DATE: August 23, 2016  
TO: Riyad Ghannam  
FROM: Delvin Washington, Planning Department  
RE: PPA Case No. 2016-006860PPA for 65 Ocean Avenue

Please find the attached Preliminary Project Assessment (PPA) for the address listed above. You may contact the staff contact, Erika Jackson, at (415) 558-6363 or erika.jackson@sfgov.org, to answer any questions you may have, or to schedule a follow-up meeting.

Delvin Washington, Senior Planner
Preliminary Project Assessment

Date: August 23, 2016
Case No.: 2016-006860PPA
Project Address: 65 Ocean Avenue
Block/Lot: 6954/018
Zoning: Excelsior Outer Mission Street NCD 40-X Height and Bulk District
Project Sponsor: Riyad Ghannam
RG Architecture
560 Third Street
San Francisco, CA 94017
415-649-6202
Staff Contact: Erika Jackson – 415-558-6363
erika.jackson@sfgov.org

DISCLAIMERS:

This Preliminary Project Assessment (PPA) letter provides feedback to the Project Sponsor from the Planning Department regarding the project described in the PPA application submitted on May 20, 2016, as summarized below. This PPA letter identifies Planning Department review requirements for the project, including those related to environmental review, approvals, neighborhood notification and public outreach, the Planning Code, project design, and other general issues of concern for the project. Please be advised that the PPA application does not constitute an application for development with the Planning Department. The PPA letter also does not represent a complete review of the project, does not grant a project approval of any kind, and does not in any way supersede any required Planning Department approvals listed below.

The Planning Department may provide additional comments regarding the 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, Public Works, the Municipal Transportation Agency, Department of Public Health, San Francisco Public Utilities Commission, and others. The information included herein is based on the PPA application and plans, 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 an existing 14,088 square foot commercial building and construct a new 5-story, 40 foot tall, 180,422 square foot building containing 105 new dwelling units and 7,862 square feet of
commercial in 3 tenant spaces. The project would contain 118 accessory off-street parking spaces, 110 Class 1 bicycle parking spaces, and 6 Class 2 bicycle parking spaces.

ENVIRONMENTAL REVIEW:

In compliance with the California Environmental Quality Act (CEQA), the environmental review process must be completed before any project approval may be granted. This review may be done in conjunction with the required approvals listed below. In order to begin formal environmental review, please submit an Environmental Evaluation Application (EEA) for the full scope of the project. EEAs 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 under the “Publications” tab. See “Environmental Applications” on page 2 of the current Fee Schedule for calculation of environmental application fees. Note that until an entitlement application is submitted to the Current Planning Division, only the project Description will be reviewed by the assigned Environmental Coordinator.

Below is a list of topic areas addressed through the environmental review process. Some of these would require additional study based on the preliminary review of the project as it is proposed in the PPA application.

If the additional analysis outlined below indicates that the project would not have a significant effect on the environment, the project may qualify for a Class 32 categorical exemption, and the Planning Department would issue a Certificate of Determination of Exemption from Environmental Review. Section 15332 of the CEQA Guidelines, or Class 32, provides a categorical exemption for projects characterized as infill development.

However, if it is determined that the project could result in a significant impact, an initial study would be prepared. The initial study may be prepared either by an environmental consultant from the Department’s environmental consultant pool or by Department staff. Should you choose to have the initial study prepared by an environmental consultant, contact Devyani Jain at (415) 575-9051 for a list of three eligible consultants. If the initial study finds that the project would have a significant impact that could be reduced to a less-than-significant level by mitigation measures agreed to by the Project Sponsor, then the Department would issue a preliminary mitigated negative declaration (PMND). The PMND would be circulated for public review, during which time concerned parties may comment on and/or appeal the determination. If no appeal is filed, the Planning Department would issue a final mitigated negative declaration (FMND). Additional information regarding the environmental review process can be found at: http://www.sf-planning.org/modules/showdocument.aspx?documentid=8631.

