DATE: October 7, 2013
TO: Mark Holmquist
FROM: Lisa Gibson, Planning Department
RE: PPA Case No. 2013.1109U for 2146-2148 Third Street

Please find the attached Preliminary Project Assessment (PPA) for the address listed above. You may contact the staff contact, Tania Sheyner, at (415) 575-9127 or Tania.Sheyner@sfgov.org, to answer any questions you may have, or to schedule a follow-up meeting.

Lisa Gibson, Senior Planner
Preliminary Project Assessment

Date: October 7, 2013
Case No.: 2013.1109U
Project Address: 2146-2148 Third Street
Block/Lot: 4044/003
Zoning: UMU (Urban Mixed-Use) District
Life Science and Medical Special Use District
68-X Height and Bulk District
Area Plan: Eastern Neighborhoods
Project Sponsor: Mark Holmquist
415-626-8977
Staff Contact: Tania Sheyner – 415-575-9127
Tania.Sheyner@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:

This project description is based on the Preliminary Project Assessment (PPA) Application submitted on August 8, 2013. It is also based on a discussion of the proposed project at the meeting between Planning Department staff and project sponsor’s representatives that took place on September 5, 2013 at the Planning Department. If any of the underlying project description details change, then the information in this PPA would need to be re-evaluated.

The project site consists of a 2,265-square-foot (sf), rectangular-shaped parcel located on the western side of Third Street, between 18th and 19th Streets, in the Central Waterfront neighborhood of San Francisco. The site is currently occupied by a two-story-over-basement, approximately 4,000-sf building, which contains two residential units. The basement level extends approximately 10 feet below ground surface (bgs) and extends beneath the entire project site. The existing building on the site was constructed in 1900.
The proposed project would demolish the existing building on the site and construct in its place a residential building approximately 12,000 sf in size and containing 7 residential units, ranging approximately 500-sf to 1,200-sf in size. The proposed building would be 6 stories above a basement level, and would extend approximately 55 feet in height. The proposed mix of units is three one-bedroom units and four two-bedroom units. The new structure would be built to the front property line but would be set back 25 percent from the rear property line above grade to accommodate a rear yard. Below grade, the project would repurpose the existing basement level into a garage containing four parking spaces (utilizing a car elevator system). Additional excavation of up to approximately 3 feet (to a depth of approximately 13 feet bgs) may be necessary to accommodate the proposed foundation system.

**ENVIRONMENTAL REVIEW:**

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.

**Community Plan Exemption**

Section 15183 of the California Environmental Quality Act (CEQA) Guidelines states that projects that are consistent with the development density established by a community plan for which an environmental impact report (EIR) was certified do not require additional environmental review, except as necessary to determine the presence of project-specific significant effects not identified in the programmatic plan area EIR.

The proposed project is located within the Eastern Neighborhoods Area Plan, which was evaluated in the Eastern Neighborhoods Rezoning and Area Plans Programmatic Final Environmental Impact Report EIR (Eastern Neighborhoods FEIR), which was certified in 2008. Because the proposed project is consistent with the development density identified in the area plan, it is eligible for a community plan exemption (CPE). Within the CPE process, there can be three different outcomes as follows:

1. **CPE Only.** All potentially significant project-specific and cumulatively considerable environmental impacts are fully consistent with significant impacts identified in the Eastern Neighborhoods FEIR, and there would be no new “peculiar” significant impacts unique to the proposed project. In these situations, all pertinent mitigation measures and CEQA findings from the Eastern Neighborhoods FEIR are applied to the proposed project, and a CPE checklist and certificate is prepared. With this outcome, the applicable fees are: (a) the CPE determination fee (currently $13,339); (b) the CPE certificate fee (currently $7,402); and (c) a proportionate share fee for recovery of costs incurred by the Planning Department for preparation of Eastern Neighborhoods FEIR.

2. **CPE + Focused Initial Study/Mitigated Negative Declaration.** If new site- or project-specific significant impacts are identified for the proposed project that were not identified in the Eastern Neighborhoods FEIR, and if these new significant impacts can be mitigated to a less-than-significant level, then a focused mitigated negative declaration is prepared to address these impacts, and a supporting CPE certificate is prepared to address all other impacts that were encompassed by the

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Eastern Neighborhoods FEIR, with all pertinent mitigation measures and CEQA findings from the Eastern Neighborhoods FEIR also applied to the proposed project. With this outcome, the applicable fees are: (a) the CPE determination fee (currently $13,339); (b) the standard environmental evaluation fee (which is based on the project’s construction value); and (c) a proportionate share fee for recovery of costs incurred by the Planning Department for preparation of the Eastern Neighborhoods FEIR.

