DATE: October 3, 2014
TO: Ms. Jessie Stuart
FROM: Rick Cooper, Planning Department
RE: PPA Case No. 2014.1221U for 1601 Mission Street

Please find the attached Preliminary Project Assessment (PPA) for the address listed above. You may contact the staff contact, Michael Jacinto at (415) 575-9033 or michael.jacinto@sfgov.org, to answer any questions you may have, or to schedule a follow-up meeting.

Rick Cooper, Senior Planner
Preliminary Project Assessment

Date: October 3, 2014
Case No.: 2014.1121U
Project Address: 1601 Mission Street
Block/Lot: 3514 / 043
Zoning: C-3-G
Van Ness and Market Downtown SUD
120-R-2
Area Plan: Market and Octavia Area Plan
Project Sponsor: Jessie Stuart, Trumark Urban
415-370-1767
Staff Contact: Michael Jacinto – 415.575.9033
michael.jacinto@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 entails demolition of an existing gas station and car wash at 1601 Mission Street in San Francisco’s South of Market Area (SoMa). The project site comprises a single, 27,760-square-foot (sf) irregularly-shaped lot with frontages on both Mission Street and South Van Ness Avenue. Following demolition, the proposal entails construction of an 120-foot-tall, 11-story mixed-use building containing 200 dwelling units; 10,400 square feet of commercial retail space; and 200 parking spaces that would be accessible via mechanical stacking system in the building’s 26,750-square-foot basement. Vehicular access to the garage would be from a driveway on Mission Street. As illustrated in preliminary plans, the building would be developed to its lot lines with undulating bays that would provide areas of onsite open space within its setbacks along the building’s perimeter, in addition to a common courtyard within the building interior.
The project initially requires the following environmental review. This review may be done in conjunction with the required approvals listed below, but must be completed before any project approval may be granted:

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 Market and Octavia Plan area, which was evaluated in the *Market and Octavia Neighborhood Plan Final Environmental Impact Report* 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 *Market and Octavia Neighborhood Plan Environmental Impact Report* (hereafter *Market and Octavia EIR*), 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 Market and Octavia EIR 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); (b) the CPE certificate fee (currently $7,580); and (c) a proportionate share fee for recovery for costs incurred by the Planning Department for preparation of the Market and Octavia EIR.

2. **CPE + Mitigated Negative Declaration.** If new site- or project-specific significant impacts are identified for the proposed project that were not identified in the Market and Octavia EIR, 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 Market and Octavia EIR, with all pertinent mitigation measures and CEQA findings from Market and Octavia EIR 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) a proportionate share fee for recovery for costs incurred by the Planning Department for preparation of the Market and Octavia EIR.

3. **CPE + 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

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Market and Octavia EIR, with all pertinent mitigation measures and CEQA findings from the Market and Octavia EIR 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); (c) one-half of the standard EIR fee (which is also based on construction value); and (d) a proportionate share fee for recovery for costs incurred by the Planning Department for preparation of the Market and Octavia EIR.

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. The following environmental issues would likely be addressed as part of the project’s environmental review based on our preliminary review of the proposed project as it is described in the Preliminary Project Assessment (PPA) submittal dated June 24, 2014:

Based on our preliminary review the following topic areas would require additional study to identify significant impacts not identified in area plan EIR:

- **Historic Architectural Resources.** The existing building on the project site, the Firestone aka Tower Garage (Assessor Block 3514043) is considered a potential historic resource (building constructed 45 or more years ago); the site is not included in a known historic district designated in Article 10 of the Planning Code or otherwise listed in a National Register Historic District. Because the extant structure is categorized as a potential historic resource and the proposed project would entail of alteration or demolition of this potential resource, the proposed project would be subject to the Department’s Historic Preservation review, which would 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, which shall be known as the potential consultant list or PCL. Once the Environmental Evaluation Application is submitted, please contact Tina Tam, Senior Preservation Planner, via email (tina.tam@sfgov.org) for the list of three consultants. Upon selection of the historic resource consultant, the scope of the Historic Resource Evaluation shall be prepared in consultation with Department Preservation staff.

