



SAN FRANCISCO PLANNING DEPARTMENT

Preliminary Project Assessment

Date: October 24, 2012
Case No.: **2012.0990U**
Project Address: 3032 - 3038 Clement Street
Block/Lots: 1402 / 022 and 023
Zoning: NC-1
40-X
Area Plan: Not Applicable
Project Sponsor: 3038 Clement, LLC
c/o SIA Consulting Corp.
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San Francisco, CA 94103
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DISCLAIMERS:

Please be advised that this determination does not constitute an application for development with the Planning Department. It also does not represent a complete review of the proposed project, a project approval of any kind, or in any way supersede any required Planning Department approvals listed below. The Planning Department may provide additional comments regarding the proposed project once the required applications listed below are submitted. While some approvals are granted by the Planning Department, some are at the discretion of other bodies, such as the Planning Commission or Historic Preservation Commission. Additionally, it is likely that the project will require approvals from other City agencies such as the Department of Building Inspection, Department of Public Works, Department of Public Health, and others. The information included herein is based on plans and information provided for this assessment and the Planning Code, General Plan, Planning Department policies, and local/state/federal regulations as of the date of this document, all of which are subject to change.

PROJECT DESCRIPTION:

The proposal is to demolish the existing one-story building covering both 2,500 square-foot lots. The proposal also includes the construction of a four-story, 40-foot tall mixed-use building with commercial use and a six-car parking garage on the ground floor, and six residential units in the upper floors.

ENVIRONMENTAL REVIEW:

The project initially requires the following environmental review. This review may be done in conjunction with the required approvals listed below, but must be completed before any project approval may be granted.

If the additional analysis outlined below indicates that the project would not have a significant effect on the environment, the project may qualify for a Class 3 Categorical Exemption, in which case the Planning Department would issue a Certificate of Determination of Exemption from Environmental Review.

If the additional analysis performed after submittal of the Environmental Evaluation Application indicates that the project may have a significant effect on the environment, Planning Department staff would prepare an Initial Study to determine whether a Mitigated Negative Declaration (MND) or Environmental Impact Report (EIR) is needed.

If the Department finds that the project would have significant impacts that can be reduced to a less-than-significant level by mitigation measures agreed to by the project sponsor, then the Department would issue a Preliminary Mitigated Negative Declaration. If the Initial Study process indicates that the project would result in a significant impact that cannot be mitigated to below a significant level, an EIR will be required to be prepared by an environmental consultant from the Planning Department's environmental consultant pool. The Planning Department would provide more detail to the project sponsor regarding the EIR process should this level of environmental review be required.

The following issues would be investigated as part of the environmental review process:

- ***Historic Resource Evaluation (HRE):*** The proposed project consists of demolition of a building constructed 50 or more years ago (circa 1925); therefore, the project is subject to the Department's Historic Preservation review, which would include preparation of an Historic Resource Evaluation (HRE) by a qualified consultant from the Historic Preservation Consultant Pool, which shall be known as the "potential consultant list" or "PCL". The qualified consultant must meet the Secretary of the Interior's Professional Qualification Standards in Historic Architecture or Architectural History. The qualified professional must be selected after the submittal of the Environmental Evaluation Application. The scope of the Historic Resource Evaluation should be prepared in consultation with Department Preservation staff.

Under CEQA, evaluation of the potential for proposed projects to impact "historical resources" is a two-step process: the first is to determine whether the property is an "historical resource" as defined in Section 15064.5(a)(3) of CEQA; and, if it is found to be an "historical resource," the second is to evaluate whether the action or project proposed by the sponsor would cause a "substantial adverse change". CEQA defines a "substantial adverse change" as the physical demolition, destruction, relocation or alteration of the historical resource or its immediate surroundings such that the significance of an historical resource would be materially impaired. For example, if the structure proposed for demolition at 3038 Clement Street is identified as an historical resource, its demolition would be a substantial adverse change resulting in material impairment of the resource, thereby requiring preparation of an Environmental Impact Report (EIR).

