DATE: October 02, 2012
TO: Chaim Elkoby
FROM: Joshua Switzky, Planning Department
RE: PPA Case No. 2012.1025U for 325 Fremont Street

Please find the attached Preliminary Project Assessment (PPA) for the address listed above. You may contact the staff contact, Kimia Haddadan, at (415) 575-9068 or kimia.haddadan@sfgov.org, to answer any questions you may have, or to schedule a follow-up meeting.

Joshua Switzky, Senior Planner
Preliminary Project Assessment

Date: October 2nd, 2012
Case No.: 2012.1025U
Project Address: 325 Fremont Street
Block/Lot: 3747/012,013, 014
Zoning: RH-DTR Zoning District
85-X/250-R Height and Bulk District
Area Plan: Rincon Hill Area Plan
Project Sponsor: Chaim Elkoby, Fremont 325 Development LLC
305-374-5700
Staff Contact: Kimia Haddadan- 415-5759068
kimia.haddadan@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 proposal includes new construction of a twenty-five-story residential building with one hundred and nineteen (119) dwelling units, sixty-one (61) off-street parking spaces, forty-three (43) bicycle parking spaces. The proposal would construct below grade and ground level parking space, and a roof terrace for common open space. The dwelling unit mix would include twenty-four (24) studio units, forty-eight (48) one-bedroom units, and forty-seven (47) two-bedroom units. In total, the proposal would construct 160,259 gross sq ft.

ENVIRONMENTAL REVIEW:

To facilitate environmental review and comply with the California Environmental Quality Act (CEQA), the applicant will be required to submit an environmental evaluation application (EEA). The project
initially requires the following environmental review, which may be done in conjunction with the required approvals listed below, but must be completed before any project approval may be granted.

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.

A previously proposed and approved project at the 325 Fremont Street project site (Case No. 1999.414CE) consisted of a 200-foot-tall, 22-story building with 59 dwelling units. This project was evaluated in a negative declaration that was issued on February 29, 2000, and the project was approved by the Planning Commission on June 8, 2000. The project was subsequently revised and reconfigured into 70 residential units in the same building envelope. This revised project was the subject of a negative declaration addendum that was issued on December 20, 2004, and the revised project was approved by the Planning Commission on March 17, 2005 (Case No. 2004.0636CV).

Concurrent with the evaluation and approval of the project at 325 Fremont Street was an area-wide rezoning effort known as the Rincon Hill Plan. The Rincon Hill Plan underwent environmental review in the Rincon Hill Plan EIR (“the programmatic EIR,” — Case No. 2000.1081E), which was certified on May 5, 2005. The Rincon Hill Plan became effective September 15, 2005. A part of the Rincon Hill rezoning effort, the 325 Fremont Street project site was reclassified from a 200-foot to a 250-foot height district. The programmatic EIR assumed that the 70-unit, 200-foot-tall residential development at 325 Fremont Street would be built as approved.

The currently proposed project — 250 feet tall with 119 dwelling units — would be consistent with the development density established by the Rincon Hill Plan. Thus, the proposed project would be eligible for community plan exemption (CPE) from the California Environmental Quality Act (per CEQA Guidelines Section 15183). Potentially significant project environmental impacts that were identified in and pertinent mitigation measures and CEQA findings from the programmatic EIR may be applicable to the proposed project. Based on our preliminary review, it appears that the following mitigation measures that were identified in the programmatic EIR would apply to the proposed project:

- **Mitigation Measure I.1b, Archeological Resources (page 227 of the Rincon Hill Plan Final EIR).** The project site is within Archaeological Mitigation Zone 2 (AMZ-2), a property for which no archeological assessment report was prepared or for which the archeological documentation is incomplete or inadequate to serve as an evaluation of potential effects on archeological resources under CEQA. This mitigation measure requires that a Preliminary Archeological Sensitivity Study be prepared, and that based on the study, the Environmental Review Office will determine whether an archeological research design/treatment plan (ARDTP) would be required. Upon submittal of an EEA and a geotechnical report (see item #7 below) and initiation of environmental review, the Planning Department will provide the project sponsor with a list of three consultants qualified in preparing archeological analyses from which the project sponsor can choose to prepare the archeological study. The selected consultant will work under the direction of the Planning Department staff.
• **Construction Noise Mitigation Measure (page 222 of the Rincon Hill Plan Final EIR).** If project construction involves pile driving, the project sponsor must ensure that piles be pre-drilled wherever feasible to reduce construction-related noise and vibration. No impact pile drivers should be used unless absolutely necessary. To reduce noise and vibration impacts, sonic or vibratory sheetpile drivers, rather than impact drivers, shall be used wherever sheetpiles are needed.