If the initial study indicates that the project would result in a significant impact that cannot be mitigated to below a significant level, an Environmental Impact Report (EIR) will be required. An EIR must be prepared by an environmental consultant from the Planning Department's environmental consultant pool (http://www.sfplanning.org/ftp/files/MEA/Environmental_consultant_pool.pdf). The Planning Department will provide more detail to the Project Sponsor regarding the EIR process should this level of environmental review be required.
1. **Historic Resources.** The project site contains one or more buildings or structures considered to be a potential historic resource (constructed 45 or more years ago); therefore, the project is subject to review by the Department’s Historic Preservation staff. To assist in this review, the Project Sponsor must hire a qualified professional to prepare a Historic Resource Evaluation (HRE) report. The professional must be selected from the Planning Department’s Historic Resource Consultant Pool. Please contact Tina Tam, Senior Preservation Planner, via email (tina.tam@sfgov.org) for a list of three consultants from which to choose. Please contact the HRE scoping team at HRE@sfgov.org to arrange the HRE scoping. Following an approved scope, the historic resource consultant should submit the draft HRE report for review to Environmental Planning after the Project Sponsor has filed the EEA and updated it as necessary to reflect feedback received in the PPA letter. The HRE should be submitted directly to the Department and copied to the Project Sponsor. Project Sponsors should not receive and/or review advance drafts of consultant reports per the Environmental Review Guidelines. Historic Preservation staff will not begin reviewing your project until a complete draft HRE is received.

2. **Archeological Resources.** The project will require Preliminary Archeological Review (PAR) by a Planning Department archeologist. To aid this review the Department archeologist may request a Preliminary Archeological Sensitivity Assessment (PASS) by a Department Qualified Archeological Consultant, subject to the review and approval by the Department archeologist. The Department archeologist will provide three names from the Qualified Archeological Consultant list if the PASS is required. The PAR will assess the archeological sensitivity of the project site based on in-house source material and will consider the potential for archeological impacts resulting from proposed soils disturbance. Please provide detailed information, including sections, proposed soils-disturbing activities, such as grading, excavation, installation of foundations, soils improvement, and site remediation in the EEA, and submit any available geotechnical/soils or phase II hazardous materials reports prepared for the project to assist in this review. If the Department archeologist determines that the project has a potential to adversely affect archeological resources, the PAR will identify additional measures needed to address the potential effect. These measures may include preparation of an archeological research design and treatment plan, implementation of one of the Planning Department’s three standard archeological mitigation measures (archeological testing, monitoring, or accidental discovery), or other appropriate measures.

3. **Tribal Cultural Resources.** Tribal cultural resources (TCRs) are a class of resource established under the California Environmental Quality Act (CEQA) in 2015. TCRs are defined as a site, feature, place, cultural landscape, sacred place or object with cultural value to a California Native American tribe, that is either included on or eligible for inclusion in the California Register of Historical Resources or a local historic register, or is a resource that the lead agency, at its discretion and supported by substantial evidence, determines is a TCR. Planning Department staff will review the project to determine if it may cause an adverse effect to a TCR; this will occur in tandem with preliminary archeological review. No additional information is needed from the Project Sponsor at this time. Consultation with California Native American tribes regarding TCRs may be required at the request of the tribes. If staff determines that the project may have a potential significant adverse impact on a TCR, mitigation measures will be identified and required. Mitigation measures may include
avoidance, protection, or preservation of the TCR and development of interpretation and public education and artistic programs.

4. Transportation. Based on the Planning Department’s Transportation Impact Analysis Guidelines for Environmental Review,¹ 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 in the Planning Department’s Transportation Consultant Pool prepare a Circulation Memorandum. You may be required to pay additional fees for the Memorandum; please contact Virnaliza Byrd at (415) 575-9025 to arrange payment. Once you pay the fees, please contact Manoj Madhavan at (415) 575-9095 or manoj.madhavan@sfgov.org so that he can provide you with a list of three consultants from the pre-qualified Transportation Consultant Pool. Upon selection of a transportation consultant, the Department will assign a Transportation Planner who will direct the scope of the consultant-prepared memorandum.

Additionally, the project is located on a high injury corridor (Ocean Avenue and Alemany Boulevard) as mapped by Vision Zero.² Planning staff have reviewed the proposed site plans and request the following, which address the safety of persons walking and bicycling to and from the project site and vicinity:

- Clarify curb cuts and widths (existing and proposed)
- Show sidewalk dimensions (existing and proposed)
- Reduce parking, given site proximity to transit

Further, the project will require review by the Department’s Streetscape Design Advisory Team (SDAT) as well as the San Francisco Municipal Transportation Agency (SFMTA).

Transportation Demand Management Program. On April 28, 2016, the Planning Commission adopted a resolution to initiate Planning Code amendments that would require development projects to comply with a proposed Travel Demand Management (TDM) Program. The intent of the proposed TDM Program is to reduce vehicle miles traveled (VMT) and to make it easier for people to get around by sustainable travel modes such as transit, walking, and biking.

