DATE: October 14, 2014
TO: Alex Lirisman
FROM: Devyani Jain, Planning Department
RE: PPA Case No. 2014.12580 for 2799 24th Street

Please find the attached Preliminary Project Assessment (PPA) for the address listed above. You may contact the staff contact, Wade Wietgrefe, at (415) 575-9050 or wade.wietgrefe@sfgov.org, to answer any questions you may have, or to schedule a follow-up meeting.

Devyani Jain, Senior Planner
Preliminary Project Assessment

Date: October 14, 2014
Case No.: 2014.1258U
Project Address: 2799 24th Street
Block/Lot: 4266/035
Zoning: 24th Street – Mission Neighborhood Commercial Transit District
Mission Alcoholic Beverage Special Use Subdistrict
Fringe Financial Service Restricted Use District
55-X Height and Bulk District
Area Plan: Eastern Neighborhoods
Project Sponsor: Alex Lirisman – (415) 252-7063
Staff Contact: Wade Wietgrefe – (415) 575-9050
wade.wietgrefe@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 Public Utilities Commission, Department of Building Inspection, Public Works, Department of Public Health, and others. In most cases, consultation with the Public Utilities Commission is required prior to completion of the environmental review. 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 project site consists of one lot at the intersection of 24th and York Streets within the block bounded by 24th Street to the north, Hampshire Street to the east, 25th Street to the south, and York Street to the west. The existing lot is occupied by a one-story, 18-foot-tall, 2,325-square-foot building currently used as a laundromat. The proposed project involves the demolition of the existing building and construction of a new five-story, 55-foot-tall, 9,600-square-foot building consisting of eight dwelling units, 1,335 square feet of ground-floor retail, eight bicycle parking spaces, and zero vehicular parking spaces.
BACKGROUND:

The project site is within the Eastern Neighborhoods Area Plan. The Eastern Neighborhoods Area Plan covers Mission, East SoMa, Showplace Square/Potrero Hill, and Central Waterfront (location of project site) neighborhoods. The Eastern Neighborhoods Rezoning and Area Plans Final Environmental Impact Report (Eastern Neighborhoods FEIR), including mitigation measures, was upheld by the Board of Supervisors on September 9, 2008. The Eastern Neighborhoods Area Plan and its associated rezoning became effective December 19, 2008.

ENVIRONMENTAL REVIEW:

The project initially requires environmental review, which must be completed before any project approval may be granted. In order to facilitate environmental review and comply with the California Environmental Quality Act (CEQA), the applicant should submit an Environmental Evaluation Application (EEA). Under environmental review, the project could be eligible for a Community Plan Exemption (CPE) from CEQA (per CEQA Guidelines Section 15183). As currently presented, the proposed project meets the development density for the project site under the Eastern Neighborhoods Area Plan and thus a CPE under the Eastern Neighborhoods Area Plan may apply. If it is determined after filing of the EEA that the proposed project is consistent with the development density and other zoning parameters established by the Eastern Neighborhoods Area Plan, the proposed project could be eligible for a CPE. Three different outcomes of the CPE process are possible:

1. **Stand-Alone CPE.** If all potentially significant project-specific and cumulatively considerable environmental impacts are fully consistent with significant impacts identified in the Eastern Neighborhoods FEIR and if there are no new site- or project-specific 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. 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 of costs incurred by the Planning Department for preparation of the Eastern Neighborhoods FEIR. Refer to page 2 of the current Fee Schedule for costs.

2. **CPE + Focused Mitigated Negative Declaration (MND).** If new site- or project-specific significant impacts are identified for the proposed project that are 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 MND is prepared to address these impacts, and a supporting CPE certificate is prepared to address all other impacts that were encompassed by the Eastern Neighborhoods FEIR, with all pertinent mitigation measures and CEQA findings from the Eastern Neighborhoods FEIR also applied to the proposed project. The applicable fees are: (a) the CPE determination fee; (b) the

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3 Ibid for latest “Fee Schedule for Applications.”
standard environmental evaluation fee (which is based on construction cost); and (c) a proportionate share fee for recovery of costs incurred by the Planning Department for preparation of the Eastern Neighborhoods FEIR.