• **Mitigation Measure H.1, Hazardous Materials (page 227 of the Rincon Hill Plan Final EIR).** The project site is located in a general area of the city where past industrial land uses and debris fill associated with the 1906 earthquake and bay reclamation have often left hazardous waste residue in local soils. As a result, there is a possibility that some hazardous waste (particularly lead) may be present below the pavement on the project site. This mitigation measure requires that the project sponsor submit to the City a Phase I environmental site assessment. The mitigation measure further states: “If warranted by the Phase I study, and in consultation with the Department of Public Health (DPH), Environmental Health Section, the project sponsor shall prepare a Phase II environmental assessment that includes sampling of, as determined necessary by DPH, soil and/or groundwater. If soil and/or groundwater contamination is discovered in the Phase II assessment, the project sponsor shall, as required by DPH, enter into a voluntary cleanup agreement with DPH, complete and implement a Site Mitigation Plan that is approved by DPH, prepare and implement a Site Health and Safety Plan, and, if required, record a deed restriction limiting the site to future use compatible with remaining hazards, if any.” Please note that there is a separate fee to the DPH for its oversight of site assessment and remediation activities. More information on the DPH Voluntary Remedial Action Program may be found at http://www.sfdph.org/dph/EH/HazWaste/hazWasteVoluntaryRemedial.asp.

The programmatic EIR included Mitigation Measure H.2, Hazardous Materials (page 227 of the Rincon Hill Plan Final EIR). If dewatering is necessary, this mitigation measure requires the project sponsor to follow the recommendations of the site assessment/remediation consultant, in consultation with the San Francisco Public Utilities Commission, regarding treatment, if any, of pumped groundwater prior to discharge to the combined sewer system. This mitigation measure has subsequently become required by ordinance. If dewatering is required, the project sponsor will need to obtain a permit for batch wastewater from the SFPUC Wastewater Enterprise, Collection System Division– Permit for any discharges to the sewer system.

The programmatic EIR included Mitigation Measure E.1, Construction-Related Air Quality (page 224 of the Rincon Hill Plan Final EIR). This mitigation measure calls for dust control measures during project construction, and subsequently became required by ordinance (added to the San Francisco Health Code as Article 22B). The project sponsor will be required to submit a site-specific dust control plan prior to receiving a building permit.

The programmatic EIR also included Mitigation Measures C.1a, C.1b, and C.1c related to transportation impacts (page 223 of the Rincon Hill Plan Final EIR). The applicability of these measures would be evaluated in the required transportation impact study, as discussed under item #1, below.
It should be noted that the project site is a vacant lot, and the immediate area does not appear to be eligible as a historic district; thus, no analysis of on-site or off-site historic architectural resources is required.

Based on our preliminary review, the following topic areas may require additional study to identify significant impacts not identified in the programmatic EIR:

1. **Transportation.** Based on the Planning Department’s transportation impact analysis guidelines, the project would potentially add more than 50 PM peak hour person trips and thus would require additional transportation analysis. A transportation impact study must be prepared by a qualified consultant from the Planning Department’s transportation consultant pool working at the direction of the Planning Department staff. The Planning Department’s list of approved transportation consultants is available at [http://www.sf-planning.org/index.aspx?page=1886](http://www.sf-planning.org/index.aspx?page=1886). Upon submittal of an EIA and initiation of environmental review, the Planning Department will provide a list of three consultants qualified in preparing transportation impact analyses. Please see “Transportation Impact Analysis Guidelines for Environmental Review” on the Planning Department’s website and “Miscellaneous Fees” in the Planning Department’s current *Fee Schedule for Applications* for more information. As noted on the *Fee Schedule*, there is a separate fee to the San Francisco Municipal Transportation Agency (SFMTA) for review of the transportation impact study. The transportation impact study will assess the applicability of the transportation mitigation measures in the programmatic EIR to the proposed project.

