



SAN FRANCISCO PLANNING DEPARTMENT

MEMO

DATE: November 2, 2017
TO: Jeremy Schaub
FROM: Joshua Switzky, Planning Department
RE: PPA Case No. 2017-009796 PPA for 1088 Howard St

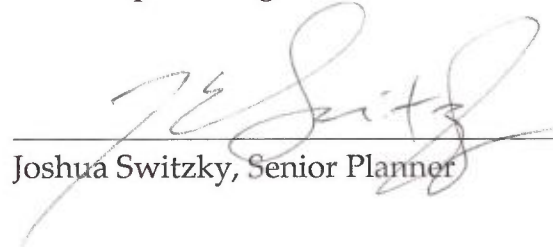
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Please find the attached Preliminary Project Assessment (PPA) for the address listed above. You may contact the staff contact, Kimia Haddadan, at (415) 575-9068 or kimia.haddadan@sfgov.org to answer any questions you may have, or to schedule a follow-up meeting.


Joshua Switzky, Senior Planner



SAN FRANCISCO PLANNING DEPARTMENT

Preliminary Project Assessment

Date: Nov 2, 2017]
Case No.: **2017-009796PPA**
Project Address: 1088 Howard Street
Block/Lot: 3726-030 and 031
Zoning: MUG (Mixed Use General)
85-X Height and Bulk District
Youth and Family Zone Special Use District
Area Plan: East SoMa (Eastern Neighborhoods)
Project Sponsor: Jeremy Schaub
415-6828060
Staff Contact: Kimia Haddadan– 415-575-9068
Kimia.haddadan@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 July 31, 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, and federal regulations as of the date of this document, all of which are subject to change.

PROJECT DESCRIPTION:

The proposal is to merge two lots and construct a five story addition to the existing historic, one story with mezzanine commercial building. The proposed addition would preserve the historic storefront and include 22 new dwelling units at the upper floors and five parking spaces in a garage accessed from a vehicular entry adjacent to the storefront. Approximately 1,080 sq. ft., or one-half of the existing building

will continue to be used as commercial retail space. The proposal would also include twenty Class One and two Class Two bicycle parking spaces.

The proposed project site is in the East SoMa plan area of the Eastern Neighborhoods. The Eastern Neighborhoods Area Plans cover the Mission, 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)*.^{1,2} The Eastern Neighborhoods Area Plans and its associated rezoning became effective December 19, 2008. The proposed project appears to be consistent with the development density of the Eastern Neighborhoods Area Plans. A final determination of consistency with the development density in the Eastern Neighborhoods Area Plans would be made during the environmental review process.

PRELIMINARY PROJECT COMMENTS:

The following comments address general issues that may affect the proposed project.

- 1. Eastern Neighborhoods Area Plan.** The subject property falls within the area covered by the Eastern Neighborhoods Area Plan in the General Plan. As proposed, the project is generally consistent with the overarching objectives of the Plan, though the project and design comments below discuss any items where more information is needed to assess conformity with either specific policies or Code standards or where the project requires minor modification to achieve consistency. The project sponsor is encouraged to read the full plan, which can be viewed at <http://generalplan.sfplanning.org/index.htm>.
- 2. Density Maximization and Affordable Housing Provision.** It is the Department's priority to give precedence to the development of all new net housing, and to encourage the direct building of more affordable housing and the maximization of permitted density, while maintaining quality of life and adherence to Planning Code standards. The proposed project includes only a 6-story building while the height limit (85 feet) would allow 8 stories. The allowable additional two stories could increase the number of units overall as well as the number of affordable units. The Department strongly encourages increasing the density of the proposed project on this central city location consistent with the allowed zoning.

Additionally, per the Director's Bulletin No. 2, if the project were to maximize density and include 30% on-site BMRs, it would qualify for priority processing:
<http://www.sf-planning.org/Modules/ShowDocument.aspx?documentid=8460>
- 3. Site Design, Open Space and Massing.** The proposed project appropriately reinforces the predominant historic urban lot pattern if the front façade of the addition is designed as two separate (but complimentary) approximately 25'-wide buildings. However, the 10' full-height setback of the

¹ 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://sf-planning.org/area-plan-eirs>, accessed August 17, 2012.