3. **CPE + Focused EIR.** If the proposed project would have significant impacts that cannot be mitigated to a less-than-significant level, then a Focused EIR is prepared to address these impacts, and a supporting CPE certificate is prepared to address all other impacts that are 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. The applicable fees are: (a) the CPE determination fee; (b) the standard environmental evaluation fee (which is based on construction cost); (c) one-half of the standard EIR fee (which is also based on construction cost); and (d) a proportionate share fee for recovery of costs incurred by the Planning Department for preparation of the Eastern Neighborhoods FEIR.

The Planning Department will investigate the following issues as part of the environmental review process to determine which type of CPE will apply.

1. **Transportation.** Based on the PPA submittal, a transportation study is not anticipated. However, an official determination will be made subsequent to submittal of the EEA.

2. **Noise.** The proposed project would include sensitive noise receptors and private outdoor open space and the project site is located in area of the City with high noise levels (e.g., due to traffic and is located next to a potential noise-generating use, the Brava Theater Center). Therefore, Mitigation Measures F-3, Interior Noise Levels, F-4, Siting of Noise-Sensitive Uses, and F-6, Open Space in Noisy Environments, would likely be required for the proposed project. The noise evaluation, as required by these measures, shall be done by a qualified consultant and under direction of the environmental coordinator assigned after filing of the EEA.

The proposed project would include construction within proximity to existing sensitive noise receptors (i.e., residences located near the project site). Depending on the anticipated construction duration and vibration anticipated during construction, construction noise reduction methods, such as those described in Mitigation Measures F-1, Construction Noise, and F-2, Construction Noise (if the proposed project would include pile driving), in the Eastern Neighborhoods FEIR, may be required for the proposed project.

**Shadow.** The proposed project would result in construction of a building 55 feet in height. Planning Code Section 295 requires that a shadow analysis must be performed to determine whether a project has the potential to cast shadow on properties under the jurisdiction of the San Francisco Recreation and Park Commission. Department staff has prepared a preliminary shadow fan that indicates the proposed project could cast new shadow 24th & York Mini Park, which is under the jurisdiction of the Recreation and Park Department (see attached). Due to the discrepancy in proposed plans and

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elevations on whether a stair penthouse at the roof level is proposed, the shadow fan created was for a building of 55 feet in height with an additional 10 feet of permitted height projections. Please also note that the shadow fan does not include variable heights, and the associated effects upon shadow of the proposed building, intervening buildings, or topography. At time of the EEA, please fill out the Shadow Analysis Application and submit with the required materials and fee.5

3. **Archaeological Resources.** The application submitted for the PPA does not indicate the depth of below-ground surface excavation or type of proposed foundation. As part of the EEA, provide this information, along with any geotechnical study/studies that may be conducted for the proposed project, so Planning Department staff can evaluate the level of archeological review required. If there is a potential impact to archeological resources based on proposed soils disturbing activities, the work could require an additional study to be prepared by an archeological consultant listed in the Planning Department’s archeological consultant pool, in accordance with the Planning Department’s consultant selection procedures. The project site is located within area of high archeological sensitivity. Depending on the anticipated depth of excavation and if there is a potential impact to archeological resources, mitigation measures, such as Mitigation Measure J-3, Mission Dolores Archeological District, in the Eastern Neighborhoods FEIR, may be applied to the proposed project.