3. CPE +Focused EIR. If any new site- or project-specific significant impacts are identified that cannot be mitigated to a less-than-significant level, then a focused EIR is prepared to address these impacts and a supporting CPE certificate is prepared to address all other impacts that were encompassed by the Eastern Neighborhoods FEIR, with all pertinent mitigation measures and CEQA findings from the Eastern Neighborhoods FEIR also applied to the proposed project. With this outcome, the applicable fees are: (a) the CPE determination fee (currently $13,339); (b) the standard environmental evaluation fee (which is based on the project’s construction value); (c) one-half of the standard EIR fee (which is also based on the project’s construction value); and (d) a proportionate share fee for recovery of costs incurred by the Planning Department for preparation of the Eastern Neighborhoods FEIR.

In order to begin formal environmental review, please submit an Environmental Evaluation Application (EE Application). See page 2 of the current Fee Schedule for calculation of environmental application fees.

Environmental Topics
Below is a discussion of the main topic areas that will be addressed in the environmental document, based on our preliminary review of the project as it is proposed in the PPA Application.

1. Historic Architectural Resources. The project sponsor proposes to demolish the existing building and construct a new residential building in its place. The existing building on the project site was originally surveyed in 2001 by the City and County of San Francisco as part of the Central Waterfront Cultural Resources Survey. It was assigned a California Historical Resource Status Codes (CHRSC) code of “7N1,” indicating that the property “Needs to Be Reevaluated and may become eligible for [the National Register of Historic Places] w/ restoration or when meets other specific conditions.”

Based on that survey, the existing property is associated with the development of the Central Waterfront area of San Francisco, but does not appear to have played a significant individual role in this trend. The building does not appear individually eligible for listing in any national, state, or local historical registers; however, it appears eligible for local designation as a contributor to the Central Waterfront/Third Street Industrial District. Based on a more recent evaluation conducted in 2012, the property was assigned a new CHRSC code of “5D2,” thus identifying the property as a “Contributor to a district that is eligible for local listing or designation.” Therefore, 2146-2148 Third Street is considered a historic resource for the purposes of CEQA.

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4 In 2003, the State of California converted all National Register Status Codes (NRSC) into California Historical Resource Status Codes (CHRSC). All properties listed with a NRSC of “4D2” were converted into CHRSC of “7N1.”
Under CEQA, proposed projects are analyzed for their impact upon historic resources. Historic resource analysis is a two–step process: the first is to determine whether the subject property contains historical resource(s) as defined in Section 15064.5(a)(3) of CEQA; and, if it is determined to be a historical resource, the second is to evaluate whether the proposed project would cause a substantial adverse change to that resource.

Based on the above, the project is subject to the Department’s Historic Preservation review, which would include preparation of an Historic Resource Evaluation (HRE) by a qualified professional who meets the Secretary of the Interior’s Professional Qualification Standards. The department will provide the project sponsor with a list of three consultants from the Historic Resource Consultant Pool, which shall be known as the potential consultant list or PCL. Once the Environmental Evaluation Application is submitted, please contact Tina Tam, Senior Preservation Planner, via email (tina.tam@sfgov.org) for the list of three consultants. Upon selection of the historic resource consultant, the scope of the Historic Resource Evaluation shall be prepared in consultation with Department Preservation staff.

Instructions for completing the HRER are included in “San Francisco Preservation Bulletin No. 16: City and County of San Francisco Planning Department CEQA Review Procedures for Historic Resources.” The preservation bulletin is available at www.sfplanning.org under: “Plans & Programs” > “Historic Preservation” > “Preservation Bulletins.”

A Planning Department preservation specialist will review the HRER and confirm whether the proposed project would result in an impact to historical resources. If the proposed project would result in a significant and unavoidable impact to historical resources not addressed in the Eastern Neighborhoods FEIR, then a focused EIR would be required to address this peculiar impact.

