



# SAN FRANCISCO PLANNING DEPARTMENT

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## Notice of Availability of and Intent to Adopt a Mitigated Negative Declaration

*Date:* December 12, 2018  
*Case No.:* 2016-011043ENV  
*Project Title:* 159 & 161 Charter Oak Avenue  
*Zoning:* RH-1 (Residential – House, One Family) Use District  
40-X Height and Bulk District  
*Block/Lot:* 5377/070 and 5377/071  
*Project Sponsor:* Jeremy Schaub, Schaub Ly Architects, (415) 682-8060, [jeremy@slasf.com](mailto:jeremy@slasf.com)  
*Staff Contact:* Jennifer McKellar – (415) 575-8754, [jennifer.mckellar@sfgov.org](mailto:jennifer.mckellar@sfgov.org)

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This notice is to inform you of the availability of the environmental review document concerning the proposed project as described below. The document is a preliminary mitigated negative declaration (PMND), containing information about the possible environmental effects of the proposed project. The PMND documents the determination of the Planning Department that the proposed project could not have a significant adverse effect on the environment. Preparation of a mitigated negative declaration does not indicate a decision by the City to carry out or not to carry out the proposed project.

### **Project Description:**

The 8,928-square-foot, triangular-shaped project site consists of two lots located on the east side of Charter Oak Avenue in the block bound by Helena, Elmira and Augusta streets in the Bayview neighborhood of San Francisco. The project site is vacant, but contains foundation remnants of the buildings that formerly occupied the site. There are no existing curb cuts providing access to the site.

The proposed project would merge and subdivide the two subject lots into four new lots with a shared driveway and construct four, three-story, approximately 34-foot-tall, 2,340- to 2,900-square-foot, single-family residential units, each with a rear yard. Each residential unit would include one vehicle parking space in a private ground-level garage and one class 1 bicycle space in either a ground-level garage or designated ground-floor location. A new 10-foot-wide curb cut at the terminus of Charter Oak Avenue would provide access to an approximately 103-foot-long by 20-foot-wide common driveway; the west side of the driveway would be bordered by a three-foot-wide concrete walkway serving all four residential units. The proposed project would also create a mutual easement, conveyed in perpetuity and recorded with the City of San Francisco as a third party, for site access. A four-foot-tall wood fence constructed on a three-foot-tall concrete curb would border the walkway along the western property line, providing separation from the adjacent Caltrans right of way landscape area. Three trees located in the Caltrans right of way along the site's western property line would be removed or trimmed to facilitate project construction. A new fire hydrant would be installed in the Charter Oak Avenue right of way (opposite the adjacent Caltrans property) and existing public sewer, water and gas lines would be extended by about 75 to 80 feet to service the project site. The new residential buildings would be supported by continuous perimeter footing foundations (or alternately, concrete mat slab foundations with continuous perimeter footings). Construction of the proposed project would last about 18 months, require approximately 8,470 square feet of excavation to a maximum depth of 6 feet below ground

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surface, and remove about 705 cubic yards of soil; this includes project site excavation and excavation of the three utility trenches in the Charter Oak Avenue right of way.

The proposed project would require approval to merge and subdivide the two existing lots into four new lots from the Department of Public Works; variances from lot frontage, lot width, lot area and front yard set back requirements from the Zoning Administrator; and demolition, site and building permits from the Department of Building Inspection.

The PMND is available to view or download from the Planning Department's Negative Declarations and EIRs web page (<http://www.sf-planning.org/sfceqadocs>). Paper copies are also available at the Planning Information Center (PIC) counter on the ground floor of 1660 Mission Street, San Francisco. If you have questions concerning environmental review of the proposed project, contact the Planning Department staff contact listed above.

Within 30 calendar days following publication of the PMND (i.e., by 5:00 p.m. on **January 14, 2019**) any person may:

- 1) Review the PMND as an informational item and take no action;
- 2) Make recommendations for amending the text of the document. The text of the PMND may be amended to clarify or correct statements and may be expanded to include additional relevant issues or to cover issues in greater depth. This may be done **without** the appeal described below; **OR**
- 3) Appeal the determination of no significant effect on the environment to the Planning Commission in a letter which specifies the grounds for such appeal, accompanied by a \$617 check payable to the San Francisco Planning Department.<sup>1</sup> An appeal requires the Planning Commission to determine whether or not an Environmental Impact Report must be prepared based upon whether or not the proposed project could cause a substantial adverse change in the environment. Send the appeal letter to the Planning Department, Attention: Lisa Gibson, 1650 Mission Street, Suite 400, San Francisco, CA 94103 or emailed to [lisa.gibson@sfgov.org](mailto:lisa.gibson@sfgov.org). **The letter must be accompanied by a check in the amount of \$617.00 payable to the San Francisco Planning Department, and must be received by 5:00 p.m. on January 14, 2019.** The appeal letter and check may also be presented in person at the PIC counter on the first floor of 1660 Mission Street, San Francisco.

In the absence of an appeal, the mitigated negative declaration shall be made final, subject to necessary modifications, after 30 days from the date of publication of the PMND. If the PMND is appealed, the Final Mitigated Negative Declaration (FMND) may be appealed to the Board of Supervisors. The first approval action, as identified in the Initial Study, would establish the start of the 30-day appeal period for the FMND pursuant to San Francisco Administrative Code Section 31.16(h).

Members of the public are not required to provide personal identifying information when they communicate with the Commission or the Department. All written or oral communications, including submitted personal contact information, may be made available to the public for inspection and copying upon request and may appear on the Department's website or in other public documents.

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<sup>1</sup> Upon review by the Planning Department, the appeal fee may be reimbursed for neighborhood organizations that have been in existence for a minimum of 24 months.