4. **Historic Architectural Resources.** The project site was surveyed as part of the South Mission Historic Resource Survey, which was adopted by the Historic Preservation Commission in November 2010.6 The project site was assigned a California Historical Resource Status Code (CHRSC) of “6Z,” which defines the project site as “found ineligible for National Register, California Register or Local designation through survey evaluation.” In addition, the project site is not within a historic district. Although this survey determined that the subject property is not a historic resource, the project site is located adjacent to two eligible historic architectural resources, the Brava Theater Center7 and 1209 York Street. In addition, the existing building appears to have similar detailing as the adjacent Brava Theater. Therefore, additional study of the existing building and a compatibility analysis of the proposed building will be required to ensure the project does not materially impair the adjacent eligible historic architectural resources. The additional study and compatibility analysis may be incorporated into a Historic Resource Evaluation (HRE), which must be prepared 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 (PCL). Once the EEA 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.

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5. **Hazardous Materials.** The project site is not located on a site which is included on any list compiled pursuant to Section 65962.5 of the Government Code. The project site currently operates as a laundromat and previous uses are unknown. Given that it is unknown if the soil or groundwater beneath the site is contaminated or the amount or depth of below-ground surface excavation, the project site may be subject to Article 22A of the Health Code, also known as the Maher Ordinance. The Maher Ordinance, which is administered and overseen by the Department of Public Health (DPH), requires the project sponsor to retain the services of a qualified professional to prepare a Phase I Environmental Site Assessment (ESA) that meets the requirements of Health Code Section 22.A.6. The Phase I ESA would determine the 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. Fees for DPH review and oversight of projects subject to the ordinance would apply. Please provide a copy of the Phase I ESA with the EEA.

In addition, the proposed project would demolish an existing building which may include the removal of transformers, fluorescent light ballasts, and fluorescent lights, the proposed project could present a public health risk. Therefore, mitigation measures, such as Mitigation Measure L-1, Hazardous Building Materials, in the Eastern Neighborhoods FEIR, may be applied to the proposed project.

6. **Greenhouse Gas Emissions.** The City and County of San Francisco's Strategies to Address Greenhouse Gas Emissions presents a comprehensive assessment of policies, programs, and ordinances that represents San Francisco’s Qualified Greenhouse Gas (GHG) Reduction Strategy. Projects that are consistent with San Francisco’s Qualified GHG Reduction Strategy would result in less-than-significant impacts from GHG emissions. In order to facilitate a determination of compliance with San Francisco’s Qualified GHG Reduction Strategy, the Planning Department has prepared a Greenhouse Gas Analysis Compliance Checklist. The environmental planner assigned in coordination with the project sponsor will prepare this checklist in coordination with the project sponsor.

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8 The Maher Ordinance applies to all projects disturbing more than 50 cubic yards of soil and located in an area with suspected soil and/or groundwater contamination are automatically subject to the ordinance. For projects disturbing less than 50 cubic yards of soil, the Department of Public Health has the authority to require the project or site be subject to the ordinance.


10 *Ibid* for latest “Fee Schedule.”

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. Variances would be required for Rear Yard and Front Projection based on the proposed design.\textsuperscript{12} Refer to the Preliminary Project Comments section though regarding the need for Variances.

2. A Conditional Use Application is required for the proposed unit mix of eight 1-bedroom units in a Neighborhood Commercial Transit (NCT) Use District.\textsuperscript{13}

3. A Building Permit Application is required for the demolition of the existing building.

4. A Building Permit Application is required for the new construction of the proposed building.

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. Notification of 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 at the initiation of the Community Plan Exemption process. The environmental planner assigned will request these mailing labels after assignment. Other notices for environmental review may be required depending on the level of environmental review necessary.

2. 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.\textsuperscript{14} According to the instructions in the Pre-Application meeting packet, all relevant neighborhood organizations must be noticed.\textsuperscript{15}

3. Neighborhood Notification. The project proposes new construction; therefore, owners and occupants within 150 feet of the project site must also be notified as part of the development application process, in accordance with Planning Code Section 312.

