



# SAN FRANCISCO PLANNING DEPARTMENT

**MEMO**

**DATE:** June 6, 2017  
**TO:** Jonathan Pearlman, Elevation Architects, Inc.  
**FROM:** Rick Cooper, Planning Department  
**RE:** Case No. 2017-002952PPA for 2976 Mission Street

1650 Mission St.  
Suite 400  
San Francisco,  
CA 94103-2479

Reception:  
**415.558.6378**

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Planning  
Information:  
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Please find the attached Preliminary Project Assessment (PPA) for the address listed above. You may contact the staff contact, Julie Moore, at (415) 575-8733 or [Julie.Moore@sfgov.org](mailto:Julie.Moore@sfgov.org), to answer any questions you may have, or to schedule a follow-up meeting.

A handwritten signature in cursive script that reads "Rick Cooper".

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Rick Cooper, Environmental Planner



# SAN FRANCISCO PLANNING DEPARTMENT

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## Preliminary Project Assessment

*Date:* June 6, 2017  
*Case No.:* **2017-002952PPA**  
*Project Address:* 2976 Mission Street  
*Block/Lot:* 6529/007A  
*Zoning:* NCT – Mission Street Neighborhood Commercial Transit  
65-B, 45-X  
*Area Plan:* Eastern Neighborhoods Area Plan – Mission Plan Area  
*Project Sponsor:* Jonathan Pearlman, Elevation Architects  
415-537-1125  
*Staff Contact:* Julie Moore – 415-575-8733  
[Julie.Moore@sfgov.org](mailto:Julie.Moore@sfgov.org)

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### DISCLAIMERS:

This Preliminary Project Assessment (PPA) letter provides feedback to the project sponsor from the Planning Department regarding the proposed project described in the PPA application submitted on March 8, 2017, as summarized below. This PPA letter identifies Planning Department review requirements for the proposed 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 proposed 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 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, 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 the existing 2-story, 3,836-square-foot (sf) mixed use building(s) on the site that contains two residential units, and a detached two-car garage, and construct a 6-story, mixed use building that would be up to 64.5 feet tall in the front, 45 feet tall in the center, and 14 feet tall in the rear facing Osage Alley. Elevator/stair penthouses would extend above the roof to a height of 72 feet. The existing building on the 3,231-sf subject lot was constructed in 1900. The proposed new building would

include 8 dwelling units and 1,585 sf of commercial space along Mission Street. The project would include 8 Class 1 bicycle spaces and 2 Class 2 bicycle parking spaces on the Mission Street sidewalk. The project does not propose any excavation, basement, or vehicle parking.

## BACKGROUND:

The project site is within the Eastern Neighborhoods Area Plans. The Eastern Neighborhoods Area Plans cover the Mission (location of project site), East South of Market (SoMa), Showplace Square/Potrero Hill, and Central Waterfront neighborhoods. On August 7, 2008, the Planning Commission certified the *Eastern Neighborhoods Programmatic Final Environmental Impact Report (Eastern Neighborhoods PEIR)* by Motion 17659 and adopted the Preferred Project for final recommendation to the Board of Supervisors.<sup>1,2</sup> The Eastern Neighborhoods Area Plans and its associated rezoning became effective December 19, 2008.

## PRELIMINARY PROJECT COMMENTS:

The following comments address general issues that may affect 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 somewhat consistent with the overarching objectives of the Plan, but there is concern about the loss of the two existing affordable rental units. The project and design comments below discuss several items where more information is needed to assess conformity with either specific policies or Code standards or where the project requires modification to achieve consistency, as well as best serve the current needs of the neighborhood. The project sponsor is encouraged to read the full plan at:

<http://sf-planning.org/sites/default/files/FileCenter/Documents/2321-Mission Area Plan DEC 08 FINAL ADOPTED.pdf>

