DATE: February 24, 2015
TO: Andrew Junius, Reuben, Junius & Rose, LLP
FROM: Lisa Gibson, Planning Department
RE: PPA Case No. 2014.002033PPA for 429 Beale and 430 Main Streets

Please find the attached Preliminary Project Assessment (PPA) for the address listed above. You may contact the staff contact, Debra Dwyer, at (415) 575-9031 or Debra.Dwyer@sfgov.org, to answer any questions you may have, or to schedule a follow-up meeting.

Lisa Gibson, Senior Planner
Preliminary Project Assessment

Date: February 24, 2015
Case No.: 2014.002033PPA
Project Address: 429 Beale Street and 430 Main Street
Block/Lot: 3767/305 and 306
Zoning: Rincon Hill Downtown Residential (Rincon DTR) 84-X
Area Plan: Rincon Hill Area Plan
Project Sponsor: Andrew Junius, Rueben Junius & Rose, LLP
415-567-9000
Staff Contact: Debra Dwyer – 415-575-9031
Debra.Dwyer@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, San Francisco Public Utilities Commission, 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 proposed project would demolish the two existing one- and two-story industrial buildings on the project site totaling approximately 35,600 gross square feet (gsf) and construct a nine-story, approximately 146,000-gsf residential building. The approximately 18,900-square-foot (sq-ft) project site consists of two adjacent lots with one fronting on Beale Street (Lot 305) and one fronting on Main Street (Lot 306) between Harrison and Bryant Streets. The existing buildings are currently self-storage facilities. The 7,269-sq-ft building on the 9,453-sq-ft lot at 429 Beale Street was constructed in 1951. The existing 28,359-sq-ft two-story building on the 9,453-sq-ft lot at 430 Main Street was constructed in 1929. The proposed new building would be 84 feet tall and would include 140 dwelling units with the following anticipated unit mix: 76 studios; eight one-bedrooms; and 56 two-bedrooms. Approximately 40 percent of the proposed project’s units would be two-bedroom units. The project would provide 110 bicycle parking spaces and 70 automobile parking spaces located in a below grade garage. The residential access would be through a lobby entrance on Main Street. The garage would be accessed from a driveway off of Beale Street and would use parking puzzlers (stackers) for 56 of the 70 parking spaces. Approximately
11,225 sq ft of open space would be provided through 54 private balconies and terraces, and in common spaces, one located on the ground floor (2,710 sq ft) and one provided as a roof top terrace (3,280 sq ft).

ENVIRONMENTAL REVIEW:

Community Plan Exemption

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

The proposed project is located within the Rincon Hill Plan, which was evaluated in the Rincon Hill Plan Programmatic Final Environmental Impact Report EIR (Rincon Hill FEIR), certified in 2005.1 If the proposed project is found to be consistent with the development density identified in the area plan, it would be eligible for a Community Plan Exemption (CPE). Please note that a CPE is a type of exemption from environmental review, and cannot be modified to reflect changes to a project after approval. Proposed increases beyond the CPE project description in project size or intensity after project approval will require reconsideration of environmental impacts and issuance of a new CEQA determination. Within the CPE process, there can be three different outcomes as follows:

1. **CPE Only.** All potentially significant project-specific and cumulatively considerable environmental impacts are fully consistent with significant impacts identified in the Rincon Hill 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 Rincon Hill 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 $13,659) and (b) the CPE certificate fee (currently $7,580).

2. **Mitigated Negative Declaration.** If new site- or project-specific significant impacts are identified for the proposed project that were not identified in the Rincon Hill 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 checklist is prepared to address all other impacts that were encompassed by the Rincon Hill FEIR, with all pertinent mitigation measures and CEQA findings from the Rincon Hill FEIR also applied to the proposed project. With this outcome, the applicable fees are: (a) the CPE determination fee (currently $13,659) and (b) the standard environmental evaluation fee (which is based on construction value).