2. **Noise.** During project operation, the project must comply with California Noise Insulation Standards in Title 24 of the California Code of Regulations. Because the project involves siting new noise-sensitive (residential) uses in an area that experiences high noise levels (65-70 decibels, per the San Francisco Traffic Noise Model), the environmental review may require the completion of a detailed noise assessment by person(s) qualified in acoustical analysis and/or engineering prior to the first project approval action, in order to demonstrate that acceptable interior noise levels consistent with those in the Title 24 standards can be attained. The findings of the acoustical study are intended to be included in the CPE. After submittal of the EIA, the applicant can coordinate with the environmental planner on the specific scope of this analysis.

The proposed project would also be required to comply with the construction noise regulations contained in Article 29 of the San Francisco Police Code, which addresses both construction noise and fixed-source noise. Compliance with these regulations would ensure that the project would not result in a significant noise impact under CEQA.

3. **Air Quality.** The project proposes the construction of a 250-foot-tall, 25-story residential building with 119 dwelling units on a currently vacant lot. Project-related excavation and 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 must comply with applicable dust control measures of the San Francisco Building and Health Codes during site preparation and construction.

The project proposes sensitive land uses (i.e., residential) in an area that may experience elevated levels of roadway-related air pollution. As currently required under Health Code Article 38, the proposed project must undergo an air quality analysis of exposure to roadway-related particulate matter to determine whether the project would need to install ventilation systems or otherwise...
redesign the project to reduce residents' exposure to exterior air. For more information on Health Code Article 38, see http://www.sfdph.org/dph/EH/Air/default.asp.

Based upon recent air pollution modeling conducted in partnership with the Bay Area Air Quality Management District and the San Francisco Department of Public Health, the project site is located with an area that experiences poor air quality. Because the project would site residential uses, the proposed project may result in significant air quality impacts, and would require mitigation measures to reduce exposure of sensitive receptors to substantial air pollutant concentrations. The following mitigation measures would reduce these impacts to less than significant: (1) emissions minimization measures during project construction, (2) air filtration and ventilation requirements for sensitive land uses, and (3) Best Available Control Technology for Toxics (TBACT) for the emergency generator (if the project requires one).

4. **Greenhouse Gas Emissions.** The applicant will be required to complete the Planning Department's Greenhouse Gas Emissions Checklist, which will be provided after submittal of the EEA. The checklist includes a list of pertinent City regulations, ordinances, and other requirements that reduce greenhouse gas emissions consistent with the City's reduction strategy. Projects that do not comply with an ordinance/regulation may be determined inconsistent with San Francisco's qualified GHG reduction strategy and may require the development of specific mitigation measures to achieve compliance.

5. **Wind.** The proposed 250-foot-tall building would require an initial review by a wind consultant, including a recommendation as to whether a wind tunnel analysis is needed. The consultant would be required to prepare a proposed scope of work for review and approval by the Planning Department prior to preparing the analysis.

6. **Shadow.** The proposed project would involve construction of a building greater than 40 feet in height and would therefore require a shadow study. A preliminary shadow analysis, attached, indicates that no public space under the jurisdiction of the San Francisco Recreation and Parks Department would be shadowed by the proposed project, as represented in the plan set submitted with the Preliminary Project Assessment application. A detailed shadow study must be conducted by a qualified shadow consultant to evaluate impacts on affected parks and open spaces that are not under the jurisdiction of the Recreation and Parks Department. The Planning Department will provide additional guidance on preparing a detailed quantification of shadow square-foot-hours affecting the pertinent space(s) after submittal of the EEA.