- *Preservation of Affordable and Diverse Housing.* The Mission Area Plan highlights the provision of affordable housing (typically rental) that serves a diverse range of residents, including income levels and family size. The Mission has a high concentration of families compared to the rest of San Francisco. Both the Mission Area Plan and the General Plan discourage residential demolitions, except where they would result in replacement housing equal to or exceeding that which is to be demolished. The needs of families should also be taken into consideration in the design of residential units, common areas, and especially open space and rooftop areas (please see Objectives 2.2, 2.3, and 2.4).
- *Urban Design.* The Mission Area Plan emphasizes the importance of infill development that is designed to be compatible with the height, mass, articulation, materials, style, and historic context of the surrounding urban fabric. The proposed project's mid-block location amidst smaller scale, older buildings is a challenge. Please refer to the Preliminary Design Comments below for specific design recommendations.

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<sup>1</sup> San Francisco Planning Department. Eastern Neighborhoods Rezoning and Area Plans Final Environmental Impact Report (FEIR), Planning Department Case No. 2004.0160E, certified August 7, 2008. Available online at: <http://www.sf-planning.org/index.aspx?page=1893>, accessed August 17, 2012.

<sup>2</sup> San Francisco Planning Department. San Francisco Planning Commission Motion 17659, August 7, 2008. Available online at: <http://www.sf-planning.org/Modules/ShowDocument.aspx?documentid=1268>, accessed August 17, 2012.

- *Relationship to the Sidewalk.* The Mission Area Plan emphasizes the importance of strong relationships between buildings and their fronting sidewalks (Policy 3.2.4). As such, the Project Sponsor is encouraged to take advantage of the proposed project's vibrant commercial location, close to major transportation hubs like the 24<sup>th</sup> and Mission BART and Cesar Chavez Street. Please refer to the Preliminary Design Comments below for specific design recommendations.
  - *Public Art & Murals.* As discussed in the initial project review meeting, the Mission Area Plan encourages expanded opportunities for visible and publicly accessible walls in new construction to allow for the artistic mural traditions to thrive and continue. The proposed project includes significant blank walls on both the northern and southern facades that would be clearly visible from long stretches of Mission Street (both directions) and even Bernal Heights/Bernal Hill. The Project Sponsor is encouraged to include in its permit application detailed plans for mural installation and/or green (living) walls as part of the proposed project.
  - *Ground Floor Retail.* The Mission Area Plan emphasizes the importance of designing ground floor retail to be as tall, roomy, and permeable as possible (Policy 3.2.2). The proposed project includes a ground floor retail height that meets the 14 foot requirement in the Mission NCT District, but shows the bottom of a 2<sup>nd</sup> story window infringing on this space.
2. **Mission Action Plan 2020.** The subject property falls within the area of the Mission Action Plan 2020 (MAP2020), a collaborative effort to strengthen and preserve the socioeconomic diversity of the Mission neighborhood amidst the accelerated displacement of long-time residents and businesses. Endorsed by the Planning Commission on March 2, 2017, the plan area is generally bounded by Division/13th/Duboce, Guerrero, Potrero/101 and Cesar Chavez Streets. The Mission Action Plan recommendations include proposed changes to land uses, building heights, and densities in certain districts, as well as an overall increase in affordable housing production. These changes are still being refined and will be part of the Planning Code later this year. For more information please visit: <http://www.sf-planning.org/sfmap2020>.
3. **Special Use Districts.** The subject property is located in several Special Use Districts that have additional land use controls, including:
- **Mission Street Formula Retail Restaurant Subdistrict.** Under Section 781.5, a Limited-Restaurant or Restaurant Use as defined by Planning Code, that are also Formula Retail Uses under Section 303.1, shall not be permitted in this subdistrict.
  - **Mission Alcoholic Beverage Special Use District.** No new Liquor Store or Bar uses, as defined under Code Section 249.60, shall be permitted in the SUD except under the provisions within this Section.
  - **Fringe Financial Service Restricted Special Use District.** No new fringe financial services as defined under Section 249.35 shall be permitted as a principal or accessory use in this District, except under the provisions within this Section.
4. **Mission Interim Controls.** The project proposes demolition of two existing dwelling units. As the property is subject to the [Mission Interim Controls](#), any application which propose to demolish existing rent-controlled housing units must meet at least four of the following criteria:
- The subject property must be free of serious, continuing Code violations;

