



# SAN FRANCISCO PLANNING DEPARTMENT

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**DATE:** August 22, 2014  
**TO:** Gabriel Ng  
**FROM:** Joshua Switzky, Planning Department  
**RE:** PPA Case No. 2014.1000U for 4712-20 3rd Street

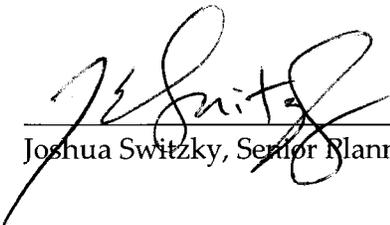
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Please find the attached Preliminary Project Assessment (PPA) for the address listed above. You may contact the staff contact, Claudia Flores, at (415) 558-6473 or [claudia.flores@sfgov.org](mailto:claudia.flores@sfgov.org), to answer any questions you may have, or to schedule a follow-up meeting.



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Joshua Switzky, Senior Planner



# SAN FRANCISCO PLANNING DEPARTMENT

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## Preliminary Project Assessment

*Date:* August 22, 2014  
*Case No.:* **2014.1000U**  
*Project Address:* 4712-20 3<sup>rd</sup> Street  
*Block/Lot:* 5311/035  
*Zoning:* NC-3  
Third Street Special Use District  
40-X  
*Area Plan:* Bayview Hunter's Point Area Plan  
*Project Sponsor:* Gabriel Ng + Architects Inc.  
415-682-8060  
*Staff Contact:* Claudia Flores – 415-558-6473  
[claudia.flores@sfgov.org](mailto:claudia.flores@sfgov.org)

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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 2,494 square foot one story, vacant commercial building and construct a 4-story, 40-foot tall mixed use building. The existing building on the 5,485 square foot subject lot was constructed in 1927. The proposed new building would be a residential care facility for the elderly (RFCE) which would include 24 RFCE rooms, 7 parking spaces, and 1,241 square feet of commercial space on the ground floor along 3<sup>rd</sup> Street.

### ENVIRONMENTAL REVIEW:

In order to begin formal environmental review, please submit an **Environmental Evaluation Application**. This review may be done in conjunction with the required approvals listed below, but must be completed before any project approval may be granted. See page 2 of the current *Fee Schedule* for calculation of environmental application fees. **Note that until an approval application is submitted to the Current Planning Division, only the proposed Project Description will be reviewed by the assigned**

**Environmental Coordinator.** Below is a list of topic areas that would require additional study based on our preliminary review of the project as it is proposed in the Preliminary Project Assessment (PPA) submittal dated June 27, 2014.

- *Historic Resource Evaluation.* The proposed project consists of demolition of a potential historic resource (building constructed 50 or more years ago). Therefore, the project is subject to the Department's Historic Preservation review, which would include preparation of a Historic Resource Evaluation (HRE) by a qualified professional who meets the Secretary of the Interior's Professional Qualification Standards. The department will provide the project sponsor with a list of three consultants from the Historic Resource Consultant Pool. Once the Environmental Evaluation Application is submitted, please contact Tina Tam, Senior Preservation Planner, via email (tina.tam@sfgov.org) for the list of three consultants. Upon selection of the historic resource consultant, the scope of the Historic Resource Evaluation shall be prepared in consultation with Department Preservation staff.
- *Archeological Resources.* If the proposed project would involve excavation, the proposed project would require a Preliminary Archeological Review (PAR), which would be conducted in-house by the Planning Department Archeologist. The PAR will: (1) determine what type of soils disturbance/modifications would result from the proposed project, such as excavation, installation of foundations, soils improvements, site remediation, etc.; (2) determine whether or not the project site is located in an area of archeological sensitivity; and (3) determine what additional steps are necessary to identify and evaluate any potential archeological resources that may be affected by the proposed project. Helpful to the PAR process is the availability of geotechnical or soils characterization studies prepared for the proposed project along with the proposed foundation type and maximum depth of excavation.
- *Transportation Study.* Based on the preliminary review of the PPA submittal, the preparation of a transportation study is not likely required for the project. However, an official determination will be made subsequent to the submittal of the EEA. The plans submitted with the EEA should clearly show the required Class I and Class II bicycle parking on the plans. The Planning Department encourages passenger drop off/pick-up within the garage, and discourages double parking along Third Street.
- *Hazardous Materials.* If the proposed project would involve the excavation of more than 50 cubic yards of soil, the project would be 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 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 Environmental Evaluation Application (EEA).