² San Francisco Planning Department. San Francisco Planning Commission Motion 17659, August 7, 2008. Available online at: http://commissions.sfplanning.org/cpcmotions/17659_1268-EN_BOS_Vol4_CEOA_Part7_Web.pdf, accessed August 17, 2012.

front façade is unnecessarily deferential to the existing historic building. Pull the southeast half of the building volume forward to match the front edge of the adjacent existing building (lot 118-151). This will help hold the streetwall along Howard. Additionally, introduce lightwells along both the southwest and northeast property lines to align with the lightwells of the existing adjacent buildings .

The maximum extent of the building addition to the rear of the property should align with the primary rear facades of the adjacent buildings to the southwest and northeast. Alternately, the rear building façade may align to the midpoint between the primary rear facades of the adjacent buildings to the southwest and northeast.

ENVIRONMENTAL REVIEW:

The proposed project requires environmental review in accordance with the California Environmental Quality Act (CEQA). This section identifies the likely environmental review process and additional information and studies necessary to complete environmental review. Formal environmental review begins with Planning Department review of the **Environmental Evaluation Application (EEA)** filed by the project sponsor. The EEA can be submitted at the same time as the PPA application or subsequent to issuance of the PPA letter.

The environmental review may be done in conjunction with the required approvals listed below, but must be completed before any project approval may be granted. **Note that until an entitlement application is submitted to the Current Planning Division, only the proposed project description will be reviewed by the assigned environmental coordinator.** 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 <http://sf-planning.org/permit-forms-applications-and-fees>. See “Environmental Applications” on page 2 of the current Fee Schedule for a calculation of environmental application fees.³ In addition, please see page 4 of the Fee Schedule for monitoring fees applicable to projects that require active monitoring of mitigation measures.

A detailed and accurate description of the proposed project is essential for adequate environmental review. Please update the EEA project description as necessary to reflect feedback provided in this PPA letter and include the additional information and/or documents requested herein and listed again below.

- Detailed information, including sections, proposed soils-disturbing activities, such as grading, excavation, installation of foundations, soils improvement, and site remediation, and submit any available geotechnical/soils or phase II hazardous materials reports prepared for the project;
- Detailed information related to construction equipment, phasing and duration of each phase, and volume of excavation;
- A construction schedule and indication whether pile driving or other particularly noisy construction methods are required;
- Plans showing dimensions of existing curb cuts; and
- Detailed information related to any proposed stationary sources.

3 San Francisco Planning Department. Fee Schedule for Application Fees. Available online at: <http://sf-planning.org/permit-forms-applications-and-fees>.

If you have already filed your EEA, you may provide the requested information and documents as supplements to your application.

Environmental Review Document- Community Plan Evaluation

Section 15183 of the California Environmental Quality Act (CEQA) Guidelines states that projects that are consistent with the development density established by a community plan for which an environmental impact report (EIR) was certified do not require additional environmental review, except as necessary to determine the presence of project-specific significant effects not identified in the programmatic plan area EIR.

As discussed above, the proposed project is located within the Eastern Neighborhoods Area Plan, which was evaluated in the *Eastern Neighborhoods PEIR*. If the proposed project is consistent with the development density identified in the area plan, it would be eligible for a community plan evaluation (CPE). Please note that a CPE is a type of streamlined environmental review, and cannot be modified to reflect changes to a project after approval. Proposed increases in project size or intensity after project approval beyond the CPE project description will require reconsideration of environmental impacts and issuance of a new CEQA determination.