2. **Archeological Resources.** The project site contains one subterranean level that extends approximately 10 feet bgs. The proposed project may require additional soil disturbance to accommodate the installation of the foundation (while unknown at this time, potential additional excavation is estimated to be up to three feet in depth). The Eastern Neighborhoods FEIR noted that California Register of Historical Resources (CRHR)-eligible archeological resources are expected to be present within existing sub-grade soils of the Plan Area and that the proposed land use policies and controls within the Plan Area could adversely affect significant resources.

The project site is located within an area where no previous archeological survey has been prepared. Since there is potential for soils disturbance at the site, Planning Department staff has preliminarily determined that Archeological Mitigation Measure J-2: Property with No Previous Studies from the Eastern Neighborhoods FEIR would be applicable to the proposed project. This mitigation measure requires the project sponsor to complete either a Preliminary Archeological Review (PAR), conducted in-house by the Planning Department archeologist, or a Preliminary Archeological Sensitivity Assessment (PASS) prepared by a Department Qualified Archeological Consultant and subject to the review and approval by the Department Archeologist.

The PAR will: (1) determine what type of soils disturbance/modifications would result from the proposed project, such as excavation, installation of foundations, soils improvements, site
remediation, etc.; (2) determine whether or not the project site is located in an area of archeological sensitivity; and (3) determine what additional steps are necessary to identify and evaluate any potential archeological resources that may be affected by the project. Helpful to the PAR process is the availability of geotechnical or soils characterization studies prepared for the project along with the proposed foundation type and maximum depth of excavation.

Alternatively, preparation of a PASS requires the project sponsor to retain the services of a qualified archeological consultant from the Planning Department’s rotational Qualified Archeological Consultants List (QACL). The project sponsor must contact the Department Archeologist to obtain the names and contact information for the next three archeological consultants on the QACL. Based on the results of either the PAR or the PASS, the Environmental Review Officer (ERO) would determine if an Archeological Research Design /Treatment Plan (ARD/TP) shall be required to more definitively identify the potential for CRHR-eligible 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.

3. **Transportation.** Based on the Planning Department’s transportation impact analysis guidelines, the proposed seven new residential units would result in approximately 11 p.m. peak hour person trips and thus, a transportation study is not likely to be required for the proposed project. This determination is preliminary in nature and will be revisited upon submittal of the EE Application. In the event a transportation study is required, the study should be prepared by one of three transportation consultants assigned to the project by the Planning Department during the environmental review process. Please see the Planning Department’s Environmental Planning webpage “Resources for Consultants” for further information on administration of the consultant pool.

Although a transportation study is unlikely to be required, the Planning Department has some initial feedback on the proposed project, based on the review of the preliminary plans by transportation staff. It is noted that the proposed project includes a curb cut along Third Street to access the proposed garage. While a curb cut on Third Street is permitted by the Planning Code, the Planning Department does not recommend it as part of the proposed project. In addition, the Department may not support new off-street parking along Third Street, which is considered to be a transit corridor. The Department does, however, recommend including bicycle parking as part of the proposed project. If the proposed parking is retained, the set of project plans submitted with the EE Application should show garage-level parking and indicate where the trash room would be located. Based on the above concerns, the Department transportation staff would review the project plans upon submittal of the EE Application.

4. **Noise.** The Eastern Neighborhoods FEIR identified a number of noise mitigation measure applicable to construction activities as well as to the siting of noise-generating land uses (such as residential uses) in areas that are substantially affected by existing noise levels. The project site is located along Third Street, where traffic-related noise exceeds 60 Ldn (a day-night averaged sound level). The project

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would be subject to Eastern Neighborhoods FEIR Noise Mitigation Measure F-2: Construction Noise. Pursuant to this mitigation measure, the Planning Director shall require that the project sponsor develop a set of site-specific noise attenuation measures under the supervision of a qualified acoustical consultant when the environmental review of a development project determines that construction noise controls are necessary due to the nature of planned construction practices and sensitivity of proximate uses. This mitigation measure requires that a plan for such measures be submitted to DBI prior to commencing construction to ensure that maximum feasible noise attenuation will be achieved.

In addition, the proposed project would be subject to the San Francisco Noise Ordinance (Article 29 of the Police Code), amended in November 2008, which includes restrictions on noise levels of construction equipment and hours of construction activity. Detailed information related to construction equipment, phasing, and during of each phase may be required as part of the environmental evaluation to assess construction noise levels and methods to reduce such noise, as feasible.