- The subject property must be maintained as decent, safe and sanitary housing;
  - The project does not convert rental to other forms of tenure;
  - The project conserves existing housing to preserve neighborhood diversity;
  - The project protects relative affordability of existing housing;
  - The project increases permanent affordable housing stock; and
  - The project increases family-sized housing stock.
5. **Dwelling Unit Removal.** The PPA application states that two dwelling units will be demolished as part of this proposal. Unless there is a relocation plan for the tenants of the two units and significant public benefit from this project, the Planning Department would have difficulty supporting the proposal without a minimum of two of the new units being designated as affordable housing. Please review the criteria outline in Planning Code Section 317 and consider a strategy for relocation of any existing tenants in preparation of the Planning Commission hearing.

#### ENVIRONMENTAL REVIEW:

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.

1. **Historic Resources.** The project site was previously evaluated in the South Mission Historic Resource survey and found ineligible for national, state, or local listing. Thus, the proposed project is not subject to review by the Department's Historic Preservation staff; no additional analysis of historic architectural resources is required.
2. **Archeological Resources.** The project site lies within the Archeological Mitigation Zone J-2: Properties with No Previous Studies of the *Eastern Neighborhoods PEIR*. Therefore, the proposed 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 project mitigation measures (such as 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 proposed 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 proposed 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 PPA submittal, a transportation impact study is not anticipated; an official determination will be made subsequent to submittal of the EEA. However, the project site is located on a high injury corridor as mapped by Vision Zero.<sup>3</sup> Planning staff may conduct a site visit to identify any pedestrian, cyclist, transit, and/or vehicle safety issues prior to final determination.
5. **Noise.** *Eastern Neighborhoods PEIR Noise Mitigation Measure F-1: Construction Noise* addresses requirements related to the use of pile-driving. The project sponsor has indicated that the project would involve pile driving. Therefore, *Noise Mitigation Measure F-1* would apply to the proposed project. This mitigation measure prohibits the use of impact pile drivers wherever feasible and requires that contractors use pile driving equipment with state-of-the-art noise shielding and muffling devices. To reduce noise and vibration impacts, sonic or vibratory sheetpile drivers, rather than impact drivers, shall be used wherever sheetpiles are needed. Project sponsors shall also require that contractors schedule pile-driving activity for times of the day that would minimize disturbance to neighbors.

*Eastern Neighborhoods PEIR Noise Mitigation Measure F-2: Construction Noise* requires that the project sponsor develop a set of site-specific noise attenuation measures under the supervision of a qualified acoustical consultant when the environmental review of a development project determines that construction noise controls are necessary due to the nature of planned construction practices and sensitivity of proximate uses. This mitigation measure requires that a plan for such measures be submitted to DBI prior to commencing construction to ensure that maximum feasible noise attenuation will be achieved.

*Eastern Neighborhoods PEIR Noise Mitigation Measure F-5: Siting of Noise-Generating Uses* could apply to the proposed project because the project would include commercial uses that may generate noise levels in excess of ambient noise, either short term, at nighttime, or as a 24-hour average, in the project site vicinity. This mitigation measure requires an acoustical analysis to demonstrate with reasonable certainty that the project would not adversely affect noise-sensitive uses and that there are no particular circumstances about the project site that appear to warrant heightened concern about

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<sup>3</sup> This document is available at: <http://www.sfmta.com/sites/default/files/projects/2015/vision-zero-san-francisco.pdf>.

noise levels that would be generated by the project. The noise study shall be conducted by a qualified acoustical consultant who shall prepare a noise study scope of work for approval by the assigned environmental coordinator prior to conducting the study.

6. **Air Quality.** The proposed project, with 8 dwelling units, is below the Bay Area Air Quality Management District's (BAAQMD) construction screening levels for criteria air pollutants.<sup>4</sup> Therefore, an analysis of the project's criteria air pollutant emissions is not likely to be required. However, please provide detailed information related to construction equipment, phasing and duration of each phase, and volume of excavation as part of the EEA.