Within the CPE process, there can be three different outcomes as follows:

1. **CPE.** All potentially significant project-specific and cumulatively considerable environmental impacts are fully consistent with significant impacts identified in the *Eastern Neighborhoods PEIR*, and there would be no new significant impacts peculiar to the proposed project or its site. In these situations, all pertinent mitigation measures and CEQA findings from the *Eastern Neighborhoods PEIR* are applied to the proposed project, and a CPE checklist and certificate is prepared. With this outcome, the applicable fees are: (a) the CPE determination fee (currently \$14,910) and (b) the CPE certificate fee (currently \$8,266).
2. **Mitigated Negative Declaration.** If new site- or project-specific significant impacts are identified for the proposed project that were not identified in the *Eastern Neighborhoods PEIR*, and if these new significant impacts can be mitigated to a less-than-significant level, then a focused mitigated negative declaration is prepared to address these impacts, and a supporting CPE checklist is prepared to address all other impacts that were encompassed by the *Eastern Neighborhoods PEIR*, with all pertinent mitigation measures and CEQA findings from the *Eastern Neighborhoods PEIR* also applied to the proposed project. With this outcome, the applicable fees are: (a) the CPE determination fee (currently \$14,910) and (b) the standard environmental evaluation fee (which is based on construction value).
3. **Focused EIR.** If any new site- or project-specific significant impacts cannot be mitigated to a less-than-significant level, then a focused EIR is prepared to address these impacts, and a supporting CPE checklist is prepared to address all other impacts that were encompassed by the *Eastern Neighborhoods PEIR*, with all pertinent mitigation measures and CEQA findings from the *Eastern Neighborhoods PEIR* also applied to the proposed project. With this outcome, the applicable fees are: (a) the CPE determination fee (currently \$14,910); (b) the standard environmental evaluation fee (which is based on construction value); and (c) one-half of the standard EIR fee (which is also based on construction value). An EIR must be prepared by an environmental consultant from the Planning Department's

environmental consultant pool (<http://sf-planning.org/consultant-sponsor-resources>). The Planning Department will provide more detail to the project sponsor regarding the EIR process should this level of environmental review be required.

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

1. **Historic Resources.** The project site was previously evaluated in a historical resources survey and contains a building which is a contributor to the National Register-eligible Western SOMA Light Industrial and Residential historic district. Therefore, the proposed project is subject to review by the Department's Historic Preservation staff for compatibility with the district. An environmental evaluation application and HRER Part 2 fee is required in order for the Department's Historic Preservation staff to review the proposed project for compatibility with the historic district.
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.⁴ Planning staff may conduct a site visit to identify any pedestrian, cyclist, transit, and/or vehicle safety issues prior to final determination. Planning staff have reviewed the proposed site plans and offer the following recommendations: show existing curb cut dimensions on plans.
5. **Noise.** The proposed project would be subject to Eastern Neighborhoods PEIR Mitigation Measures [F-1, F-2, and F-5]. *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 not involve pile driving. If pile driving is to be used during construction, *Noise Mitigation Measure F-1* would apply to the proposed project. This mitigation measure requires that contractors use equipment with state-of-the-art noise shielding and muffling devices. To reduce noise and vibration impacts, sonic or vibratory sheet pile drivers, rather than impact drivers, shall be used wherever sheet piles are needed. Project sponsors shall also require that contractors schedule pile-driving activity for times of the day that would minimize disturbance to neighbors. The EEA should provide a construction schedule and indicate whether pile driving or other particularly noisy construction methods are required.

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 may 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 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 22 dwelling units and a net total of 1,080 sf of commercial retail space is below the Bay Area Air Quality Management District's (BAAQMD) construction and

⁴ This document is available at: <http://www.sfmta.com/sites/default/files/projects/2015/vision-zero-san-francisco.pdf>.

operational screening levels for criteria air pollutants.⁵ 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 the San Francisco Department of Public Health (DPH).

The project site is also 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. The project proposes to construct a new sensitive land use (i.e., residential), which is subject to enhanced ventilation measures pursuant to Health Code Article 38. The project sponsor will be required to submit an Article 38 application to DPH prior to the issuance of any environmental determination. Please provide a copy of the Article 38 application with the EEA.⁶ In addition, equipment exhaust measures during construction, such as those listed in *Eastern Neighborhoods PEIR Air Quality Mitigation Measure G-2, Air Quality for Sensitive Land Uses* will likely be required.