7. **Geotechnical.** The applicant must submit with the EEA a geotechnical study that investigates the soils underlying the site, possible foundation types, and any geotechnical concerns related to the type(s) of foundation system(s) contemplated. The geotechnical study should determine whether the site is subject to liquefaction and landslides and should highlight any recommendations for reducing geotechnical hazards, as applicable, associated with any of the geotechnical concerns identified in the study. The project sponsor is required to incorporate the geotechnical recommendations into the project design as part of the Department of Building Inspection's permit review process.
8. **Stormwater Management.** The project must comply with the City’s Stormwater Management Ordinance, which requires the preparation of a Stormwater Control Plan (SCP). Responsibility for review and approval of the SCP is with the San Francisco Public Utilities Commission Wastewater Enterprise, Urban Watershed Management Program. 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. More information on stormwater management may be found at [http://stormwater.sfwater.org](http://stormwater.sfwater.org).

Under the community plan exemption process, environmental analysis would result in one of three outcomes: (1) a CPE, if all potentially significant project-specific and cumulatively considerable environmental impacts are fully consistent with significant impacts identified in the programmatic EIR, and if there are no new “peculiar” significant impacts unique to the proposed project, (2) a CPE + mitigated negative declaration, if the project would result in peculiar impacts that could be reduced to a less-than-significant level with implementation of mitigation measures, or (3) a CPE + EIR, if the proposed project would have significant and unavoidable environmental impacts that were not identified in the programmatic EIR.

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 online at [www.sfplanning.org](http://www.sfplanning.org). For current environmental fees, please see the Planning Department’s Fee Schedule for Applications available online at [www.sfplanning.org](http://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. **Determination of Compliance (X).** Planning Code Section 309.1 applies to all projects in DTR districts that are greater than 50,000 gross square feet, 85 feet in height or greater, and for applications that require exceptions.

   The project meets all criteria listed above with a total of approximately 161,000 gross square feet of area, 275 feet in height, and requiring exceptions. Therefore, a Section 309.1 for Determination of Compliance, or X case, is required. The application form is available from 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).

2. **Exceptions.** As a component of the review process under Section 309.1, projects may seek specific exceptions to the provisions of the Planning Code. Exceptions from open space (Planning Code Sections 135 and 827), street frontage (Planning Code Section 145), off-street parking (Planning Code Sections 151.1 and 827), residential unit mix (Planning Code Section 207.6), and tower separation (Planning Code Section 270), must be justified in order for the project to be approved. The proposed open space areas do not appear to meet the minimum requirements.
The proposed vehicular access and ground floor uses do not meet the requirements. The project seeks parking spaces on the ground level where not permitted. The project also does not meet the unit mix requirement and has not provided sufficient information to evaluate as to whether it meets the tower separation requirements. Note that there are very limited exceptions permitted in Section 270(e) for tower separation and no variances are permitted for this requirement beyond these limited exceptions. To the extent possible, the Department recommends limiting the exceptions being sought or demonstrating that the current project meets the Code requirements. The application form is available from 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.

3. Building Permit Applications. Permit application and notification are required for the proposed demolition, new construction and the Section 309.1 application. Building permit applications are available at the Department of Building Inspection at 1660 Mission Street.

NEIGHBORHOOD NOTIFICATION 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 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 “Applications” tab. All registered neighborhood group mailing lists are available online at www.sfplanning.org under the “Publications” tab.

PRELIMINARY PROJECT COMMENTS:

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

1. First Source Hiring. Chapter 83 of the San Francisco Administrative Code, passed in 1998, established the First Source Hiring Program to identify available entry-level jobs in San Francisco and match them with unemployed and underemployed job-seekers. The intent is to provide a resource for local employers seeking qualified, job ready applicants for vacant positions while helping economically disadvantaged residents who have successfully completed training programs and job-readiness classes.

The ordinance applies to (1) any permit application for commercial development exceeding 25,000 square feet in floor area involving new construction, an addition or a substantial alteration which results in the addition of entry level positions for a commercial activity; or (2) any application which requires discretionary action by the Planning Commission relating to a commercial activity over 25,000 square feet, but not limited to conditional use; or (3) any permit
application for a residential development of ten units or more involving new construction, an
addition, a conversion or substantial rehabilitation.