The proposed project would also be subject to the Eastern Neighborhoods FEIR Noise Mitigation Measure F-4: Siting of Noise-Sensitive Uses, which is intended to reduce potential conflicts between existing noise-generating uses and new sensitive receptors. This measure would apply to the proposed project because the project includes residential uses, which are considered to be noise-sensitive uses for purposes of CEQA analysis. Noise Mitigation Measure F-4 requires that a noise analysis be prepared for new development including a noise-sensitive use, prior to the first project approval action. The mitigation measure requires that such an analysis include, at a minimum, a site survey to identify potential noise-generation uses within 900 feet of, and that have a direct line-of-sight to, the project site. At least one 24-hour noise measurement (with maximum noise level readings taken at least every 15 minutes) shall be included in the analysis. The analysis shall be prepared by person(s) qualified in acoustical analysis and/or engineering and shall demonstrate with reasonable certainty that Title 24 standards, where applicable, can be met, and that there are no particular circumstances about the project site that appear to warrant heightened concern about noise levels in the vicinity. Should such concerns be present, the Planning Department 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.

Finally, Eastern Neighborhoods FEIR Noise Mitigation Measure F-6: Open Space in Noisy Environments would apply to the proposed project as it includes new development of a noise-sensitive use. This mitigation measure requires that open space required under the Planning Code be protected from existing ambient noise levels. Implementation of this measure could involve, among other things, site design that uses the building itself to shield on-site open space from the greatest noise sources, construction of noise barriers between noise sources and open space, and appropriate use of both common and private open space in multi-family dwellings, and implementation would also be undertaken consistent with other principles or urban design.

5. **Air Quality.** The proposed project, which includes the demolition of an existing two-story building and the construction of a new six-story building at a total of 12,000 sf (comprised of seven dwelling units and a subgrade garage), does not exceed the Bay Area Air Quality Management District’s
(BAAQMD) construction and/or operational screening levels for criteria air pollutants. Therefore an analysis of the project’s criteria air pollutant emissions is not likely to be required.

Project-related demolition, excavation, grading and other construction activities may cause wind-blown dust that could contribute particulate matter into the local atmosphere. To reduce construction dust impacts, the San Francisco Board of Supervisors approved a series of amendments to the San Francisco Building and Health Codes generally referred hereto 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 comply with applicable dust control requirements outlined in the ordinance.

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, and construction-related DPM may affect sensitive receptors (e.g., residences) located near the project site. The project site is not located in a portion of the City that is more at risk for adverse health effects from substantial air pollutant concentration ("hot spots") than sensitive receptors located outside these hot spots. Therefore, it is unlikely that additional measures would be required to reduce DPM emissions. Moreover, given that the project site is not within a designated "hot spot," no additional measures would likely be necessary to reduce exposure of new sensitive receptors to substantial air pollutant concentrations.

Lastly, the proposed project is unlikely to require a diesel back-up generator. However, in the event that diesel back-up generator is proposed as part of the project, it could result in toxic air contaminants that may affect both on-site and off-site sensitive receptors. New backup diesel generators are required to comply with BAAQMD Regulation 2, Rule 5 New Source Review for Toxic Air Contaminants. Regulation 2, Rule 5 requires new sources that result in an excess cancer risk greater than one in one million and/or a chronic hazard index greater than 0.20 to implement the best available control technology to reduce emissions. Detailed information about the number and location of stationary sources shall be provided with the EE Application prior to determining if additional air quality analysis will be required, such as an Air Quality Technical Report 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.

6. **Greenhouse Gases:** The City and County of San Francisco’s Strategies to Address Greenhouse Gas Emissions presents a comprehensive assessment of policies, programs, and ordinances that represents San Francisco’s Qualified Greenhouse Gas (GHG) Reduction Strategy. Projects that are consistent with San Francisco’s Qualified GHG Reduction Strategy would result in less-than-significant impacts from GHG emissions. In order to facilitate a determination of compliance with San Francisco’s Qualified GHG Reduction Strategy, the Planning Department has prepared a Greenhouse Gas
Analysis Compliance Checklist. The project sponsor is required to submit the completed table regarding project compliance with the identified regulations and provide project-level details in the discussion column. This information will be reviewed by the environmental planner during the environmental review process to determine if the project would comply with San Francisco’s Greenhouse Gas Reduction Strategy. Projects that do not comply with an ordinance or regulation may be determined to be inconsistent with the Greenhouse Gas Reduction Strategy.