- *Serpentine*. Based upon mapping conducted by the U.S. Geological Survey (USGS) the project site may be underlain by serpentine rock.<sup>1</sup> Project construction activities could release serpentine into the atmosphere. Construction activities are subject to the Dust Control Ordinance requirements contained in San Francisco Health Code Article 22B and San Francisco Building Code Section 106.A.3.2.6. Requirements of the Dust Control Ordinance include, but are not limited to, watering to prevent dust from becoming airborne, sweep or vacuum sidewalks, and cover inactive stockpiles of dirt. These measures ensure that serpentine does not become airborne during construction.
- *Air Quality (AQ) Analysis*. The proposed project, with 24 RFCE rooms and 1,241 square feet of commercial uses, is below the Bay Area Air Quality Management District's (BAAQMD) construction and operational screening levels for criteria air pollutants. Therefore an analysis of the project's criteria air pollutant emissions is not likely to be required.

In addition, project-related demolition, excavation, grading and other construction activities may cause wind-blown dust that could contribute particulate matter into the local atmosphere. To reduce construction dust impacts, the San Francisco Board of Supervisors approved 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). Pursuant to the Construction Dust Ordinance, the proposed project would be required to comply with applicable dust control requirements outlined in the ordinance.

In addition, San Francisco has partnered with the BAAQMD to inventory and assess air pollution and exposures from mobile, stationary, and area sources within San Francisco. Areas with poor air quality, termed the "Air Pollutant Exposure Zone," were identified. Land use projects within the Air Pollutant Exposure Zone require special consideration to determine whether the project's activities would expose sensitive receptors to substantial air pollutant concentrations. Although the proposed project is not within an Air Pollutant Exposure Zone, improvement measures may be recommended for consideration by City decision makers such as exhaust measures during construction and enhanced ventilation measures as part of building design.

- *Geotechnical Study*. A geotechnical study prepared by a qualified consultant must be submitted with the EEA. The study should address whether the site is subject to geological hazards, and should provide recommendations for any geotechnical concerns identified in the study.

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<sup>1</sup> Planning Department, GIS Layer, "Areas Affected by Serpentine Rocks." Created February 25, 2010 from United States Geological Survey and San Francisco Department of Public Health data.

- *Greenhouse Gases.* The *City and County of San Francisco's Strategies to Address Greenhouse Gas Emissions* presents a comprehensive assessment of policies, programs, and ordinances that represents San Francisco's Qualified Greenhouse Gas (GHG) Reduction Strategy. Projects that are consistent with San Francisco's Qualified GHG Reduction Strategy would result in less-than-significant impacts from GHG emissions. In order to facilitate a determination of compliance with San Francisco's Qualified GHG Reduction Strategy, the Planning Department has prepared a Greenhouse Gas Analysis Compliance Checklist.<sup>2</sup> The project sponsor is required to submit the completed table regarding project compliance with the identified regulations and provide project-level details in the discussion column. This information will be reviewed by the environmental planner during the environmental review process to determine if the project would comply with San Francisco's Greenhouse Gas Reduction Strategy. Projects that do not comply with an ordinance or regulation may be determined to be inconsistent with the Greenhouse Gas Reduction Strategy.
- *Noise.* Construction noise would be subject to the San Francisco Noise Ordinance (Article 29 of the San Francisco Police Code), which includes restrictions on noise levels of construction equipment and hours of construction. Detailed information related to construction equipment, phasing, and duration of each phase may be required as part of environmental evaluation to assess construction noise levels and methods to reduce such noise, as feasible.

Based on the City's GIS-based traffic noise model map, the project site fronts a segment of Third Street with noise levels above 70 dBA  $L_{dn}$  (a day-night averaged sound level). The Land Use Compatibility Chart for Community Noise in the San Francisco General Plan, Environmental Protection Element states that for construction of new residential uses within areas with noise levels above 65 dBA  $L_{dn}$  to proceed, detailed analysis of the noise reduction requirements must be made and needed noise insulation features included in the design of the building.<sup>3</sup> Based on this, a noise analysis prepared by a qualified acoustic consultant may be required for the project. A formal determination as to whether a noise analysis is required and the scope of the noise analysis will be made after submittal of the Environmental Evaluation Application