- **Archeological Resources.** Project implementation would entail soil-disturbing activities to a depth of approximately 16 feet associated with excavation, grading, building construction as well as other types of soils movement. Although the project site is located on a parcel where prior soils disturbance has occurred, significant resources have been found in the vicinity and no previous survey has been prepared for the site. Based on this, the project would require a Preliminary Archeological Review (“PAR”), which would be conducted in-house by the Planning Department Archeologist. The PAR would determine what type of soils disturbance/modification would result from the project, such as excavation, installation of foundations, soils improvement, site remediation, etc. Any available geotechnical report or Phase II Environmental Site Assessment (ESA) prepared for the project site
would be reviewed as part of the archeological review for this project. Please ensure that project drawings and the project description includes the estimated depth of excavation for the two below grade levels as well as the depth of any elevator pit and foundations required.

The result of this archeological review (PAR) would be provided in a memorandum to the environmental coordinator assigned to the project. If it is found that the project has the potential to affect an archeological resource, the PAR memorandum would identify any additional measures to be implemented. Such actions may include application of appropriate archeological mitigation measures and/or requiring additional archeological studies as part of the environmental evaluation. If an additional archeological study is required, it must be prepared by a qualified archeological consultant. The qualified consultant must be selected from a list of three archeological consultants from the Planning Department’s archeological resources consultant file provided by the Planning Department during the environmental review process.

The Planning Department Archeologist will also be informed by the geotechnical study of the project site’s subsurface geological conditions (see Geology, below).

- **Geology.** The project site is underlain by artificial fill and is located adjacent to a Seismic Hazard Zone as identified in the San Francisco General Plan. A geotechnical study prepared by a qualified consultant must be submitted with the Environmental Evaluation Application. The study should address whether the site is subject to liquefaction, and should provide recommendations for any geotechnical concerns identified in the study. In general, compliance with the building codes, as assured through DBI’s permit review process, would avoid the potential for significant impacts related to structural damage, ground subsidence, liquefaction and surface settlement. As noted above, this study will also help inform the Planning Department Archeologist of the project site’s subsurface geological conditions.

- **Transportation Study.** Based on the Planning Department’s transportation impact analysis guidelines, the project would potentially add at least 50 PM peak hour person trips and thus would require additional transportation analysis. The project site is also located in an area where the Planning Department is reviewing a number of PPAs and EEAs that could be considered *reasonably foreseeable projects* that the transportation study would need to consider in order to develop a detailed and thorough cumulative scenario. The characteristics of this proposal, i.e., its ingress and egress to the garage off Mission Street, loading and other factors associated with vehicular and non-motorized circulation shall be considered in the context of future transportation infrastructure (Van Ness bus rapid transit) and streetscape improvements to and on nearby streets, if applicable.

The transportation report would need to be prepared by a qualified consultant working at the direction of the Planning Department staff. The Planning Department’s list of approved transportation consultants is available by following the link below. Please see “Transportation Impact Analysis Guidelines for Environmental Review” on the Planning Department’s website and

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3 Transportation consultant list is available online for review http://www.sf-planning.org/ftp/files/MEA/Transportation_consultant_pool.pdf
“Miscellaneous Fees” in the Planning Department’s current Fee Schedule for Applications. As noted on the Fee Schedule, there is a separate fee to SFMTA for review of the transportation report.

- **Air Quality Analysis.** The project proposes residential uses and would be constructed in an area adjacent to existing residential uses, which are considered “sensitive receptors” for purposes of air quality analyses. The proposed project’s 200 dwelling units would 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.

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 includes sensitive land uses (26 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 PM2.5 concentrations from roadway sources exceed 0.2 micrograms per cubic meter (0.2 µg/m³). Sponsors of projects on sites exceeding this level are required to install ventilation systems or otherwise redesign the project to reduce the outdoor PM2.5 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 assessment. For more information on Health Code Article 38 please see: http://www.sfdph.org/dph/EH/Air/default.asp

Lastly, the proposed project may 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 Market and Octavia EIR 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.** The proposed project would introduce residential uses to the project site. Based on the City’s GIS-based traffic noise model map, the project site is located along street segments with noise levels in excess of 70 dBA Ldn (a day-night averaged sound level). The Land Use Compatibility Chart for Community Noise in the San Francisco General Plan, Environmental Protection Element states that construction of new residential uses should be undertaken after a detailed analysis of the noise reduction requirements are made and needed noise insulation features included in the design of the building. As part of the environmental review process for the proposed proposal, the following shall be undertaken to address potential effects related to ambient noise in the vicinity:

  **Interior Noise Levels for Residential Uses:** 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, the project sponsor of future individual developments within the Project Area shall conduct a detailed analysis of noise reduction requirements prior to completion of environmental review. Such analysis shall be conducted by person(s) qualified in acoustical analysis and/or engineering. Noise insulation features identified and recommended by the analysis shall be included in the design, as specified in the *San Francisco General Plan* Land Use Compatibility Guidelines for Community Noise to reduce potential interior noise levels to the maximum extent feasible. Additional noise attenuation features may need to be incorporated into the building design where noise levels exceed 70 dBA (Ldn) to ensure that acceptable interior noise levels can be achieved.