For more information on the Planning Department's Historic Architectural Resource Evaluation, please see San Francisco Preservation Bulletin No. 16, which is available at www.sfplanning.org under "Historic Preservation."

- **Transportation.** A project-specific transportation study will not be needed. However, an on-site circulation plan showing dimensions of the driveway and parking garage will be required so that Department's Transportation Planners can review site access and circulation.
- **Archeological Study.** The proposed project would require a Preliminary Archeological Review (PAR) which would be conducted in-house by the Planning Department archeologist. During the PAR it will be determined what type of soils disturbance/modification will result from the project, such as excavation, installation of foundations, soils improvement, site remediation, etc. Any available geotechnical/soils report prepared for the project site will be reviewed at this time. Secondly, it will be determined if the project site is in an area that is archeologically sensitive. The results of this review will be provided in a memorandum to the Environmental Planner assigned to the project. When it is found that the project has the potential to affect an archeological resource, the PAR memorandum will identify appropriate additional actions to be taken including the appropriate archeological measure and/or if additional archeological studies will be required as part of the environmental evaluation.
- **Hazardous Materials.** The project site is adjacent to a former automobile service station with an underground leaking tank. As residential use is proposed for the site, a Phase I Environmental Site Assessment should be prepared to determine the potential for site contamination and the level of exposure risk associated with the project. This should be submitted with the Environmental Evaluation Application. The Phase I ESA will determine whether any additional analysis (e.g., a Phase II soil sampling) will be necessary. Review of the Phase I and any additional studies recommended by the Phase I would require oversight from the San Francisco Department of Public Health (DPH), which may recommend that the project sponsor enroll in its Voluntary Remedial Action Program. Such recommendations would likely be instituted into the project as mitigation measures. If mitigation measures are needed then preparation of a Mitigated Negative Declaration would be required.

Please note that the DPH charges a fee for their review. More information on DPH's Voluntary Remedial Action Program may be found at:

<http://www.sfdph.org/dph/EH/HazWaste/hazWasteVoluntaryRemedial.asp>.

- **Air Quality (AQ) Analysis.** The proposed project includes demolition of an existing structure and construction of a four-story residential building with six dwelling units. Project-related demolition, excavation, grading and other construction activities may cause wind-blown dust that could contribute particulate matter into the local atmosphere. To reduce construction dust impacts, the San

Francisco Board of Supervisors approved a series of amendments to the San Francisco Building and Health Codes generally referred hereto as the Construction Dust Control Ordinance (Ordinance 176-08, effective July 30, 2008) with the intent of reducing the quantity of dust generated during site preparation, demolition, and construction work in order to protect the health of the general public and of onsite workers, minimize public nuisance complaints, and to avoid orders to stop work by the Department of Building Inspection (DBI). The proposed project would be required to comply with applicable dust control requirements outlined in the ordinance.

In addition to construction dust, demolition and construction activities would require the use of heavy-duty diesel equipment which emit diesel particulate matter (DPM). DPM is a designated toxic air contaminant, which may affect sensitive receptors located up to and perhaps beyond 300 feet from the project site. Additional measures may be required to reduce DPM emissions from construction vehicles and equipment.

The proposed project includes sensitive land uses (i.e., dwelling units) that may be affected by nearby roadway-related pollutants and other stationary sources that may emit toxic air contaminants. The City and County of San Francisco has partnered with the Bay Area Air Quality Management District (BAAQMD) to inventory and assess air pollution and exposures from mobile, stationary, and area sources within San Francisco. Areas with poor air quality, termed "air pollution hot spots," were identified. Land use projects within these air pollution hot spots require special consideration to determine whether the project's activities would expose sensitive receptors to substantial air pollutant concentrations. The proposed project is not within air pollution hot spots, nor is it within the Potential Roadway Exposure Zone. In addition, the proposed project's six dwelling units meet BAAQMD's screening criteria for criteria air pollutants. During the environmental review process the proposed project will be reviewed to determine whether mitigation measures in the form of construction emissions minimization measures or other mitigation measures would be required. Please submit information with the Environmental Evaluation application regarding anticipated construction duration and quantity, in cubic yards of excavation. In addition, please indicate whether the proposed project would include any diesel boilers or back-up generators.