Under the proposed TDM Program, land uses are grouped into four categories, A through D. For each land use category that is subject to the TDM Program, the City would set a target based on the number of accessory vehicle parking spaces that the project intends to provide for that land use category. To meet each target, the Project Sponsor must select TDM measures—each worth a specified number of points—from a menu of options. In general, if a Project Sponsor proposes more parking, the target for that land use category—and thus, the number of TDM measures that the sponsor must implement to meet it—would increase. Some of the TDM measures included in the menu are already required by the Planning Code. Points earned from implementing these measures would be applied towards achieving a project’s target(s). Project Sponsors would be required to implement and maintain TDM measures for the life of the project.

The project includes 105 dwelling units; and thus, would be subject to the proposed TDM Program. Based on the proposed 105 accessory off-street parking spaces associated with the residential use, the project would be required to meet or exceed a target of 22 points for land use category C.

The Planning Code would currently require the project, as described in the PPA, to provide the following TDM measures:

- Bicycle Parking (Planning Code Section 155.2; TDM Menu ACTIVE-2 - Option A)
- Car Share Parking Spaces (Planning Code Section 166; TDM Menu CSHARE-1 - Option A)
- Parking unbundling (Planning Code Section 167; TDM Menu PKG-1)

The project may be required to select and incorporate additional TDM measures to meet the target listed above. A full list of the TDM measures included in the menu of options is available on this website. When an Environmental Planner is assigned, he or she will provide additional guidance regarding the proposed TDM Program and next steps.

5. **Noise.** Construction noise is 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 construction, measures to reduce construction noise may be required as part of the project. The EEA should provide a construction schedule and indicate whether pile driving or other particularly noisy construction methods are required.

6. **Air Quality.** The project, with 105 dwelling units, 6,224 sf of retail space and 51,641 cubic yards of excavation, exceeds the Bay Area Air Quality Management District’s (BAAQMD) construction and operation screening levels for criteria air pollutants. Therefore, an analysis of the project’s criteria air pollutant emissions is likely to be required.

In addition, 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 project will be required to adhere to the dust control requirements set forth in the Construction Dust Ordinance contained in San Francisco Health Code Article 22B and San Francisco Building Code Section 106.A.3.2.6.

The project site is not located within an Air Pollutant Exposure Zone, as mapped and defined by Health Code Article 38. The Air Pollutant Exposure Zone identifies areas with poor air quality based on and modeling of air pollution, exposures, and health vulnerability from mobile, stationary, and area source emissions within San Francisco. Given that the project site is not within an Air Pollutant Exposure Zone, no additional measures or analysis related to local health risks are anticipated. However, if the project would include new sources of toxic air contaminants including, but not limited to, emissions from diesel generators or boilers, or any other stationary sources, the project would result in toxic air contaminants that may affect both on-site and off-site sensitive receptors. Please provide detailed information related to any proposed stationary sources with the EEA.

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3 BAAQMD, CEQA Air Quality Guidelines, May 2011, Chapter 3.
7. **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 may be 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.

8. **Geology.** The project is located on a lot with a slope greater than 20 percent and involves excavation of 51,641 cubic yards of soil. Therefore, any new construction on the site is subject to a mandatory Interdepartmental Project Review. A geotechnical study prepared by a qualified consultant must be submitted with the EEA. The study should address and provide recommendations for any geotechnical concerns identified in the study. In general, compliance with the building codes would avoid the potential for significant impacts related to structural damage, ground subsidence, liquefaction, landslides, and surface settlement. It is recommended that you provide a copy of the geotechnical information with boring logs for the project. This study will also help inform the Planning Department Archeologist of the project site’s subsurface geological conditions.

9. **Hazardous Materials.** The project is located on a site with known or suspected soil and/or groundwater contamination from two Leaking Underground Storage Tank (LUST) cleanup sites located at 98 Ocean Avenue and 915 Cayuga Avenue, respectively. 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 22A.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, available at: [http://www.sfdph.org/dph/EH/HazWaste/hazWasteSiteMitigation.asp](http://www.sfdph.org/dph/EH/HazWaste/hazWasteSiteMitigation.asp). Fees for DPH review and oversight of projects subject to the ordinance would apply. Please refer to DPH’s fee schedule, available at: [http://www.sfdph.org/dph/EH/Fees.asp#haz](http://www.sfdph.org/dph/EH/Fees.asp#haz). Please provide a copy of the submitted Maher Application and Phase I ESA with the EEA.