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Siting of Noise-Sensitive Uses: To reduce potential conflicts between existing noise-generating uses and new sensitive receptors, for new residential development and development that includes other noise-sensitive uses (primarily, residences, and also including schools and child care, religious, and convalescent facilities and the like), the San Francisco Planning Department shall require the preparation of an analysis that includes, at a minimum, a site survey to identify potential noise-generating uses within 900 feet of, and that have a direct line-of-sight to, the project site, and including at least one 24-hour noise measurement (with average and maximum noise level readings taken so as to be able to accurately describe maximum levels reached during nighttime hours) prior to the first project approval action. The analysis shall be prepared by persons 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 individual project site that appear to warrant heightened concern about noise levels in the vicinity. The analysis shall be conducted prior to completion of the environmental review process. Should the Planning Department conclude that such concerns be present, the San Francisco 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, in order to demonstrate that acceptable interior noise levels consistent with those in the Title 24 standards can be attained.

Construction noise would be subject to the San Francisco Noise Ordinance (Article 29 of the San Francisco Police Code), which includes restrictions on noise levels of construction equipment and hours of construction. If pile driving is to be used during project construction, measures to reduce construction noise may be required as part of the proposed project.

- **Shadow.** The proposal entails construction of a residential building that would be up to 120 feet tall. A shadow fan analysis was prepared for this project.\(^5\) The shadow analysis found that the proposed project would not cast shadow on any nearby parks or open space subject to the Planning Code Section 295.

- **Wind Study.** The proposed project would involve construction of a building 120 feet in height. The project would therefore require that a wind consultant conduct a wind tunnel analysis to determine whether the project would create or contribute considerably to wind hazards in its vicinity. The consultant would be required to prepare a proposed scope of work for review and approval by the Environmental Planning case manager prior to commencing with the analysis.

- **Stormwater.** If the project results in a ground surface disturbance of 5,000 sq. ft. 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,

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\(^5\) San Francisco Planning Department. 2014. Shadow Fan for 1228 Folsom Street, 723-725 Clementina Street. A copy of this document is available for review at the Planning Department, 1650 Mission Street, Suite 400, San Francisco, CA 94103 as part of Case number 2014.0964U.
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.

- **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 sf. Please see the attached SFPUC document for more information.

- **Notification of a Project Receiving Environmental Review.** Notice is required to be sent to occupants of properties adjacent to the project site and owners of properties within 300 feet of the project site. Please be prepared to provide these mailing labels upon request during the environmental review process.

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

**Gasoline Service Station Conversion.** A gasoline service station conversion application is necessary whenever an existing gasoline service station is proposed to be converted to a different use or removed. The application will first ask for findings to prove a financial hardship in maintaining the gas station. If the Zoning Administrator is unable to make this determination, a Conditional Use authorization from the Planning Commission is required.

**Variance.** The project as proposed may need the following variances:
• **Exposure (Section 140).** Planning Code Section 140 requires that all dwelling-units face directly onto an open area. The open must either be a public street, alley, or side yard measuring at least 25 feet in width; a Code-complying rear yard; or an open area that is no less than 25 feet in every horizontal dimension for the floor of the dwelling unit and the floor above it, with an increase of five feet in every horizontal dimension at each subsequent floor. It appears that the same five units on each floor that do not face a public right of way will not meet this requirement. Although a variance may be sought to provide relief from this requirement, the Department recommends reducing the number of units in need of this Variance.

**Downtown Project Authorization - Section 309.** New construction and major alteration projects in the C-3-G District require a Determination of Compliance (Section 309 Review). As a component of the review process under Planning Code Section 309, projects may seek specific exceptions to the provisions of the Planning Code. The following exceptions must be justified – through the specific findings outlined for each exception – as part of the Section 309 review in order for the proposed project to be approved:

• **Wind (Section 148).** As mentioned under the Environmental Review section above, a wind analysis will be required for the proposed project. If the wind analysis determines that the project will result in, or does not eliminate pre-existing exceedances to the wind comfort levels outlined in Section 148 (ground-level winds exceeding 11mph for pedestrians and 7mph for public seating areas), an exception may be sought under Planning Code Section 309. Please note that exceedances to the hazardous wind levels of 26mph cannot be modified under Section 309.