3. **Focused EIR.** If any new site- or project-specific significant impacts cannot be mitigated to a less-than-significant level, then a focused EIR is prepared to address these impacts, and a supporting CPE checklist is prepared to address all other impacts that were encompassed by the Rincon Hill

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FEIR, with all pertinent mitigation measures and CEQA findings from the Rincon Hill FEIR also applied to the proposed project. With this outcome, the applicable fees are: (a) the CPE determination fee (currently $13,659); (b) the standard environmental evaluation fee (which is based on construction value); and (c) one-half of the standard EIR fee (which is also based on construction value).

In order to begin formal environmental review, please submit an Environmental Evaluation Application. The Environmental Evaluation Application can be submitted at the same time as the Preliminary Project Assessment Application. The environmental review may be done in conjunction with the required approvals listed below, but must be completed before any project approval may be granted. **Note that until an approval application is submitted to the Current Planning Division, only the proposed project description will be reviewed by the assigned environmental coordinator.** See page 2 of the current Fee Schedule for calculation of environmental application fees.

Below is a list of topic areas addressed through the environmental review process. Some of these would require additional study, as indicated, based on the preliminary review of the project as it is proposed in the PPA submittal dated November 10, 2014 (accepted for intake on November 25, 2014).

- **Historic Architectural Resources.** The proposed project would include the demolition of a Category C property (not an individual historic resource), and the project is not located in an eligible or identified historic district. The existing buildings on the project site were previously evaluated for historic resource status during the environmental review of a prior proposal on the project site and found ineligible for national, state, or local listing. Thus, the proposed project is not subject to further review by the Department’s Historic Preservation staff; no additional analysis of historic architectural resources is required.

- **Archeological Resources.** Project implementation would entail soil-disturbing activities associated with building construction, including excavation that would reach a depth of approximately 20 feet below grade as indicated in the PPA application. The project site is located within the Archeological Mitigation Zone 2 (AMZ-2): *Properties with No Previous Studies* in the Rincon Hill FEIR that requires the preparation of a Preliminary Archeological Sensitivity Assessment (PASS) by an archeological consultant on the Department’s Qualified Archeological Consultant List (QACL). A PASS satisfying the requirements of the Rincon Hill FEIR was prepared for a prior proposal at the project site that identified the project site as sensitive for specific types of archeological deposits. The currently proposed project will be subject to Department Preliminary Archeological Review (PAR) by a Department archeologist that will take into consideration the previous PASS, project design, site geology, and required foundation types as described in the geotechnical study prepared for current project. In order for the Department archeologist to conduct this analysis, the project sponsor will be

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2 San Francisco Planning Department. 2008. *Historic Resource Evaluation Response 430 Main Street & 429 Beale Street*. A copy of this document is available at the Planning Department, 1650 Mission Street, Suite 400, San Francisco, CA as part of Case 2007.1121E.

required to provide a geotechnical investigation that provides information regarding the excavation, foundation installation, soils improvements, site remediation, etc. would be required.

Based on the PAR, the Department archeologist will determine if and what additional measures are necessary to address potential effects of the project to archeological resources. These measures may include implementation of various archeological mitigations such as accidental discovery, archeological monitoring, and/or archeological field investigations. In cases of potential higher archeological sensitivity, preparation of an Archeological Research Design/Treatment Plan (ARD/TP) by an archeological consultant from the Department’s QACL may be required.

**Transportation.** Based on the Planning Department’s transportation impact analysis guidelines, the project would require additional transportation analysis to determine whether the project may result in a significant impact. Therefore, the Planning Department requires that a consultant listed on the Planning department’s Transportation Consultant Pool prepare a Transportation Impact Study. You are required to pay special fees for the Study; please contact Virnaliza Byrd at (415) 575-9025 to arrange payment. Once you pay the fees, please contact Andrea Contreras at (415) 575-9044 or andrea.contreras@sfgov.org so that she can provide you with a list of three consultants from the Transportation Pool, and direct the scope of the study.

**Flood Notification.** The project site is located in a block that has the potential to flood during storms. The SFPUC will review the permit application to comment on the proposed application and the potential for flooding during wet weather. Applicants for building permits for either new construction, change of use or change of occupancy, or for major alterations or enlargements shall contact the SFPUC at the beginning of the process to determine whether the project would result in ground-level flooding during storms. Requirements may include provision of measures to ensure positive sewage flow, raised elevation of entryways, and/or special sidewalk construction and the provision of deep gutters. The side sewer connection permits for such projects need to be reviewed and approved by the SFPUC at the beginning of the review process for all permit applications submitted to the Planning Department, DBI, or the Successor Agency to the San Francisco Redevelopment Agency. For information required for the review of projects in flood-prone areas, the permit applicant shall refer to Bulletin No. 4: http://www.sfplanning.org/ftp/files/publications_reports/DB_04_Flood_Zones.pdf.