\textsuperscript{12} Refer to http://www.sf-planning.org/index.aspx?page=2611 for latest “Variance Application Packet.”
\textsuperscript{13} Ibid for latest “Conditional Use Application Packet.”
\textsuperscript{14} Ibid for latest “Neighborhood Notification – Pre-Application Meeting Packet.”
\textsuperscript{15} Refer to http://www.sf-planning.org/index.aspx?page=2426 for latest “Neighborhood Groups Map.”
PRELIMINARY PROJECT COMMENTS:
The following comments address specific Planning Code and other general issues that may substantially impact the proposed project:

1. **Mission Area Plan.** The subject property falls within the area covered by the Mission Area Plan in the General Plan. As proposed, the project is generally consistent with the overarching objectives of the Plan, though the project and design comments below discuss any items where more information is needed to assess conformity with either specific policies or Code standards or where the proposed project requires minor modification to achieve consistency. The project sponsor is encouraged to read the full plan.\(^\text{16}\)

2. **Affordable Housing and Bedroom Mix.** The project proposes to add 8,265 square of residential resulting in eight units, just short of the 10 units that trigger Section 415 of the Planning Code, which requires 12% of units be Below Market Rate (BMR) units. Also, the plans demonstrate an unfulfilled capacity that more than nine units could be developed. The Department strongly encourages increased density on the site, while maintaining the required bedroom mix and livability of the units. Per the Director’s Bulletin No. 2, if the project were to maximize density and include 20% on-site BMRs, it would qualify for priority processing.\(^\text{17}\) In addition, refer to next comment related to the dwelling unit mix.

3. **Dwelling Unit Mix.** Planning Code Section 207.6 outlines the requirements for minimum dwelling unit mix for new residential properties within an NCT Use District. The proposed project must provide either: no less than 40 percent of the total number of proposed dwellings units as at least two bedroom units; or no less than 30 percent of the total number of proposed dwelling units as at least three bedroom units. Deviations from this requirement require a Conditional Use Application. As two-bedroom units are encouraged, the Department strongly recommends compliance.

4. **Rear Yard.** Planning Code Section 134 outlines the requirements for a rear yard within the Mission NCT Use District. The minimum rear yard depth shall be equal to 25 percent of the total depth of the lot and in no case less than 15 feet, whichever is greater. The rear yard shall be provided at the lowest story containing a residential dwelling unit. Currently, the proposed project does not meet this requirement. Therefore, you must see and justify a Rear Yard Variance or Modification. The criteria vary for either application. However, as the project proposes residential units, and this is new construction, the opportunity to provide a code complying rear yard is easily attainable. In either case a 25% equivalent rear yard is desired.

5. **Bay Windows.** Planning Code Section 136 defines permitted projections into the public right-of-way. The proposed bay windows do not comply with the dimensional control standards of Section 136(c)2. Please revise plans to comply or seek and justify a Variance.

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6. *Bicycle Parking.* Planning Code Section 155.2 requires the proposed project to provide Class 1 and Class 2 bicycle parking. For the residential uses, a total of 8 Class 1 bicycle parking spaces are required. For the non-residential uses, and depending on further clarification of the type of commercial uses, at least two Class 2 bicycle parking spaces are required. Current plans do not show any Class 2 spaces. On a subsequent submission please indicate the type of commercial use, and the location of each class of bicycle parking, with dimensions, or seek a Bicycle Parking In Lieu Fee per Planning Code Section 430 for Class 2 parking.

7. *Shadow Analysis.* As indicated in the Environmental Review section, a Shadow Analysis Application is required because the proposed building may have an impact on a property under the jurisdiction of the Recreation and Parks Department. Based upon the outcome of this shadow analysis, the proposed project may require approval by the Recreation and Park Commission.

8. *Bird Safety.* 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 window treatments to comply with the requirements where applicable.