7. **Wind.** The proposed project would involve construction of a building approximately 55 feet in height. The height of the proposed building is not expected to cause adverse ground-level wind speeds resulting from the project. Therefore a wind analysis study would not likely be required.

8. **Shadow.** The proposed project would result in construction of a building approximately 55 feet in height. Planning Code Section 295 requires that a shadow analysis be performed to determine whether a project has the potential to cast shadow on properties under the jurisdiction of the San Francisco Recreation and Park Commission. Department staff has prepared a shadow fan that indicates the project would not cast new shadow on any properties under the jurisdiction of the Recreation and Park Department, nor would it cast shadows on any other parks or open spaces (see attached).

9. **Tree Removal.** 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 the Tree Planting and Protection Checklist with the Environmental Evaluation Application and ensure trees are appropriately shown on site plans.8

10. **Geology:** The project sponsor is required to prepare a geotechnical investigation to identify the primary geotechnical concerns associated with the proposed project and the site. The geotechnical investigation would identify hazards, and recommend minimization measures for potential issues regarding, but not limited to, soil preparation and foundation design. The geotechnical investigation should be submitted with the EE Application and to assist in the archaeological review of the project (see Archaeological Resources section above).

11. **Hazardous Materials.** Based on the Department’s understanding of the proposed project and given the extent of the existing subterranean level, the excavation that would be necessary to accommodate the proposed subsurface garage is expected to be relatively minor. However, in the event that the proposed project disturbs over 50 cubic yards of soil, it would be subject to Article 22A of the Health Code, also known as the Maher Ordinance. The Maher Ordinance, which is administered and overseen by the Department of Public Health (DPH), requires the project sponsor to retain the services of a qualified professional to prepare a Phase I Environmental Site Assessment (ESA) that meets the requirements of Health Code Section 22.A.6. The Phase I ESA would determine the

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potential for site contamination and level of exposure risk associated with the project. Based on that information, soil and/or groundwater sampling and analysis, as well as remediation of any site contamination, may be required. These steps are required to be completed prior to the issuance of any building permit.

DPH requires that projects subject to the Maher Ordinance complete a Maher Application. DPH fees for their review and oversight of projects subject to the ordinance would apply. Please refer to DPH’s fee schedule, available at: http://www.sfdph.org/dph/EH/Fees.asp#haz.

In addition, Eastern Neighborhoods FEIR Hazardous Materials Mitigation Measure L-6: Hazardous Building Materials would apply to the proposed project. Consistent with this mitigation measure, the project sponsor will be required to ensure that any equipment containing polychlorinated biphenyls or di-ethylhexyl phthalate, such as fluorescent light ballasts, be removed and properly disposed of according to applicable federal, state, and local laws prior to the start of renovation, and that any fluorescent light tubes, which could contain mercury, be similarly removed and properly disposed of. This measure also requires that any other hazardous building materials identified, either before or during work, be abated according to applicable federal, state, and local laws.

12. Notification of a Project Receiving Environmental Review. Notice is required to be sent to occupants of the project site and properties adjacent to the project site, as well as owners of properties within 300 feet of the project site at the initiation of the Community Plan Exemption process. Please be prepared to provide these mailing labels upon request during the environmental review process.

If any of the additional analyses determine that mitigation measures not identified in the Eastern Neighborhoods FEIR are required to address peculiar impacts, the environmental document will be a community plan exemption plus a focused initial study/mitigated negative declaration. If the additional analyses identify impacts that cannot be mitigated, the environmental document will be a community plan exemption with a focused initial study/EIR. A community plan exemption and a community plan exemption plus a focused initial study/mitigated negative declaration can be prepared by Planning Department staff, but a community plan exemption with a focused initial study/EIR would need to be prepared by a consultant on the Planning Department’s environmental consultant pool. The Planning Department would provide a list of three qualified consultants to the project sponsor from which to select one.