**Hazardous Materials.** The proposed project would introduce residential uses to a site located within the Maher Area and would include excavation to a depth up to 20 feet for the basement level garage. Therefore, the project is 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 would determine the potential for site contamination and level of exposure risk associated with the project. Based on that information, soil and/or groundwater sampling and analysis, as well as remediation of any site contamination, may be required. 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, available at: [http://www.sfdph.org/dph/EH/HazWaste/hazWasteSiteMitigation.asp](http://www.sfdph.org/dph/EH/HazWaste/hazWasteSiteMitigation.asp). Fees for DPH review and oversight of projects subject to the ordinance would apply. Please refer to DPH’s fee schedule, available at: [http://www.sfdph.org/dph/EH/FEES.asp#haz](http://www.sfdph.org/dph/EH/FEES.asp#haz). Please provide a copy of the submitted Maher Application and Phase I ESA with the Environmental Evaluation Application (EEA). Also note that information regarding the amount of soil to be excavated in cubic yards was not provided as part of the PPA Application but should be provided in the EEA, or the application will be considered incomplete.

*Rincon Hill FEIR Mitigation Measure H.2* applies to projects within the plan area that require dewatering during project construction. In particular, Mitigation Measure H.2 requires that, for any development project, if dewatering is necessary, the project sponsor shall follow the recommendations of the site assessment/remediation consultant, in consultation with the Bureau of Environmental Regulation (BERM) of the San Francisco Public Utilities Commission, regarding treatment, if any, of pumped groundwater prior to discharge to the combined sewer system. Any groundwater encountered during construction of the proposed project would be subject to requirements of the City’s Industrial Waste Ordinance (Ordinance Number 199-77), requiring that groundwater meet specified water quality standards before it may be discharged into the sewer system. The BERM must be notified of projects necessitating dewatering and may require water analysis before discharge.

If dewatering is necessary, groundwater pumped from the development site shall be retained in a holding tank to allow suspended particles to settle, if this is determined necessary by the BERM to reduce the amount of sediment entering the combined sewer system. The project sponsor shall require the general contractor to install and maintain sediment traps if determined necessary by the BERM.

It is unclear whether the proposed project would require dewatering and thereby trigger the need for this mitigation measure. Its applicability will be determined during the environmental review process.

- **Air Quality.** The proposed project at 140 dwelling units is below the Bay Area Air Quality Management District’s (BAAQMD) construction and operational screening levels for criteria air pollutants. Therefore an analysis of the project’s criteria air pollutant emissions would not 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 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

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4 BAAQMD, CEQA Air Quality Guidelines, May 2011, Chapter 3.
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 these requirements.

The project site is also located within an Air Pollutant Exposure Zone, as mapped and defined by Health Code, Article 38. The Air Pollutant Exposure Zone identifies areas with poor air quality based on an inventory and modeling assessment of air pollution, exposures, and health vulnerability from mobile, stationary, and area source emissions within San Francisco. The project sponsor proposes to construct new sensitive land uses (i.e., residential), which are subject to enhanced ventilation measures pursuant to Health Code Article 38. The project sponsor will be required to submit an Article 38 application to Department of Public Health (DPH) prior to the issuance of any environmental determination. Please provide a copy of the Article 38 application with the Environmental Evaluation Application.5 In addition, the project sponsor would be required to implement equipment exhaust control measures during construction pursuant to Rincon Hill FEIR Mitigation Measure E.1.

If the project would introduce 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. Given the proposed project’s height of 84 feet, the proposed project would likely require a backup diesel generator. An evaluation regarding additional measures related to the introduction of a stationary source of emissions would be made as part of the environmental evaluation. Detailed information related to any proposed stationary sources should be provided with the Environmental Evaluation Application.

