Please find the attached Preliminary Project Assessment (PPA) for the address listed above. You may contact the staff contact, Doug Vu, at (415) 575-9120 or Doug.Vu@sfgov.org, to answer any questions you may have, or to schedule a follow-up meeting.

Julian J. Bañales, Senior Planner
Preliminary Project Assessment

Date: September 15, 2014
Case No.: 2014.1020U
Project Address: 1515 South Van Ness Avenue
Block/Lot: 6571/001, 001A, and 008
Zoning: Mission NCT (Neighborhood Commercial Transit) District
Mission Street Formula Retail Restaurant Subdistrict
Mission Alcohol Restricted District
Fringe Financial Services Restricted Use District
55-X and 65-X Height and Bulk District

Area Plan: Mission Area Plan
Project Sponsor: Lennar Multifamily Communities, LLC
(415) 975-4983 x4982

Staff Contact: Doug Vu – (415) 575-9120
Doug.Vu@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 is to demolish the existing commercial building and construct a new six-story, 64-foot tall, 181,400 square-foot mixed-use residential building on three adjoining lots with a total area of 35,714 square-feet. The existing 31,680 square-foot building was constructed in 1948 and is located on the largest of three lots that will be developed for the proposed project. The proposed new building would include 160 dwelling units, 90 parking spaces within a 34,600 square-foot underground garage, and 1,740 square-feet of ground floor of commercial space at the corner of South Van Ness Avenue and 26th Street. The ground floor would also contain a leasing office, a resident amenities room, utilities room, 26 dwelling units and a 7,803 square-foot courtyard. The remainder of the 134 studios, one- and two-bedroom units would be located on the second through sixth floors, with the topmost sixth floor limited to the existing lot that fronts South Van Ness Avenue. The project would include 64 two-bedroom units and 19
affordable or BMR units. The average unit size of all the dwelling units would be approximately 890 square feet.

ENVIRONMENTAL REVIEW:

The proposed project is located within the Eastern Neighborhoods Area Plan, which was evaluated in Eastern Neighborhoods Rezoning and Area Plans Programmatic Final Environmental Impact Report EIR that 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). 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 Eastern Neighborhoods Rezoning and Area Plans Final EIR (“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 $13,004); (b) the CPE certificate fee (currently $7,216); and (c) a proportionate share fee for recovery for costs incurred by the Planning Department for preparation of the Eastern Neighborhoods FEIR.

2. **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 checklist 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 $13,004); (b) the standard environmental evaluation fee (which is based on construction value); and (c) a proportionate share fee for recovery for costs incurred by the Planning Department for preparation of the Eastern Neighborhoods FEIR.

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 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 $13,004); (b) the standard environmental evaluation fee (which is based on construction value); and (c) one-half of the standard EIR fee (which is also

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In order to begin formal environmental review, please submit an Environmental Evaluation Application. This review may be done in conjunction with the required approvals listed below, but must be completed before any project approval may be granted. See page 2 of the current Fee Schedule for calculation of environmental application fees. 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. Below is a list of topic areas that would require additional study based on our preliminary review of the project as it is proposed in the Preliminary Project Assessment (PPA) submittal dated June 30, 2014.

1. **Historic Resource Evaluation (HRE).** The proposed project consists of demolition of a potential historic resource (a building constructed 50 or more years ago). Therefore, the project is subject to the Department's Historic Preservation review, which may include preparation of a 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. 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.

- **Archeological Resources.** Project implementation would entail soil-disturbing activities associated with building construction, including excavation that would reach a depth of approximately 6 to 8 feet below grade. The project site is located within an area where no previous archeological survey has been prepared. 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 the proposed land use policies and controls within the Plan Area could adversely affect significant archeological resources.