The project proposes more than ten dwelling units and therefore, is subject to the requirement.
For further information or to receive a sample First Source Hiring Agreement, please see contact
information below:

Ken Nim, Workforce Compliance Officer
CityBuild, Office of Economic and Workforce Development
City and County of San Francisco
50 Van Ness, San Francisco, CA 94102
Direct: 415.581.2303
Fax: 415.581.2368

2. Tree Disclosure Affidavit. A Tree Disclosure Affidavit must be filled out and submitted with the
Large Project Authorization application.

3. Open Space. Planning Code Sections 135 and 827 require at least 75 square feet of usable open
space per dwelling unit. At least 40 percent of the residential open space is required to be
common to all residential units. The Project has a residential open space requirement of up to
8,925 square feet, and at least 3,570 square feet of which must be common open space.

The proposed roof deck of approximately 2,600 square feet does not meet the 40 percent common
open space requirement. In order for the private balconies to meet the open space requirement,
each balcony must measure at least six feet in every direction as required by Section 135. The
proposed balconies do not meet the dimensional requirements. As the project is new
construction, please revise the design and comply with the requirement.

4. The Green Landscape Ordinance. Planning Code Section 138.1 requires permeable paving and
street trees to be installed by the property owner or developer in the case of the construction of a
new building, relocation of a building, or addition of gross floor area equal to 20 percent or more
of the gross floor area of the existing building. The minimum installation shall be one 24-inch
box tree for each 20 feet of frontage of the property along each street or alley, with each
remaining 10 feet requiring one additional tree.

The proposed project triggers a requirement for five street trees for each frontage on Zeno Place
and Fremont Street. The project proposes three trees at the Fremont Street frontage and none at
the Zeno Place frontage. Please review the Ordinance for additional requirements and indicate
project compliance.

5. Standards for Bird Safe Buildings. Adopted on July 14, 2011, the Standards for Bird Safe
Buildings specify requirements for a bird safe building. Please review the standards and indicate
the method of window treatments to comply with the requirements where applicable.
6. Street Wall. Planning Code Section 827 requires building area below 85 feet in height to be built to 100 percent of all property lines facing public rights-of-way except where necessary setbacks are required, or publicly accessible open space is provided. The project proposes a significant multi-story ground floor setback to accommodate vehicular access that does not meet this requirement.

7. Ground Floor Use, Vehicular Access and Street Frontage. Planning Code Sections 145.1, 825 and 827 requires the following for street frontages in RH DTR: (1) Any single development is limited to a total of two facade openings of no more than 11 feet wide each or one opening of no more than 22 feet wide for access to off-street parking and one facade opening of no more than 15 feet wide for access to off-street loading, feet; (2) ground floor residential use facing Fremont Street are required and must comply with the design standards of the Ground Floor Residential Design Guidelines; (3) “active” use, as defined in Section 145.1 shall be provided within the first 25 feet of building depth at the ground floor; (4) ground floor non-residential uses shall have a floor-to-floor height of 14-feet; (5) frontages with active uses shall be fenestrated with transparent windows; and, (6) decorative railings or grillwork placed in front of or behind ground floor windows, shall be at least 75 percent open to perpendicular views.

The vehicular (parking and loading) entries appear to substantially exceed the limits for vehicular access. The ground floor frontage on Fremont street does not meet these various requirements. Parking is proposed within the first 25 feet of depth from the Fremont Street façade. Active ground floor residential uses are also required at the Fremont Street frontage.Also, please indicate the required car share parking space(s) and consider how non-residents will access these spaces as required.

8. Residential Unit Mix. Planning Code Section 207.6 requires no less than 40 percent of the total number of proposed dwelling units to contain at least two bedrooms. Any fraction resulting from this calculation shall be rounded to the nearest whole number of dwelling units. 40 percent of the total proposed 119 units would be 48 units. The project proposes 47 two-bedroom units (39.49%). Please revise design accordingly to accommodate 48 two-bedroom units.