Rincon Hill FEIR Mitigation Measure E.2 is related to cumulative air quality. Given the potential for the proposed Rincon Hill Plan to contribute to cumulative air quality impacts, the City could require project sponsors to implement transportation demand management measures, such as ridesharing, bicycle facilities, and shuttle service. The applicability and program of these measures related to the proposed project would be addressed through the required transportation impact study referenced above.

- **Greenhouse Gases Emissions.** 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.6 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 GHG Reduction Strategy. Projects that do not comply with an ordinance or regulation may be determined to be inconsistent with the GHG Reduction Strategy.

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5 Refer to [http://www.sfdph.org/dph/eh/Air/default.asp](http://www.sfdph.org/dph/eh/Air/default.asp) for more information.
• **Noise.** Rincon Hill FEIR Construction Noise Mitigation Measure N.1: Construction Noise addresses requirements related to the use of pile-driving. The project sponsor has indicated that the foundation requirements for the proposed project are unknown at this time, but that it may include footings. Therefore, it is unknown if the project would involve pile driving. The applicability of Noise Mitigation Measure N.1 would be determined at the time foundations recommendations are provided. This mitigation measure requires that, should pile driving be required, the project sponsor would 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.

Rincon Hill FEIR Construction Noise Mitigation Measure N.1 also specifies that construction noise is regulated by the San Francisco Noise Ordinance, Article 29 of the City Police Code. The ordinance requires that noise levels from individual pieces of construction equipment, other than impact tools, not exceed 80 dBA at a distance of 100 feet from the source. Impact tools (jackhammers and impact wrenches) must have both intake and exhaust muffled to the satisfaction of the Director of Public Works. Section 2908 of the Ordinance prohibits construction work between 8:00 p.m. and 7:00 a.m. if noise would exceed the ambient noise level by five dBA at the project property line, unless a special permit is authorized by the Director of Public Works. The proposed project would be subject to these requirements.

The San Francisco 2004 and 2009 Housing Element EIR7 Mitigation Measure M-N0-1: Interior and Exterior Noise applies to new residential development located along streets with noise levels above 75 dBA Ldn. The project site is within such an area. Mitigation Measure M-N0-1 requires the preparation of an analysis that includes, at a minimum, a site survey to identify potential noise-generating uses within two blocks of the project site, and including at least one 24-hour noise measurement (with maximum noise level readings taken at least every 15 minutes), prior to completion of the environmental review. The analysis shall demonstrate with reasonable certainty that Title 24 standards, where applicable, can be met, and that there are no particular circumstances about the proposed project site that appear to warrant heightened concern about noise levels in the vicinity. Should such concerns be present, the 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, in order to demonstrate that acceptable interior noise levels consistent with those in the Title 24 standards can be attained.

In addition, Mitigation Measure M-N0-1 requires that that open space required under the Planning Code for residential uses be protected, to the maximum feasible extent, from existing ambient noise levels that could prove annoying or disruptive to users of the open space. The building permit review process, in conjunction with noise analysis required above, would minimize effects on new

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7 San Francisco Planning Department. 2014. *San Francisco 2004 and 2009 Housing Element EIR*. A copy of this document is available for review at the Planning Department, 1650 Mission Street, Suite 400, San Francisco as part of Case 2007.1275E.
residential development in noisy areas. Implementation of this mitigation 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. Implementation would also be undertaken consistent with other principles of urban design.

- **Shadow.** The proposed project would result in construction of a building greater than 40 feet in height. A preliminary shadow fan analysis has been prepared by Planning Department staff and is attached. The shadow fan indicates that the proposed project could cast shadows on a public open space. The project, therefore, requires a shadow study, and the sponsor is required to hire a qualified consultant to prepare a shadow technical memorandum pursuant to *Shadow Analysis Procedures and Scope Requirements* July 2014, available under the Department’s Technical Analysis guidelines online at [http://sfmea.sfplanning.org/Shadow%20Memo.pdf](http://sfmea.sfplanning.org/Shadow%20Memo.pdf). The consultant would be required to submit a Shadow Study Application, which can be found on the Planning Department’s website ([http://www.sf-planning.org/Modules/ShowDocument.aspx?documentid=539](http://www.sf-planning.org/Modules/ShowDocument.aspx?documentid=539)). A separate fee is required. The consultant would be required to prepare a proposed scope of work for review and approval by the Environmental Planning case manager prior to preparing the analysis.