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 proposed 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 proposed project is also required to prepare a Construction Dust Control Plan for review and approval by DPH.

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 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.

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.<sup>5</sup> 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.

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<sup>4</sup> BAAQMD, *CEQA Air Quality Guidelines*, May 2011, Chapter 3.

<sup>5</sup> Refer to <http://sf-planning.org/index.aspx?page=1886> for latest "Greenhouse Gas Compliance Checklist for Private Development Projects."

8. **Wind.** The proposed project does not propose a building over 80 feet in height; therefore, a consultant-prepared wind analysis will not be required.
9. **Shadow.** The proposed project would result in construction of a building greater than 40 feet in height. A preliminary shadow fan analysis prepared by Planning Department staff indicates that the proposed project could cast shadows on San Francisco Unified School District Property, the Zaida T. Rodriguez Child Development Center. Therefore, additional shadow analysis of the proposed project may be required.
10. **Geology.** The project site is located within the BART right-of-way. To assist Planning Department staff in determining whether the project would result in environmental impacts related to geological hazards, it is recommended that you provide a copy of the geotechnical information with boring logs for the proposed project. This study will also help inform the Planning Department Archeologist of the project site's subsurface geological conditions.
11. **Hazardous Materials.** The proposed project would be constructed on a site with known or suspected soil and/or groundwater contamination. Therefore, the project is subject to Article 22A of the Health Code, also known as the Maher Ordinance. The Maher Ordinance, which is administered and overseen by the Department of Public Health (DPH), requires the project sponsor to retain the services of a qualified professional to prepare a Phase I Environmental Site Assessment (ESA) that meets the requirements of Health Code Section 22.A.6. The Phase I 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>. Fees for DPH review and oversight of projects subject to the ordinance would apply. Please refer to DPH's fee schedule, available at: <http://www.sfdph.org/dph/EH/Fees.asp#haz>. Please provide a copy of the submitted Maher Application and Phase I ESA with the EEA.

*Eastern Neighborhoods EIR Hazardous Materials Mitigation Measure L-1: Hazardous Building Materials* would be applicable to the proposed project. The mitigation measure requires that the project sponsor ensure that any equipment containing polychlorinated biphenyls (PCBs) or di(2-ethylhexyl) phthalate (DEPH), such as fluorescent light ballasts, and any fluorescent light tubes containing mercury be removed and properly disposed of in accordance with applicable federal, state, and local laws. In addition, any other hazardous materials identified, either before or during work, must be abated according to applicable federal, state, and local laws.

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. In addition, 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.

12. **Tree Planting and Protection.** The Department of Public Works Code Section 8.02-8.11 requires disclosure and protection of landmark, significant, and street trees located on private and public property. Any such trees must be shown on the site plans with the size of the trunk diameter, tree height, and accurate canopy drip line. Please submit the *Tree Planting and Protection Checklist* with the EEA and ensure that trees are appropriately shown on site plans. Also see the comments below under “Street Trees.”
13. **Disclosure Report for Developers of Major Projects.** San Francisco Campaign and Governmental Conduct Code Section 3.520 et seq. requires the developer of any project with estimated construction costs exceeding \$1,000,000 to submit a Disclosure Report for Developers of Major City Projects if the project requires the issuance of a Community Plan Evaluation (CPE), certification of an Environmental Impact Report (EIR), adoption of a Final Mitigated Negative Declaration, or a project approval by the Planning Commission that adopts CEQA Findings (EIR certification). A residential development project with four or fewer dwelling units is not required to file this report. The first (or initial) report must be filed within 30 days of the date of EIR certification, or within 30 days of the date that the final environmental determination under CEQA is adopted. Please submit a Disclosure Report for Developers of Major City Projects directly to the San Francisco Ethics Commission. This form can be found at the Planning Department or online at <http://www.sfethics.org>.