9. Bulk and Tower Separation. Planning Code Section 270(e) limits the plan dimension of towers between 241 and 300 feet in height from having a plan length of 100 feet and a diagonal dimension of 125 feet, and may not exceed a maximum average floor area of 8,500 gross square feet. To encourage tower sculpting, the gross floor area of the top one-third of the tower shall be reduced by 10 percent from the maximum floor plates, unless the overall tower floor plate is reduced by an equal or greater volume. Additionally, in order to provide adequate sunlight and air to streets and open spaces, a minimum distance of 115 feet must be preserved between all structures above 110 feet in height at all levels. Spacing shall be measured horizontally from the outside surface of the exterior wall of the subject building to the nearest point on the closest structure above 110 feet in height. Please illustrate project compliance with these requirements.
10. Shadow Analysis. As discussed in the Environmental Review section of this document, projects over 40 feet in height require a Shadow Analysis Application per Section 295 to ensure that new buildings do not cast new shadows on properties that are under the jurisdiction of the San Francisco Recreation and Park Department.

11. Rincon Hill Infrastructure Impact Fee. Planning Code Section 418 requires a payment of approximately $8.60 per square foot for any residential project in the Rincon Hill Plan Area. For the proposed 160,300 square foot structure, approximately $1,378,580.00 will be charged. Alternatively, The Project Sponsor may wish to opt for (1) an In-Kind Provision of Community Improvements, which requires Planning Commission review and for possible reduction in the Community Improvement Impact Fee as result of an agreement with the City to provide in-kind improvements in the form of streetscaping, sidewalk widening, neighborhood open space, community center, and other improvements that result in new public infrastructure and facilities; or (2) Provision of Community Improvements via a Community Facilities (Mello-Roos) District, where the Commission may waive the Community Improvements Impact Fee, either in whole or in part, if the Project Sponsor has entered into a Waiver Agreement with the City.

12. SOMA Stabilization Fund Fee. Planning Code Section 418 requires a payment of approximately $10.95 per square foot for any residential tower in the Rincon Hill area. For the proposed 160,300 square foot structure, approximately $1,755,285.00 will be charged.

13. Inclusionary Housing. Affordable housing is required for a project proposing five or more dwelling units. The Project Sponsor must submit an 'Affidavit of Compliance with the Inclusionary Affordable Housing Program: Planning Code Section 419,' to the Planning Department identifying the method of compliance, on-site, off-site, or in-lieu fee. Any on-site affordable dwelling-units proposed as part of the project must be designated as owner-occupied units, not rental units. Affordable units designated as on-site units shall be sold as ownership units and will remain as ownership units for the life of the project. The project has an affordable housing requirement of 12 percent if provided on-site, or 17 percent if provided off-site.

For your information, if a project proposes rental units, it may be eligible for an On-site Alternative to the Affordable Housing Fee if it has demonstrated to the Planning Department that the affordable units are either: 1) ownership only or 2) not subject to the Costa Hawkins Rental Housing Act (a Costa Hawkins exception). Affordable units are not subject to the Costa Hawkins Rental Housing Act under the exception provided in Civil Code Sections 1954.50 through one of the following methods:

- direct financial construction from a public entity
- development bonus or other form of public assistance

A Costa Hawkins exception agreement is drafted by the City Attorney. You must state in your submittal how the project qualifies for a Costa Hawkins exception. The request should be addressed to the Director of Current Planning. If the project is deemed eligible, we may start working with the City Attorney on the agreement.
PRELIMINARY DESIGN COMMENTS:

1. Site Design, Open Space, and Massing. The integrity of the street wall is compromised by the drive court. The building is required to be built to the property line, except where necessary setbacks are required, or publicly accessible open space is provided. The massing of the tower overall seems appropriate, though the project must demonstrate its compliance with the bulk and tower separation requirements.

2. Vehicle Circulation, Access and Parking

Parking. The double side by side car elevators accessed via a drive court creates two issues: 1) the driveway and curb cut appear wider than permitted, and 2) they prevent the building from featuring the required active ground floor uses. Additionally, the street frontages must feature active uses -- parking cannot be located within this area. Staff recommends the parking be accessed from two single-width entries along Zeno place, which is a service alley, and that the Fremont Street façade be reserved for residential lobby, ground floor unit, and other active uses or public open space.