The project site lies within the **Archaeological Mitigation Zone J-2: Properties with No Previous Studies** of the Eastern Neighborhoods Rezoning and Area Plans FEIR that would require either a Preliminary Archeological Review (PAR) conducted in-house by the Planning Department archeologist or the preparation of a Preliminary Archeological Sensitivity Assessment (PASS) by a Department Qualified Archeological Consultant subject to the review and approval by the Department archeologist. In almost all cases, the project sponsor would choose the PAR process. The PAR will first determine what type of soils disturbance/modifications would result from the proposed project, such as excavation, installation of foundations, soils improvements, site remediation, etc.; second, whether or not the project site is located in an area of archeological sensitivity; and third, 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. The results of this review will be provided in a memorandum to the Environmental Planner assigned to the project.
Alternatively, preparation of a PASS would require 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. The whole QACL is available at


The Preliminary Archeological Sensitivity Study (PASS) should contain the following:

1) The historical uses of the project site based on any previous archeological documentation and Sanborn maps;
2) Determine types of archeological resources/properties that may have been located within the project site and whether the archeological resources/property types would potentially be eligible for listing in the CRHR;
3) Determine if the 19th or 20th century soils-disturbing activities may have adversely affected the identified the potential archeological resources;
4) Assess potential project effects in relation to the depth of any identified potential archeological resources;
5) Conclusion: assessment of whether any CRHP-eligible archeological resources could be adversely affected by the proposed project and recommendation as to appropriate further action.

Based on the PAR or the PASS, 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 QACL may be required.

• Transportation Study. 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 Study. You are required to pay special fees for the Study; please contact Chelsea Fordham at (415) 575-9071 to arrange payment. Once you pay the fees, a Planning Department Transportation Planner will provide you with a list of three consultants from the Transportation Pool, and will direct the scope of the study.

• Hazardous Materials. The proposed project would include the demolition of an existing commercial building on a lot that was previously identified to have previous industrial uses and identified as a known LUFT site. 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. 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. Please provide a copy of the submitted Maher Application and Phase I ESA with the Environmental Evaluation Application (EEA).

- **Air Quality (AQ) Analysis.** The proposed project at 160 residential units does not exceed the Bay Area Air Quality Management District’s (BAAQMD) construction screening levels for criteria air pollutants. Therefore an analysis of the project’s criteria air pollutant emissions is likely not required.

However, the project includes demolition of an existing 31,680 sf commercial building and construction of a 55-to 65-foot-tall building. 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, which may affect sensitive receptors located up to and perhaps beyond 300 feet from the project site. Additional measures may be required to reduce DPM emissions from construction vehicles and equipment.

The proposed project also includes sensitive land uses (160 residential dwelling units) that may be affected by nearby roadway-related pollutants and other stationary sources that may emit toxic air contaminants. In addition, Health Code Article 38 applies to the proposed project. Health Code Article 38 requires that new residential development greater than 10 units located within the Potential Roadway Exposure Zone perform an Air Quality Assessment to determine whether PM$_{2.5}$ concentrations from roadway sources exceed 0.2 micrograms per cubic meter (0.2 μg/m$^3$). Sponsors of projects on sites exceeding this level are required to install ventilation systems or otherwise redesign the project to reduce the outdoor PM$_{2.5}$ exposure indoors. The proposed project is located within the Potential Roadway Exposure Zone; therefore an analysis of annual exposure to roadway related particulate matter would be required. You may choose to have the air quality assessment prepared by a qualified firm and forwarded to DPH for review, or you may request that DPH conduct the
Lastly, the proposed project is likely to require a diesel back-up generator which would result in toxic air contaminants that may affect both on-site and off-site sensitive receptors. During the environmental review process the proposed project will be reviewed to determine whether mitigation measures in the form of either construction emissions minimization measures or air filtration and ventilation mitigation measures will be required and whether any additional mitigation measures identified in the underlying Transit Center District Area Plan PEIR will be required. Should the project include stationary sources of air pollutants including, but not limited to, diesel boilers or back-up generators, an Air Quality Technical Report may be required for additional air pollutant modeling. If an Air Quality Technical Report is required, the project sponsor must retain a consultant with experience in air quality modeling to prepare a scope of work that must be approved by Environmental Planning prior to the commencement of any required analysis and/or modeling determined necessary.