#### PRELIMINARY PLANNING CODE AND PROCEDURAL COMMENTS:

The following comments address preliminary Planning Code issues that may substantially affect the design and massing of the proposed project:

1. **Rear Yard.** Section 134 requires the project to provide a rear yard of at least 25 percent of the lot depth. The project appears to comply with this requirement by providing a rear yard of 29' 4.5".
2. **Open Space – Residential.** Section 736.93 requires 80 square feet of private open space or 100 square feet of common open space for each dwelling unit. Additionally, any such open spaces must meet the dimensional requirements of Subsections 135(f) and (g). As the project proposes eight dwelling units, a total of 800 square feet of usable open space is required. The project does not appear to comply with this requirement by providing a 675 square foot roof deck on the proposed second floor. Additional private open space areas are provided on the proposed fourth floor and fifth floor. However, to be considered usable common open space, the space must be easily and independently accessible from such dwelling unit or bedroom, or from another common area of the building or lot. It appears that to access the common open space from certain residential units, residents would need to fully exit the building at the rear and re-enter the building through a separate doorway, which does not meet this criterion.
3. **Open Space – Non-Residential.** Section 135.3 requires this project to provide one square foot of open space for every 250 square feet of retail (and similar) uses. The proposal includes 1,585 square feet of commercial space. Therefore, 6.4 square feet of open space would be required. Alternatively, per

Section 426, an in-lieu fee of \$76 per square foot may be paid instead of providing the open space on site.

4. **Dwelling Unit Exposure.** Section 140 requires that each dwelling unit have at least one room that meets the 120-square-foot minimum superficial floor area requirement of Section 503 of the Housing Code face directly on a street right-of-way, code-complying rear yard, or an appropriately sized courtyard. All proposed dwelling units face either Mission Street or Osage Alley that appear to comply with this requirement.
5. **Shadow Analysis.** The proposed project would result in construction of a building greater than 40 feet in height. A preliminary shadow fan analysis prepared by Planning Department staff indicates that the proposed project would not cast shadows on any property under the jurisdiction of the Recreation and Park Commission. Additional shadow analysis may be required as part of the environmental review of the project.
6. **Bicycle Parking (Class I).** Planning Code Section 155 requires this project to provide at least 8 Class I bicycle parking spaces. The proposed project contains the minimum 8 Class I bicycle parking. Given that 6 of the 8 residential units are proposed as 2-bedrooms, the Department suggests increasing the number of Class 1 bike parking spaces and also scaling some of them to fit larger cargo bikes used by families. It is also recommended that the ground floor include flexible storage space for strollers, sporting equipment, and other items that support healthy and active residents, especially families with children.
7. **Bicycle Parking (Class II).** Planning Code Section 155 requires the project to provide at least 2 Class II bicycle parking spaces provided through on-street bicycle racks; however SFMTA has final authority on the type, placement and number of Class II bicycle racks within the public ROW. Prior to issuance of first architectural addenda, you will be required to contact the SFMTA Bike Parking Program at [bikeparking@sfmta.com](mailto:bikeparking@sfmta.com) to coordinate the installation of on-street bicycle racks and ensure that the proposed bicycle racks meet the SFMTA's bicycle parking guidelines. Depending on local site conditions and anticipated demand, SFMTA may request the project sponsor pay an in-lieu fee for Class II bike racks required by the Planning Code. The SFMTA bicycle parking guidelines can be found at: <https://www.sfmta.com/services/streets-sidewalks/installation-requests/bicycle-racks-corrals>.
8. **Dwelling Unit Mix.** Pursuant to Section 207.6(c)(2), no less than 40 percent of the total number of proposed dwelling units shall contain at least two bedrooms, or no less than 30 percent contain at least three bedrooms. The project proposes two one-bedroom and six two-bedroom units, which meets this requirement.
9. **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 proposed Project as well as the date(s) when the 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.