- **Wind.** The proposed project would involve construction of a building over 80 feet in height. Therefore, wind analysis is needed for the environmental review. Based upon the requirements described in the Ground-level Wind Currents section below, a wind tunnel analysis pursuant to Section 825(d) is required. The wind consultant would be required to prepare a proposed scope of work for review and approval by the Department prior to preparing the analysis. The Environmental Planning case manager will coordinate with the Current Planner assigned to review this project to ensure that the technical study prepared fulfills the requirements for both environmental review and review for entitlements.

- **Tree Planting and Protection.** The Department of Public Works Code Section 8.02-8.11 requires disclosure and protection of landmark, significant, and street trees located on private and public property. Any such trees must be shown on the Site Plans with the size of the trunk diameter, tree height, and accurate canopy drip line. Please submit a *Tree Planting and Protection Checklist* with the Environmental Evaluation Application and ensure that trees are appropriately shown on site plans.

- **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 to owners and to the extent feasible occupants of properties within 300 feet of the project site at the initiation of the environmental review. Please be prepared to provide mailing addresses on a CD upon request following submittal of the Environmental Evaluation Application.

- **Disclosure Report for Developers of Major City Projects.** The San Francisco Ethics Commission S.F. Camp. & Govt. Conduct Code § 3.520 et seq. requires developers to provide the public with information about donations that developers make to nonprofit organizations that may communicate with the City and County regarding major development projects. This report must be completed and filed by the developer of any “major project.” A major project is a real estate development project located in the City and County of San Francisco with estimated construction costs exceeding
$1,000,000 where either: (1) The Planning Commission or any other local lead agency certifies an EIR for the project; or (2) The project relies on a program EIR and the Planning Department, Planning Commission, or any other local lead agency adopts any final environmental determination under CEQA. A final environmental determination includes: the issuance of a Community Plan Exemption (CPE); certification of a CPE/EIR; adoption of a CPE/Final Mitigated Negative Declaration; or a project approval by the Planning Commission that adopts CEQA Findings. (In instances where more than one of the preceding determinations occur, the filing requirement shall be triggered by the earliest such determination.) A major project does not include a residential development project with four or fewer dwelling units. The first (or initial) report must be filed within 30 days of the date the Planning Commission (or any other local lead agency) certifies the EIR for that project or, for a major project relying on a program EIR, within 30 days of the date that the Planning Department, Planning Commission, or any other local lead agency adopts a final environmental determination under CEQA. Please submit a Disclosure Report for Developers of Major City Projects to the San Francisco Ethics Commission. This form can be found at the Planning Department or online at http://www.sfethics.org.

If any of the additional analyses determine that mitigation measures not identified in the area plan EIR are required to address peculiar impacts, the environmental document will be a focused initial study/mitigated negative declaration with a supporting CPE checklist. If the additional analyses identify impacts that cannot be mitigated, the environmental document will be a focused EIR with a supporting CPE checklist. A community plan exemption and a focused initial study/mitigated negative declaration can be prepared by Planning Department staff, but focused EIR with supporting CPE checklist would need to be prepared by a consultant on the Planning Department’s environmental consultant pool (http://www.sf-planning.org/ftp/files/MEA/Environmental_consultant_pool.pdf).

Please see “Studies for Project inside of Adopted Plan Areas - Community Plan Fees” in the Planning Department’s current Fee Schedule for Applications. Environmental evaluation applications are available at the Planning Information Center at 1660 Mission Street, and online at 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.** Planning Code Section 309.1 applies to all projects in DTR districts that are greater than 50,000 gross square feet or 85 feet in height or greater, and for applications that require exceptions. The project meets the criteria with a total of approximately 146,000 gross square feet of area, and potentially requiring exceptions. Therefore, a Section 309.1 Determination of Compliance is required. As a component of the review process, projects may seek specific exceptions to the provisions of the Planning Code pursuant to Section 309.1(b) and must be justified in order for the project to be approved. To the extent possible, the Department recommends limiting the exceptions being sought or demonstrating that the current project meets the Code requirements. The
The PRELIMINARY PROJECT COMMENTS:

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

1. **Rincon Hill Area Plan.** The subject property falls within the area covered by the Rincon Hill Area Plan in the General Plan. As proposed, the project is generally consistent with the overarching objectives of the Plan. The project sponsor is encouraged to read the full plan, which can be viewed at [http://www.sf-planning.org/ftp/General_Plan/Rincon_Hill.htm#RIN_SAT_5_1](http://www.sf-planning.org/ftp/General_Plan/Rincon_Hill.htm#RIN_SAT_5_1).