• 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.

• Noise. Eastern Neighborhoods FEIR Noise Mitigation Measure F-1: Construction Noise addresses requirements related to the use of pile-driving. The project sponsor has not indicated that the project would involve pile driving. Therefore, Noise Mitigation Measure F-1 would apply to the proposed project, until building foundations have been identified. This mitigation measure requires that contractors use equipment with state-of-the-art noise shielding and muffling devices. To reduce noise and vibration impacts, sonic or vibratory sheetpile drivers, rather than impact drivers, shall be used wherever sheetpiles are needed. Project sponsors shall also require that contractors schedule pile-driving activity for times of the day that would minimize disturbance to neighbors.

3 Gary Gee, Project Sponsor. Email to Kei Zushi, San Francisco Planning Department, Pile Driving: PPA: 301 6th Street (Case No. 2013.0538U), June 17, 2013. This email is available for review as part of Case File No. 2013.0538U at the San Francisco Planning Department, 1650 Mission Street, Suite 400, San Francisco, California 94103.
Eastern Neighborhoods FEIR Noise Mitigation Measure F-2: Construction Noise requires that the Planning Director 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.

Based on the Eastern Neighborhoods FEIR, the project site is located in an area where traffic-related noise exceeds 60 dBA Ldn (a day-night averaged sound level). Eastern Neighborhoods FEIR Noise Mitigation Measure F-3: Interior Noise Levels requires that the project sponsor conduct a detail analysis of noise reduction requirements for new development including noise-sensitive uses located along streets with noise levels above 60 dBA (Ldn), where such development is not already subject to the California Noise Insulation Standards in Title 24 of the California Code of Regulations. Noise Mitigation Measure F-3 would not apply to the proposed project as the project would be subject to the California Noise Insulation Standards.

Eastern Neighborhoods FEIR Noise Mitigation Measure F-4: Siting of Noise-Sensitive Uses 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 a noise-sensitive use. 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.

Eastern Neighborhoods FEIR Noise Mitigation Measure F-5: Siting of Noise-Generating Uses would not apply to the proposed project because the project would not include commercial, industrial, or other uses that would be expected to generate noise levels in excess of ambient noise, either short term, at nighttime, or as a 24-hour average, in the project site vicinity.

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.

- **Shadow Study.** 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 indicates that the proposed project would not cast shadows on recreational resources. The project would therefore not require a shadow study.

- **Stormwater.** If the project results in a ground surface disturbance of 5,000 square feet 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 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. The project’s environmental evaluation should generally assess how and where the implementation of necessary stormwater controls would reduce the potential negative impacts of stormwater runoff. To view the Stormwater Management Ordinance, the Stormwater Design Guidelines, or download instructions for the Stormwater Control Plan, go to [http://sfwater.org/sdg](http://sfwater.org/sdg).

- **Recycled Water.** Projects located in San Francisco’s designated 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. To determine if the proposed project is in a designated recycled water use area, and for more information about the recycled water requirements, please visit [sfwater.org/index.aspx?page=687](http://sfwater.org/index.aspx?page=687).

- **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).