10. **Better Roofs Ordinance.** In 2016, San Francisco became the first major city in the U.S. to require the installation of renewable energy facilities or living roofs on new buildings. The Better Roofs Ordinance requires between 15% and 30% of roof space to incorporate solar (photo voltaic and/or solar thermal systems), living (green) roofs, or a combination of both. The legislation went into effect January 2017 (Planning Code Section 149). The Ordinance provides guidance for developers, designers, and/or owners might best utilize rooftop space; ideally, projects should pursue holistic design and amenity enhancements for 100% of usable roof space that include open space, habitat, stormwater management, urban agriculture, and other beneficial uses. Please see the Planning Department's Living Roof Manual to learn more: <http://sf-planning.org/san-francisco-living-roofs>. The building code defines the roof area as the total of all ultimate roof levels, in this case approximately 2,000 square feet between the lower level roof deck and upper level roof. Therefore the 15% calculation shown in page 14 of the plan set (156 SF) is insufficient and would need to be recalculated by the sponsor; 15% minimum areas is estimated at approximately 300 SF of solar. The applicant is encouraged to use both levels of roof towards the Better Roof requirements and goals, and explore opportunities to co-mingle solar and living roof elements to create the most sustainable and usable roof possible. With close proximity to the busy transportation corridors of Mission and Cesar Chavez streets, the Department especially encourages maximizing greening on roofs and walls to improve local air quality for residents.
11. **Sustainability and Green Building.** San Francisco has a suite of existing sustainability related regulations, including recycling and composting, solar, and others outlined in the Planning Code and San Francisco Green Building Code (GBC). Per the GBC, this project must meet the standards of LEED Silver or the equivalent GreenPoint rating system. It is recommended that the project sponsor work with the San Francisco Planning, Building, and Environment departments to determine the most beneficial mix of green building strategies that meet or exceed all current requirements, and respond to the local context. This includes the provision of renewable energy on site (PV and solar thermal), habitat supportive living roofs and walls (that enhance biodiversity), non-potable water reuse for irrigation and toilet flushing, healthy environments (non-toxic building materials), and other innovative approaches to enhancing performance of the City's environment. The City also

encourages projects to maximize energy and water efficiencies, consider zero carbon strategies such as all-electric buildings, and green power purchases for 100% renewable electricity.

- 12. Refuse Collection and Loading.** San Francisco is a national leader in diverting waste from landfills, has a Mandatory Recycling and Composting Ordinance, and a goal to achieve zero waste by 2020. In this, the City requires all buildings include well-designed spaces for collecting and storing recycling and composting in both common and private areas, as well as ongoing tenant education. More information on the City's Zero Waste legislation may be found here: <http://sfenvironment.org/zero-waste/overview/legislation>. Please also see the Guidance on Recycling Design (page 3) for designing appropriate areas: [http://sfenvironment.org/sites/default/files/fliers/files/sfe\\_zw\\_ab088.pdf](http://sfenvironment.org/sites/default/files/fliers/files/sfe_zw_ab088.pdf). Free design and implementation assistance is available from the San Francisco Department of the Environment's Zero Waste Team by calling 415-355-3700.

#### PRELIMINARY DESIGN COMMENTS:

The following comments address preliminary design issues that may substantially affect the proposed project:

- 1. Site Design, Open Space, and Massing.** The Planning Department recommends a setback of a minimum of 10' without projections at the fourth floor to more firmly establish a building top that contributes to the existing pattern along Mission Street. By adding more height at the street and then setting back the upper two floors, the lower portion of the building will play a stronger role in the definition of the street frontage. The setback frontage of the upper floors should be designed in deference—less detail and visual prominence-- to the lower portion. The top of the fourth floor frontage should be designed as the top of the building.
- 2. Architecture.** The Planning Department emphasizes the importance of providing a façade that responds thoroughly to the architectural context and recommends the following adjustments to the building front:
  - Provide a consistent and complete frontage with a strong termination feature (at the fourth floor) as is common on Mission Street. Consider a symmetrical façade.
  - The Department encourages exploring more traditional bay windows—specifically the amount of glazing and wall solidity-- to provide more uniformity such as is found throughout the district.
  - Fenestration proportions and solid to void ratio should be in line with the nearby facades. Consider significant depth and more traditional materials and detailing for window frames.
  - Provide a bulkhead consistent with nearby retail frontages.
  - Residential and retail entries should be distinguished from one another through the use of hierarchical canopies, proportions, or signage.
  - The clerestory windows should be modified to be more in proportion with the surrounding context—take cues from nearby examples. Consider adding a signage band which may help to re-proportion the glazing.