• **Off-Street Parking (Section 151).** Dwelling units in the C-3 Zoning District and the Van Ness and Market Downtown Residential SUD are permitted to have up to one car for each four dwelling unit. Parking for non-residential uses shall not exceed seven percent of gross floor area of such uses. The Project proposes 93 off-street parking spaces for 200 dwelling units and 10,400 gross square feet of retail area. In C-3 Districts, accessory parking in excess of what is permitted by right, up to one car for each two dwelling units, is subject Section 309 review. Parking above two cars for each four dwelling units is not permitted. In order to be granted approval for accessory residential parking, the Planning Commission shall make additional affirmative findings specified in Planning Code Section 151.1(f).

• **Rear Yard and Lot Coverage (249.33).** The rear yard requirements of Planning Code Section 134 do not apply in the Van Ness and Market SUD. Lot coverage in the SUD is limited to 80 percent at all residential levels, except on levels in which all residential units face onto a public right of way. As proposed, five dwelling units at the south portion of the lot do not face onto a public right of way, therefore if lot coverage exceeds 80 percent at any residential level, please redesign the project to comply with the Planning Code or apply for a Section 309 exception.

• **Off-Street Loading Spaces (Section 152.1).** One off-street freight loading space is required for retail stores, restaurants, bars, nighttime entertainment and drugstores uses that are
between 10,001 to 30,000 gross square feet. Two off-street freight loading spaces are required for hotels, apartments and live/work units that occupy between 200,001 and 500,000 gross square feet. The 10,400 square feet of retail space and 203,870 square feet of residential uses require a total of three off-street freight loading spaces. The proposed plans show two loading spaces while the application indicates one loading space. Revised plans show three loading spaces. If less than three off-street freight loading spaces are desired, please seek and justify a Section 309 exception from this Section of the Planning Code.

Please note additional off-street loading space requirements pursuant to Planning Code Section 155. Freight elevators immediately accessible from the loading dock shall be provided to all floors which contain uses that are included in the calculation of required freight loading spaces. Subterranean loading facilities, as proposed, should include freight elevator operations that are designed to discourage the use of freight elevators for deliveries from the ground floor.

A Building Permit Application is required for the proposed demolition and new construction on the subject property.

Downtown Project Authorization and Variance 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.

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

PRELIMINARY PROJECT COMMENTS:

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

Floor Area Ratio (FAR). Per Section 124 and 249.33, buildings within the C-3-G District and Van Ness and Market Downtown Residential Special Use District have a basic FAR of 6.0 to 1, or a maximum of 9.0 to 1. This maximum may be achieved through a payment of the Van Ness & Market Street Affordable Housing Fee to the Citywide Affordable Housing Fund pursuant to Planning Code Section 249.33.
As of this writing the rate is $34.67 per square foot for that increment of FAR between 6.0 to 1 and 9.0 to 1; however, fees are indexed on an annual basis. Note that with Planning Commission approval of a Conditional Use authorization, floor area for on-site affordable housing and floor area for student housing are excluded from FAR, as outlined in Planning Code Sections 124(f) and 125(k).

**Gross Floor Area.** Future submittals should provide a detailed calculation of the gross floor area of the project, including floor plans which clearly indicate those areas included within the calculation of “gross floor area” pursuant to the definition in Section 102.9. The PPA submittal did not include exceptions for the 5,500 square feet of occupied floor area per retail use.

**Interdepartmental Project Review.** Interdepartmental Project Reviews are mandatory for new construction projects that proposed buildings eight stories or more and new construction on parcels identified by the State of California Department of Conservation, Division of Mines and Geology as Seismic Hazard Zones in the City and County of San Francisco. Project identified as such, must request and participate in an interdepartmental project review prior to any application that requires a public hearing before the Planning Commission or new construction building permit. This project must file for an Interdepartmental Project Review.