- *Shadow Study.* The project site is located west of the Joseph Lee Recreation Center. A preliminary shadow fan analysis has been prepared by Planning Department staff, and indicates that the proposed project would not cast shadows on recreational resources.
- *Stormwater.* If the project results in a ground surface disturbance of 5,000 square feet or greater, it is subject to San Francisco's stormwater management requirements as outlined in the Stormwater Management Ordinance and the corresponding SFPUC Stormwater Design Guidelines (Guidelines). Projects that trigger the stormwater management requirements must prepare a Stormwater Control Plan demonstrating project adherence to the performance measures outlined in the Guidelines including: (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

<sup>2</sup> Refer to <http://sf-planning.org/index.aspx?page=1886> for latest "Greenhouse Gas Compliance Checklist for Private Development Projects."

<sup>3</sup> San Francisco Planning Department. San Francisco General Plan, Environmental Protection Element. Available online at: [http://www.sf-planning.org/ftp/general\\_plan/I6\\_Environmental\\_Protection.htm](http://www.sf-planning.org/ftp/general_plan/I6_Environmental_Protection.htm)

review and approval of the Stormwater Control Plan is with the SFPUC, Wastewater Enterprise, 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. To view the Stormwater Management Ordinance, the Stormwater Design Guidelines, or download instructions for the Stormwater Control Plan, go to <http://sfwater.org/sdg>.

- *Tree Planting and Protection.* The Department of Public Works Code Section 8.02-8.11 requires disclosure and protection of landmark, significant, and street trees located on private and public property. Any such trees must be shown on the Site Plans with the size of the trunk diameter, tree height, and accurate canopy drip line. Please submit a *Tree Planting and Protection Checklist* with the Environmental Evaluation Application and ensure that trees are appropriately shown on site plans.
- *Notification of a Project Receiving Environmental Review.* Notice is 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. Please be prepared to provide mailing addresses on a CD upon request following submittal of the Environmental Evaluation Application.
- *Disclosure Report for Developers of Major City Projects.* The San Francisco Ethics Commission S.F. Camp. & Govt. Conduct Code § 3.520 et seq. requires developers to provide the public with information about donations that developers make to nonprofit organizations that may communicate with the City and County regarding major development projects. This report must be completed and filed by the developer of any "major project." A major project is a real estate development project located in the City and County of San Francisco with estimated construction costs exceeding \$1,000,000 where either: (1) The Planning Commission or any other local lead agency certifies an EIR for the project; or (2) The project relies on a program EIR and the Planning Department, Planning Commission, or any other local lead agency adopts any final environmental determination under CEQA. A final environmental determination includes: the issuance of a Community Plan Exemption (CPE); certification of a CPE/EIR; adoption of a CPE/Final Mitigated Negative Declaration; or a project approval by the Planning Commission that adopts CEQA Findings. (In instances where more than one of the preceding determinations occur, the filing requirement shall be triggered by the earliest such determination.) A major project does not include a residential development project with four or fewer dwelling units. The first (or initial) report must be filed within 30 days of the date the Planning Commission (or any other local lead agency) certifies the EIR for that project or, for a major project relying on a program EIR, within 30 days of the date that the Planning Department, Planning Commission, or any other local lead agency adopts a final environmental determination under CEQA. Please submit a Disclosure Report for Developers of Major City Projects to the San Francisco Ethics Commission. This form can be found at the Planning Department or online at <http://www.sfethics.org>.

A categorical exemption is likely to be prepared for the project, provided the project would not result in a significant impact on the environment. The project could be eligible for a Class 32 infill development categorical exemption from environmental review under CEQA Guidelines Section 15332 based on the

preliminary review of the proposed project. If a Class 32 exemption is appropriate, Environmental Planning staff will prepare a certificate of exemption.

If it is determined that the project could result in a significant impact, an initial study would be prepared. The initial study may be prepared either by an environmental consultant from the Department's environmental consultant pool or by Department staff. If the initial study indicates that the project would result in a significant impact that cannot be mitigated to below a significant level, an EIR must be prepared by an environmental consultant from the Planning Department's environmental consultant pool.

If the initial study finds that the project would have a significant impact that could be reduced to a less-than-significant level by mitigation measures agreed to by the project sponsor, then the Department would issue a preliminary mitigated negative declaration (PMND). The PMND would be circulated for public review for a period of 20 calendar days, during which time concerned parties may comment on and/or appeal the determination. If an appeal is filed, the Planning Commission would hold a hearing to decide the appeal. If no appeal is filed, the Planning Department would issue a final mitigated negative declaration (FMND).