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In addition, because the existing buildings were constructed prior to 1980, asbestos-containing materials, such as floor and wall coverings, may be found in the building. The Bay Area Air Quality Management District (BAAQMD) is responsible for regulating airborne pollutants including asbestos. Please contact BAAQMD for the requirements related to demolition of buildings with asbestos-containing materials. Further, because of its age (constructed prior to 1978), lead paint may be found in the existing building. Please contact the San Francisco Department of Building Inspection (DBI) for requirements related to the demolition of buildings that may contain lead paint.

10. **Stormwater.** The project would result in a ground surface disturbance greater than 5,000 sf. Therefore, it would be subject to San Francisco's stormwater management requirements as outlined in the Stormwater Management Ordinance and the corresponding San Francisco Public Utilities Commission (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, and 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](http://sfwater.org). Applicants may contact stormwaterreview@sfwater.org for assistance.

11. **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 an EIR; adoption of a Final Mitigated Negative Declaration; or a project approval by the Planning Commission that adopts CEQA Findings. 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](http://www.sfethics.org).
PLANNING DEPARTMENT APPROVALS:

The project requires the following Planning Department approvals. These approvals may be reviewed in conjunction with the required environmental review, but may not be granted until after the required environmental review is completed.

1. **Conditional Use Authorization** from the Planning Commission is required for the approval of a Planned Unit Development per Planning Code Section 304.

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

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

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 Inspection at 1660 Mission Street.

NEIGHBORHOOD NOTIFICATIONS AND PUBLIC OUTREACH:

Project Sponsors are encouraged, and in some cases required, 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.

**Notification of a Project Receiving Environmental Review.** Notice may be 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 process. Please be prepared to provide mailing addresses on a CD upon request during the environmental review process.

PRELIMINARY PROJECT COMMENTS:

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

1. **Streetscape Plan.** The project contains over 250 linear feet of street frontage, encompasses an entire block face and involves new construction; and therefore, requires the submittal of a Streetscape Plan to the Planning Department pursuant to Planning Code Section 138.1 to ensure that the new
streetscape and pedestrian elements are in conformance with San Francisco’s Better Street Plan (BSP). The Streetscape Plan shall be submitted to the Planning Department no later than 60 days prior to any Planning Commission action, and shall be considered for approval at the time of other project approval actions. The Streetscape Plan must show 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 property. Please see San Francisco’s BSP and Planning Code Section 138.1(c)(2)(ii) for the additional elements that may be required as part of the project’s Streetscape Plan.

- Under the BSP, Ocean Ave is classified as a Neighborhood Commercial street, with a recommended sidewalk width of 15 feet.
- Under the BSP, Alemany Boulevard is classified as a Residential Throughway street, with a recommended sidewalk width of 15 feet.

2. **Vision Zero.** The project is located on a “high-injury corridor”, identified through the City’s Vision Zero Program. The Project Sponsor is encouraged to incorporate pedestrian safety streetscape measures into the project. Please see design comments below for more guidance on this issue.

- Alemany Boulevard has been designated a Vision Zero Corridor and falls on the Vision Zero High Injury Network for people driving vehicles. All plans should prioritize improving safety for all users along this corridor.
- Ocean Avenue has been designated a Vision Zero Corridor and falls on the Vision Zero High Injury Network for bicyclists. All plans should prioritize improving safety for all users along this corridor.

3. **Rear Yard.** Planning Code Section 134 establishes minimum rear yard setback requirements in all zoning districts. Planning Code Section 134(a) generally requires a minimum rear yard depth equal to 25 percent of the total depth of the lot in the Excelsior Outer Mission Street Zoning District, starting at the second story and above. Section 304 permits well-reasoned modifications of the rear yard requirement as part of a Planned Unit Development. The project provides a rear yard equivalent in area to a 25 percent rear yard. The building footprint composition and rear yard will be further reviewed by the UDAT during the review process.

4. **Street Trees.** Section 138.1 requires a minimum of one street tree for each 20 feet of frontage along a street or alley. Therefore, 11 trees are required along Ocean Avenue, 5 trees are required along Cayuga Avenue, and 6 trees are required along Alemany Boulevard. Please note that the final layout is subject to Public Works approval.