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. Planned Unit Development (PUD). Planning Code (PC) Section 304 allows PUDs as conditional uses, in accordance with the provisions of Section 303 and subject to the further requirements and procedures. After review of any proposed development, the Planning Commission may authorize such development as submitted or may modify, alter, adjust or amend the plan before authorization, and in authorizing it may prescribe other conditions as provided in Section 303(d). It must constitute all or part of a Redevelopment Project Area, or if not must include an area of not less than ½ acre, exclusive of streets, alleys and other public property that will remain undeveloped. The subject lots
have an area of 35,714 square feet, exceeding ½ acre, or 21,780 square feet. Therefore, a PUD or C case shall be required.

   a. PC Section 121.1 requires a CU for new construction or significant enlargement of existing buildings on lots of the same size or larger than 10,000 square feet. The subject lots are 35,714 square feet in area.
   b. PC Section 151.1 requires a CU for a proposed parking ratio between 0.51 and 0.75 cars for each dwelling unit, subject to the conditions and criteria of PC Section 151.1(g), and is permitted an additional three to seven spaces for the proposed 1,440 sq. ft. commercial space, depending on the use. The proposed ratio for the 90 parking spaces for the dwelling units is 0.56 and therefore requires a CU.
   c. PC Section 303(i) requires a CU for Formula Retail uses defined as a type of retail sales activity or retail sales establishment, which has eleven or more other retail sales establishments located in the United States. In addition to the eleven establishments, the business maintains two or more of the following features: a standardized array of merchandise, a standardized facade, a standardized decor and color scheme, uniform apparel, standardized signage, a trademark or a servicemark. A CU will be required for any newly proposed or future tenant of the retail space(s) meeting the definition of formula retail.

3. Building Permit Applications are required for the demolition of the existing improvements, preparation of the site, and for the proposed new construction. Building permit applications are available at the Department of Building Inspection at 1660 Mission Street.

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

NEIGHBORHOOD NOTIFICATIONS AND PUBLIC OUTREACH:

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

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

2. Neighborhood Notification. Since the project proposes new construction, owners and occupants within 150 feet of the project site must also be notified, in accordance with Planning Code Section 312.
PRELIMINARY PROJECT COMMENTS:

Policy Framework
Following are relevant policies from the General Plan:

Mission Area Plan

POLICY 3.2.6
Sidewalks abutting new developments should be constructed in accordance with locally appropriate guidelines based on established best practices in streetscape design.

POLICY 3.2.7
Strengthen the pedestrian network by extending alleyways to adjacent streets or alleyways wherever possible, or by providing new publicly accessible mid-block rights of way.

A. Developments on properties with 200 or more feet of street frontage on a block face longer than 400 feet should provide a minimum 20-foot-wide publicly accessible mid-block right of way and access easement for the entire depth of the property, connecting to existing streets or alleys.

B. Developments on properties with 200 feet or more, but less than 300 feet of street frontage should be encouraged to provide a minimum 20-foot wide publicly accessible easement where doing so would reconnect an alley with an adjacent street or another alley.

C. Developments on properties with 100 feet or more, but less than 200 feet of street frontage in the middle one-third of a block face longer than 400 feet where the adjacent property has the potential to do likewise, should be encouraged to provide a minimum 10-foot-wide publicly accessible mid-block right of way and access easement for the entire depth of the property, connecting to existing streets or alleys.

OBJECTIVE 4.5
CONSIDER THE STREET NETWORK IN THE MISSION AS A CITY RESOURCE ESSENTIAL TO MULTI-MODAL MOVEMENT AND PUBLIC OPEN SPACE

POLICY 4.5.1
Maintain a strong presumption against the vacation or sale of streets or alleys except in cases where significant public benefits can be achieved.

POLICY 4.5.2
As part of a development project's open space requirement, require publicly-accessible alleys that break up the scale of large developments and allow additional access to buildings in the project.

Planning Code
The following comments address specific Planning Code and other general issues that may significantly impact the proposed project.
1. **Rear Yard.** Section 134 requires the project to provide a rear yard of at least 25 percent of the lot depth or area at every story that contains a dwelling unit. The proposed project does not provide the standard 25 percent rear yard at the rear of the lot, and the proposed courtyard on floors 1 through 5 is only 7,803 square feet, or 21.8 percent. The proposed courtyard as a substitute for the standard rear yard is not permitted without an approved rear yard exception through the PUD process. Due to the large size of this project, an equivalent area equal to 25 percent of the rear yard should be provided.