**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.

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9 Available at: http://www.sfdph.org/dph/EH/HazWaste/hazWasteSiteMitigation.asp.
1. **Removal of a Dwelling Unit.** A project must comply with Section 317 of the Planning Code. Please see the attached Guidelines for Removal of a Dwelling Unit. A Mandatory Discretionary Review may be required by the Planning Commission.

2. **Shadow Analysis.** As discussed above, Section 295 restricts new shadow, cast by structures exceeding a height of forty feet, upon property under the jurisdiction of the Recreation and Park Commission. A shadow fan was developed based on the maximum allowable building height of 68 feet for a 68-X Height and Bulk District, plus an additional maximum 10 feet permitted height obstruction for the stair penthouse, to determine the potential shadow impact of the project on properties protected by the Sunlight Ordinance. The fan, which is attached to this PPA Letter, indicates that there would be no shadow impact from the subject property on any property protected by the Ordinance at a building height of 68 feet. The proposed plans indicate a height less than 68 feet. Thus, the project complies with Planning Code Section 295.

3. A **Building Permit Application** is required for the demolition of the existing building on the subject property.

4. A **Building Permit Application** is required for the proposed new construction on the subject property.

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

**PRELIMINARY PROJECT COMMENTS:**

The following comments address specific Planning Code and other general issues that may have a significant bearing on the proposed project.

1. **Demolition.** As mentioned above, the removal of a dwelling unit is subject to Section 317 and may require a Mandatory Discretionary Review before the Planning Commission.

2. **Central Waterfront Area Plan.** The proposed project is located within the Eastern Neighborhoods Central Waterfront Plan Area. The Central Waterfront Plan contains a number of objectives and policies outlining a vision for the neighborhood. The Plan encourages transit and pedestrian-friendly mixed-use development that is sensitive to the surrounding area. New housing should provide a
range of unit types for a spectrum of income levels. The Plan also strives to protect core Production, Distribution and Repair (PDR) uses while at the same time transitioning some PDR land to promote a more mixed use character (Urban Mixed Use zoning, or UMU).

The project generally appears to support many goals of the Plan by creating new residential development close to transit. Further review of the Plan’s policy language may be helpful for the project sponsor to ensure the project complies with the Plan’s vision. For specific policy language and background, please see the Central Waterfront Area Plan: http://www.sf-planning.org/modules/ShowDocument.aspx?documentid=2015

3. **Street Frontage-Active Uses**: Planning Code Section 145.1 outlines requirements for street frontages to ensure that they are pedestrian-oriented, fine-grained, and are appropriate and compatible with the buildings. Residential uses are considered active uses if more than 50 percent of the linear residential street frontage at the ground-floor level features walk-up dwelling units, which provide direct, individual pedestrian access to a public sidewalk. Building lobbies are considered active uses, so long as they do not exceed 40 feet or 25% of building frontage, whichever is larger. Currently, the proposed project does not appear to meet this section of the Planning Code, as stairways are not considered an active use.

4. **Rear Yard**: Planning Code Section 134 outlines the requirements for a rear yard within the UMU Zoning District. The minimum rear yard depth shall be equal to 25 percent of the total depth of the lot and in no case less than 15 ft. The rear yard shall be provided at the lowest story containing a residential dwelling unit. Currently, the proposed project meets this requirement.

5. **Open Space – Residential**: Section 135 requires 80 square feet of open space (private or common) for each dwelling unit. Additionally, any such open spaces must meet the dimensional requirements of Subsections (f) and (g). The proposed plans do not indicate private open space area. However, if a roof deck is proposed, common open space requirements apply. A formal submittal should demonstrate compliance with this code section.

6. **Bay Windows**: As the proposed plans provided are not to scale, verifying compliance with Section 136 is not possible in this review. All bay windows proposed should comply with Section 136.

7. **Street trees**: Planning Code Section 138.1 requires one street tree for every 20 feet of frontage for new construction. No street trees are shown on the plans.

8. **Parking and Curb Cuts**: Section 151.1 requires no more than 0.75 parking spaces per unit or no more than 1 parking space per 2 bedroom unit greater than 1,000 square feet. While the proposed parking meets the criteria, the proposed plans do not indicate a curb cut for access. Proposed curb cuts shall comply with Planning Code Section 155 (l).