5. **Usable Open Space.** Usable open space is required for dwelling units in all zoning districts. Under Section 135(d), the minimum amount of usable open space for dwelling units in the Excelsior Outer Mission Street Zoning District is as follows: 80 square feet per unit if private and 100 square feet per unit if common. Section 135 also specifies minimum dimensions, areas, and exposure requirements. Dimensional requirements for common open space require the space to be 15 feet in every dimension and at least 300 square feet in area, and if located in an inner courtyard, the space must be 20 feet in
every direction and at least 400 square feet in area. Dimensional requirements for private open space require the space to have a minimum horizontal dimension of six feet and a minimum area of 36 square feet if located on a deck, balcony, porch or roof, and shall have a minimum horizontal dimension of 10 feet and a minimum area of 100 square feet if located on open ground, a terrace or the surface of an inner or outer court. The project is providing private open space for 11 units and common open space for the remainder of the units.

6. **Ground Floor Uses and Frontages.** Planning Code Section 145.1 outlines requirements to the ground floor including active use requirements, parking and loading entrances, above-grade parking setbacks, ceiling heights, floor level relationships, and transparency and fenestration. The project will be checked for compliance will all of these elements when more detailed plans are submitted. For example, the frontage along Alemany Boulevard does not provide any active uses.

7. **Accessory Off-Street Parking.** Planning Code Section 151.1 permits up to one car for each dwelling unit in the Excelsior Outer Mission Street Neighborhood Commercial Zoning District. Therefore, the project would not be required to provide any parking spaces.

8. **Bicycle Parking.** Planning Code Section 155 requires that one Class 1 bicycle parking space be provided for each dwelling unit and one Class 2 bicycle parking space be provided for every 20 dwelling units. Therefore, this project is required to provide at least 100 Class 1 bicycle parking spaces and 5 Class 2 bicycle parking spaces for 100 units.

9. **Car Sharing.** Planning Code Section 166 requires one car share parking space when the number of dwelling units is between 50 and 200. Therefore, this project is required to provide at least one car share space.

10. **Unbundled Parking.** Please be advised that per Planning Code Section 167 all off-street parking spaces accessory to residential uses in new structures of 10 dwelling units, or more, must be leased or sold separately from the rental or purchase fees for dwelling units for the life of the dwelling units. In cases, such as the proposed project, 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 315 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 a price determined by the Mayor's Office of Housing.

11. **Residential Density Limitations.** In the Excelsior Outer Mission Street Zoning District, Planning Code Section 745.91 allows up to one dwelling unit per 600 square feet of lot area. Section 304(d)(4) allows a PUD in an the Excelsior Outer Mission Street Zoning District to utilize the next highest density ratio (one dwelling unit per 400 square feet of area), less one unit. The subject lot is 40,497 square feet, which would allow a maximum of 100 units with a PUD.

Additionally, Planning Code Section 207(c) allows for exceptions to dwelling unit density limits. For projects that are not located in any RH-1 or RH-2 Zoning District, are not seeking and receiving a
State density bonus, and where 20 percent or more of the dwelling units are affordable units, the on-site affordable units shall not count towards the calculation of dwelling unit density. Therefore, in this case, the project could provide a maximum number of 133 dwelling units with 33 on-site affordable dwelling units (25 percent) and 100 market rate dwelling units.

12. **Height and Bulk Limitations.** In the 40-X Height and Bulk District, the Planning Code allows building heights up to 40-feet and does not restrict bulk. Sections 260 and 261 describe the method of measuring building height. Section 260(a)(1)(C) states that where the lot slopes upward from a street at the centerline of the building or building step, such point shall be taken at curb level for purposes of measuring the height of the closest part of the building within 10 feet of the property line of such street; at every other cross-section of the building, at right angles to the centerline of the building or building step, such point shall be taken as the average of the ground elevations at either side of the building or building step at that cross-section. Section 260(a)(1)(D) states that where the lot has frontage on two or more streets, the owner may choose the street or streets from which the measurement of height is to be taken.