**Usable Open Space - Residential.** Planning Code Section 135 requires 36 sf of private usable open space per unit, or 1.33 times as much, or 47.88 sf, if provided in a common area. Since none of the units are providing private usable open space, the total requirement would be 9,576 sf. The open space provided at the podium would be considered an “inner court”, according to the Planning Code. The area of an inner court, as defined by this Code, may be credited as common usable open space if the enclosed space is not less than 20 feet in every horizontal dimension, 400 square feet in area, and if the height of the walls and projections above the court on at least three sides 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. It does not appear that the open space within the courtyard meets the Code requirements for usable open space, and thus cannot be counted. However, the 10,225 square feet roof deck does provide sufficient usable open space to meet the usable open space requirements of Section 135.

**Street Trees.** Planning Code Section 138.1 requires one street tree for every 20 feet of frontage for new construction, with an additional tree required for every remaining 10 feet of street frontage. In total, the project site includes approximately 473 feet of frontage, which requires 24 street trees. Seven existing street trees are on the Preliminary Site Plan, with 14 proposed street trees shown. Please propose additional street trees such that there will be a total of 24 street trees along the property’s frontage, unless a waiver is granted by the Department of Public Works.

Please note that the trees must meet the following additional requirements: (1) have a minimum 2 inch caliper, measured at breast height; (2) branch a minimum of 80 inches above sidewalk grade; (3) be planted in a sidewalk opening at least 16 square feet, and have a minimum soil depth of 3 feet 6 inches; (4) include street tree basins edged with decorative treatment, such as pavers or cobbles; (5) be planted in a continuous soil-filled trench parallel to the curb, such that the basin for each tree is connected.
Tree Planting and Protection Checklist. Completion of this checklist is required. No permit will be approved by the Planning Department before satisfying all applicable tree-related requirements. Before any application is made to the Planning Department, you may choose to go directly to the Department of Public Works (DPW) to determine whether or not the required trees mentioned above can feasibly be planted. In order to do this, you should bring to DPW: (1) a completed Tree Planting and Protection Checklist [this need NOT be signed by Planning Dept. staff]; (2) project plans [11”x17” is acceptable]; and (3) a DPW tree planting application. Submittals can be made to DPW’s offices at 1155 Market Street or electronically at www.sfdpw.org -> “Services A-Z” -> “Trees”. After DPW does their analysis and fieldwork, DPW will provide you with a signed referral form with their determination which should then be provided to the Planning Department.

Better Streets Plan. The project contains more than 250 feet of total lot frontage and includes new construction. It is therefore subject to the streetscape plan review to ensure compliance with the Better Streets Plan, pursuant to Planning Code Section 138.1. Compliance may include benches, bicycle racks, corner curb extensions, stormwater facilities, lighting, sidewalk landscaping, special sidewalk paving and other site furnishings. The Planning Department, in consultation with other agencies, will also evaluate whether sufficient roadway space is available for sidewalk widening.

Bird Safety. Planning Code Section 139 requires that feature-related bird hazards such as free-standing glass walls, wind barriers, skywalks, balconies and greenhouses on rooftops are not permitted to have unbroken glazed segments larger than 24 square feet. Any glazing that is larger than 24 square feet must be treated with bird-safe glazing.

Street Frontages. Planning Code Section 145.1 requires “active uses” at the ground floor of the building along Mission Street and Van Ness Avenue. Ground floor non-residential uses shall have a minimum floor-to-floor ceiling height of 14 feet. As proposed, the project meets the active use requirements and the ground floor ceiling height requirements. Please note that all street frontages containing active uses must be fenestrated with transparent windows and doorways for no less than 60 percent of the street frontage at the ground level and allow visibility to the inside of the building. The use of dark or mirrored glass will not count towards the required transparent area.

Required Ground Floor Commercial Uses. Planning Code Section 145.4 requires active commercial uses on the ground floor of South Van Ness Avenue. No individual nonresidential use on the ground floor may occupy more than 75 contiguous linear feet for the first 25 feet of depth along South Van Ness Avenue. Separate individual storefronts shall wrap large ground floor uses for the first 25 feet of depth. As proposed, it appears that the retail spaces facing South Van Ness Avenue may not meet this requirement and should be redesigned.

Curb Cuts. Planning Code Section 155(r) prohibits driveways on Mission Street from 10th Street to Division Street. Pre-existing off-street parking and loading access that violates Section 155(r) may not be maintained. Further, no curb cuts are permitted along any Transit Preferential streets within the C-3 Zoning District. The proposed design features a driveway on Mission Street between 10th Street and Division Street. Mission Street is also a Transit Preferential Street. The driveway should be relocated from
Mission Street to South Van Ness Avenue. A shared parking and loading entrance is encouraged with a maximum permitted width for shared entrances of 20 feet.