#### **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. A **Building Permit Application** is required for the demolition of the existing building on the subject property.
2. A **Building Permit Application** is required for the proposed new construction on the subject property.
3. As currently proposed, and as discussed under 'Preliminary Project Comments' below, this project requires a **Variance** from Planning Code Sections 136, 138, and 155.
4. As proposed, a **Conditional Use Authorization** is required for the Project under Planning Code Section 121.2 regarding use size limits and under Planning Code Section 157 for excess off-street parking above the accessory limits.

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](http://www.sfplanning.org) under the "Permits & Zoning" tab. All registered neighborhood group mailing lists are available online at [www.sfplanning.org](http://www.sfplanning.org) under the "Resource Center" tab.

### PRELIMINARY PROJECT COMMENTS:

The following comments address specific Planning Code and other general issues that may significantly impact the proposed project. For the purpose of providing these comments, the ground floor units along Clara Street are considered non-residential. Designation of these units as residential may alter some of the comments below.

1. **Neighborhood Notification.** Per Planning Code Section 312, the proposed project requires a neighborhood notification. Please submit the required materials with the Building Permit Application. Instructions are available on our website at: <http://sfplanning.org/modules/showdocument.aspx?documentid=8675>
2. **Use Size Limit.** Per Planning Code Section 121.2, a Conditional Use Authorization is required for non-residential area exceeding 6,000 square feet.
3. **Obstructions.** Per Planning Code Section 136, bay window and balcony obstructions on the front façade must meet dimensional and glazing requirements. Please show that the proposed bay windows and balconies on the front facade fit within the maximum dimensional requirements of 15 feet at the property line and 9 feet at a line parallel to and at a distance of 3 feet from the property line. Please also show that the proposed bay windows and balconies on the front façade meet the minimum glazing requirements that glass areas of each bay window, and the open portions of each balcony, shall be not less than 50 percent of the sum of the areas of the vertical surfaces of such bay window or balcony. Per Planning Code Section 136, architectural features at the roof level may not extend further than 3 feet beyond the front property line.
4. **Street Trees.** Per Planning Code Section 138.1, for all new construction, one 24-inch-box tree is required for every 20 feet of street frontage, with any remaining fraction of 10 feet or more of frontage requiring an additional tree. The proposed project requires 3 trees along 3<sup>rd</sup> Street. If the Department of Public Works makes the determination that a tree cannot be placed, please be advised that an in-lieu fee will be required.
5. **Parking.** Planning Code Section 151 states that no off-street parking spaces are required for a residential care facility use. Planning Code Section 204.5 allows 3 off-street parking spaces as accessory parking when no parking spaces are otherwise required. Therefore, the proposed 7 off-

street parking spaces will require Conditional Use Authorization under Planning Code Section 157 for excess parking above the accessory limits.

