



SAN FRANCISCO PLANNING DEPARTMENT

Preliminary Project Assessment

Date: June 17, 2013
Case No.: **2013.0491U**
Project Address: 1335 Larkin Street
Block/Lot: 0645/003
Zoning: NCD - Polk Street Neighborhood Commercial
65-A
Project Sponsor: Anthony Pantaleoni
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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 approximately 7,838 -square-foot project site is located in a block bounded by California Street to the north, Larkin Street to the east, Polk Street to the west, and Pine Street to the south. The project site is currently occupied by an approximately 29-foot-tall, one-story garage building with a mezzanine level. The existing garage building was constructed in 1913 and is identified as a historic resource. The building identified as possessing individual historic significance in the *Automotive Support Structures Historic Resource Survey*, adopted by the City in 2010, and is given a rating of 3CS (“Appears eligible for the California Register as an individual property through survey evaluation”).

The proposed project is for a new six stories vertical addition over the existing one story structure to create 20 dwelling units. The existing ground floor would be used to provide 20 off-street parking spaces for the residential units. The finished building would be 65 feet in height and a total of 31,586 square feet in size.

ENVIRONMENTAL REVIEW:

The project initially requires environmental review under the California Environmental Quality Act (CEQA). Please submit an Environmental Evaluation Application (EEA), which is available in the Planning Department lobby at 1650 Mission Street, Suite 400, at the Planning Information Center at 1660 Mission Street, and at www.sfplanning.org. Environmental review may be done in conjunction with the required approvals listed below but must be completed before any project approval may be granted. Environmental review may include the following:

- *Transportation.* A Transportation Study would not be required because the proposed residential uses would generate an insignificant number of new trips. The drawings submitted with the environmental application should identify existing and proposed ground floor uses and parking levels, including the dimensions of driveway curb cut. For residential use, a 10-foot-wide curb cut is recommended.
- *Hazardous Materials.* The project involves conversion of auto repair use to residential use. Please submit a Phase I Environmental Site Assessment with the EEA. The Phase I will determine whether any additional analysis (e.g., a Phase II soil sampling) will be necessary. Review of the Phase II and any additional studies recommended by the Phase II 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 result in mitigation measures. 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>.
- *Geotechnical Study.* A geotechnical study is required for this project. Please submit the geotechnical study with the EEA. The geotechnical study should evaluate or make recommendations for the design of the building foundations. If potential geological impacts are identified, design recommendations to ameliorate these issues should be included.
- *Historical Resources.* The proposed project consists of interior alteration and a six-story vertical addition to a building identified as possessing individual historic significance in an historic resources survey (Automotive Support Structures Historic Resources Survey) adopted by the City in July 2010. As such, the project is subject to the Department's Historic Preservation review.

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 an "historical resource," the second is to evaluate whether the action or project proposed by the sponsor would cause a "substantial adverse change" to the historical resource. As a Category 'A' property, the subject property is known to be an "historical resource," so part one of the historic preservation review process is not necessary. To assist in analysis of the proposed project, the Department requires a Historic Resource Evaluation (HRE) Report, focused on evaluating impacts of the proposed project on identified historical resource(s), to be prepared by a qualified professional who meets the

Secretary of the Interior's Professional Qualification Standards in Historic Architecture or Architectural History.

As the proposed project will create six or more dwelling units, and/or, construct an addition of 10,000 square feet or more, use of the Historic Resource consultant pool for identification of a preservation consultant to prepare the HRE shall be required. The Department will provide the project sponsor with a list of three consultants from the Historic Preservation Consultant Pool, which shall be known as the "potential consultant list" or "PCL," upon submittal of the Environmental Evaluation Application. After submittal of the EEA, please contact Senior Preservation Planner Tina Tam (415 558-6325) for the list of three consultants and to determine the consultant's scope of work.

The HRE should focus on evaluation of the proposed project for conformance with the Secretary of the Interior's Standards for Rehabilitation (Secretary's Standards), including assessing compatibility of the new design with the existing building and assess potential impacts to historical resources. The Department would determine, based in part on information provided in the HRE report, whether the proposed project shall result in significant impacts to identified historic resources. In evaluating the proposed project, the architecture, massing, height, materials, and articulation of the existing building and proposed addition should be considered. As noted in the Secretary's Standards, design for the new work may be contemporary or may reference design motifs from the historic building. In either case, the addition should always be clearly differentiated from the historic building and be compatible in terms of mass, materials, relationship of solids to voids, and color. Design of the addition should also be of a size and scale that relates to, and does not overwhelm, the historic building. The evaluation should also contain demolition calculations based on the benchmarks for demolition outlined in Planning Code Section 1005(f).

Preliminary Historic Preservation Comment. Additional design comments will be provided upon submittal of the Environmental Evaluation Application and HRE report. The final determination of potential impacts cannot be made until such time as the Environmental Evaluation Application and all supporting technical documents are submitted and analyzed, however, the Department does have the following preliminary comments based on the preliminary massing study submitted by the project sponsor.