13. **Neighborhood Notification.** Per Planning Code Section 312, the project requires a neighborhood notification. Please submit the required materials with the Large Project Authorization application. Instructions are available on our website at: http://sfplanning.org/modules/showdocument.aspx?documentid=8675

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

   Ken Nim, Workforce Compliance Officer  
   CityBuild, Office of Economic and Workforce Development  
   City and County of San Francisco  
   50 Van Ness Avenue, San Francisco, CA 94102  
   (415) 581-2303

15. **Inclusionary Affordable Housing.** Inclusionary 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 affordable housing fee. The following Inclusionary Affordable Housing requirements are those in effect at the time of issuance of this letter. In the event that the requirements change, the Project Sponsor shall comply with requirements in place at the time of the issuance of first construction document. Any on-site affordable dwelling-units proposed as part of the project must be designated as owner-occupied units, not rental units; unless a Costa Hawkins exception agreement is secured by the Project Sponsor. Affordable units designated as on-site units shall be affordable units for the life of the project. The applicable percentage is dependent on the number of units in the project, the zoning of the property, and the date that the project submitted a complete Environmental Evaluation Application. A complete Environmental Evaluation Application has not been submitted; therefore, pursuant to Planning Code Section 415.3 and 415.6 the Inclusionary Affordable Housing Program
requirement for the On-site Affordable Housing Alternative is to provide 25% of the proposed dwelling units as affordable with a minimum of 15% of the units affordable to low-income households and the remaining 10% of the units affordable to low- or moderate/middle-income households, as defined by the Planning Code and Procedures Manual.

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:

- direct financial construction from a public entity
- 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. **Affordable Housing Bonus Program.** The City of San Francisco is in the process of developing a program that would offer a local mechanism to implement the State Density Bonus law (Government Code Section No. 65915) and is currently considering additional program options, including a component which offers density and development incentives for provision of middle income housing. This parcel is located within the proposed program study area, and the project could receive density and other development incentives commensurate with provision of on-site affordable housing if consistent with the rules of the proposed program. Please refer to the Affordable Housing Bonus Program website (www.sf-planning.org/AHBP) for the latest information on the program, draft legislation, proposed schedule, and related.

17. **Stormwater.** If the project results in a ground surface disturbance of 5,000 sf 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:

- reduction in total volume and peak flow rate of stormwater for areas in combined sewer systems OR
- stormwater treatment for areas in separate sewer systems. The SFPUC Wastewater Enterprise, Urban Watershed Management Program is responsible for review and approval of the Stormwater Control Plan. Without SFPUC approval of a Stormwater Control Plan, no site or building permits can be issued. The Guidelines also require a signed maintenance agreement to ensure proper care of the necessary stormwater controls. To view the Stormwater Management Ordinance, the Stormwater Design Guidelines, or download instructions for the Stormwater Control Plan, go to http://sfwater.org/sdg. Applicants may contact stormwaterreview@sfwater.org for assistance.

18. **Noise Regulations Relating to Residential Uses Near Places of Entertainment (POE).** New residential development within 300 feet of a Place of Entertainment must go through an Entertainment Commission outreach process (Ordinance Number 070-015). In addition, new
residential development will also be required to record a Notice of Special Restrictions (NSR) on the site. The subject site is located within 300 feet of an existing POE, see enclosed map. Please note that the Planning Department will not consider an entitlement application complete until the following are completed:

(A) The Entertainment Commission has provided written notification to the Planning Department indicating that it either did not wish to hold a hearing, or that it held a hearing and the Project Sponsor attended; and

(B) The Project Sponsor has included a copy of any comments and/or recommendations provided by the Entertainment Commission regarding the project as well as the date(s) when those comments were provided. This shall be done as an additional sheet in any plan set submitted to the Planning Department and as an attachment in an entitlement application.

You may contact Entertainment Commission staff at (415) 554-6678 or visit their webpage at http://www.sfgov2.org/index.aspx?page=338 for additional information regarding the outreach process.

19. **Impact Fees.** This project will be subject to various impact fees. Please refer to the Planning Director’s Bulletin No. 1 for an overview of Development Impact Fees, and to the Department of Building Inspection’s Development Impact Fee webpage for more information about current rates.