9. **Bicycle Parking**: Planning Code Section 155.2 outlines requirements for bicycle parking for residential developments of four dwelling units or more, which require one Class 1 space for every dwelling unit. Based upon the current project description, the project is required to provide at least
seven Class 1 bicycle parking spaces. Please specify how the project will meet this requirement. Also, please reference Planning Code Section 155.1(b)(1) for location standards of Class 1 spaces.

10. **Landscaping and Permeable Surfaces.** Sections 132(g) and 132(h) require 20 percent of front setback areas shall be landscaped, and 50 percent of front setback surfaces be permeable. New driveway paving within the public right-of-way shall be coordinated with the Department of Public Works.

11. **Bird Safety.** A proposed roof plan was not provided for comment. However, if a rooftop deck is proposed, all feature-related hazards shall be subject to the requirements of Planning Code Section 139(c)(2).

12. **Dwelling Unit Mix:** Planning Code Section 207.6 outlines the requirements for minimum dwelling unit mix for new residential properties within an Eastern Neighborhoods Zoning District. The project must provide either: no less than 40 percent of the total number of proposed dwellings units as at least two bedroom units; or no less than 30 percent of the total number of proposed dwelling units as at least three bedroom units.

Currently, the proposed project would provide approximately four two-bedroom dwelling units out of seven dwelling units, and would meet this Planning Code requirement.

13. **Eastern Neighborhoods Impact Fees.** This project is subject to the applicable fees outlined in Section 423 et seq., Impact Fees. The Eastern Neighborhoods Public Benefits Fund is implemented in part through a district-specific Eastern Neighborhoods Impact Fee which applies to the project site. Fees shall be charged on net additions of gross square feet which result in a net new residential unit, contribute to a 20 percent increase of non-residential space in an existing structure, or create non-residential space in a new structure. Fees shall be assessed on residential use, and on non-residential use within each use category of Cultural/Institution/Education; Management, Information & Professional Service; Medical & Health Service; Retail/Entertainment; and Visitor Services; with no substitutions across uses. Fees shall be assessed on mixed use projects according to the gross square feet of each use in the project. For the most up-to-date schedule, please refer to the Department of Building Inspection (DBI) fee register: http://sfdbi.org/modules/showdocument.aspx?documentid=2570

Prior to the issuance by DBI of the first site or building permit for a development project, the sponsor of any project containing space subject to the Eastern Neighborhoods Impact Fee shall pay to the Treasurer according to the schedule in Table 423.3. Planning Code Section 423.3 also provides alternatives satisfying this requirement.

14. **Option for In-Kind Provision of Community Improvements and Fee Credits.** Project sponsors may propose to directly provide community improvements to the City. In such a case, the City may enter into an In-Kind Improvements Agreement with the sponsor and issue a fee waiver for the Eastern Neighborhoods Impact Fee from the Planning Commission, for an equivalent amount to the value of the improvements. This process is further explained in Section 412.3(d) of the Planning Code. More
information on in-kind agreements can be found in the Application Packet for In-Kind Agreement on the Planning Department website:

15. **Flood Notification.** The project site is located in a flood-prone area. Please see the attached bulletin regarding review of the project by the San Francisco Public Utilities Commission.

**PRELIMINARY DESIGN COMMENTS:**

The following comments address preliminary design issues that may significantly impact the proposed project:

1. **Street Frontage.** The Planning Department recommends providing a more gracious and identifiable main residential entrance, that is augmented by architectural details, landscaping, signage and greater transparency.

2. **Architecture.** The Planning Department expects the design to include and incorporate intermediate texture and scale elements. All visible walls should be designed and composed of high quality materials.

   It is expected that the architecture and quality of execution will be superior. High quality materials combined with exceptional articulation and detailing on all visible facades will be essential to the success and approval of this project. At this point the architecture is assumed to be preliminary and the Planning Department will provide further detailed design review on the subsequent submission of materials and details to insure that a high-quality and compatible design is achieved.

**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 7, 2015**. 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:  Shadow Fan Analysis

cc:  Andrei Libov, Property Owner  
      Jeffrey Speirs, Current Planning  
      Tania Sheynar, Environmental Planning  
      Jon Swae, Citywide Planning and Analysis  
      David Winslow, Architect, SF Planning Department  
      Jerry Robbins, MTA  
      Jerry Sanguinetti, DPW
As shadow fan was developed for a building height of 68' plus an additional 10' for permitted obstructions.

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