The new addition appears to retain the primary façade where most of the character-defining features of the building are found. With further design refinement the proposal appears to respect the form of the individual building by providing substantial setbacks and stepbacks from the front façade of the existing building when viewed from the public right-of-way. Specifically, the second and third stories are setback 20-feet from the front building face and appear to be minimally visible above the existing gabled parapet of the existing building. Additionally, the fourth and fifth floors are further stepped back additional 20-feet to provide a total setback of 40-feet from the front face of the building with the sixth floor setback another 10-foot for a total of 50-foot setback. The retention of the primary building façade coupled with the substantial setback and stepbacks appear to be an approach that the Department supports in general provided the

proposed work does not exceed the demolition threshold outlined in Article 10, Section 1005(f) of the Planning Code. However, it is not clear from the submittal documents how much of the roof truss structure is proposed to be removed. Removal of a large portion of the roof truss structure is generally discouraged and would have to be evaluated in relation to the larger project to determine whether it would constitute an impact to the individual resource. It is recommended that the portion of the roof truss within the proposed setback areas be retained on the ground floor.

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."

- *Air Quality – Roadway Exposure.* The proposed project includes the siting of 20 new residences. The project site is located within the Potential Roadway Exposure Zone (PREZ) as identified by the San Francisco Department of Public Health (DPH), which means that residents of the proposed project could be exposed to concentrations of fine particulate matter (PM_{2.5}) from high-volume roadways within approximately 500 feet (150 meters) of the project site. The proposed project is subject to Article 38 of the San Francisco Health Code, which requires that for new residential development greater than 10 units located within the PREZ an air quality assessment be performed to determine whether PM_{2.5} concentrations from roadway sources exceed 0.2 micrograms per cubic meter (0.2 µg/m³). Sponsors of projects on sites exceeding this level are required to install ventilation systems or otherwise redesign the project to reduce the outdoor PM_{2.5} exposure indoors. Coordination with DPH regarding analytical and reporting methods is strongly recommended. For more information, please see the DPH document *Assessment and Mitigation of Air Pollutant Health Effects from Intra-urban Roadways: Guidance for Land Use Planning and Environmental Review*, available at <http://www.sfdph.org/dph/files/EHSdocs/AirQuality/MitigateRoadAOLUConflicts.pdf>.
- *Air Quality – Construction Dust.* Project-related 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 may require the use of heavy-duty diesel equipment that emit diesel particulate matter (DPM). DPM is a designated toxic air contaminant that 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.

- *Greenhouse Gas Emissions.* If the project is determined not to be exempt from environmental review (i.e., requires a mitigated negative declaration or an environmental report), the project sponsor will need to submit a greenhouse gas analysis compliance checklist as part of the environmental review process.
- *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. Please submit a *Tree Planting and Protection Checklist* with the EEA. Any tree identified on the checklist must be shown on the site plan with size of the trunk diameter, tree height, and accurate canopy dripline.
- *Notification of a Project Receiving Environmental Review.* Notice must 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. After submittal of the EEA, please be prepared to provide these mailing labels when requested by the planner conducting the environmental review.

If the additional analysis outlined above indicates that the project would not have a significant effect on the environment, the project would qualify for a Class 32 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 EEA indicates that the project may have a significant effect on the environment, Planning Department staff would prepare an initial study to determine whether an environmental impact report (EIR) is needed. If the Department determines that the project would have significant impacts that could be reduced to a less-than-significant level by mitigation measures agreed to by the project sponsor, then the Department would issue a mitigated negative declaration.

If the initial study process indicates that the project would result in a significant impact that could not be mitigated to a less-than-significant level, an EIR would 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.

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. **Variations.** As currently proposed, and as discussed under 'Preliminary Project Comments' below, certain aspects of the project do not comply with the requirements of the Planning code. Therefore, the project must be revised to comply with the Planning Code, or Variations must be sought for these aspects of the project:

- a. Rear Yard (see Item 1 under 'Preliminary Project Comments')
- b. Open Space (see Item 2 under 'Preliminary Project Comments')

Applications for the actions listed above 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.

2. A **Building Permit Application** is required for the proposed building alterations. Building permit applications are available at the Department of Building Inspections 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 impact the proposed project:

1. **Rear Yard.** Planning Code Section 134(a)(1)(C) stipulates that a rear yard shall be provided at the lowest story containing a dwelling unit, and at each succeeding level or story of a building in the Polk Street NCD equal to 25% of lot depth. The rear yard requirements in NC Districts may be modified or waived in specific situations as described in Planning Code Section 134(e).

The project site is 137.5 feet in depth and the required rear yard setback is approximately 34 feet. As proposed, it appears only 20 feet of rear yard setback is provided. The project could be eligible for a rear yard waiver by the Zoning Administrator under a Variance application provided that the criteria enumerated under Planning Code Section 134(e)(1) are determined to be met by the Zoning Administrator. As proposed, the project would require a rear yard waiver, or alternatively, the project may be re-designed to meet the Planning Code rear yard requirements.