2. **Interdepartmental Project Review.** An Interdepartmental Project Review is required for all new construction that is eight stories or more, or located within a seismic hazard zone. An application is available in the Planning Department lobby at 1650 Mission Street, Suite 400 or at the Planning Information Center (PIC) at 1660 Mission Street, and online at [www.sfplanning.org](http://www.sfplanning.org).

3. **Lot Coverage.** Section 825(b)(2) limits lot coverage to 80 percent at all residential levels except on levels in which all residential units face onto a public right-of-way or mid-block pedestrian path meeting the minimum standards of this Section. As part of your formal application, please submit scaled plans that illustrate/confirm the numerical data in your PPA application.

4. **Open Space – Residential.** Section 827.49 requires 75 square feet of open space for each dwelling unit, of which at least 40 percent is required to be common to all dwelling units on the property. As part of your formal application, please submit scaled plans that illustrate/confirm the calculations in your PPA application.

5. **Streetscape Improvements.** Per Section 827(a)(10), streetscape improvements are required along Beale and Main Streets, and a Streetscape Plan must be submitted that may include sidewalk widening, street trees, lighting, decorative paving, seating and landscaping in accordance with the Rincon Hill Streetscape Master Plan. To determine what streetscape improvements are required on
these streets, please see http://www.sf-

In addition, Section 138.1 requires one minimum 24-inch box street tree for every twenty feet of frontage for new construction. The proposed project requires three trees each along Beale and Main Streets. Project sponsors should contact San Francisco Public Works (Public Works) as early as possible to understand the process and requirements for permitting street improvements. For more information on process, guidelines, and requirements for street improvements, refer to www.sfbetterstreets.org. Required streetscape and pedestrian improvements are not eligible for in-kind fee credit.

6. **Standards for Bird Safe Buildings.** Planning Code Section 139 outlines bird-safe standards for new construction to reduce bird mortality from circumstances that are known to pose a high risk to birds and are considered to be “bird hazards.” Feature-related hazards may create increased risk to birds and need to be mitigated. Any feature-related hazards, such as free-standing glass walls, wind barriers, or balconies must have broken glazed segments 24 square feet or smaller in size. Please review the standards and indicate the method of treatments that comply with these requirements, where applicable in your formal application.

7. **Exposure.** Section 140 requires that each dwelling unit have at least one room that meets the 120-square-foot minimum superficial floor area requirement of Section 503 of the Housing Code face directly on a right-of-way or an appropriately sized courtyard. It appears the proposed units that face the interior courtyard at levels L3 through L9 do not meet the dimensional requirements under Section 140(a)(2). Please revise your proposal to meet this requirement, or you may request and justify an exposure exception through the Section 309.1 Determination of Compliance process. The Department generally encourages projects to minimize the number of units needing an exposure exception.

8. **Upper Story Setbacks.** Please submit dimensioned and scaled elevations and cross-sections in your formal application to confirm the upper stories are adequately set back above the height of 65-feet, as measured consistent with the methods identified under Sections 102.12 and 260.

9. **Building Height and Height Exceptions.** Please submit dimensioned and scaled elevations and cross-sections in your formal application to confirm the proposed building complies with the 84-feet height maximum and the exceptions permitted for rooftop mechanical rooms, penthouses, and other features, as measured consistent with the methods identified under Sections 102.12 and 260.

10. **Parking and Loading Access.** Please submit dimensioned and scaled cross-sections that also identify the existing grade in your formal application to confirm the proposed off-street parking complies with Section 825(b)(5)(A) for sloping sites.
11. **Bicycle Parking.** Planning Code Section/Table 155.2.11 requires this project to provide at least seven Class 2 bicycle parking spaces. Please identify the location of these required spaces in your formal application.