**Bicycle Parking.** Planning Code Section 155.2. Requires buildings containing more than 100 dwelling units, to provide 100 Class 1 spaces plus one for every four dwelling units over 100. One additional Class 1 space is required for every 7,500 square feet of occupied floor area for retail uses. Class 2 bicycle parking spaces shall be provided at the rate of one space for every 20 units. Retail uses require a minimum of two Class 2 spaces. One Class 2 space is required for every 2,500 square feet of occupied floor area devoted to retail uses. The project requires a total of 125 Class 1 bicycle parking spaces and 14 Class 2 bicycle parking spaces. Please revise the proposal to provide the required bicycle parking and refer to Zoning Administrator Bulletin No. 9 for additional information regarding bicycle parking requirements.

**Car Sharing.** Planning Code Section 166 requires that car sharing spaces shall be provided at the rate of one for up to 200 dwelling units and two for 200 to 400 dwelling units. If the project creates 200 dwelling units, one car sharing space is required. Additional car sharing spaces may be required if more than 25 of the proposed off-street parking spaces are designed for non-residential use. Up to 5 optional car sharing spaces may be provided, subject to deed restrictions and other provisions of Section 166(g). The proposed two car sharing spaces meet the Planning Code requirement for 200 dwelling units with no parking designated for non-residential uses.

**Unbundled Parking.** Pursuant to Planning Code Section 167, all off-street parking in new residential structures with more than ten dwelling units shall be leased or sold separately from the rental or purchase price of the dwelling units for the life of the dwelling units.

**Baby Diaper-Changing Accommodations.** Planning Code Section 168 requires that new retail uses over 5,000 square feet in size install and maintain at least one baby diaper-changing accommodation that is accessible to women and one that is accessible to men, or a single accommodation that is accessible to both, at each floor level containing restrooms accessible to the public.

**Height Exemptions.** Planning Code Section 260 requires that in the Van Ness and Market SUD additional building volume used to enclose or screen exempted features from view are subject to further volume controls rather than the 20% roof top coverage limitation. The rooftop form created by the added volume shall not exceed 16 feet in height. The total volume, including the volume of the features being enclosed, shall not exceed ¾ of the horizontal area of the roof, measured before the addition of exempt features, times 16.

**Mid-Block Alley.** Planning Code Section 270.2 requires that all new construction on parcels that have one or more street frontages of over 200 linear feet on a block face longer than 400 feet between intersections in the C-3 Zoning District to provide a mid-block alley. Mission Street from South Van Ness/12th Street to Plum Street is approximately 535 feet long. The subject lot has more than 300 feet of street frontage, therefore, a publicly-accessible mid-block alley, that is open to the sky, for the entire depth of the property, generally located toward the middle of the block face and perpendicular to Mission Street.
frontage and connecting to South Van Ness Avenue is required. Additional design and performance standards are provided in Section 270.2(e) through (i).

Transit Impact Development Fee. New construction or conversion of non-residential space of at least 800 gross square feet is subject to a Transit Impact Development Fee (TIDF) pursuant to Planning Code Section 411. The project proposes to create 5,971 gross square feet of new retail space. The TIDF is calculated on the basis of the number of square feet of new development, multiplied by the square foot rate in effect at the time of building or site permit issuance. In determining the number of gross square feet of use to which the TIDF applies, the Department will provide a credit for prior uses eliminated on the site. Please submit “existing” plans that show the existing uses and their use sizes in order for staff to calculate this fee. The fee will be calculated and locked at issuance of the site permit but will not be collected until the first construction document is approved.

Affordable Housing. The project must satisfy the requirements of the Inclusionary Affordable Housing program by providing on- or off-site affordable housing units or paying an in-lieu fee pursuant to Planning Code Section 415. If providing on-site affordable housing units, 12 percent, or 24 of the 200 proposed dwelling units should be below market rate. Alternatively, 20 percent or 40 below market rate dwelling units may be provided off-site or a 20% in-lieu can be paid. Any below market rate units provided to satisfy this requirement must demonstrate eligibility that they would not be subject to the Costa Hawkins Rental Housing Act.

In order for the project to be eligible for the on-site affordable housing alternative, the Project Sponsor must submit an “Affidavit of Compliance with the Inclusionary Affordable Housing Program: Planning Code Section 415, to the Planning Department.