If the project would generate new sources of toxic air contaminants including, but not limited to 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. Given the proposed project's height of 60 feet, the proposed project would not likely require a backup diesel generator. 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.⁷ 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

⁵ Bay Area Air Quality Management District, *CEQA Air Quality Guidelines Table 3-1*, May 2017.

⁶ Refer to <http://www.sfdph.org/dph/eh/Air/default.asp> for more information.

⁷ Refer to <http://sf-planning.org/consultant-sponsor-resources> for latest "Greenhouse Gas Compliance Checklist for Private Development Projects."

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. **Wind.** The proposed project would not involve construction of a building over 80 feet in height. Therefore, a consultant-prepared wind analysis is not anticipated to 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 would not cast shadows on shadow on any properties under the jurisdiction of the Recreation and Park Commission, other publicly accessible open spaces, or any school properties. Therefore, the project sponsor is not required to hire a qualified consultant to prepare a detailed shadow study.
10. **Geology.** The project site is located within a Seismic Hazard Zone (Liquefaction Zone). Any new construction on the site is therefore subject to a mandatory Interdepartmental Project Review.⁸ A geotechnical study prepared by a qualified consultant must be submitted with the EEA. The study should address whether the site is subject to liquefaction, and should provide recommendations for any geotechnical concerns identified in the study. In general, compliance with the building codes would avoid the potential for significant impacts related to structural damage, ground subsidence, liquefaction, landslides, and surface settlement. 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 is located in a Maher Area, meaning that it is known or suspected to contain contaminated soil and/or groundwater. In addition, construction of the proposed project would require the disturbance of more than 50 cubic yards of soil. Therefore, the proposed 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.

⁸ San Francisco Planning Department. *Interdepartmental Project Review*. Available online at: <http://sf-planning.org/permit-forms-applications-and-fees>

Eastern Neighborhoods PEIR 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 building was 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. **Naturally Occurring Asbestos.** The proposed project would not include excavation on a site that is underlain by serpentine soils. Therefore, there are no project-related concerns related to naturally occurring asbestos.
13. **Stormwater.** If the project would result in a ground surface disturbance of 5,000 sf or greater, 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/sdg>. Applicants may contact stormwaterreview@sfwater.org for assistance.
14. **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 final environmental

determination under CEQA. 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, or 22-ft. 6-in. The Project proposes a rear yard equal only to 12-ft. 6-in., and should be revised to comply with the minimum requirement. Alternatively, the Zoning Administrator may allow complete or partial relief from this requirement when the modification of it would result in a project better fulfilling the criteria set forth in Section 134. The procedures for such review shall be the same as those which are applicable to Variances, as set forth in Sections [306.1](#) through [306.5](#) and [308.2](#).
2. **Open Space – Residential.** Section 135 requires 80 square feet of either private or common open space for each dwelling unit. Additionally, any such open spaces must meet the dimensional requirements of Subsections (f) and (g). The project proposes a maximum of 160 sq. ft. of private open space for two dwelling units, and a 1,628 sq. ft. common roof deck for the remaining twenty units. Since this is greater than the 1,600 sq. ft. required, the proposal complies with this requirement.
3. **Open Space – Non-Residential.** Section 135.3 requires this project to provide one foot of open space for every 250 square feet of retail (and similar) uses. The proposal includes 1,080 square feet of commercial space. Therefore, four 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. The proposed rear yard is not code-complying and therefore, the eight rear-facing units do not meet the minimum exposure requirement. Please revise your Project to meet this requirement, or submit a Variance Application that outlines the five criteria that must be met in order for the Zoning Administrator to grant a variance under Section 305(c) if meeting this requirement would result in a practical difficulty or unnecessary hardship. The Department generally encourages projects to minimize the number of units needing an exposure variance.
5. **Off-Street Parking.** Section 151.1 permits accessory residential parking at a maximum ratio of one space per four units for the proposed project. Therefore, the five proposed residential parking spaces comply with this requirement.
6. **Shadow Analysis (Section 295).** Section 295 requires that a shadow analysis must be performed to determine whether the project has the potential to cast shadow on properties under the jurisdiction of the San Francisco Recreation and Park Commission. Department staff has prepared a shadow fan that indicates the project will not cast new shadows, and no further analysis is required.