Bike parking should be as directly accessible as possible, with few intervening obstacles in the path of travel such as doors and winding corridors. It is not clear why the bike parking room, which is at grade with and facing Zeno Place, is accessed circuitously from the loading dock as opposed to directly from a door directly accessing Zeno Place.

3. Public Realm Improvements

Street improvements. Per Planning Code Section 138.1, the Department will require standard streetscape elements and sidewalk widening for all street frontages abutting the project per the Rincon Hill Streetscape Master Plan, including landscaping, site furnishings, and/or sidewalk extensions. This includes both Fremont Street and Zeno Place. 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 improvements would be part of basic project approvals not count for as credit towards in-kind contributions.

Zeno Place has been identified in the Rincon Hill Streetscape Plan as a site for shared street type improvements that would include single surface paving across the entire width of the alley and landscaping. This could be a desirable amenity for the project and is encouraged as part of the streetscape improvement plan. A portion of the Zeno Place streetscape improvement may also be allowed to count toward common open space. Please coordinate with the proposed design for Zeno Place by the adjacent project at 333 Fremont.

Relocating the garage access function from Fremont Street to Zeno Place allows more streetscape improvements to occur on Fremont, including an additional tree and landscaping where the driveway is currently shown. The incremental widened sidewalk width between the existing curbline and new curbline can count toward common open space requirement while the existing sidewalk cannot, as shown on the submitted drawings.
4. Architecture

Scale, proportion, and building logic: The form of the lobby seems to echo the shape of the tower above, whereas the form of the base, as programmed by the mechanical room and accessible parking does not. This seems like a lost opportunity which also occurs with the shape of the ground level on Zeno Place.

Active ground floor uses are required for all street facing frontages. Please consider ground floor residential units, as described in Planning Code Section 827(a)(2)(B) or other active uses facing Fremont Street.

Explore options for relocating the mechanical room to the interior. Electrical transformers may be placed in sub-sidewalk vaults.

The ground floor open space / drive court will probably not be used as open space. To better activate this space the Department recommends programming it as a townhouse unit, common amenity, or larger lobby.

Façade:

The building is likely to read as a freestanding high-rise with side property elevations visible, as tower separation requirements would preclude buildings taller than 85 feet on adjacent lots. The most prominent façade then is likely to be the northern façade facing Folsom Street. The current design renders the side façades as somewhat secondary, semi-blind walls. They should be unified with the main façades to the extent feasible.

The Department appreciates the thoughtful treatment of the facade screening system that caps the roof penthouse. The Department suggests integrating this system with the main façade in some way that unifies it with all four facades.

CITYWIDE POLICIES AND NEIGHBORHOOD AREA PLAN REVIEW:

The subject property falls under the Rincon Hill Area Plan (the Plan). The properties within the boundaries of the Plan went through rezoning when it was adopted in 2005. The Plan recommends policies regarding urban design, housing, parking, and street improvements that apply to the subject project.

Unit Mix- Policies 2.4 and 2.5 of the Plan set goals to create more family housing within the Plan Area. Policy 2.4 and Section 207.6 of the Planning Code requires that projects should dedicate a minimum of 40% of their units to two or more bedroom units. Policy 2.5 of the Plan also suggests allocating 10% of all units in new development to three or more bedrooms. Staff recommends that project sponsors consider providing three bedroom units in this new development as well.

Sidewalk Treatments- Policy 4.7 of the Plan and Section 827 (g) of the Planning Code require that new developments provide streetscape improvements to sections of street where the frontage directly abuts a
public sidewalk, which include both Fremont Street and Zeno Place in this case. These streetscape improvements shall follow the requirements provided in the Rincon Hill Streetscape Plan and they would be a part of condition of approvals. Furthermore, please note that only the portion of a widened sidewalk between the existing curb line and the new curb line can count toward open space requirements.

**Option for In-Kind Provision of Community Improvements and Fee Credits.** Project sponsors may propose to directly provide community infrastructure improvements. In such case, the City may enter into an In-Kind Improvements Agreement with the sponsor and issue a fee waiver for the Rincon Hill Plan Impact Fee from the Planning Commission. This process is further explained in Section 412.3(d) of the Planning Code. More information on in-kind agreements can be found in the Application Packet for In-Kind Agreement on the Planning Department website. The Fremont Street sidewalk expansion and streetscape improvements north of the project site indicated on the Plan could potentially be eligible for In-Kind credit.