2. **Open Space – Residential.** Section 135 requires that a specific amount of usable open space be provided for each dwelling unit. The Polk Street NC District requires dwelling units to have 60 square feet of private usable open space per dwelling unit, 80 square feet of common usable open space per dwelling unit, or a combination of the two standards. Both private and common open space must meet specific requirements for dimensions, location, and exposure to light and air. As currently

proposed, the project appears to provide some open space area in differing forms and locations within the project. However, the Planning Department staff would need to review full-sized, scaled plans under future project submittal to determine if the proposed open space would meet considered usable. Alternately, if the plans indicate that the dwelling units do not have an adequate amount of usable open space, a Variance from the Planning Code requirement of open space shall be required.

3. **Street Trees.** Planning Code Section 138.1 requires one street tree for every 20 feet of frontage for new construction; relocation of a building; the addition of gross floor area equal to 20 percent or more of the gross floor area of an existing building; the addition of a new dwelling unit, a garage, or additional parking; or paving or repaving more than 200 square feet of the front setback. No street trees are shown on the plans.
4. **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 does not provide a large enough courtyard to meet the exposure requirement for those units that may only have windows fronting the rear yard area. Therefore, the proposed project may require revision to meet the minimum exposure requirement, or you may request and justify an exposure variance. The Department generally encourages projects to minimize the number of units needing an exposure exception.
5. **Bicycle Parking.** Planning Code Section 155.5 requires this project to provide at least 10 bicycle parking spaces. The proposed project contains no bicycle parking.
6. **Inclusionary Affordable Housing.** Pursuant to Section 415, the project must satisfy the requirement of the Inclusionary Affordable Housing program through the payment of an Affordable Housing Fee that is equivalent to the applicable percentage of the number of units in the principal project, which is 20 percent of the total number of units proposed. As an alternative, the project may be eligible to satisfy the requirements of Section 415 through the provision of on-site or off-site affordable units. In order to qualify for this alternative, the sponsor must demonstrate that the units would not be subject to the Costa Hawkins Rental Housing Act.

In order for the Project Sponsor to be eligible for the On-site Affordable Housing Alternative, the project Sponsor must submit an 'Affidavit of Compliance with the Inclusionary Affordable Housing program: Planning Code Section 415, to the Planning Department stating that any affordable units designated as on-site units shall be sold as ownership units and will remain as ownership units for the life of the project. In order to be eligible to provide rental units, the Project sponsor must submit to the Department a contract demonstrating that the project's on-or off-site units are not subject to the Cost Hawkins Rental Housing Act, California Civil Code Section 1954.50 because, under Section 1954.52(b), the Project Sponsor has entered into an agreement with a public entity in consideration for a direct financial contribution or any other form of assistance specified in California Government Code Sections 65915 et seq. Please note that not all projects can meet the criteria of having received a "direct financial contribution or other form of assistance" from the City. All such contracts entered

into with the City and County of San Francisco must be reviewed and approved by the Planning Department, the mayor's Office of housing, and the City Attorney's Office.

7. **First Source Hiring Agreement.** Chapter 83 of the San Francisco Administrative Code, passed in 1989, established the First Source hiring Program to identify available entry-level jobs in San Francisco and match them with unemployed and underemployed job-seekers. The intent is to provide a resource for local employers seeking qualified, job ready applicants for vacant positions while helping economically disadvantaged residents who have successfully completed training programs and job readiness classes.

The ordinance applies to (1) any permit application for commercial development exceeding 25,000 square feet in floor area involving new construction, an addition or a substantial alteration which results in the addition of entry level positions for a commercial activity' or (2) any application which requires discretionary action by the planning Commission relating to a commercial activity over 35,000 square feet, but not limited to conditional use; or (3) any permit application for a residential development of ten units or more involving new construction, an addition, a conversion or substantial rehabilitation.

The project proposed more than ten dwelling units and therefore is subject to the requirement. For further information or to receive a sample First Source hiring Agreement, please contact Ken Nim, Workforce compliance Officer, CityBuild, Office of Economic and Workforce Development, City and County of San Francisco, 50 Van Ness, San Francisco, CA 94102.

To the extent possible, the project should be designed to minimize deviations from code requirement.

PRELIMINARY DESIGN COMMENTS:

In addition to the historic preservation comments stated on page 3, the following comments address preliminary urban design issues that may significantly impact the proposed project:

1. **Building Massing, Site Design, and Open Space.** Stepping the massing back from the existing building and street, as proposed, seems to be a reasonable means of differentiating the new from the existing and creating a transition to the lower neighboring buildings.
2. **Architecture.** The current proposal is extremely preliminary and does not have sufficient information to respond to with useful architectural design comments. The Planning Department will be able to provide constructive comments in a subsequent application with drawings that illustrate the intent of the design.

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 **December 17, 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: Anthony Pantaleoni, Kotas/Pantaleoni Architects, Project Sponsor
Jeanie Poling, Environmental Planning
Kearstin Dischinger, Citywide Planning and Analysis
David Winslow, Design Review Team