9. *Street Trees.* Pursuant to Section 138.1 of the Planning Code, new construction projects or the addition of a new dwelling unit requires the installation of 1 street tree for every 20 feet of frontage. Please include the tree specifications as required on revised plans. San Francisco Friends of the Urban Forest may be able to assist you directly with the entire permit process including tree planting. FUF is a non-profit, neighborhood tree-planting organization which also offers tree-maintenance programs. FUF can be reached at (415) 561-6890. Otherwise applications for street trees are available from the Department of Public Work’s Bureau of Urban Forestry at 2323 Cesar Chavez Street or on their website at [www.sfdpw.org](http://www.sfdpw.org).

10. *Formula Retail.* Per Planning Code Section 803.6, formula retail uses require the review of the Planning Commission as a conditional use. In subsequent entitlement application submittals, please fill out the affidavit for formula retail establishments.18

11. *Transportation Impact Development Fee.* The proposed project commercial use is subject to the Transportation Impact Development Fee as outlined in Planning Code Section 411. The exact fee is determined by the final area of each use subject to the Fee and rate in effect at the time of building permit issuance.

12. *Eastern Neighborhoods Impact Fees.* This project is subject to the applicable fees outlined in Section 423. The exact fee is determined by the final area of each use subject to the Fee and rate in effect at the time of building permit issuance. Fees would be assessed at a Tier 1 rate.

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Case No. 2014.1258U
2799 24th Street

13. Invest in Neighborhoods. 2799 24th Street is located on an Invest In Neighborhoods Corridor. Invest in Neighborhoods is an interagency partnership to strengthen and revitalize neighborhood commercial districts around San Francisco. The initiative, currently being piloted in 25 commercial districts, aims to strengthen small businesses, improve physical conditions, increase quality of life, and increase community capacity. Each corridor is appointed an IIN Point Person. This staff member is responsible for advocating for the neighborhood, leveraging City services and working with community partners to develop customized service plans for each corridor. Additionally the IIN Point Person keeps track of vacant retail spaces and development projects.19

PRELIMINARY DESIGN COMMENTS:

General
The project is located along the Neighborhood Commercial Transit District. The adjacent context includes two to two-story mixed use buildings with retail at the ground level.

1. Site Design, Open Space, and Massing. As stated above, the rear yard and bay projections (width or spacing) are not code compliant. The Planning Department recommends providing a code complying rear yard and bay projections. The bays should be better distributed to vertically articulate the building façade along York Street. The Planning Department also recommends eliminating the setback at the front façade at the upper floor on 24th Street.

2. Parking and Access. The Planning Department lauds the car free program of this proposed project.

3. Architecture. The Planning Department appreciates the high ground floor and the transparency of the storefront. The proposed building should have a more defined base and top. The definition of a base could be achieved by further definition of, and additions to the storefront. The storefront design should incorporate human-scale defining elements that also act to define the base of the building, such as signage, transoms, and awnings. Designed with care the storefront could be even more transparent, with structure expressed, or held behind the glazing system to minimize its appearance. The Planning Department also recommends a bulkhead to provide greater solidity at the base of the ground level retail to better match the adjacent commercial context.

Differentiation of the programmatic functions should be expressed on the façade. Explore how the residential entry and bicycle parking should be identified and designed as separate from the commercial spaces.

19 More information on the Invest in Neighborhoods program, including the IIN Point Person, can be found at http://investsf.org/.
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 14, 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.

cc: John Muhawieh, Property Owner
    Jeffrey Speirs, Current Planning
    Menaka Mohan, Citywide Planning and Analysis
    Sue Exline, Citywide Planning and Analysis
    David Winslow, Design Review
    Diana Ponce De Leon, Mayor’s Office of Economic and Workforce Development
    Jerry Robbins, Municipal Transportation Agency
    Jerry Sanguinetti, Public Works
Title: 2799 24th Street Shadow Analysis
Comments: Analyzed as Full Lot Coverage, 55' Height Limit with 10' Permitted Height Obstruction, with Slope.
Printed: 1 October, 2014

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