**Bicycle Parking**- Section 155.5 of the Planning Code provides requirements for bicycle parking in residential development. The proposed bike parking in the PPA application meets the existing requirements in the Code. However, currently the bicycle parking requirements in the Code are under review for significant changes which would probably affect the requirements for this project. For further review of potential changes, please look at: [http://commissions.sfplanning.org/cpcpackets/2011.0397T.pdf](http://commissions.sfplanning.org/cpcpackets/2011.0397T.pdf). These proposals are currently under review and are subject to change.

**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 April 2, 2014. 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: Interdepartmental Project Review Application

cc: Chaim Elkoby, Fremont 325 Development LLC, Property owner
    Ben Fu, Current Planning
    Jeanie Poling, Environmental Planning
    Kimia Haddadan, Citywide Planning and Analysis
INTERDEPARTMENTAL PROJECT REVIEW
Effective: August 31, 2012

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 the request is made prior to Planning Department approval of the first construction building permit.

The Planning Department acts as the lead agency in collaboration with the Department of Building Inspection (DBI); the Department of Public Works (DPW); and the San Francisco Fire Department (SFFD). Staff from each of these disciplines will attend your meeting.

Interdepartmental Project Review fees:
1. $1,157 for five or fewer residential units and all affordable housing projects.
2. $1,682 for all other projects.

Please note that $384 of these fees is non-refundable. If your project falls under the first type of fee, and you cancel your meeting, $773 will be refunded to you. If your project falls under the second type of fee, and you cancel your meeting, $1,298 will be refunded to you.

To avoid delays in scheduling your meeting, provide all information requested on this form and submit your request with a check in the appropriate amount payable to the San Francisco Planning Department. Requests may be mailed or delivered to San Francisco Planning Department, 1650 Mission Street, Suite 400, San Francisco, CA 94103-2414. Those wishing more specific or more detailed information may contact the Project Review Meeting Coordinator at (415) 575-9091.

Please note: All returned checks are subject to a $50.00 bank fee.

Interdepartmental Project Reviews are scheduled no sooner than two weeks from the receipt of the request form and check.
Submittal requirements:

Please submit four (4) copies/sets of all information for distribution to each department/agency.

All projects subject to the mandatory Interdepartmental Project Review shall be required to submit the following minimum information in addition to their request form:

1. Site Survey with topography lines;
2. Floor Plans with occupancy and/or use labeled of existing and proposed;
3. Existing and proposed elevations;
4. Roof Plan; and
5. Pictures of the subject property and street frontages.

Planned unit developments or projects with an acre or more of land area shall be required to submit the following additional information:

1. Existing and proposed street names and widths;
2. Location of any existing train tracks; and
3. Location of any existing and proposed easements.

In order for the Interdepartmental Project Review to be most effective and beneficial to you, it is strongly recommended that any issues, concerns and/or specific questions are submitted with this request directed to each discipline.
INTERDEPARTMENTAL PROJECT REVIEW APPLICATION FORM

APPLICATION DATE: ________________________________

PROJECT CONTACT:
Name ____________________________________________ Phone No. (   )________________________
Address ____________________________________________ FAX No. (   )________________________
Owner __________________________________________________________________________________

PROJECT INFORMATION:
Address __________________________________________________________________________________

How many units does the subject property have? ______________________________________________

Assessor's Block/Lot(s) __________________________ Zoning District ____________________________

Height and Bulk Districts __________________________ Located within Geologic Hazard Zone? Y☐  N☐

PROJECT DESCRIPTION / PURPOSE OF MEETING/SPECIFIC QUESTIONS:
(Use attachments if necessary)
_____________________________________________________________________________________
_____________________________________________________________________________________
_____________________________________________________________________________________

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<th>Net Change</th>
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<td>Number of Stories</td>
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Previously contacted staff _________________________________________________________________

Will this project be publicly funded? (specify) ______________________________________________

(Please submit four (4) copies/sets of the Application Form, Floor Plans, Pictures, etc.)