- Provide a more neighborhood compatible material palette with depth that responds to and integrates better with the entire Mission District and Calle 24 Special Use District.<sup>6</sup> Consider masonry, stucco, or painted wood siding.
3. **Vision Zero.** In 2014, the City adopted the [Vision Zero Policy](#) which seeks to eliminate all traffic deaths in the City by 2024. The City subsequently established a network of Vision Zero Corridors which have higher rates of traffic-related injuries and fatalities compared to most San Francisco Streets. The City has determined that streets on the Vision Zero network should be prioritized for safety improvements especially those that improve the safety of vulnerable users like people walking and people on bikes. This project is located on a pedestrian and bike high-injury corridor on Mission Street, and is encouraged to incorporate safety measures into the project.

### DEVELOPMENT 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. Please note that this list only reflects fees and requirements referenced in the Planning Code. For projects in ongoing plan areas (e.g. Central SoMa, the Hub, etc.) the below list may not accurately reflect all fees that may become applicable to this project.

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

1. Residential Child Care Impact Fee (§414A)
2. Eastern Neighborhoods Impact Fees (§423)

### 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** is required for removal of existing dwelling units, pursuant to Planning Code Section 317.
2. **Building Permit Applications** are required for the demolition and proposed construction on the subject property. In order for Planning Department staff to accurately review projects in a timely manner, plan sets must be complete and thorough. All plans submitted as part of an entitlement or building permit application must meet the Department's [Plan Submittal Guidelines](#).

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<sup>6</sup> The Calle 24 Special Use District is generally bounded by 22<sup>nd</sup> Street, Potrero Avenue, Cesar Chavez and Capp Street (Planning Code Section 249.59, effective April 30, 2017).

All 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](http://www.sfplanning.org). Building Permit Applications are available at the Department of Building Inspection at 1660 Mission Street.

### NEIGHBORHOOD NOTIFICATIONS AND 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.

1. **Pre-Application Meeting.** 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](http://www.sfplanning.org) under the “Permits & Zoning” tab. All registered neighborhood group mailing lists are available online at [www.sfplanning.org](http://www.sfplanning.org) under the “Resource Center” tab.
2. **Neighborhood Outreach.** This project is required to undertake additional public outreach in advance of the Planning Commission hearing on the Conditional Use Authorization. The developer is required to conduct an additional outreach meeting, notifying owners and tenants who live within 300 feet of the project as well as all registered neighborhood organizations for the Mission neighborhood, after initial design comments have been provided from the Planning Department and prior to the scheduling of the aforementioned Planning Commission hearing. The purpose of this meeting is to keep the community abreast of the project’s evolution, presenting the latest design of the project – including the Department’s requested changes – to the community in advance of the Commission taking action on the hearing.
3. **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.