- **Stormwater Management.** Prior to issuance of a building permit, the project sponsor is required to submit a stormwater control plan (SCP) to the San Francisco Public Utility Commission Wastewater Enterprise, Urban Watershed Management Program that demonstrates compliance with the City's Stormwater Design Guidelines. The project's environmental evaluation would generally evaluate how and where the implementation of required stormwater management and low impact design approaches would reduce potential negative effects of stormwater runoff. This may include environmental factors such as the natural hydrologic system, city sewer collection system, and receiving body water quality. For more information on the SFPUC's stormwater management requirements, see <http://stormwater.sfwater.org>.

- **Greenhouse Gas Emissions.** In order to facilitate a determination of compliance with San Francisco's GHG reduction strategy, the Planning Department has prepared a Greenhouse Gas Analysis Compliance Checklist. The project sponsor will need to submit a completed Greenhouse Gas Analysis Compliance Checklist as part of the environmental review process.
- **Notification of a Project Receiving Environmental Review.** Notice is required to be sent to occupants of properties adjacent to the project site and owners of properties within 300 feet of the project site at the initiation of the environmental review process. Please provide these mailing labels at the time of the Environmental Evaluation Application submittal.
- **Tree Planting and Protection Checklist.** The Department of Public Works Code Section 8.02-8.11 requires protection of landmark, significant, and street trees located on private and public property. Any tree identified in the Tree Planting and Protection Checklist must be shown on the Site Plans with size of the trunk diameter, tree height, and accurate canopy dripline. Please submit a Tree Planting and Protection Checklist with the Environmental Evaluation Application and ensure trees are appropriately shown on site plans.

In order to facilitate environmental review and comply with the California Environmental Quality Act (CEQA), the applicant shall submit an Environmental Evaluation Application. The application is 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.

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 for Development Lot Size** from the Planning Commission is required per Planning Code Sections 121.1, 303(c) and 710.11 for development on a lot at or exceeding 5,000 gross square feet.
2. A **Demolition Permit Application** is required for the demolition of the existing building on the subject property.
3. A **Building Permit Application** is required for the proposed new construction on the subject property.

Conditional Use Authorization applications are available in the Planning Department lobby at 1650 Mission Street, Suite 400; at the Planning Information Center at 1660 Mission Street, and online at www.sfplanning.org. Building Permit applications are available at the Department of Building Inspection at 1660 Mission Street.

NEIGHBORHOOD NOTIFICATIONS AND PUBLIC OUTREACH:

Project Sponsors are encouraged to conduct public outreach with the surrounding community and neighborhood groups early in the development process. Additionally, many approvals require a public hearing with an associated neighborhood notification. Differing levels of neighborhood notification are mandatory for some or all of the reviews and approvals listed above.

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

PRELIMINARY PROJECT COMMENTS:

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

1. **Interdepartmental Project Review.** This review is required for all proposed new construction in seismic hazard zones, in which the subject property falls. The application is available at www.sfplanning.org under the "Permits & Zoning" tab.
2. **Inclusionary Affordable Housing Program.** Planning Code Section 415 requires that 15% of any housing project consisting of five or more units be designated as affordable. The project would be required to provide one on-site affordable unit. Other options include the payment of in-lieu fees or providing an off-site affordable unit. For more information, please contact the Mayor's Office of Housing:

Ms. Chandra Egan
Inclusionary Housing Program Manager
Mayor's Office of Housing
1 South Van Ness Avenue, 5th Floor
San Francisco, CA 94103
By phone at (415) 701-5546 or by e-mail at Chandra.egan@sfgov.org