7. **SoMa Youth and Family SUD and Affordable Housing.** The project site falls within the SoMa Youth and Family Special Use District (SUD). As such, it is subject to the criteria of Section 249.40A. The SUD requires a conditional use authorization for a variety of uses. It also requires certain projects to provide a larger amount of affordable housing. The subject property currently does not fall on a site that triggers this requirement (see Subsection (c) (2)). It is unclear if the legislation will be amended by the Board of Supervisors, or if/when it will be adopted. Regardless of the outcome of this legislation, the project will be subject to the affordability requirements of Section 415 et seq.
8. **Transportation Demand Management (TDM) Program.** The TDM Program was adopted by the Board of Supervisors in February 2017, and it took effect on March 19, 2017. The proposed project includes 22 dwelling units, and thus is subject to the TDM Program. Based on the proposed five parking spaces associated with the residential use, the project will be required to meet or exceed a target score of 10 (insert target from [TDM tool](#)) points for land use category C.

Please note that if the first Development Application – as defined in Planning Code Section 401 – is submitted by December 31, 2017, then the project will only be required to meet 75% of its target score. The Draft TDM Plan submitted appears to be in general compliance with the current requirements of the TDM Program because the Project achieves a score of 13 points, which is greater than the target of 10 points. However, please be aware that additional review of the selected TDM Plan may be needed, and that revisions to the project may result in the need to revise the project's TDM Plan as well.

9. **Flood Notification.** The project site is in a block that has the potential to flood during storms. The SFPUC will review the permit application to comment on the proposed application and the potential for flooding during wet weather. Applicants for building permits for either new construction, change of use, or change of occupancy, or for major alterations or enlargements must contact the SFPUC at the beginning of the process to determine whether the project would result in ground-level flooding during storms. Requirements may include provision of measures to ensure positive sewage flow, raised elevation of entryways, and/or special sidewalk construction and the provision of deep gutters. The side sewer connection permits for such projects need to be reviewed and approved by the SFPUC at the beginning of the review process for all permit applications submitted to the Planning Department, DBI, or the Successor Agency to the San Francisco Redevelopment Agency. For information required for the review of projects in flood-prone areas, the permit applicant shall refer to Planning Director Bulletin No. 4: <http://sf-planning.org/departments-publications>
10. **Recycled Water.** Projects located in San Francisco's designated recycled water use areas are required to install recycled water systems for irrigation, cooling, and/or toilet and urinal flushing in accordance with the Recycled (or Reclaimed) Water Use Ordinance, adopted as Article 22 of the San Francisco Public Works Code. New construction or major alterations with a total cumulative area of 40,000 square feet or more; any new, modified, or existing irrigated areas of 10,000 square feet or more; and all subdivisions are required to comply. To determine if the proposed project is in a designated recycled water use area, and for more information about the recycled water requirements, please visit sfwater.org/index.aspx?page=687.
11. **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 will require 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, and 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/department-publications>.

12. **Sustainability and Green Building.** San Francisco has a suite of existing sustainability related regulations, including recycling and composting, solar, and more details outlined in the 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 best fit the local context. This especially includes the provision of renewable energy on site (PV and solar thermal), living roofs and walls, non-potable water reuse, 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 commit to green power purchases for 100% GHG-free electricity. As with non-potable water systems, projects are recommended to consider district-scale energy opportunities on site and in coordination with neighbors.
13. **Refuse Collection and Loading.** San Francisco is a national leader in diverting waste from landfills, has a Mandatory Recycling and Composting Ordinance, and has a goal to achieve zero waste by 2020. In this, the City requires all buildings to be designed with spaces for collecting and loading recycling and composting in common and private areas, and make these options as or more convenient than waste disposal. More information on the complete suite of 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) resources for designing appropriate areas: 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