2. **Open Space.** Section 135 requires that usable open space be located on the same lot as the dwelling unit it serves. At least 80 square feet of usable private open space per dwelling unit, or 106.4 square feet of usable common open space per dwelling unit is required. The project proposes private balconies for 54 units, but detailed dimensions were not provided to verify that the balconies are at least 6 feet in each horizontal dimension, per PC Section 135(f). The common open space requirement for the remaining 106 units is approximately 11,279 square feet, which is 21 square feet more than the proposed 11,300 square feet. However, be advised that pursuant to Section 135(g)(2) the proposed inner court can only qualify as Code complying usable open space if it measures at least 20 feet in every horizontal dimension and 400 square feet in area; and if (regardless of any permitted obstructions) the height of the walls and projections above the court on at least three sides (or 75 percent of the perimeter, whichever is greater) is such that no point on any such wall or projection is higher than one foot for each foot that such point is horizontally distant from the opposite side of the clear space in the court. A formal submittal should provide detailed dimensions for confirmation of the open space requirement and should strive to achieve compliance by providing an equitable amount of open space.

3. **Permitted Obstructions.** PC Section 136 permits obstructions such as balconies to extend up to 3 feet into the rear yard provided they meet dimensional and separation requirements as described under Section 136(c)(2) and (3). It appears that some of the proposed private balconies at the southernmost portion of the building may extend into the 25 percent required rear yard. As proposed, these balconies must either comply with this Section or receive an approved permitted obstructions exception through the PUD process.

4. **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. The project has 245 feet of frontage along 26th Street, 97 feet of frontage along Shotwell Street, and 172 feet of frontage along South Van Ness Avenue. Accordingly, the project must include 12 street trees on 26th Street, 5 street trees on Shotwell Street, and 9 street trees on South Van Ness Avenue. Please indicate on the Streetscape Plan described below that the project will comply with the following standards:

   a. Comply with Public Works Code Article 16 and any other applicable ordinances;
   b. Be suitable for the site;
   c. Be a minimum of one tree of 24-inch box size for each 20 feet of frontage of the property along each street or alley, with any remaining fraction of 10 feet or more of frontage requiring an additional tree. Such trees shall be located either within a setback area on the lot or within the public right-of-way along such lot.
d. Provide a below-grade environment with nutrient-rich soils, free from overly-compacted soils, and generally conducive to tree root development;

e. Be watered, maintained and replaced if necessary by the property owner, in accordance with Sec. 174 and Article 16 of the Public Works Code and compliant with applicable water use requirements of Chapter 63 of the Administrative Code.

5. Streetscape and Pedestrian Improvements. The proposed project encompasses an area greater than 0.5 acres, contains more than 250 feet of frontage along South Van Ness Avenue, 26th and Shotwell Streets, and includes new construction. Therefore, pursuant to PC Section 138.1, the project must also include a Streetscape Plan in your formal application that shows the location, design, and dimensions of all existing and proposed streetscape elements in the public right-of-way directly adjacent to the fronting property, including street trees, sidewalk landscaping, street lighting, site furnishings, utilities, driveways, and curb lines, and the relation of such elements to proposed new construction and site work on the subject property. For more information on process, guidelines, and requirements for street improvements, refer to www.sfbetterstreets.org.

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 treatment(s) to comply with the requirements where applicable in your formal application.

7. Exposure. PC Section 140 requires every dwelling unit to face directly upon a public street, public alley at least 25 feet in width, side yard at least 25 feet in width, or rear yard meeting the requirements of this Code. Alternatively, a dwelling unit can face a courtyard that is at least 25 feet in every horizontal dimension for the floor at which the dwelling unit is located and the floor immediately above it, with an increase of five feet in every horizontal dimension at each subsequent floor. Please provide dimensions in your formal submittal that verify the dwelling units on floors 5 and 6 at the southernmost portion of the building adjacent to the narrowest 33-feet 11-inch wide portion of the courtyard, has a horizontal dimension that is at least 40 feet and 45 feet, respectively. These units would otherwise require an approved exception for exposure through the PUD process, but a Code complying project should be proposed.