3. **Rear Yard.** Planning Code Sections 134 and 710.12 require the project to provide a rear yard of at least 25 percent of the lot depth at grade level and above. The proposed rear yard is provided at the residential levels only, not at the grade level. Therefore, the proposed project requires revisions to meet the rear yard requirement, or you may seek and justify a rear yard modification through the Variance process. The Department would recommend providing a Code compliant rear yard.
4. **Off-Street Parking and Bicycle Spaces.** Planning Code Sections 151 and 155.5 require the project to provide six off-street parking spaces and three bicycle spaces respectively. The proposed ground floor parking garage is located in the required rear yard. Therefore, the proposed project requires revisions to meet the parking requirement, or you may apply for a **Parking Reduction Application**

in order to be exempt from providing parking at a ratio of one parking space per dwelling unit. Please see Planning Code Section 161(j) for more information.

5. **Usable Open Space.** Planning Code Sections 135 and 710.93 require 100 square feet of open space if private or 133 square feet if common for each dwelling unit. Additionally, any such open spaces must meet the dimensional requirements of Subsections 135(f) and (g). The balconies proposed for four of the dwelling units on the third and fourth floors do not meet the minimum six foot dimension or the minimum area of 36 square feet. The proposed roof plan seems to provide a roof deck but does not show the amount of common open space provided.
6. **Required Streetscape and Pedestrian Improvements.** Per Planning Code Section 138.1, the project sponsor will be required to submit a Streetscape Plan illustrating the location and design of streetscape improvements appropriate to the street type, including site furnishings, landscaping, street trees, corner curb extensions, and sidewalk widening as appropriate. The Planning Department may require these elements as part of conditions of approval. For more information on process, guidelines, and requirements for street improvements, refer to www.sfbetterstreets.org.
7. **Street Frontage in Neighborhood Commercial Districts.** Planning Code Sections 145 and 145.1 require that street frontages in Neighborhood Commercial (NC) Districts are attractive and compatible with the buildings and uses in the NC Districts. Applicable Code provisions include the treatment of parking entrances, active uses, ceiling height, and transparency to allow visibility to the inside of the building. The Planning Department's preliminary comments related to these Code sections are detailed below.

PRELIMINARY DESIGN COMMENTS:

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

1. **Site Design, Open Space, and Massing.** Match side setback/ light well of adjacent property by 2/3 length above ground floor.

2. **Vehicle Circulation, Access, and Parking.** Garage entrance should be maximum 8' wide.

3. **Architecture**

Scale, proportion, and building logic. Elevations do not seem to match plans. The proposed ground/first floor plan on Sheet A-2.1 does not match the proposed front elevation plan on Sheet A-3.1. Please revise the proposed project to reconcile this discrepancy.

The rhythm and logic of the building as defined by the solid walls and the bay projections on the upper floors are well balanced and proportioned, The Planning Department encourages the pattern to be reinforced by continuing a similar expression to the ground floor. Maintain a 25' wide lot pattern through a shift of plane, and detailing.

Active ground floor: Planning Code Section 145.1 requires that street frontages be provided with active uses appropriately fenestrated with transparent windows and doorways for no less than 60% of the street frontage at the ground level and allow visibility to the inside of the building.

The Planning Department suggests making the lobby more prominent by making it at least as wide as the garage entrance.

The west side property elevation is likely to be visible for some time and should be designed as a secondary façade with quality materials.

PRELIMINARY PROJECT ASSESSMENT EXPIRATION:

This Preliminary Project Assessment is valid for a period of **18 months**. An Environmental Evaluation, Conditional Use Authorization, or Building Permit Application, as listed above, must be submitted no later than **April 23, 2014**. Otherwise, this determination is considered expired and a new Preliminary Project Assessment is required. Such applications and plans must be generally consistent with those found in this Preliminary Project Assessment.

cc: Edward S. Shoikhet, Property Owner
Mary Woods, Current Planning
Heidi Kline, Environmental Planning
David Winslow, Citywide Planning and Analysis