Based on an initial review of the project, the following impact fees, which are assessed by the Planning Department, will be required:

a. Transportation Sustainability Fee (TSF) – Planning Code Section 411A
b. Child-Care – Planning Code Section 414
c. Affordable Housing Fee – Planning Code Section 415

**PRELIMINARY DESIGN COMMENTS:**

The project is located in the NCD - Excelsior Outer Mission Street Neighborhood Commercial District. The residential character here is smaller-scale and finely-grained with a variety of materials, styles, and massing types. While there is nearby commercial use, this will be an appropriate extension of that use into an area that is currently more residential. The following comments address preliminary design issues that may substantially affect the project:

**Urban Design and Architecture**

1. **Site Design, Open Space, and Massing.** The Planning Department generally supports the site design, massing, and open space for the proposed design as it presents a pedestrian-friendly site edge and open space adjacent to potential mid-block open space interior to the block between Cayuga Avenue and Alemany Boulevard. The massing also appropriately steps down with site topography.
2. **Street Frontage.** Due to the proximity of transit and in support of SDAT comments below, the Department requests a reduction in parking. This reduction would further support a setback at grade that would allow for a wider sidewalk to enhance the pedestrian experience on Ocean Avenue. Consider reducing the driveway entry to a single maximum 12’ wide entrance/exit. The Department further recommends modifying the uses on the slope along Cayuga Avenue to either facilitate extended retail frontage or residential unit access from the street as per the Department’s *Ground Floor Residential Guidelines*.

3. **Architecture.** The Planning Department is also generally supportive of the architectural concept and direction, in particular the residential scale, material treatment, and articulation along Ocean towards Cayuga Avenue. The Department suggests, however, exploring a more significant break in the plainer northern façade on Ocean Avenue to create another medium-scale volume or a vertical modulation as the adjacent houses have smaller, more intricate, elements. As the adjacent character is also more solid and with smaller fenestration openings, consider adjusting the scale of the window panels or openings on this portion of the facade; this will also further distinguish it from the retail base.

The Department requests the use of high-quality materials and the inclusion of significant depth in the fenestration in street-facing façades; this will be critical as the clear and elegant proportions and forms will need to be finely-crafted and well-executed to support the neighborhood character. The texture of the materials also contributes to the quality of the architecture.

**Streetscape and Public Realm**

*The Street Design Advisory Team (SDAT) provides design review and guidance to private developments working within the City’s public right-of-way. SDAT is composed of representatives from the San Francisco Planning Department (SF Planning), Department of Public Works (SF Public Works), the San Francisco Municipal Transportation Agency (SFMTA), and the San Francisco Public Utilities Commission (SFPUC).*

*The 65 Ocean project came to SDAT on June 27, 2016. Below are the SDAT comments from that meeting.*

1. **Consider Removing Excess Parking.** Given the project’s transit-rich location, and to reduce impacts to local transit service the Department recommends this project consider reducing off-street parking to less than the maximum allowed by code from the project scope.

2. **Cayuga Street.** At the corner of Cayuga and Ocean, the project shall install a 6’ wide bulbout into the Cayuga Street ROW. Per the standards in the Better Streets Plan, the bulbout should extend a minimum of 5’ past the property line before the curb return tangent point. However, in lieu of required sidewalk widening on Ocean Ave, the Department recommends the bulbout extend along the entire Cayuga frontage until the curb cut on the southern edge of the Cayuga frontage.

The bulbout shall be programmed with seating, understory plantings, special paving etc.
Please coordinate with the SFMTA on the design of the Cayuga/Alemany intersection. SFMTA is pursuing improvements at this location that include signalizing the intersection. There may be an opportunity for the two projects to collaborate.

3. **Ground Floor Setback on Ocean.** The Department also recommends the ground floor spaces be shifted back 5' along the entire Ocean Ave frontage to create a safer and more inviting pedestrian experience. This may be achieved by removing some off-street parking spaces within the project resulting in no net loss of retail space. Please see the Architecture and Building Massing comments above on this issue.

4. **Alemany Street Frontage.** The project is required to install street trees along the Alemany frontage. This will likely necessitate the relocation of a water main on this frontage. Please coordinate with the SFPUC Water Division on this issue. Please contact cddengineering@sfwater.org for more information on this issue.

5. **Electrical Transformer.** If a new electrical power transformer is required by PG&E to provide power to the building, please show the location of the transformer room on the plans. SF Public Works typically does not permit new transformer vaults in the public right-of-way. If an exception is requested, a Vault Permit from SF Public Works Bureau of Street Use & Mapping (BSM) will be required.

**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 February 23, 2018. 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

cc: Agrippa, LLC, Property Owner
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    Jennifer McKellar, Environmental Planning
    Lily Langlois, Citywide Planning and Analysis
    Maia Small, Design Review
    Jonas Ionin, Planning Commission Secretary
    Charles Rivasplata, SFMTA
    Jerry Sanguinetti, Public Works
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