12. **Car Sharing.** Planning Code Section 166 requires this project to provide at least one car share space. Provision of a required car-share parking space shall satisfy or may substitute for any required residential parking; however, such space shall not be counted against the maximum number of parking spaces allowed by this Code as a principal or accessory use. Please identify the location of this required space in your formal application.

13. **Unbundled Parking.** Planning Code Section 167 requires that all off-street parking spaces accessory to residential uses in new structures shall 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. Renters or buyers of on-site inclusionary affordable units provided pursuant to Section 415 shall have an equal opportunity to rent or buy a parking space on the same terms and conditions as offered to renters or buyers of other dwelling units, and at a price determined by the Mayor’s Office of Housing, subject to procedures adopted by the Planning Commission notwithstanding any other provision of Section 415. Please indicate acknowledgement of this requirement in your formal application.

14. **Lighting.** Pursuant to Section 825(b)(4), pedestrian-scaled lighting shall be provided as an integral element of all building facades and shall be designed and located to accentuate the uses facing the street. Pedestrian-scaled lighting shall be incorporated into all facades and landscaped setback areas in the form of wall sconces, entry illumination and low-level lighting set into edging features. Lighting should be designed to accentuate ground floor retail and residential entries. Incandescent or color-corrected lighting sources must be used. Please demonstrate compliance with this requirement in your formal application.

15. **Ground-Level Wind Currents.** Pursuant to Section 825(d), the project sponsor would be required to confirm whether the new building would cause ground-level wind currents to exceed more than 10 percent of the time year-round, between 7:00 a.m. and 6:00 p.m., the comfort level of 11 m.p.h. equivalent wind speed in areas of substantial pedestrian use and seven m.p.h. equivalent wind speed in public seating areas. Therefore, a wind tunnel study would be required. If necessary, the building would have to be shaped, or other wind-baffling measures adopted to address the requirements of Section 825(d).

16. **Inclusionary Housing.** Affordable housing is required for a project proposing ten or more dwelling units. The project sponsor must submit an “Affidavit of Compliance with the Inclusionary Affordable Housing Program: Planning Code Section 415,” 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 shall remain as ownership units for the life of the project. Affordable dwelling units that are built off-site must be built within the area bounded by Market Street, the Embarcadero, King Street, Division Street, and South Van Ness Avenue.

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 two methods: 1) direct financial construction from a public entity or, 2) 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, if applicable. The request should be addressed to the Director of Current Planning. If the project is deemed eligible, the Department will contact the City Attorney to begin drafting of the agreement.

17. **Rincon Hill Community Improvement Fee.** Planning Code Section 418 requires a fee per square foot for any residential tower in the Rincon Hill area, minus a credit per square foot for the existing commercial use to be removed. Be advised these rates are indexed every January 1st.

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 Rincon Hill Area Impact Fee from the Planning Commission, for an equivalent amount to the value of the improvements. An example of in-kind improvements may be additional streetscape improvements beyond what is required, such as planted medians or additional sidewalk widening for the remaining portion of the block. The in-kind agreement process is further explained in Section 418.3(e) of the Planning Code.

18. **First Source Hiring Agreement.** A First Source Hiring Agreement is required for any project proposing to construct 25,000 gross square feet or more. For more information, please contact:

   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  
   (415) 581-2303

19. **Stormwater.** If the project results in a ground surface disturbance of 5,000 ft² or greater, it is subject to San Francisco’s stormwater management requirements as outlined in the Stormwater Management Ordinance and the corresponding SFPUC Stormwater Design Guidelines (Guidelines). Projects that trigger the stormwater management requirements must prepare of a Stormwater Control Plan.
demonstrating project adherence to the performance measures outlined in the Guidelines including:
(a) reduction in total volume and peak flow rate of stormwater for areas in combined sewer systems OR
(b) stormwater treatment for areas in separate sewer systems. Responsibility for review and approval
of the Stormwater Control Plan is with the SFPUC, Wastewater Enterprise, Urban Watershed
Management Program. Without SFPUC approval of a Stormwater Control Plan, no site or building
permits can be issued. The Guidelines also require a signed maintenance agreement to ensure proper
care of the necessary stormwater controls. To view the Stormwater Management Ordinance, the
Stormwater Design Guidelines, or download instructions for the Stormwater Control Plan, go to
http://sfwater.org/sdg. Applicants may contact stormwaterreview@sfwater.org for assistance.