1. Streetscape and Street Frontage

The proportion of commercial ground floor area to overall ground floor area is too low. The length of ground floor façade dedicated to commercial frontage is compromised by ground floor frontage for Residential Access, Parking and Egress. Increase the ground floor active use area and decrease the ground floor service footprint. Consider the following (non-exhaustive) strategies:

- Reconfigure parking and bike parking for more efficient circulation;

- Reduce quantity of parking;
- Utilize parking stackers; and
- Consolidate services and access / egress

2. Architecture

While a Frame-and-Infill-Glazing concept is appropriate for the Light-Industrial context of the neighborhood, this façade design has been hybridized with solid infill panels. The windows are rectangular in proportion, producing a vertical reading of the composition – in contrast to the more-square-proportion windows and horizontal emphasis of typical light-industrial facades.

- Revisit façade design to emphasize the horizontal character of typical light-industrial architecture in this neighborhood.
- Break down the scale of fenestration and infill panels with a finer grain of articulation. Consider smaller window panes, etc.

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 Howard Street, a pedestrian high-injury corridor, 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.

1. Based on an initial review of the proposed project, the following impact fees, which are assessed by the Planning Department, will be required: **Transportation Sustainability Fee (TSF) (§411A)**
2. **Residential Child Care Impact Fee (§414A)**
3. **Eastern Neighborhoods Affordable Housing Fee (§417).** Per Planning Code Section 417, the alternate Affordable Housing Fee described shall only apply to development projects that are subject to Eastern Neighborhood Controls as defined in 175.6(c) (1); consist of 20 units or less or less than

25,000 square feet, and are subject to the requirements of Sections 415 through 415.9, and any stated exceptions elsewhere in the Code. Because the project is less than 25,000 square feet, it may choose to pay an alternate fee equal to \$53.32 per gross square foot of net new residential development instead of the standard Affordable Housing Fee requirements set forth in Section 415.5, the 20% affordable housing fee stated above. The calculation of gross square feet shall not include nonresidential uses, including any retail, commercial, or PDR uses, and all other space used only for storage and services necessary to the operation or maintenance of the building itself.

4. Eastern Neighborhoods Impact Fees (§423).

AFFORDABLE HOUSING:

5. **Inclusionary Affordable Housing (§415):** 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 as 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. The project proposes 22 units (less than 25 units) and 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 12% of the proposed dwelling units as affordable to low-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.

Alternatively, because the project proposes less than 25,000 gross square feet, pursuant to Section 417.3, it may instead choose to pay an alternate fee equal to \$53.52 per gross square foot of net new

residential development instead of the standard Affordable Housing Fee requirements set forth in Section [415.5](#).

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. Environmental Application.

2. A **Building Permit Application** is required for the proposed demolition and new construction on the subject property.
3. A **Variance Application** will be required if the Project does not meet the dwelling unit exposure requirement for every dwelling unit and/or does not provide a complying required rear yard, as described above under “Preliminary Planning Code and Procedural Comments.”

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](#).

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. 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 <http://sf-planning.org/permit-forms-applications-and-fees> listed under “N” for Neighborhood Notification Pre-Application Meeting. The registered neighborhood group and organizations mailing list is available online at <http://sf-planning.org/departments-publications> listed under “N”.
2. **Neighborhood Notification.** Planning Code Section 312 requires Neighborhood Notification for all building permit applications proposing new construction or alterations that expand the exterior dimensions of a building.