Market & Octavia Affordable Housing Fee. Planning Code Section 416 requires that the net addition of residential use in the Market & Octavia Plan area and in the Van Ness and Market SUD be subject to a fee of $8.32 per gross square foot. The project proposed 203,870 gross square feet of new residential use space, which is subject to this fee.

Market & Octavia Community Improvement Fund. Pursuant to Planning Code Section 421, the project is located within the Market + Octavia Plan Area and is subject to the Market Octavia Community Improvement Fund due to the net addition of residential units and the net addition of non-residential space. Fees will be calculated based on the net addition of gross non-residential and residential space and collected prior to issuance of the first construction document. Current fees can be found in the San Francisco Citywide Development Impact Fee Register maintained by the Department of Building Inspection.

First Source Hiring. Chapter 83 of the San Francisco Administrative Code, passed in 1998, established the First Source Hiring Program to identify available entry-level jobs in San Francisco and match them with unemployed and underemployed job-seekers. The intent is to provide a resource for local employers seeking qualified, job ready applicants for vacant positions while helping economically disadvantaged residents who have successfully completed training programs and job-readiness classes.
The ordinance applies to projects that will create 25,000 square feet or more of new or additional gross floor area. For further information or to receive a sample First Source Hiring Agreement, 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.

Public Art. Planning Code Section 429 requires that all projects that involve construction of a new building or addition of floor area in excess of 25,000 square feet in a C-3 District shall dedicate and expend an amount equal to one percent of the construction cost of the building or addition as determined by the Director of DBI (Public Art Fee). Residential development projects may elect one of three options to fulfill their public art requirement. The Project Sponsor may (A) elect to provide on-site public art valued at least equivalent to the Public Art Fee; (B) contribute the Public Art Fee amount to the Public Artwork Trust Fund; or (C) expend a portion of the Public Art Fee to provide on-site public art and pay the remainder into the Public Artwork Trust Fund.

PRELIMINARY DESIGN COMMENTS:

The project site is located in the Market Octavia Area Plan, the Market and Van Ness SUD, and at the northern most part of the Mission Life Plan. It is in an area recently up-zoned adjacent to the Western SoMa plan. The intersection represents more of a transition between and gateways into several neighborhoods, namely: Western SoMa, the Mission, Civic Center, and Hayes Valley. As the proposed projects at this intersection will significantly alter its scale and increase its residents, the Planning Department hopes to see architecture with strong character to support this important transition. Buildings nearby include historic industrial types with large spans of glazing and masonry structures. The following comments address preliminary design issues that may significantly impact the proposed project:

Site Design, Open Space, and Massing. As a mid-block alley open to the sky is required in the project, the Planning Department suggests two options to explore in the next design iteration. The first is reconfiguring the project massing so that this alley can run at the southern property line. The alley should be lined with active use, programming, or landscape elements. While this option takes advantage of the combined sense of open space with the setback above the ground floor on the adjacent property, it would be more challenging at the street level. The second option would be to introduce an alley in the existing massing strategy between the proposed southern massing elements on each side with a perpendicular jog and bridges across the top of the alley for residential access on the upper floors. This creates a “liner” building at the south edge of the property. This solution would make the alley a more integral part of the project, better at the street level, and more appealing, but would create more narrow vertical open spaces on the block.

Street Frontage. The Planning Department recommends increasing the depth of the retail at the Mission and South Van Ness corner.

Parking. The Planning Department recommends reducing parking as this is a high-density transit area.
Architecture. The Planning Department is generally supportive of the proposed architectural design in particular the vertical breaks in massing that help reduce the long lengths of façade. The Planning Department also appreciates the stepping up towards the corner to announce the building’s prominence.

PRELIMINARY PROJECT ASSESSMENT EXPIRATION:

This Preliminary Project Assessment is valid for a period of 18 months. An Environmental Evaluation, Conditional Use Authorization, or Building Permit Application, as listed above, must be submitted no later than April 3, 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
Interdepartmental Project Review Application
Flood Notification: Planning Bulletin
SFPUC Recycled Water Information Sheet

cc: Jessie Stuart, Trumark Urban
Alexis Pelosi, Esq.
Kaniska Burns, Current Planning
Maia Small, Design Review
Jonas Ionin, Planning Commission Secretary
Jerry Robbins, MTA
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Title: 1601 Mission - Prelim Shadow Fan
Comments: Based on 140' building
Printed: 12 August, 2014