a Conversion Determination from the Zoning Administrator. The existing service station at the corner of 3rd and 23rd Streets qualifies as a service station. Please review Planning Code Sections 228 through 228.5 and proceed accordingly.

15. Height Limits

Planning Code Section 260 defines the method of height measurement. Subsequent plans should include section drawings to facilitate the measurement of height.


Planning Code Section 270.1 requires that buildings incorporate one or more mass reduction breaks that reduce the horizontal scale of the building into discrete sections not more than 200 feet in length. The breaks shall be not less than 30 feet in width, not less than 60 feet in depth from the street-facing building façade, extend up to the sky from a level not higher than 25 feet above grade or the third story, whichever is lower, and result in discrete building sections with a maximum plan length along the street frontage not greater than 200 feet. The Planning Commission may modify or waive this requirement through the process set forth in Section 329. When considering a modification or waiver, the Commission shall consider the criteria under
Section 270.1(d). It appears that the Tennessee and Third Street facades do not comply with this requirement. Subsequent plans should conform to the requirements or a modification or waiver pursuant to Section 329 must be sought.

17. Mid-Block Alleys in Large Lot Development in the Eastern Neighborhood Mixed-Use Districts

Planning Code Section 270.2 requires all new construction on parcels that have one or more street frontages of over 200 linear feet on a block face longer than 400 feet between intersections to provide publicly-accessible mid-block alleys for the entire depth of the property. Planning Code Section 270.2(e) provides minimum design and performance standards. Subsequent plans should indicate the inclusion of appropriate mid-block allies.

18. Large Project Authorization in the Eastern Neighborhoods Mixed-Use Districts

As stated above, Planning Code Section 329 requires Planning Commission review when a proposal involves a net addition or new construction of more than 25,000 gross square feet. Please reference Planning Code Section 329(c) and 329(d) regarding the Planning Commission design review and the exceptions allowed under this section.

19. Affordable Housing

The proposal is subject to the Affordable Housing requirements under Planning Code Section 419 as a Tier B project site. Please review Section 419 regarding the various alternatives to comply with this requirement including the provision of on-site affordable housing, the provision of off-site affordable housing, or the payment of an Affordable Housing Fee.

20. Eastern Neighborhoods Infrastructure Impact Fee

The proposal is subject to Planning Code Section 423, the Eastern Neighborhoods Infrastructure Impact Fee, at Tier 1 for the residential square footage and at Tier 2 for the non-residential square footage.

21. Stormwater Management

Projects that disturb 5,000 sf more of the ground surface must comply with the Stormwater Design Guidelines and submit a Stormwater Control Plan (SCP) as discussed above. To view the
Guidelines and download instructions for preparing a Stormwater Control Plan, go to http://stormwater@sfwater.org. Applicants may contact stormwaterreview@sfwater.org for assistance.

22. First Source Hiring Agreement

The project proposes the addition of at least 25,000 sf or more of new or additional gross floor area, therefore the project is subject to the First Source Hiring Program. Please contact the First Source Hiring Program Manager at (415) 401-4960 with the San Francisco Human Services Agency’s Workforce Development Division to develop a contract to satisfy this requirement. For frequently asked questions, you may access First Source information at www.onestopsf.org.

23. Interdepartmental Project Review

Interdepartmental Project Reviews are mandatory for new construction projects that propose buildings eight stories or more and new construction on parcels identified by the State of California Department of Conservation, Division of Mines and Geology as Seismic Hazard Zones in the City and County of San Francisco. Project Sponsors may elect to request an interdepartmental review for any project at any time; however, it is strongly recommended that a request is made prior to Planning Department approval of the first construction building permit. Please contact the Project Review Meeting Coordinator at (415) 575-6926 to arrange an Interdepartmental Project Review.

GENERAL PLAN COMMENTS:

The following comments address policy issues that may significantly affect the proposed project:

The proposed parcel was rezoned UMU in November 2011 and is within the Life Science and Medical Special Use District (SUD). The intent of this SUD is to support those uses that benefit from proximity to the University of California, San Francisco campus at Mission Bay. These include medical office and life science (biotechnology) uses. The current proposal does not take advantage of these opportunities.

The UMU zoning district is intended to allow for a wide variety of uses, including retail and housing, and to act as a buffer between residential and PDR uses. The district requires higher affordability standards (minimum 20 percent of the total units constructed shall be affordable to, and occupied by, qualifying persons and families – see Planning Code section 419.3(b)(2) for details) and requires a minimum
proportion of units be family-sized dwellings (i.e., at least 1) 40 percent two or more bedrooms, or, 2) 30 percent three or more bedrooms).

At this early stage, the project appears to be in conformity with the applicable area plan.

**PRELIMINARY DESIGN COMMENTS:**

The proposed project may seek exemptions from specific Planning Code requirements; however, they must be justified with a project of high design quality that conforms to the spirit of policies in both the General Plan and the Central Waterfront Area Plan. The following comments address preliminary design issues that may significantly affect the proposed project:

1. **Site Design, Open Space, and Massing**
   - The amenity provided by the interior courtyard seems compromised by the extension of a 49 foot deep building. The Planning Department recommends eliminating or reducing it significantly.
   - The building gap at Tennessee Street should be activated by an additional lobby or open exterior stair to the street from the podium.
   - Examine the treatment of the building end where the mid-block open space meets Tennessee Street. There should be some reconciliation of the angle.
   - The massing may need to be moderated with setbacks or step at the proposed building transitions to a lower scale adjacent use. Please show the adjacent context.

2. **Vehicle Circulation and Parking**
   - *Parking:* The Planning Department does not recommend the amount of parking proposed.
   - *Garage entrance:* The Planning Department recommends reducing the width of the garage entrance to a maximum of 12 feet wide. A garage entrance design could use perpendicular parking or bulb out and an interior bay to accommodate cars that may come and go at the same time. Loading and trash should be consolidated and reduced behind a single garage entrance.
3. Public Realm Improvements

Per Planning Code Section 138.1, the Planning Department will require standard streetscape elements and sidewalk widening for the appropriate street type as per the Better Streets Plan including: landscaping, site furnishings, and/or corner curb extensions (bulb-outs) at intersections (see Better Streets Plan Section 4 for Standard Improvements and Section 5.3 for Bulb-out Guidelines). The project sponsor is required to submit a Streetscape Plan illustrating these features, and the department will work with the project sponsor and other relevant departments to determine an appropriate streetscape design. Standard street improvement would be part of basic project approvals and would not count as credit towards in-kind contributions.

The street width on Tennessee Street might allow perpendicular parking augmented by bulb outs at the terminus of Tubbs and the corner of 23rd Streets.

4. Architecture

- At this point the architecture is assumed to be preliminary and the Planning Department would provide further detailed design review on the subsequent submission.

- Scale, proportion, and building logic. The Planning Department expects a high quality of design that responds to its context with a consistent composition of building components.

- The Planning Department expects to see variation or separation of residential façade elements as the design develops.

- Ground Floor Entries. Individual residential entries at the ground floor are encouraged. The draft Ground Floor Residential Design Guidelines encourages raised entries, setbacks, and landscaping along the street to provide a usable, active transition from the public sidewalk to a private dwelling.

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 December 8, 2013. 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.
Enclosures:

Shadow Fan Analysis

cc:  Eric Tao, AGI Capital  
     Diego Sanchez, Current Planning  
     David Winslow, Design Review  
     Neil Hrushowy, Long Range Planning  
     Rick Cooper, Environmental Planning  
     Tina Tam, Historic Preservation
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