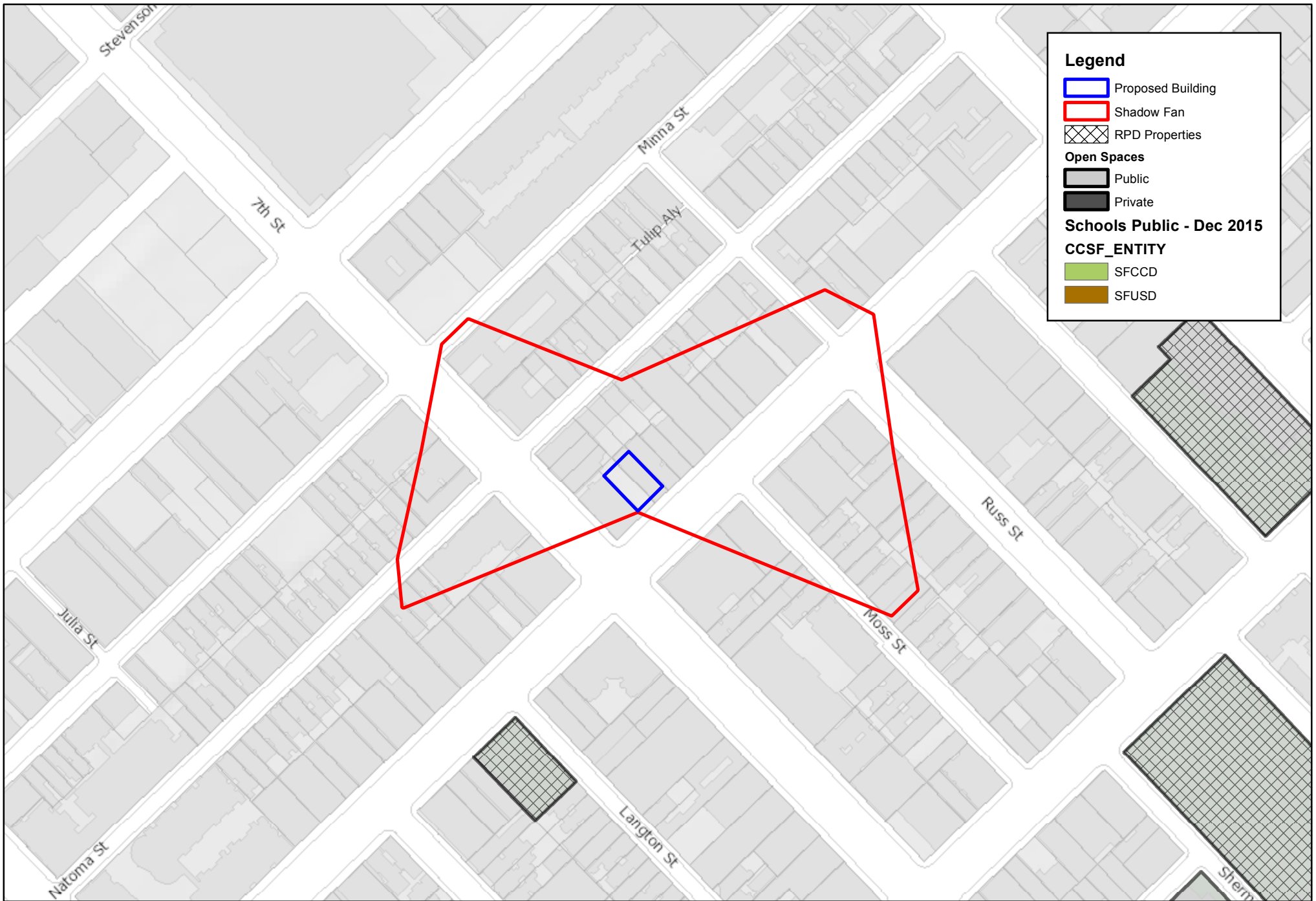
3. **Notification of a Project Receiving Environmental Review.** Notice may be required to be sent to occupants of the project site and properties adjacent to the project site, as well as to owners and, to the extent feasible, occupants of properties within 300 feet of the project site at the initiation 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 application, a building permit application for the proposed demolition and new construction and a variance application, as listed above, must be submitted no later than **April, 2, 2019**. 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: Carland, Inc, Ivy Ye, Property Owner
Doug Vu, Current Planning
Alesia Hsiao, Environmental Planning
Kimia Haddadan , Citywide Planning and Analysis
Jonas Ionin, Planning Commission Secretary
Charles Rivasplata, SFMTA
Jerry Sanguinetti, Public Works
Pauline Perkins, SFPUC
June Weintraub and Jonathan Piakis, DPH
Planning Department Webmaster (planning.webmaster@sfgov.org)



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Comments: Preliminary Project Assessment
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