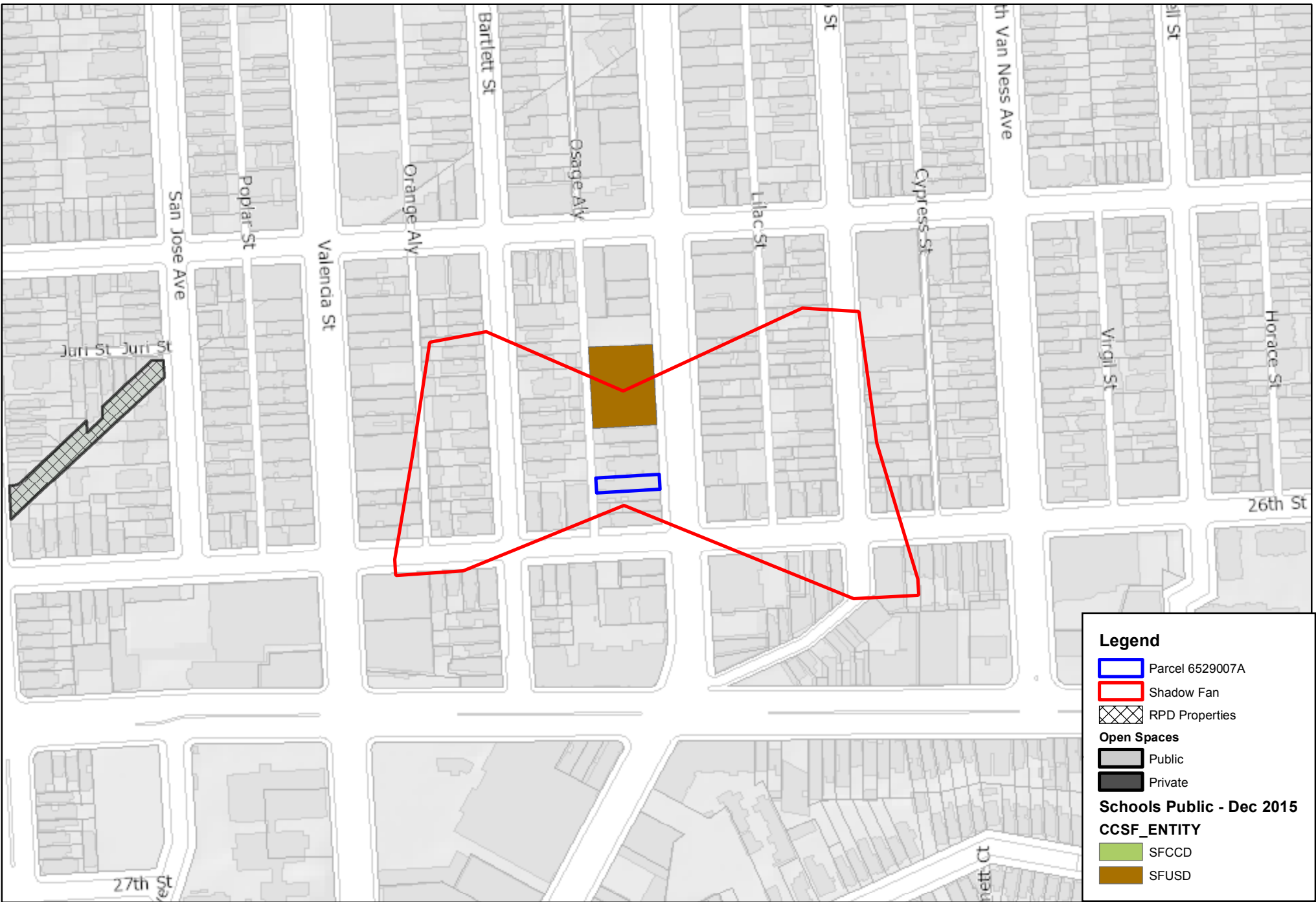
### PRELIMINARY PROJECT ASSESSMENT EXPIRATION:

This Preliminary Project Assessment is valid for a period of **18 months**. An Environmental Evaluation Application, Conditional Use Authorization, or Building Permit Application, as listed above, must be submitted no later than **December 5, 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: Shadow Fan

cc: El Mission Investment LLC, Property Owner  
Michael Cristensen, Current Planning

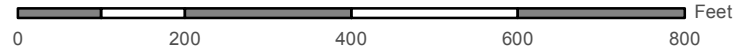
Julie Moore, Environmental Planning  
Lisa Fisher, Citywide Planning and Analysis  
Maia Small, Design Review  
Jonas Ionin, Planning Commission Secretary  
Charles Rivasplata, SFMTA  
Jerry Sanguinetti, Public Works  
Pauline Perkins, SFPUC  
Planning Department Webmaster ([planning.webmaster@sfgov.org](mailto:planning.webmaster@sfgov.org))



Title: 2976 Mission Street Shadow Fan

Comments: Building Height to 72 feet  
(includes stair penthouse)

Printed: 17 May, 2017



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# Places of Entertainment



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