8. Street Frontages. The purpose of PC Section 145.1 is to preserve, enhance and promote attractive, clearly defined street frontages that are pedestrian-oriented, fine-grained, and which are appropriate and compatible with the buildings and uses in Neighborhood Commercial Districts. Please ensure your formal application provides sufficient detailed information that complies with the controls under this Section regarding active uses, parking and loading entrances, street-facing ground level spaces, transparency and fenestration, etc. Any portion of the project that does not comply with these controls must be justified and will require a street frontage exception through the PUD process.
9. Off-Street Parking. PC Section 151.1 permits up to 80 residential accessory parking spaces, and requires a CU for any amount between 81 and 120 spaces, provided all the criteria under Section 151.1(g) are met, including storage and access by mechanical stackers, lifts, valets, or other space-efficient means that reduces space used for parking and maneuvering. An additional seven accessory parking spaces are permitted for the proposed 1,440 square foot commercial space if it is occupied by a restaurant, or three spaces are permitted if the space is occupied by a general retail use that is not specified under Table 151.1. All allocated accessory parking spaces shall only be used by the designated residential or commercial use. The project proposes 90 parking spaces and will therefore require a CU authorization. However, the Department strongly recommends a reduction in the proposed amount of parking that would not require a CU authorization.

10. Off-Street Loading. PC Section 152 requires one off-street loading space for apartments that have a gross floor area between 100,001 and 200,000 square feet. Since the project only proposes an on-street loading space, it will require an off-street loading exception through the PUD process.

11. Unbundled Parking. Please be advised that PC Section 167 requires off-street parking spaces accessory to residential uses in new structures of 10 dwelling units or more to 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.

12. Height Exemptions. PC Section 260(b) limits the height of elevators, stairs, and mechanical penthouses to 16 feet in height. Please provide detailed dimensions in your formal application to indicate this requirement is met.

13. Shadow Analysis. Planning Code Section 295 limits the construction of any structure that would cast any new shade or shadow upon any property under the jurisdiction of, or designated for acquisition by, the Recreation and Park Commission. A preliminary shadow fan completed by the Department indicates the project will not cast new shadow on property under the jurisdiction of the Recreation and Park Commission.

14. Transit Impact Development Fee (TIDF). PC Section 411 requires the payment of a Transit Impact Development Fee for new development in San Francisco to offset its impacts on the transit system. The fee is not required for residential uses, but a current fee of $13.90/square foot is required for the proposed ground-floor non-residential use(s). However, there shall be a credit that is currently $13.21/square foot for the existing office uses to be eliminated on the site, so it is anticipated the proposed project will not be subject to the TIDF, which will be confirmed during the project's formal review.
15. **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 will remain as ownership units for the life of the project. The minimum Affordable Housing Percentages are 20% fee, 12% on-site, or 20% off-site. Therefore, as proposed, the project would have a minimum requirement of 19 units if provided on-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:

a. direct financial construction from a public entity  
b. 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.

16. **Eastern Neighborhoods Impact Fee.** As fully described under PC Section 423, the Eastern Neighborhoods Impact Fee is dedicated to infrastructure improvements in the Plan Area, directing benefits of the fund clearly to those who pay into the fund, by providing necessary infrastructure improvements and housing needed to serve new development. The subject lots are within Tier 2 of the Plan Area, and the project will be required to pay $13.87 and $11.56 for each net additional gross square foot of residential and commercial development, respectively. The demolition of the existing 31,680 square foot building(s) and its change of use to residential will utilize a factor of $2.00 (for existing non-residential use) or $9.00 (for existing Production/Distribution/Repair use) per gross square foot to calculate the required fee. Be advised the fees per gross square foot indicated above are current as of the date of this letter, and are indexed each January 1.