20. Recycled Water. The project site is located within one of San Francisco’s designated recycled water
use areas. Projects located in recycled water use areas are required to install recycled water systems
for irrigation, cooling, and/or toilet and urinal flushing in accordance with the Recycled (or
Reclaimed) Water Use Ordinance, adopted as Article 22 of the San Francisco Public Works Code.
New construction or major alterations with a total cumulative area of 40,000 square feet or more; any
new, modified, or existing irrigated areas of 10,000 square feet or more; and all subdivisions
are required to comply. The proposed project would be required to comply with these requirements.
For more information about the recycled water requirements, please visit

PRELIMINARY DESIGN COMMENTS:
The project is located in the Rincon Hill Downtown Residential district near the Bay Bridge and the
Embarcadero. The area is undergoing significant growth and includes buildings that range from two-
story to high-rise heights mostly with residential use and ground-floor retail. The materials used in the
area are primarily masonry, light in color, but also include glass curtain wall. The following comments
address preliminary design issues that may significantly impact the proposed project:

1. Site Design, Open Space, and Massing. The Planning Department suggests that the project sponsor
consider mirroring the project massing along the side lot line to relate to the adjacent property
courtyard or in some other way conjoining open space to add to the existing courtyard and further it
as a pattern within the block to the benefit of both properties.

2. Street Frontage. The Planning Department recommends that the ground-floor residential be paired
along Beale Street such that two units are adjacent to one another with the driveway shifted on one
side to afford a larger continuous active use frontage as the lot is narrow. Please see the Planning
Department Ground Floor Residential Guidelines for more detailed recommendations on creating
townhouse entries.

3. Architecture. As the architecture is diagrammatic, the Planning Department does not have
comments at this time. The Planning Department suggests, however, that the intent of townhouses be
strongly considered in the architecture of the lower stories as that is a significant design goal of the Rincon Hill area.

**PRELIMINARY PROJECT ASSESSMENT EXPIRATION:**

This Preliminary Project Assessment is valid for a period of 18 months. An Environmental Evaluation, Determination of Compliance (Section 309.1), or Building Permit Application, as listed above, must be submitted no later than **August 24, 2016**. 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: Neighborhood Group Mailing List
Shadow Fan for 429 Beale and 430 Main

cc: LCL Global – 429 Beale & 430 Main Street, LLC, Property Owner
Doug Vu, Current Planning
Debra Dwyer, Environmental Planning
Paul Chasan, Citywide Planning and Analysis
Maia Small, Design Review
Jonas Ionin, Planning Commission Secretary
Charles Rivasplata, SFMTA
Jerry Sanguinetti, San Francisco Public Works
Pauline Perkins, SFPUC
June Weintraub and Jonathan Piakis, DPH
Planning Department Webmaster (webmaster.planning@sfgov.org)
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<td><a href="mailto:boheee@sfside.org">boheee@sfside.org</a>; <a href="mailto:mike.grisso@sfgov.org">mike.grisso@sfgov.org</a>; <a href="mailto:courtney.pash@sfgov.org">courtney.pash@sfgov.org</a></td>
<td>Mayview, Downtown/Civic Center, South of Market, Visitacion Valley</td>
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<td><a href="mailto:tkelly@poem.org">tkelly@poem.org</a></td>
<td>Mission, Potrero Hill, South of Market</td>
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<td>Luoo</td>
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<td>York Realty</td>
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<td>94107-1010</td>
<td>415-751-8602</td>
<td><a href="mailto:yorkluoo@gmail.com">yorkluoo@gmail.com</a></td>
<td>South of Market</td>
</tr>
</tbody>
</table>
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Title: 429 Beale and 430 Main Streets Project Shadow Fan

Comments: Block 3767, Lots 305 and 306 - Building at 84 feet tall

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