6. **Bicycle Parking.** Per Planning Code Section 155.5, five Class 1 bicycle parking spaces are required for 48 beds in a residential care facility (at a ratio of one per 10 beds), as well as two Class 2 bicycle parking spaces for less than 50 beds.
7. **Transit Impact Development Fee.** This project is subject to the applicable requirements outlined in Section 411 et seq.
8. **Bayview Hunters Point Citizen Advisory Committee.** The project site is located within the Bayview Hunters Point Redevelopment Area, which requires coordination with the Bayview Hunters Point Citizen Advisory Committee. Please contact Bill Barnes at 554-4148 or [bill.barnes@sfgov.org](mailto:bill.barnes@sfgov.org) and refer to the following document on our website: [http://www.sf-planning.org/ftp/files/publications\\_reports/BVHP\\_CAC\\_Info\\_Sheet\\_Ord157-13\\_08-14-13.pdf](http://www.sf-planning.org/ftp/files/publications_reports/BVHP_CAC_Info_Sheet_Ord157-13_08-14-13.pdf)
9. **Tree Disclosure Affidavit.** A Tree Disclosure Affidavit must be filled out and submitted with the Building Permit Application for New Construction. This form is available online at [www.sfplanning.org](http://www.sfplanning.org), under the "Resource Center/Department Publications" tab.
10. **Stormwater.** Projects that disturb 5,000 square feet or more of the ground surface must comply with the Stormwater Design Guidelines and submit a Stormwater Control Plan to the SFPUC for review. To view the Guidelines and download instructions for preparing a Stormwater Control Plan, go to <http://stormwater.sfwater.org/>. Applicants may contact [stormwaterreview@sfwater.org](mailto:stormwaterreview@sfwater.org) for assistance.
11. **Parking curb cuts.** In order to preserve the pedestrian character of certain neighborhood commercial districts and to minimize delays to transit service, garage entries, driveways, curb cuts or other vehicular access to off-street parking or loading (except for the creation of new publicly-accessible streets and alleys) is strongly discouraged on 3<sup>rd</sup> street which is a designated Transit Preferential, Citywide Pedestrian Network and Neighborhood Commercial street in the Transportation Element of the General Plan and an official City bicycle routes. This street is also a shared street for bikes (sharrows on the lane closest to the property) and for public transit – the T-Third light rail line. If an alternative frontage is not available and a curb cut must be provided, parking or loading access along this key street should be designed such that the parking access minimizes negative impacts to transit movement and to the safety of pedestrians and bicyclists to the fullest extent feasible.
12. **Invest in Neighborhoods.** The project is located on an Invest In Neighborhoods Corridor. Invest in Neighborhoods is an interagency partnership to strengthen and revitalize neighborhood commercial districts around San Francisco. The initiative, currently being piloted in 25 commercial districts, aims to strengthen small businesses, improve physical conditions, increase quality of life, and increase community capacity. Each corridor is appointed an IIN Point Person. This staff member is responsible for advocating for the neighborhood, leveraging City services and working with community partners to

develop customized service plans for each corridor. Additionally the IIN Point Person keeps track of vacant retail spaces and development projects. More information on the Invest in Neighborhoods program, including the IIN Point Person, can be found at <http://investsf.org/>

13. **Bayview Hunters Point Area Plan.** The project is located within the boundary of the Bayview Hunters Point Area Plan ("Plan"). It has a diverse pattern of land uses that integrate various housing types, commercial activities, industry, institutions, and open spaces. As currently drafted, the project is generally consistent with the objectives and policies in the Plan. Please refer to the Plan for more guidance and to ensure general conformity with its policies and objectives. More information can be found on the Planning Department's website at: [http://www.sf-planning.org/ftp/General\\_Plan/Bayview\\_Hunters\\_Point.htm](http://www.sf-planning.org/ftp/General_Plan/Bayview_Hunters_Point.htm)

Please be advised that additional comments may result pending a formal submittal.

### PRELIMINARY DESIGN COMMENTS:

The project is located in the Bayview neighborhood along the Third Street transit corridor in a pedestrian-friendly neighborhood commercial area. The nearby properties are primarily one to five story residential buildings with retail at the ground floor. The nearby neighborhood blocks contain primarily residential in character with bay windows and wood siding. The following comments address preliminary design issues that may significantly impact the proposed project:

1. **Site Design, Open Space, and Massing.** The Planning Department supports the project massing and open space as proposed presuming that it has a code complying rear yard.
2. **Street Frontage.** The Planning Department supports the ground floor use and public realm connection as proposed. The Planning Department suggests an exterior planter or seating near the retail, if there is space, to offer further active use and frontage interest.
3. **Architecture.** The Planning Department recommends that the project façade geometry and material systems be simplified and clarified. One option would be to extend a base material for a more background plane from which the alternate materials or geometries are added. The sun shade planes seem overly randomly placed and detailed. Generally, greater component and material consistency would help the project read more cohesively.

### PRELIMINARY PROJECT ASSESSMENT EXPIRATION:

This Preliminary Project Assessment is valid for a period of **18 months**. An Environmental Evaluation, Conditional Use Authorization, or Building Permit Application, as listed above, must be submitted no later than **February 26, 2016**. Otherwise, this determination is considered expired and a new Preliminary Project Assessment is required. Such applications and plans must be generally consistent with those found in this Preliminary Project Assessment.

Enclosure: Neighborhood Group Mailing List

cc: Tung Shing Tang, Property Owner  
Erika Jackson, Current Planning  
Melinda Hue, Environmental Planning  
Maia Small, Design Review  
Jonas Ionin, Planning Commission Secretary  
Jerry Robbins, MTA  
Jerry Sanguinetti, DPW  
Crezia Tano, OEWD  
Jorge Rivas, OEWD