The Eastern Neighborhoods Impact Fee is due and payable to the Development Fee Collection Unit at DBI prior to issuance of the first construction document, with an option for the project sponsor to defer payment prior to issuance of the first certificate of occupancy pursuant to Section 107A.13.3.1 of the San Francisco Building Code.

17. **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. Be advised that required streetscape and pedestrian improvements are not eligible for in-kind fee credit. Streetscape improvements on the streets adjacent to this project have not been identified as a near-term priority project by the Interdepartmental Plan Implementation Committee or the Eastern Neighborhoods Area Plan Community Advisory Committee. However, some of the improvements may still be eligible for in-kind credit.

18. First Source Hiring Agreement. 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

19. Stormwater. Projects that disturb 5,000 square feet or more of the ground surface must comply with the Stormwater Design Guidelines and submit a Stormwater Control Plan to the SFPUC for review. To view the Guidelines and download instructions for preparing a Stormwater Control Plan, go to http://stormwater.sfwater.org/. Applicants may contact stormwaterreview@sfwater.org for assistance.

20. Recycled Water. The City requires property owners to install dual-plumbing systems for recycled water use in accordance with Ordinances 390-91, 391-91, and 393-94, within the designated recycled water use areas for new construction projects larger than 40,000 square feet.
PRELIMINARY DESIGN COMMENTS:

The project is located in the Mission Street Neighborhood Commercial Transit corridor adjacent to primarily one to four story residential and commercial buildings. The context includes a mix of material and architectural types including brown shingle, bay windows, and more industrial masonry frame-type structures. The project site contains an historic resource and surface parking. The following comments address preliminary design issues that may significantly impact the proposed project:

1. **Site Design, Open Space, and Massing.** The Planning Department recommends the consideration of keeping a portion of the existing resource, preferably the South Van Ness side currently shown as retail and a leasing office, and developing a design that identifies it appropriately as a distinct structure with a significant horizontal setback and vertical separation. This portion of the building should be retained volumetrically and integrated into the use of the new structure. Volumetric inclusion is typically created by employing both a horizontal setback to and vertical separation above the resource so that the remaining portion of the project not read as simply a thin façade.

2. **Street Frontage.** The Planning Department recommends creating primary access to the ground level residential units currently shown as studios. See the Planning Department Ground Floor Residential Guidelines for elevated entry and landscape buffer options. In addition, the retail corner component should have entries on each street or near the corner. Finally, the Department also suggests the inclusion of a bulbout at the corner of 26th Street and South Van Ness Avenue as part of the required Streetscape Plan.

3. **Parking.** The Planning Department recommends adding bicycle parking on the ground level, preferably near the lobby, and reducing proposed parking to 0.5 spaces per residential unit.

4. **Architecture.** As the project is currently diagrammatic, the Planning Department has no comments about the project architecture. However, as two of the street facades are long, the project anticipates the need for massing breaks or architectural articulation that reflects the nearby building width patterns and heights. Additionally, the project should articulate or reflect the presence of Virgil Street in the urban pattern through massing or other significant architectural feature.

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 March 15, 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.

Enclosure: Neighborhood Group Mailing List
Preliminary Shadow Fan

cc: 1515 Sovaness LLC, Property Owner
    Doug Vu, Current Planning
    Christopher Espiritu, Environmental Planning
    Lily Langlois, Citywide Planning and Analysis
    Maia Small, Design Review
    Jonas Ionin, Planning Commission Secretary
    Jerry Robbins, MTA
    Jerry Sanguinetti, DPW
Title: 1515 South Van Ness Avenue Preliminary Shadow Fan
Comments: Preliminary Shadow Fan (Case No. 2014.1020U)
Printed: 15 September, 2014

Legend
- Proposed Building
- Shadow Fan
- Open Spaces
- Public
- Private

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